

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, ADOPTING THE MERCURY SPECIFIC PLAN TO A 2.8 PARCEL LOCATED AT 8825 WASHINGTON BOULEVARD HEREIN DESIGNATED AS GENERAL PLAN AMENDMENT NO. 57

WHEREAS, Section 18.62.070 of the Pico Rivera Municipal Code authorizes the City Council of the City of Pico Rivera, upon receipt of resolution from the Planning Commission of the City of Pico Rivera, upon holding a public hearing, upon hearing all testimony, upon examination and review of the investigative staff reports and upon conclusion of a public hearing to make such determinations and findings of fact as deemed necessary to approve a General Plan Amendment; and

WHEREAS, an amendment to the General Plan was initiated by the Community and Economic Development Director pursuant to Pico Rivera Municipal Code Section 18.62.050; and

WHEREAS, the City received concurrent applications including Conditional Use Permit No. 746, Zone Code Amendment No. 187 and Zone Reclassification No. 325 to develop a 255 unit mixed-used development on a 2.8 acre parcel located at 8825 Washington Boulevard; and

WHEREAS, the proposed development exceeds the maximum development standards stipulated within the Pico Rivera Zoning Ordinance and the maximum density specified by the General Plan; and

WHEREAS, on June 3, 2021, November 18, 2021, and August 11, 2022 community meetings were held to discuss the proposed project; and

WHEREAS, an Initial Study and Mitigated Negative Declaration (IS/MND) was prepared for the project, which was available for public comment at the City of Pico Rivera Community and Economic Development Department and was posted at the State Office of Planning and Research (OPR) website and at the Los Angeles County Recorder's Office pursuant to CEQA Guidelines Section 15072(a); and

WHEREAS, on November 21, 2022 during a regularly scheduled and advertised Planning Commission public hearing, the Planning Commission voted 3-2 to recommend to the City Council approval of Conditional Use Permit No. 746, Zone Code Amendment No. 187, General Plan Amendment No. 57, Zone Reclassification No. 325, and adoption of the Mitigated Negative Declaration and Mitigation Monitoring Plan; and

WHEREAS, on November 25, 2022, a legal notice was published in the Los Cerritos Newspaper, a local newspaper of general circulation; and

WHEREAS, a public hearing notice was mailed to property owners within a 1,000 foot radius from the subject site; and

WHEREAS, the City Council has carefully considered all pertinent testimony and the staff report offered in the case as presented at the public hearing held on January 24, 2023.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pico Rivera as follows:

SECTION 1. The City Council finds that the above recitals are true and correct and incorporates them as substantive part of its findings.

SECTION 2. Pursuant to provisions of the California Environmental Quality Act and CEQA Guidelines, Section 15063, and following an Initial Study and environmental assessment of possible adverse impacts, the project will not have a significant effect on the environment because of the inclusion of certain mitigation measures for which lessened potential adverse impacts to a level of less than significant. Therefore, a Mitigated Negative Declaration with mitigation measures and monitoring program has been prepared in accordance with the provisions of CEQA which have been incorporated as conditions. The Mitigated Negative Declaration and Mitigation Monitoring Program was adopted on January 24, 2023 pursuant to City Council Resolution No. _____ approved concurrently herewith.

SECTION 3. The City Council has reviewed and considered the staff report and enclosures as evidence and the recommendation by the Planning Commission and hereby adopts the Mercury Specific Plan to the 2.8 parcel located at 8825 Washington Boulevard, set forth in Attachment "A".

SECTION 4. Pursuant to Article I of Chapter 18.62, *Amendments and Zone Reclassification* of the Pico Rivera Municipal Code, the Planning Commission recommended to the City Council of the City of Pico Rivera approval of the General Plan Amendment No. 57 updating contents of the General Plan, in substantially the form attached hereto, to be incorporated as part of the General Plan.

SECTION 5. Further, this resolution with findings and recommendations, General Plan update, and staff report herein contained shall constitute a report of the City Council.

SECTION 6. The City Council finds that the General Plan amendment should be approved for the following reasons and findings:

- a) The General Plan amendment has been prepared in the interest of the existing and future residents for an orderly and functional City. As part of the Housing Element of the General Plan the City is required to plan for existing and projected housing needs of the City and the development of

255 units will help to meet the assigned Regional Housing Needs Assessment of 1,024 units for Above Moderate housing units.

- b) The General Plan amendment considered comments received by the public and stakeholders including concerns over density, height, traffic and overcrowding. The Mercury Specific Plan allows the increase of density and height otherwise allowed within the existing General Plan and Pico Rivera Municipal code in order to help the City comply with State mandates in relation to the construction of housing needed within the City and regionwide. The project includes a Traffic Impact Analysis that has been reviewed by the City's traffic engineer which concurred with the findings of the Traffic Impact Analysis that the increase in traffic of 1,594 daily trips will not have a significant impact within the area. Conditional Use Permit No. 746 incorporates conditions to address public concerns including limiting the occupancy of the units to prevent overcrowding.
- c) The General Plan amendment will add the Mercury Specific Plan to the 2.8-acre parcel located at 8825 Washington Boulevard to provide specific goals and policies including development standards in relation to density, height, open and private space, landscaping, and signage for the orderly development of the site thereby setting and implementing the standards of the 2014 General Plan in terms of compact design and mixed-use developments.
- d) The adoption of the Mercury Specific Plan is consistent with the Pico Rivera General Plan goals and policies to reflect recent trends and needs of the community. Policy 3.8-2 promotes the reuse of vacant, underutilized, and inefficient commercial uses for more economically productive purposes including housing and mixed-use housing. Policy 3.11-2 encourages the development of new specific plans consistent with policies pertaining to the redevelopment of properties within opportunity areas identified in the General Plan to assure achievement of the intended scale, character and quality development. The subject site is within General Plan Opportunity Area 8 and is zoned Mixed-Use and with the adoption of the Mercury Specific Plan policies and development standards will allow the increase in terms of scale and character not currently allowed in the General Plan or Pico Rivera Municipal Code but includes development and design standards for quality development.
- e) The General Plan Amendment is in compliance with the California Environmental Quality Act (CEQA) as set forth in the Mitigated Negative Declaration which was circulated for a 30-day comment period that ended August 6, 2022 and was posted on the City website, State Office of Planning and Research, Los Angeles County Recorder and which a copy could be viewed at City Hall.

- f) The General Plan update will not be detrimental to the health, safety and welfare of the Pico Rivera community as a Mitigated Negative Declaration was prepared with a Mitigation Monitoring Program to lessen the impacts to less than significant. The Mitigated Negative Declaration includes the following analysis, Air Quality, Greenhouse Gas, Geotechnical Engineering, Phase I site assessment, Noise, Vibration, and Transportation Impact to ensure that the health, safety and welfare of the community is preserved.

SECTION 7. The City Clerk shall certify the approval of this resolution and hereafter the same shall be in full force and effect.

APPROVED AND PASSED this 24th day of January 2023.

Erik Lutz, Mayor

ATTEST:

APPROVED AS TO FORM:

Anna M. Jerome, City Clerk

Arnold M. Alvarez-Glasman, City Attorney

AYES:

NOES:

ABSENT:

ABSTAIN:

RESOLUTION NO. _____
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**ATTACHMENT A
PROPOSED GENERAL PLAN AMENDMENT**

ATTACHED SPECIFIC PLAN