

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, APPROVING A ZONE RECLASSIFICATION FOR THE PROPERTY LOCATED AT 8825 WASHINGTON BOULEVARD TO CHANGE THE ZONE CLASSIFICATION FROM GENERAL COMMERCIAL AND MIXED-USE OVERLAY ZONE TO MERCURY SPECIFIC PLAN TO ALLOW FOR THE DEVELOPMENT OF THE PROPERTY AS A 255 UNIT MIXED-USE DEVELOPMENT FURTHER DESIGNATED HEREIN AS ZONE RECLASSIFICATION NO. 325

WHEREAS, the Pico Rivera Municipal Code Zoning ordinance was adopted as Ordinance No. 133, on November 2, 1960; and

WHEREAS, Section 18.62.230 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 public hearing to make such determinations and findings of fact as deemed necessary to approve a General Plan Amendment; and

WHEREAS, per Section 18.62.190 of the Pico Rivera Municipal Code the Community and Economic Development Director has initiated the Zone Reclassification; and

WHEREAS, Zone Reclassification No. 325 has been received to change the zone designation from General Commercial and Mixed-Use Overlay to Mercury Specific Plan for the property located at 8825 Washington Boulevard; and

WHEREAS, the City received concurrent applications including Conditional Use Permit No. 746, Zone Code Amendment No. 187 and General Plan Amendment No. 57 for the development of a 255 unit mixed-use development; and

WHEREAS, on August 11, 2022, November 18, 2021, and June 3, 2021, 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 for a 30-day comment period 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, Zone Reclassification No. 325, and adoption of the Mitigated Negative Declaration and Mitigation Monitoring Plan; and

WHEREAS, on January 13, 2023, 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 December 6, 2022.

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 herein 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 was prepared with mitigation measures and monitoring program in accordance with the provisions of CEQA. The Mitigated Negative Declaration and Mitigation Monitoring Program was adopted on December 6, 2022 pursuant to City Council Resolution No. ____ approved concurrently herewith.

SECTION 3. Pursuant to Chapter 18.62, Article III of the Pico Rivera Municipal Code, the City Council of the City of Pico Rivera hereby approves the ordinance to change the zone designation from General Commercial and Mixed-Use Overlay to Mercury Specific Plan for the property located at 8825 Washington Boulevard as specifically described in draft Ordinance No. ____ designated and further designated as Zone Reclassification No. 325.

SECTION 4. Further, this resolution with staff report and the recommended Ordinance No. ____ shall constitute a report of the City Council.

SECTION 5. The City Council finds that Zone Reclassification No. 325 shall be approved for the following reasons and findings:

a) The proposed zone reclassification is necessary to provide a more viable development to increase housing opportunities within the City and region. The property has remained vacant for over two (2) years and is planned to be developed with a 255-unit mixed-use development. The development of the units will help to meet the overall

housing goals for the State which include making available decent housing and a suitable living environment for every Californian, partnering with the private sector in an effort to expand housing opportunities, and recognizing that local governments have the responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provisions for housing needs of all economic segments of the community.

b) The proposed zone reclassification is consistent with the goals and objectives set forth in the General Plan, specifically Goal 3.8-2 that promotes the reuse of vacant, underutilized and inefficient land uses for more economically productive purposes including higher intensity housing and mixed-use development. The 255 mixed-use development will redevelop the underutilized parcel for a higher intensity mixed-use development that includes 255 units with 4,785 square feet of commercial space. The 2.8 parcel is within a saturated commercial area that is expected to lose a component of its commercial viability due to online retail sales and competition from nearby existing regional shopping centers. Inclusive, a market study by Keyster Marston Associates, Inc. determined that there is pent-up demand for new multi-family development due to a lack of new product over the last few decades.

c) The proposed zone reclassification will not result in conditions or circumstances contrary to the public health, safety or welfare 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, Noise, Vibration and Transportation Impact to ensure that the health, safety and welfare of the community is preserved. The Mitigated Negative Declaration was circulated for a 30-day comment period and was posted on the City of Pico Rivera website, State Office of Planning and Research, Los Angeles County Recorder and a copy was made available at the Community and Economic Development Department.

d) The proposed zone reclassification to Mercury Specific Plan will allow the construction of a 255-unit mixed use development and is consistent with the existing zoning and provides a use that is currently under-served. The rezoning of the parcel will allow 255 units that will assist with reaching the General Plan's Housing Element Regional Housing Needs Assessment for Above Moderate Housing. The Regional Housing Needs Assessment requires that the City plan for 430 above moderate income housing units. The project includes the development of 255 Above Moderate housing units.

SECTION 6. The City Clerk shall certify the approval of this resolution and hereafter the same shall be in full force and effect.

[Signatures on next page]

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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: