



To: Planning Commission

From: Community & Economic Development Director

Meeting Date: June 3, 2024

Subject: PUBLIC HEARING – CONDITIONAL USE PERMIT NO. 757 A REQUEST FOR AN AUTO REPAIR SHOP AND FIND THE PROJECT CATEGORICALLY EXEMPT PER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) CLASS 1, EXISTING FACILITIES, IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 15301

Project Location: 9110 Bermudez Street
(APN: 6378-021-011)

Applicant: Jose Alberto Barrera Lopez
511 ½ Montebello Boulevard
Montebello, CA 90640

Property Owner: Benjamin Castro
9626 Lundhal Drive
Pico Rivera, CA 90660

Project Planner: Aneli Gonzalez, Assistant Planner

Introduction:

The project is subject to the following applications, entitlements, and procedures:

Pico Rivera Municipal Code Section 18.40.040 (Land Use Chart) requires a Conditional Use Permit for Auto Repair Shops within the C-M zone.

Pico Rivera Municipal Code Section 18.56.060 (Permit – Issuance authority) states that the planning commission and zoning administrator shall have and be vested with the power and authority, subject to the provisions of this chapter, to grant, at their discretion and upon such conditions as they deem necessary, such conditional use permits as may be determined to be in the best interests of the community provided that such permits are in harmony with the general intent and purpose of this Division and the General Plan.

Project Description:

The applicant requests approval of CUP No. 757 for an auto repair shop located at 9110 Bermudez Street in the Commercial Manufacturing (C-M) zone.

Surrounding Properties:

The subject property is in the Commercial Manufacturing (C-M) zone and is designated Commercial (C) under the Land Use Element of the General Plan. The subject property is located north of Slauson Avenue, South of Bermudez Street, West of Serapis Avenue and East of Bequette Avenue. Land uses surrounding the proposed project are commercial and industrial.



PLANNING COMMISSION AGENDA REPORT- MEETING OF JUNE 03, 2024
PUBLIC HEARING – CONDITIONAL USE PERMIT NO. 757 A REQUEST FOR AN
AUTO REPAIR SHOP
PAGE 3 OF 4

The following table provides a summary of information regarding the proposed site:

Site Information	
General Plan Land Use	Commercial (C)
Zoning	Commercial Manufacturing (C-M)
Subject Property	9,000 sq. ft
Current Use	Multi-Tenant Building
Surrounding Uses/Zones	Commercial/Industrial
Access	Ingress/Egress: Bermudez Street

Analysis:

Site History

In 1989, the subject property was developed as a multitenant building with automotive bay openings on the western elevation. There have been numerous tenants over the years and the current tenants include GreenCity Sprinklers, Golan Cabinets, and a T-Mobile wireless antenna equipment room.

Site Plan

The subject property measures approximately .32 acres (14,000 square feet). The existing masonry building measures approximately 5,575 square feet. The parking lot will be re-striped to clearly identify parking stalls and pedestrian path of travel. The proposed auto repair shop will be managed by the applicant who is both owner and operator. The proposed business hours will be Monday to Saturday from 8:30 a.m. – 5:00 p.m. Services will include brake replacement, oil change, electrical services systems, water pump change outs, and drive belt replacement. There are no request for interior tenant improvements as the subject property previously included auto repair shop businesses from 1997-2015 and again from 2017 -2020.

Parking

PRMC Chapter 18.44.040 (Off-Street Parking and Loading) requires one open parking space for each 1,000 square feet of net building area. The existing building measures approximately 5,575 square feet and requires six (6) parking stalls ($5,575/1,000 = 5.75$ parking spaces; five (5) regular and one (1) ADA compliant parking spaces. The existing parking lot includes thirteen parking spaces; twelve (12) regular parking spaces and one (1) ADA compliant parking space.

General Plan Consistency:

The General Plan Land Use Element designates the subject property as Commercial (C). The proposed project is consistent with the 2014 General Plan Land Use Policy 3.8-2 Reuse and Intensification; Promote the reuse of vacant, underutilized and inefficient commercial uses for more economically productive purposes, including higher

intensity businesses, housing and mixed-use development and Policy 3.8-5 Diversity of Uses; Provide for an encourage the development of a broad range of uses in the commercial areas that reduce the need to travel to adjoining communities and capture a greater share of local spending.

Environmental Review:

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Class 1(a) – Existing Facilities. Class 1(a) consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical feature, involving negligible or no expansion of existing or former use. None of the exceptions to the exemptions under CEQA Guidelines Section 15300.2 apply.


Public Notice:

Notice of the public hearing was mailed to property owners and occupants within a 300 radius and posted to the project site by May 23, 2024. The agenda was posted at City Hall 72 hours prior to the Planning Commission meeting.

Recommendation:

That the Planning Commission adopt a Resolution:

1. Approving Conditional Use Permit No. 757 subject to conditions of approval; and
2. Finding the Project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Class 1 – Existing Facilities).

AB:AG:jj 

Enclosures: 1) Resolution No. 1317 – Conditional Use Permit No. 757
2) Floor Plan
3) Notice of Exemption
4) Public Hearing Notice

RESOLUTION NO. 1317**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PICO RIVERA, CALIFORNIA APPROVING CONDITIONAL USE PERMIT NO. 757, FOR AN AUTO REPAIR SHOP AT 9110 BERMUDEZ STREET**

WHEREAS, on August 3, 2023, the Community and Economic Development Department received an application from Jose Alberto Barrera Lopez, for real property located at 9110 Bermudez Street and legally described in Exhibit "A" attached hereto, requesting approval of Conditional Use Permit No.757 for a new auto repair shop; and

WHEREAS, studies and investigations were made and a staff report with recommendations was submitted, and the Planning Commission, upon giving the required notice, did on the 3rd day of June, 2024, conduct a duly noticed public hearing as required by law to consider said Conditional Use Permit application. Notice of the hearing was originally posted and mailed to property owners and properties within a 300 - foot radius of the project site by May 22, 2024, and published in the Cerritos Community Newspaper on May 24, 2024.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF PICO RIVERA, CALIFORNIA, HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:

SECTION 1. The Planning Commission finds that the foregoing recitals are true and correct and are incorporated herein by reference.

SECTION 2. Pursuant to Pico Rivera Municipal Code Section 18.56.090, and based upon all testimony and comments from the general public, the examination and review of the investigations by staff included in the staff report contained herein, and all other pertinent and relevant fact pertaining hereto, the Planning Commission finds as follows:

1. That the granting of this Conditional Use Permit will be in the furtherance of the public welfare. The project involves the utilization of a tenant space and will promote the reuse for more economically productive purposes.
2. That the proposed use of land described in the application will not be detrimental in any way to other adjoining and neighboring properties in the general area in which the use is proposed to be located. The proposed auto shop, subject to the conditions of approval, is in keeping with the adjoining industrial and commercial uses along Bermudez Street and will not be detrimental to the adjoining and neighboring properties in the general area.
3. That the property described in the application is suitable for the proposed use of land. The subject property was developed as a commercial/industrial center and appurtenant facilities are primarily light industrial uses with which the proposed project is compatible.
4. The traffic generating capacity and operation of the proposed units will not place

a burden or demand upon other municipal improvements, services, or utilities. There is adequate vehicular circulation and parking spaces for the proposed auto repair use. A condition of approval has been included to not have any overnight parking on-site.

5. Adequate consideration for the protection of the environment has been satisfactorily demonstrated. The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Class 1 – Existing Facilities. This section pertains to existing facilities that involve negligible or no expansion beyond what currently exists at the time of environmental determination.
6. That the proposed use of land is consistent with the provisions and objectives of the general plan. The project will support the following goals and policies of the adopted General Plan: Goal 3.8-2 of the General Plan, which promotes the reuse of underutilized commercial uses for more economically productive purposes. The project will also support Goal 3.8-5, which encourages the development of a broad range of uses in commercial areas to reduce the need for travel to adjoining communities and capture a greater share of local spending.
7. That adequate consideration has been given to assure the conservation and stabilization of property values, the direction of development and land use planning of the area in which the use is proposed to be located, that the character of the zone and area in which the use is proposed to be located, and the peculiar suitability of such zone and area for the particular use is maintained and consistent with the community's overall planning program. The project complies with the goals and objectives set forth in the Municipal Code and General Plan.

SECTION 3. The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Class 1(a) – Existing Facilities, which relates to interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances. None of the exceptions to the exemptions under CEQA Guidelines Section 15300.2 apply. A Notice of Exemption shall be filed with the County Clerk of the County of Los Angeles in accordance with CEQA.

SECTION 4. Conditional Use Permit No. 757 complies with the City's Zoning Ordinance and General Plan and are consistent with the intent of Chapter 18.56 (Conditional Use Permits) of the Pico Rivera Municipal Code.

SECTION 5. The Planning Commission of the City of Pico Rivera, pursuant to the findings set forth above, does hereby approve Conditional Use Permit No. 757, a request to operate an auto repair shop at 9110 Bermudez Street, subject to the Conditions of Approval contained in Exhibit "B," attached hereto.

SECTION 6. This decision of the Planning Commission shall become effective and final 15 days after the date of the action unless an appeal is filed in accordance with Chapter 18.64.060 of the Zoning Ordinance.

SECTION 7. The Secretary of the Planning Commission shall certify the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 3rd day of June 2024, by members of the Planning Commission of the City of Pico Rivera, voting as follows:

Aric Martinez, Chairperson

ATTEST:

APPROVED AS TO FORM:

Alvaro Betancourt, Director
Community and Economic Development

John W. Lam, Assistant City Attorney

AYES:

NOES:

ABSENT:

ABSTAIN:

EXHIBIT "A"
Legal Description

All that certain real property situated in the County of Los Angeles, State of California, described as follows:

PARCEL 1: (APN 6382-020-011)

Lots 19 and 20 in Block 11 of Rivera Tract, in the City of Pico Rivera, County of Los Angeles, State of California, as per map recorded in Book 28, Pages 31 and 32 of Miscellaneous Records, in the Office of the County Recorder of said County.

PARCEL 2: (APN 6382-020-012 and 6382-020-013)

Lots 21 and 22 in Block 11 of Rivera Tract, in the City of Pico Rivera, County of Los Angeles, State of California, as per map recorded in Book 28, Pages 31 and 32 of Miscellaneous Records, in the Office of the County Recorder of said County.

EXHIBIT “B”
CONDITIONS OF APPROVAL PERMIT NO. 757

1. The applicant shall comply with the City of Pico Rivera **Building Division** requirements identified as **Attachment “A”**, dated January 16, 2024.
2. The applicant shall comply with the **County of Los Angeles Fire Department** requirements identified as **Attachment “B”**, dated April 19, 2024.
3. The applicant shall comply with the requirements of **Southern California Edison**.
4. The applicant shall meet the conditions of Conditional Use Permit No. 757.
5. Hours of operation shall be Monday – Saturday 8:30 a.m. – 5:00 p.m. Closed Sundays. Should hours of operation issues arise, this CUP may be brought forth to the Planning Commission for modification or revocation.
6. Landscape shall be well maintained at all times and to the satisfaction for the Community and Economic Development Director or his/her designee.
7. The applicant shall submit an application for any signage. All signage shall comply with Chapter 18.46 of the Pico Rivera Municipal Code.
8. The properties shall be maintained free of trash debris and graffiti at all times. Any graffiti must be removed within 24-hours of discovery or from notification by the City.
9. All operations shall be conducted completely within the enclosed building.
10. There shall not be any overnight parking on site or outside storage.
11. The applicant shall submit plans for restriping of parking stalls and pedestrian path of travel. All parking spaces shall comply with Chapter 18.44 of the Pico Rivera Municipal Code.
12. The applicant shall provide above ground storage tanks to hold used automotive oil for recycling purposed in accordance to in accordance to industry “Best Management” practices and in compliance with the State Department of Conservation/Cal-Recycle program.
13. The applicant shall comply with all city, county, state and federal regulations applicable to the auto repair shop.

14. Applicant to ensure to obtain a City of Pico Rivera Business License.
15. Failure to comply with all conditions of approval set forth herein may result in the revocation of the Conditional Use Permit.
16. Pursuant to Sections 18.56.110 of the Pico Rivera Municipal Code, the Zoning Administrator may grant minor modification or set this permit for public hearing at any time to consider modification of any condition or revocation of the permit if noncompliance with the conditions of approval is found.
17. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers, and employees from any claim, action, or proceeding brought against the City, its elected and appointed officials, agents, officers, or employees arising out of, or which are related to the applicant's project or application (collectively referred to as "proceedings"). The indemnification shall include, but not be limited to, damages, fees and/or costs, liabilities, and expenses incurred or awarded in connection with the proceedings whether incurred by the applicant, the City and/or the parties initiating or bringing such proceedings. This indemnity provision shall include the applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth herein. The City shall have the right to choose its own legal counsel to represent the City's interest in the proceedings.
18. The applicant shall sign, notarize, and return to the Community and Economic Development Department an affidavit accepting all Conditions of Approval of Conditional Use Permit No. 757 prior to submittal of business license. The applicant acknowledges and understands that all conditions set forth in this Resolution are conditions precedent to the grant of approval and failure to comply with any condition contained herein shall render this Conditional Use Permit non-binding as against the City and shall confer applicant no legal rights under the law.
19. The applicant shall be responsible for providing the Community and Economic Development Department with a signed and notarized affidavit from the project contractor and/or individual responsible for the overall construction management accepting all Conditions of Approval of Conditional Use Permit No. 757, prior to building permit issuance. The subject individual acknowledges and understands that all conditions set forth in this Resolution are conditions precedent to the grant of approval and failure to comply with any condition contained herein shall render the Conditional Use Permit non-binding as against the City and shall confer Applicant no legal right under the law.
20. This Conditional Use Permit grant has an appeal period of fourteen (14) days from the Planning Commission approval.

***** BUILDING & SAFETY COMMENTS*****

Planning Conditional Use Permit 757

Case Planner: Aneli Gonzalez

Applicant: Jose Alberto Barrera Lopez

Location: 9110 Bermudez St

Project: New Auto Repair Shop

Reviewed By: Jonathan Flores

Date: 1/16/2024

GENERAL CONDITIONS

1. Provide permit documentation for Automotive Lift. If no permit is on file, provide a full set of plans to legalize lift. Plans are required to be prepared by an Engineer of Record. Structural calculations are required.
2. Obtain Fire Department approval for the storage of oil containers.

PRIOR TO ISSUANCE OF BUILDING/CONSTRUCTION PERMITS

1. Plans shall be approved by City of Pico Rivera Building, Planning, and Public Works Departments as well as the Los Angeles County Fire Department, and any other applicable agencies

Los Angeles County Fire Department

5823 Rickenbacker Rd.

Commerce, CA 90040

(323) 890-4125

www.lacofd.org

Los Angeles County Sanitation Department

1955 Workman Mill Rd.

Whittier Ca 90607

562-699-7411

www.lacsd.org

300 LFT

BERMUDEZ ST

3' Wrought Iron
Fence w/ Sliding Gate

Landscape
Area

Landscape
Area

County of Los Angeles
Fire Department
Fire Prevention Division
Land Development Unit

APPROVED

ACCESS REQUIREMENT ONLY

Marjorie Rodriguez

04/19/2024

Landsacping

T-Mobile

Golan Cabinets

Golan CAbinets

Restroom
95 sf

Barrera Auto Mechanic

County of Los Angeles
Fire Department
Fire Prevention Division
Land Development Unit

REQUIRED FIRE FLOW

1,500 GPM @ 20PSI FOR 2 HOURS

02/08/2024

1/4" = 5'

140'-0"

20'-0"

9'-0"

22'-0"
Typical

100'-0"

50'-0"

110'-0"

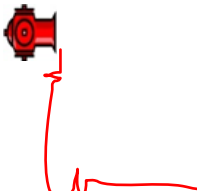
6' H CMU Wall

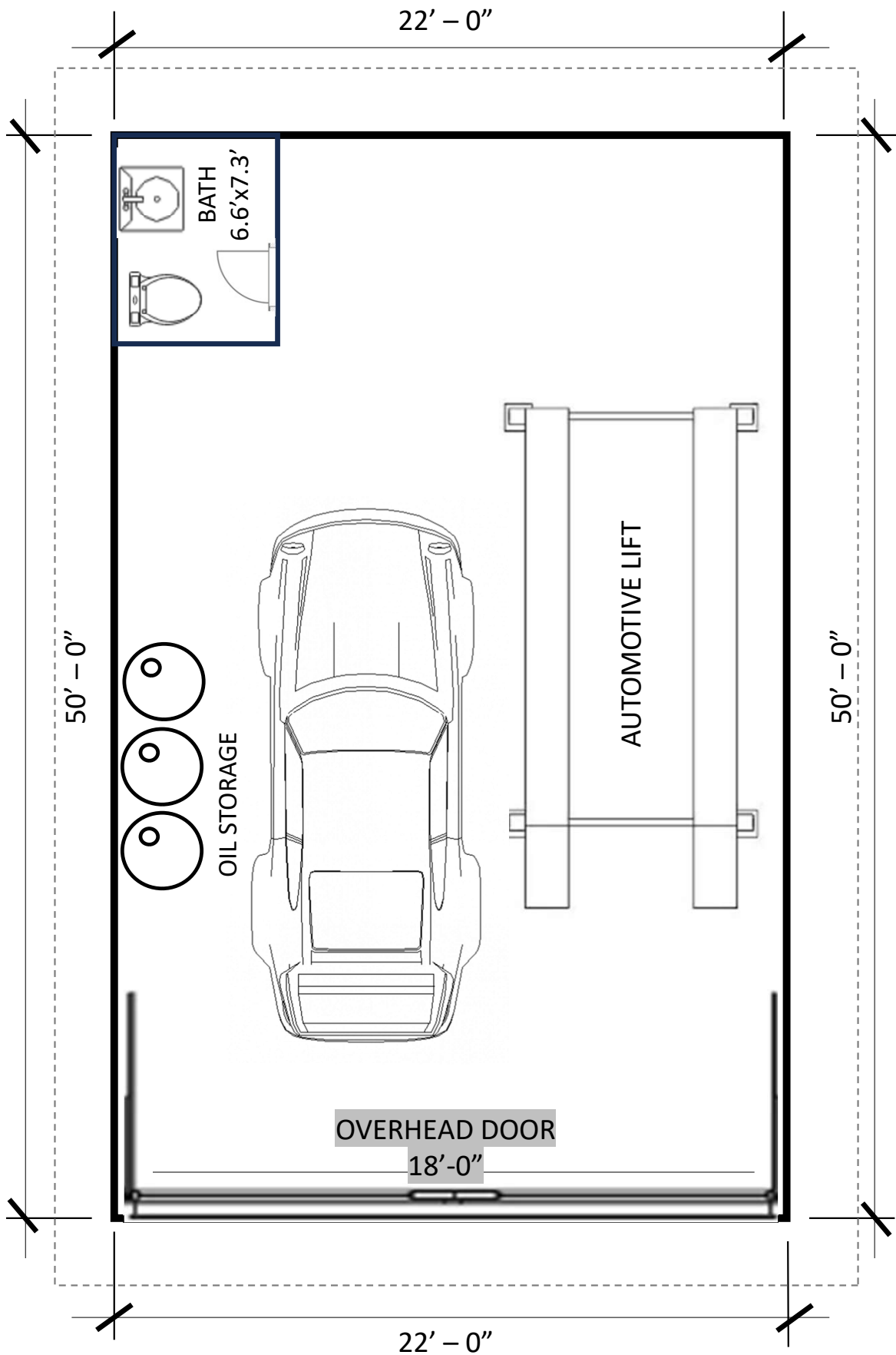
6' H Chain Link Fence

Alley

Trash
Enclosure

TYP
Parking





Notice of Exemption**Appendix E**

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: _____

From: (Public Agency): _____

(Address)

Project Title: _____

Project Applicant: _____

Project Location - Specific:

Project Location - City: _____ Project Location - County: _____

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: _____

Name of Person or Agency Carrying Out Project: _____

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number: _____
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Lead Agency _____

Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____ Title: _____

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

**CITY OF PICO RIVERA PLANNING COMMISSION
NOTICE OF PUBLIC HEARING TO CONSIDER THE APPROVAL OF CONDITIONAL USE
PERMIT NO. 757**

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City of Pico Rivera Planning Commission to consider the approval of Conditional Use Permit No. 757 for an auto repair shop located at 9110 Bermudez Street, Pico Rivera, CA 90660 (Assessor Identification No. 6378-021-011) in the Commercial Manufacturing (C-M) zoned district.

WHEN: Monday, June 03, 2024

TIME: 6:00 P.M.

WHERE: City Hall Council Chambers
6615 Passons Boulevard
Pico Rivera, CA 90660

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Class 1(a) – Existing Facilities. Class 1(a) consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical feature, involving negligible or no expansion of existing or former use. None of the exceptions to the exemptions under CEQA Guidelines Section 15300.2 apply.

PERSONS INTERESTED IN THIS MATTER wishing to observe the meeting may do so in the following ways:

- (1) Email public comments to aneli.gonzalez@pico-rivera.org prior to 4:00 p.m. on the day of the meeting;
- (2) Attend the Public Hearing in person

Copies of all relevant material including project specifications are available to the public for review in the Community & Economic Development Department at City Hall, 6615 Passons Boulevard, Pico Rivera, California. Additional information may be found at the City's website at <https://www.pico-rivera.org/index.php/current-projects/>. Please contact Aneli Gonzalez, Assistant Planner at 562-801-4307 for additional questions.

If you challenge the consideration or adoption of the proposed applications in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or written correspondence delivered to the City of Pico Rivera City Clerk at, or prior to, the public hearing.

In compliance with the Americans with Disabilities Act of 1990, the City of Pico Rivera is committed to providing reasonable accommodations for a person with a disability. Please contact City Clerks Office at (562) 801-4389 if special program accommodations are necessary and/or if program information is needed in an alternative format. Special requests must be made in a reasonable amount of time in order that accommodations can be arranged.



Project Location

**COMISIÓN DE PLANIFICACIÓN DE LA CIUDAD DE PICO RIVERA
AVISO DE AUDIENCIA PÚBLICA PARA CONSIDERAR LA APROBACIÓN
DEL PERMISO DE USO CONDICIONAL NÚM. 757**

POR LA PRESENTE SE NOTIFICA que se llevará a cabo una audiencia pública ante la Comisión de Planificación de la Ciudad de Pico Rivera para considerar la aprobación de lo siguiente: Permiso de Uso Condicional No. 757 operar taller de reparación de automóviles ubicado en 9110 Bermudez Street, Pico Rivera, CA 90660 (Tasador Numero de Propiedad 6378-021-011) en el Commercial Manufacturing (C-M) distrito zonal.

CUANDO: Lunes, 03 de Junio de 2024

HORA: 6:00 P.M.

DONDE: Cámara del Consejo (Pico Rivera City Hall)
6615 Passons Boulevard
Pico Rivera, CA 90660

El proyecto propuesto está categóricamente exento de las disposiciones de la Ley de Calidad Ambiental de California (CEQA) por sus siglas en ingles, de conformidad con las Directrices CEQA Sección 15301, Clase 1(a) – Instalaciones existentes. La Clase 1(a) consiste en la operación, reparación, mantenimiento, permisos, arrendamiento, concesión de licencias o alteración menor de estructuras, instalaciones, equipos mecánicos o características topográficas públicas o privadas existentes, que impliquen una expansión insignificante o nula del uso existente o anterior. No se aplica ninguna de las excepciones a las exenciones según la Sección 15300.2 de las Directrices CEQA.

LAS PERSONAS INTERESADAS EN ESTE ASUNTO que deseen observar la reunión pueden hacerlo de las siguientes maneras:

- (1) Enviar comentarios públicos por correo electrónico a aneli.gonzalez@pico-rivera.org antes de las 4:00 p. m. el día de la reunión;
- (2) Asistir personalmente a la Audiencia Pública

Las copias de todo el material relevante, incluyendo las especificaciones del proyecto, están disponibles para el público para su revisión en el Departamento de Desarrollo Económico y Comunitario en el Ayuntamiento, 6615 Passons Boulevard, Pico Rivera, California. Se puede encontrar información adicional en el sitio web de la Ciudad en <https://www.pico-rivera.org/index.php/current-projects/>. Comuníquese con Aneli Gonzalez, planificadora asistente llamando al 562-801-4307 si tiene preguntas adicionales.

Si tiene una objeción a la consideración o adopción de las solicitudes propuestas en el tribunal, es posible que se limite a plantear solo aquellas cuestiones que usted u otra persona hayan planteado en la audiencia pública descrita en este aviso, o la correspondencia escrita entregada a la secretaria municipal de Pico Rivera durante o antes de la audiencia pública.

De acuerdo con la Ley de Estadounidenses con Discapacidades de 1990, la Ciudad de Pico Rivera se compromete a proporcionar adaptaciones razonables para una persona con discapacidad. Comuníquese con el Departamento del Secretario de la Ciudad llamando al (562) 801-4389 si se necesitan adaptaciones especiales del programa y/o si se necesita información del programa en un formato alternativo. Las solicitudes especiales deben hacerse en un período de tiempo razonable para que se puedan organizar las adaptaciones.



Ubicación del proyecto