1. Agenda For August 28, 2012

   Documents: 08-28-12.PDF
2. Item For August 28, 2012

   Documents: 8-28-12 ITEM.PDF
3. Item Two For August 28, 2012

   Documents: 8-28-12 ITEM 2.PDF
4. Item Three For August 28, 2012

   Documents: 8-28-12 ITEM 3.PDF
5. Item Four For August 28, 2012

   Documents: 8-28-12 ITEM 4.PDF

CITY OF MONTEREY PARK

PLANNING COMMISSION AGENDA

REGULAR MEETING
CITY HALL—COUNCIL CHAMBERS
320 W. NEWMARK AVENUE
August 28, 2012
7:00 P.M.

Planning Commission
Michael Hamner, Chairperson
Larry Sullivan, Vice-Chair
Hans Liang
Peter Ruiz
Vacant

Staff
Jim Basham, Director of Community Development
Elizabeth M. Calciano, Assistant City Attorney
Samantha Tewasart, Associate Planner
Crystal Landavazo, Assistant Planner

CALL TO ORDER:

ROLL CALL:

ORAL AND WRITTEN COMMUNICATIONS:

The public may at this time address the members of the Planning Commission on any matters within the jurisdiction of the Planning Commission, prior to any action taken on the agenda. No action may be taken on off-agenda items except as authorized by law. Speakers are requested to limit their comments to no more than **five minutes** each.

If you would like to address the Planning Commission, please complete the **white speaker's card.** The card is available at the speaker's podium or from the Secretary. Please identify on the card your name, address and the item on which you would like to speak and return to the Secretary. The **speaker's card** assists the Chairperson in ensuring that all persons wishing to address the Commission are recognized. If you wish to speak on an agendized item, your name will be called at the time the matter is heard by Planning Commission.

AGENDA CHANGES AND ADOPTION:

APPROVAL OF MINUTES: July 10, 2012

STUDY SESSION:

1. MONTEREY PARK MARKET PLACE PROJECT

The study session will focus on the background of the Project, an introduction to the Project design and differences from the project previously approved by the City in 2000, and an introduction to the project entitlements.

PUBLIC HEARING:

UNFINISHED BUSINESS:

2. CONTINUED – TENTATIVE PARCEL MAP NO. 071187 AND VARIANCE – 429 E GRAVES AVENUE (PM-12-01/V-12-01)

The applicant, Hayk Martirosian of Techna Land Co Inc, on behalf of the property owner, Danny Tak-Yip Lau, is requesting approval of a tentative parcel map for the subdivision of air rights to establish and maintain a three-unit condominium project and a variance for a 50 feet lot width in the R-3 (High Density Residential) Zone.

ENVIRONMENTAL: The proposed project is categorically exempt in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15302 Class 2 (Replacement or Reconstruction) because the project consists of the replacement of existing structures where the new structures will be located on the same site as the structures replaced, will have substantially the same purpose and capacity as the structures replaced and Section 15303 Class 3 (New Construction or Conversion of Small Structures) because the project consists of the construction of a multi-family residential structure totaling no more than four dwelling units.

RECOMMENDATION: Continue this item to the Planning Commission meeting of September 25, 2012, per applicant's request.

NEW BUSINESS:

3. CLIMATE ACTION PLAN AND ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA AMENDING CHAPTER 16.17 OF TITLE 16 OF THE MONTEREY PARK MUNICIPAL CODE AND ADDING GREENHOUSE GAS REDUCTION REQUIREMENTS

The City of Monterey Park is considering adoption of the Climate Action Plan (CAP) and code amendments to Chapter 16.17 of Title 16 of the Monterey Park Municipal Code relative to greenhouse gas reduction requirements.

ENVIRONMENTAL: Pursuant to the State of California Public Resources Code and State Guidelines for the California Environmental Quality Act (CEQA), the Community Development Department has determined after the preparation of an Initial Study and environmental assessment of possible environmental impacts that there is no substantial evidence that the Climate Action Plan may have a significant effect on the environment and therefore, a Negative Declaration has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA).

Pursuant to CEQA, and the CEQA Guidelines, the proposed ordinance was determined to be exempt from CEQA because it consists only of minor revisions and clarifications to an existing code of construction-related regulations and specification of procedures related thereto and will not have the effect of deleting or substantially changing any regulatory standards or findings required therefore. Further, the proposed ordinance, therefore, is an action being taken for enhanced protection of the environment and that does not have the potential to cause significant effects on the environment. Consequently, it is categorically exempt in accordance with CEQA Guidelines §§ 15301 as a minor alteration of existing public or private structures involving no expansion of use; 15305 as a minor alteration in land use limitations which do not result in any changes in land use or density; and 15308 as an action taken by a regulatory agency as authorized by California law to assure maintenance or protection of the environment. The proposed ordinance is covered by a general rule that CEQA applies only to projects which have a potential for causing a *significant effect* on the environment. Where it can be seen with certainty that there is no possibility that an activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

RECOMMENDATION: After holding the public hearing, staff recommends that the Planning Commission adopt the attached Resolution recommending that the City Council adopt the Climate Action Plan and ordinance entitled "An Ordinance of the City Council of the City of Monterey Park, California Amending Chapter 16.17 of Title 16 of

the Monterey Park Municipal Code and adding Greenhouse Gas Reduction Requirements"

ITEMS FROM COMMUNITY DEVELOPMENT:

ITEMS FROM THE COMMISSION:

ADJOURNMENT:

Next regular meeting on September 11, 2012, at 7:00 p.m.

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, YOU SHOULD CONTACT CITY HALL, (626) 307-1359 OR TTD/TTY (626) 307-2540. PLEASE NOTIFY THE CITY CLERK'S OFFICE TWENTY-FOUR HOURS PRIOR TO THE MEETING SO THAT REASONABLE ARRANGEMENTS CAN BE MADE TO ASSURE ACCESSIBILITY TO THIS MEETING. STAFF REPORTS, WRITINGS, OR OTHER MATERIALS RELATED TO AN ITEM ON THIS AGENDA, WHICH ARE DISTRIBUTED TO THE PLANNING COMMISSION LESS THAN 72 HOURS BEFORE THIS SCHEDULED MEETING SHALL BE AVAILABLE FOR PUBLIC INSPECTION IN THE PLANNING DIVISION LOCATED AT 320 WEST NEWMARK AVENUE, MONTEREY PARK, CA 91754, DURING NORMAL BUSINESS HOURS. SUCH STAFF REPORTS, WRITINGS, OR OTHER MATERIALS ARE ALSO ON THE CITY'S WEBSITE SUBJECT TO STAFF'S ABILITY TO POST THE MATERIALS BEFORE THE MEETING. THE CITY'S WEBSITE IS LOCATED AT HTTP://WWW.CI.MONTEREY-PARK.CA.US.

APPROVED BY:

JIM BASHAM	

Staff Report City of Monterey Park

DATE: **August 28, 2012**

TO: PLANNING COMMISSION

FROM: MARK D. HENSLEY, CITY ATTORNEY

SUBJECT: MONTEREY PARK MARKET PLACE PROJECT

SUMMARY

This item involves a study session to begin consideration of the Monterey Park Market Place Project. While the Project will be presented to the Commission in an upcoming meeting for full consideration of the associated entitlements, this first meeting is intended to be a study session and that no action will be taken by the Commission. The meeting will focus on the background of the Project, an introduction to the Project design and differences from the project previously approved by the City in 2000, and an introduction to the project entitlements. It is anticipated that the entire Project will be ready for the Commission's review and potential action at either its September 11 or September 28 meeting.

BACKGROUND AND ANALYSIS

A. Background and Project Location

1. Project Location

The proposed project is located on approximately 51 acres in the southern portion of Monterey Park, along the north side of the SR-60 Freeway between the Paramount Boulevard and Potrero Grande Drive exits. It is bounded by Southern California Edison ("SCE") easements on the northwest and northeast. Beyond the SCE easements are Potrero Grande Drive to the northwest and the Resurrection Cemetery and residential land uses to the northeast and east. The primary access to the project site would be from Greenwood Avenue and Neil Armstrong Street. The site is zoned R-S(PD) – Regional Specialty Center – Planned Development Overlay Zone and the General Plan land use designation is Commercial. While the R-S(PD) Overlay Zone permits retail, restaurant and service uses, any development project in such a zone must submit a precise plan to be approved by the Commission.

2. Prior and Existing Uses

The project site is partially covered by the northern portion of a former 190-acre landfill, which was previously operated as a municipal waste disposal facility. The landfill has been

inactive since 1984 and was listed on the National Priorities List as a Superfund Site in 1986. As part of the site cleanup process, a leachate treatment plant ("LTP") and thermal destruction facility ("TDF") were constructed on the site to process hazardous substances collected from the south parcel of the landfill. The proposed project would not affect these existing improvements. Other than the LTP and TDF, there are no structures on the project site.

3. Prior Approved Project

In March 2000, the Commission approved a project and certified an Environmental Impact Report and Environmental Impact Study ("EIR/EIS") for the project site. The project proposed 515,382 square feet of development for a proposed shopping center, including 267,148 square feet of anchor retail uses (consisting of two anchor retail stores), 196,995 square feet of other retail uses, 36,250 square feet that could be used for either retail or restaurant uses, and 14,989 square feet of restaurant uses (the "Approved Project"). The project also included 2,971 parking spaces.

B. Proposed Project

1. Project Description

The proposed project includes a total of 481,732 square feet of development, including 438,934 square feet of commercial retail uses (including three anchor retail stores), 28,087 square feet of restaurant uses, 10,516 square feet that could be used for either retail or restaurant uses, and 4,195 square feet of bank uses (the "Project"). The Project also includes approximately 2,420 parking spaces, resulting in a surplus of 550 parking spaces beyond that required by the Monterey Park Municipal Code. Based upon the project description in the SEIR, the anchor retail stores will likely include a home improvement store and a warehouse or department store. A garden center would be attached to the home improvement store. Based on the SEIR and Precise Plan, the smaller buildings are planned to be used for a bank, three fast-food restaurants, and potentially three sit-down restaurants. The remaining development pads would be primarily used for mixed-retail uses, although the specific type of retail or restaurant use is not currently known at this time. The Project would also include several illuminated building and tenant identification signs as well as signs located near the SR-60 to advertise tenants.

2. Project Entitlements

The Project will require review and approval by the Planning Commission and City Council of a precise plan, tentative tract map, a development agreement, and certification of the SEIR. The Design Review Board would need to approve architectural review, a master sign plan, and hardscape and landscaping plans. The City Engineer would need to approve the final tract map. The Project would also require approvals from Caltrans and the City of Montebello ("Montebello"), related to approval of signs and offsite roadway improvements required as part of the Project's traffic mitigation measures; the South Coast Air Quality Management District; and the Los Angeles Regional Water Quality Control Board.

C. Montebello Sales Tax Agreement

During the approval process for the Approved Project, Montebello raised concerns regarding the project's potential impact on retail located within Montebello and infrastructure and roadway improvements needed for the Approved Project within Montebello city limits. In 2001, in consideration for Montebello assisting with project improvements needed in Montebello and agreeing to support the Approved Project, the City and the former Redevelopment Agency entered into an Agreement Concerning the Monterey Park Market Place Shopping Center and the Apportionment of Sales Tax Revenues Therefrom with Montebello and the Community Redevelopment Agency of the City of Montebello (the "Sales Tax Agreement"). The Sales Tax Agreement required Montebello to, among other things, (i) enter into road and slope easements with SCE for the construction of Market Place Drive and dedicate the easement area into the city street system; and (ii) agree that the proposed signs are a permitted use within Montebello. Montebello has completed these actions. The Developer is required to construct the street improvements and signs located in Montebello.

The Sales Tax Agreement also requires the City to give Montebello an apportionment of Market Place's sales tax revenue. The City must pay Montebello a minimum of $25,000 in sales tax revenue per quarter, commencing one year after Market Place is open to the public for business. The minimum sales tax revenue may be increased under the Sales Tax Agreement after the 20th quarter of payments. The amount of sales tax owed is 18% of sales tax revenue for non-specified retailers. For specified retailers, including, among others, Staples, Costco, Circuit City, J.C. Penney, Sears, Mervyns, Ross, Gap, and Petco, the City must pay to Montebello 50% of the sales tax revenue for the first 20 quarters of payments and 18% thereafter. The Sales Tax Agreement continues in perpetuity and never expires by its terms. The City cannot solicit any of the specified retailers to lease or occupy space within Market Place for the first 20 quarters; however, specified retailers may independently inquire about leasing space within Market Place and may sign a lease for such space as long as the City does not subsidize the lease or tenancy. The City must also pay Montebello a public safety payment of $5,000 per quarter, commencing one year after Market Place is open to the public. The City must also pay for any reasonable increased costs for police or other public safety services along Paramount Boulevard during the holiday shopping season.

D. Required Easements

1. Existing Easements

Several easements are required for construction of the project, regardless of whether the Council approves the Approved Project, the Project, or one of the SEIR alternatives. On July 17, 2003, Montebello acquired permanent easements from SCE for the construction of Market Place Drive, a parking lot, construction of two signs, and slope easements associated with the construction of Market Place and Market Place Drive. The easements require SCE approval before any construction of the improvements on the easement property. The easements for construction of a parking lot, a slope easement and easements for construction of two signs were subsequently assigned to the City.

2. Proposed Easements

The Developer is currently seeking to acquire additional easements from SCE to allow additional parking and a slope easement along the northern project site boundary. Negotiations regarding these sites remain ongoing between the Developer, the City and SCE. These easements are not considered part of the project currently sought for approval and are not analyzed in the SEIR. It is anticipated that the Developer will obtain these easements through a land swap with SCE at no additional cost to the City.

E. SEIR

1. Draft SEIR

The City Council certified an EIR for the Approved Project in 2000. The SEIR was prepared to inform the Planning Commission, City Council, other responsible agencies, and the general public of the environmental effects of the development and operation of the Project. The SEIR incorporated the analysis contained in the prior EIR and further analyzed issues related to aesthetics, air quality, greenhouse gas emissions, noise, transportation and traffic, and utilities and service systems. It included two proposed plans, one which considered a commercial retail development of 600,000 square feet, including four anchor retail tenants, and a "small box alternative" similar to the actual proposed Precise Plan, which included 534,751 square feet of retail development. The environmental consultant reviewed the changes in the current plan as compared to those studied in the SEIR and concluded that the most recent plan would result in no new or additional significant impacts, because it reduces the square footage of the development and includes the same general mix of proposed uses.

The draft SEIR was circulated for a 45-day public comment period beginning on April 28, 2011. The SEIR found that the Project would result in significant and unavoidable adverse impacts, including air quality impacts associated with construction and vehicular emissions, greenhouse gas emissions, and transportation and traffic impacts at ten intersections, several of which are located in Montebello. Therefore, to approve the Project, the Planning Commission and City Council must adopt a Statement of Overriding Considerations which identifies Project benefits which outweigh and override the Project's significant and unavoidable environmental impacts.

2. SEIR Alternatives

The SEIR considered (1) the Approved Project; (2) an alternative land use plan which would allow for development of 600,000 square feet of light industrial and commercial uses on the site, and (3) a reduced density alternative, which would include the same proposed uses but would reduce each proposed land use by 10% each, resulting in an overall square footage of 540,000 square feet. The SEIR found that all alternatives would have less impacts associated with operational air quality emissions, greenhouse gas emissions, project noise, transportation and traffic, and utilities. The SEIR also noted that the small-box development alternative would also likely have fewer environmental impacts because it was designed to include less square footage. The SEIR found that the Approved Project and reduced density alternative would meet all of the project objectives, although to a slightly lesser extent than the Project. The alternative

land use plan alternative would meet almost none of the project objectives. The SEIR identified the reduced density alternative as the environmentally superior alternative. It should be noted that the current proposed Precise Plan would be environmentally superior to even the reduced density alternative considered in the SEIR.

3. Public Comments

The public comment period for the draft SEIR closed on June 13, 2011. The City received comments from the Los Angeles County Sanitation District, Southern California Gas Company, Caltrans, SCE and Montebello. The environmental consultant is finalizing the Final Supplemental Environmental Impact Report, which will include the City's responses to all comments submitted. The Final SEIR will be available for review before the next scheduled Commission meeting.

F. Development Agreement

Government Code Section 65864 *et seq.* authorizes cities to enter into development agreements to provide developers certainty that, upon approval of the project, the applicant may proceed with the project in accordance with existing policies, rules, and regulations, subject to conditions of approval and mitigation measures. In return, cities may demand certain public benefits be paid or provided by the developer. The proposed development agreement would grant the Developer the right to develop the Project pursuant to the City's zoning provisions and other applicable rules and regulations in place at the time the development agreement is executed by the Developer and the City. In return, the development agreement would restrict development of the project site to the project described in the project approvals and would give the City the right to review and approve certain tenants for the Project. The development agreement does not affect the right of the City to exercise its police powers to (1) enact regulations that are necessary to preserve the public health and safety, (2) amend its Building Code or Fire Code, or (3) enact regulations that are necessary to comply with state or federal laws or regulations. The major terms of the Development Agreement are as follows:

- At least 51% of the leased square footage of the project must be leased to high-quality tenants with at least 20 stores in California or 50 stores nationally of a similar quality as stores found in other high-quality shopping centers (such as Long Beach Towne Center, the Commons at Chino Hills, etc.) ("Qualifying Tenants"). This requirement will generally last between 7-10 years from the date that 175,000 square feet of the project has been constructed, based on certain triggering events. The Developer must lease to at least three anchor retail tenants of at least (1) 75,000, (2) 50,000 and (3) 15,000 square feet. The Development Agreement contains no restriction on how the other 49% of the project site is leased, other than the use restrictions provided in the Precise Plan (including a restriction that only one fitness center and one bank may be located on the project site).

- If a Qualifying Tenant subsequently leaves and subleases its property, it may sublease the property to any subtenant. If this occurs after 300,000 square feet of the Project has been leased and the sublease results in the Project having less than 51% Qualifying Tenants, the Developer must use its best efforts to lease any other parcels it controls to meet the 51% requirement. If this occurs before 300,000 square feet of the Project has been leased, the Developer must lease vacant space to Qualifying Tenants until it meets the 51% requirement.

- The Developer will construct all on-site infrastructure and off-site improvements required by the SEIR and Project Approvals. The improvements may be funded from another source if the Developer can show that the source has committed to paying for the improvements. In the event that Montebello or Caltrans does not approve plans for the off-site improvements prior to the time that a portion of the Project is set to open, the Developer will set aside money in a trust fund to finance the improvements if and when the plans are approved.

- The easements currently held by the City will be transferred to the Developer once 125,000 square feet of the development has been leased to Qualifying Tenants and the Developer has closed escrow on the Property. If the Developer has not constructed at least 175,000 square feet of the Project within 5 years, it must place the appraised value of the easements into a trust fund, which will be released to the City to pay for the easements at the end of an additional 5 years if the Developer has not completed construction of at least 175,000 square feet of building shells and the Paramount Avenue off-site improvements.

- The Community Development Director may approve any amendments to the Precise Plan and site plan that relocate less than 150,000 square feet of development and involve (1) no additional uses, (2) no increase in the maximum height, (3) no increase in Project aggregate square footage above 600,000 square feet, and (4) no changes requiring additional environmental review pursuant to CEQA. Any changes that relocate more than 150,000 square feet but none of the other changes listed above may be approved by the Planning Commission. All other changes must be approved by the City Council.

- The Developer is required to comply with the requirements of the HUD Section 108 Loan regarding local hiring and hiring low- and moderate- income employees.

- Pursuant to the Development Agreement Act, the Planning Department will conduct annual reviews to ensure the Developer's compliance with the terms of the Development Agreement.

- The City must approve any assignment of the project site before the Developer leases 175,000 square feet of the Project to Qualifying Tenants. The City has no authority to review an assignment after 175,000 square feet have been leased.

Mark D. Hensley, City Attorney

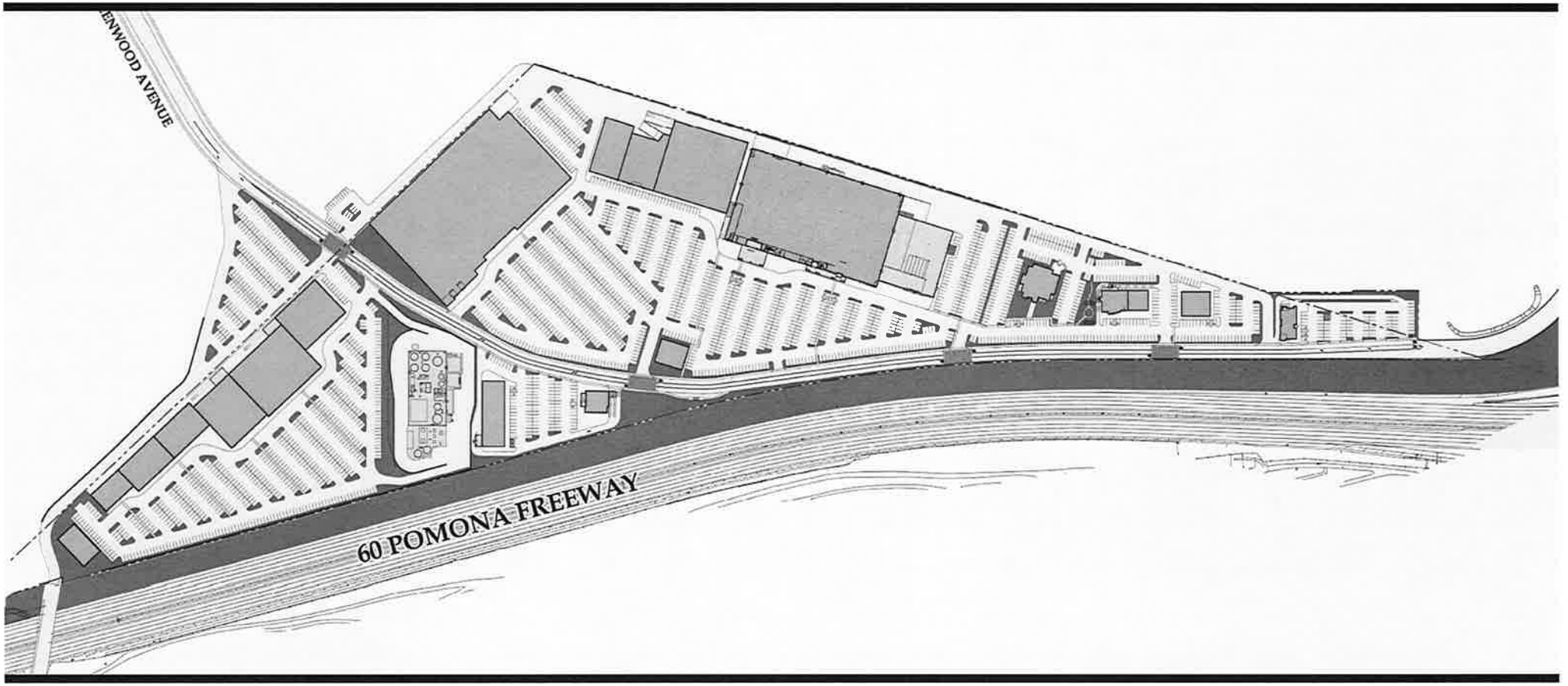
By:

Robert M. Smith

Deputy City Attorney

Attachments: Draft Supplemental Environmental Impact Report
2000 EIR/EIS
Project Site Plan and Elevations

MONTEREY PARK MARKET PLACE



August 28th, 2012

M&M REALTY PARTNERS

MONTEREY PARK RETAIL PARTNERS, LLC

2012

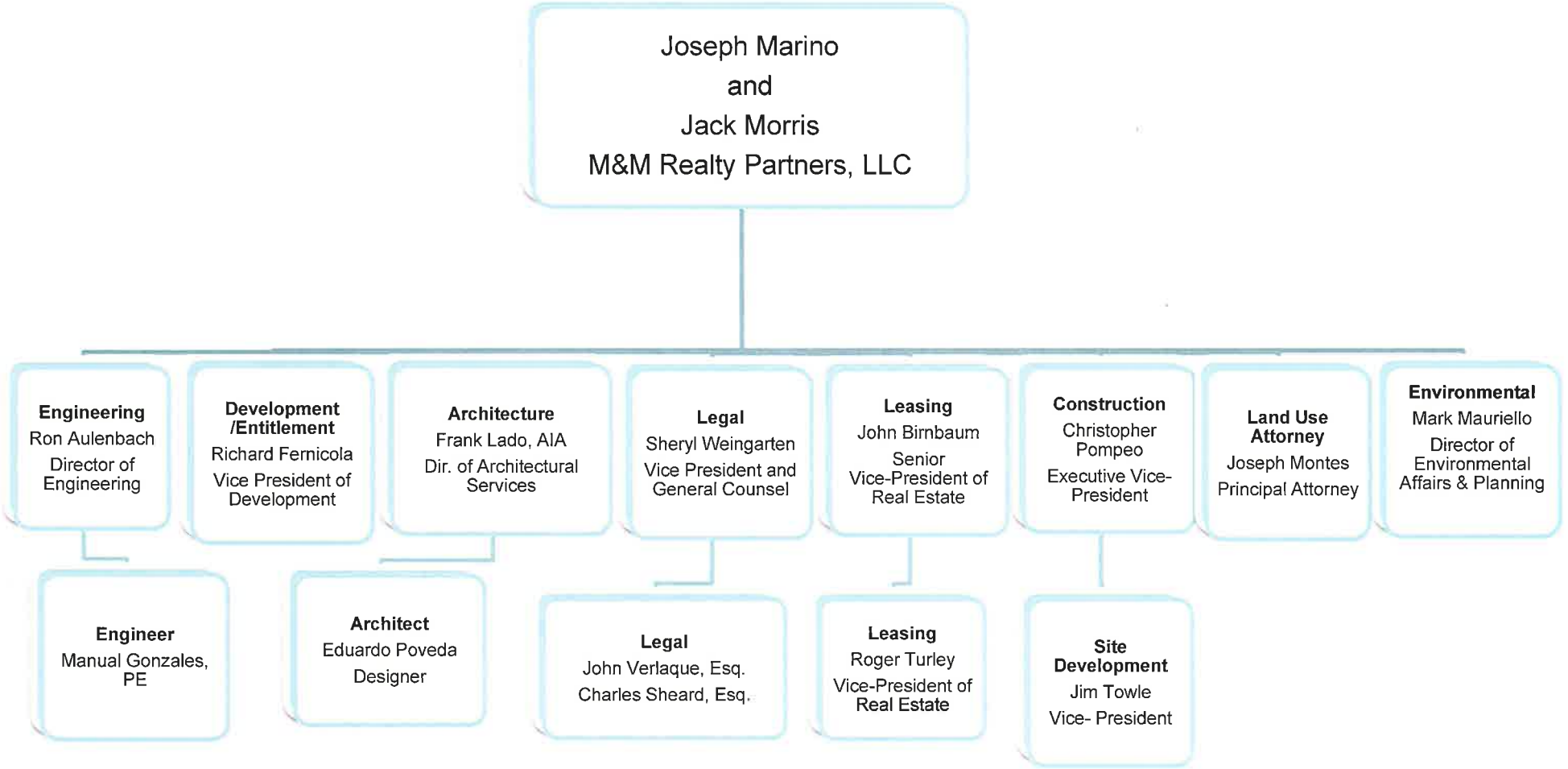
EXPERIENCE

M & M REALTY PARTNERS, L.L.C.

- A joint venture between Edgewood Properties, Inc. and JMP Holdings Corp.
  - JMP Holdings & its affiliated construction companies established in 1968
  - Edgewood Properties established in 1992
- Direct hands-on management by Principals
- Developed over 4,000,000 square feet of retail/commercial space
  - Core Tenants that are stable, generate consistent customer traffic and have lasting value
- Experience with high profile redevelopment projects
- Extensive in-house expertise in master planning, entitlements, building and managing complex large-scale, multi-use developments.
- Established relationships with top-name national retailers and restaurants and has created unique developments
- Strong financial position and lender relationships

MONTEREY PARK MARKET PLACE

ORGANIZATIONAL CHART



GARDEN STATE PARK – CHERRY HILL, NJ

LOCATION: Route 70 & Haddonfield Road, Cherry Hill, NJ
PROJECT INVENTORY: Retail – 845,000 SF Resid. – 1,659 Luxury Homes
MAJOR RETAILERS: Wegmans, Home Depot, Best Buy, Barnes & Noble, Nordstrom Rack, and Dick's Sporting Goods.

BRICK 70 PLAZA - BRICK, NJ

LOCATION: Route 70 & Garden State Parkway, Brick, NJ

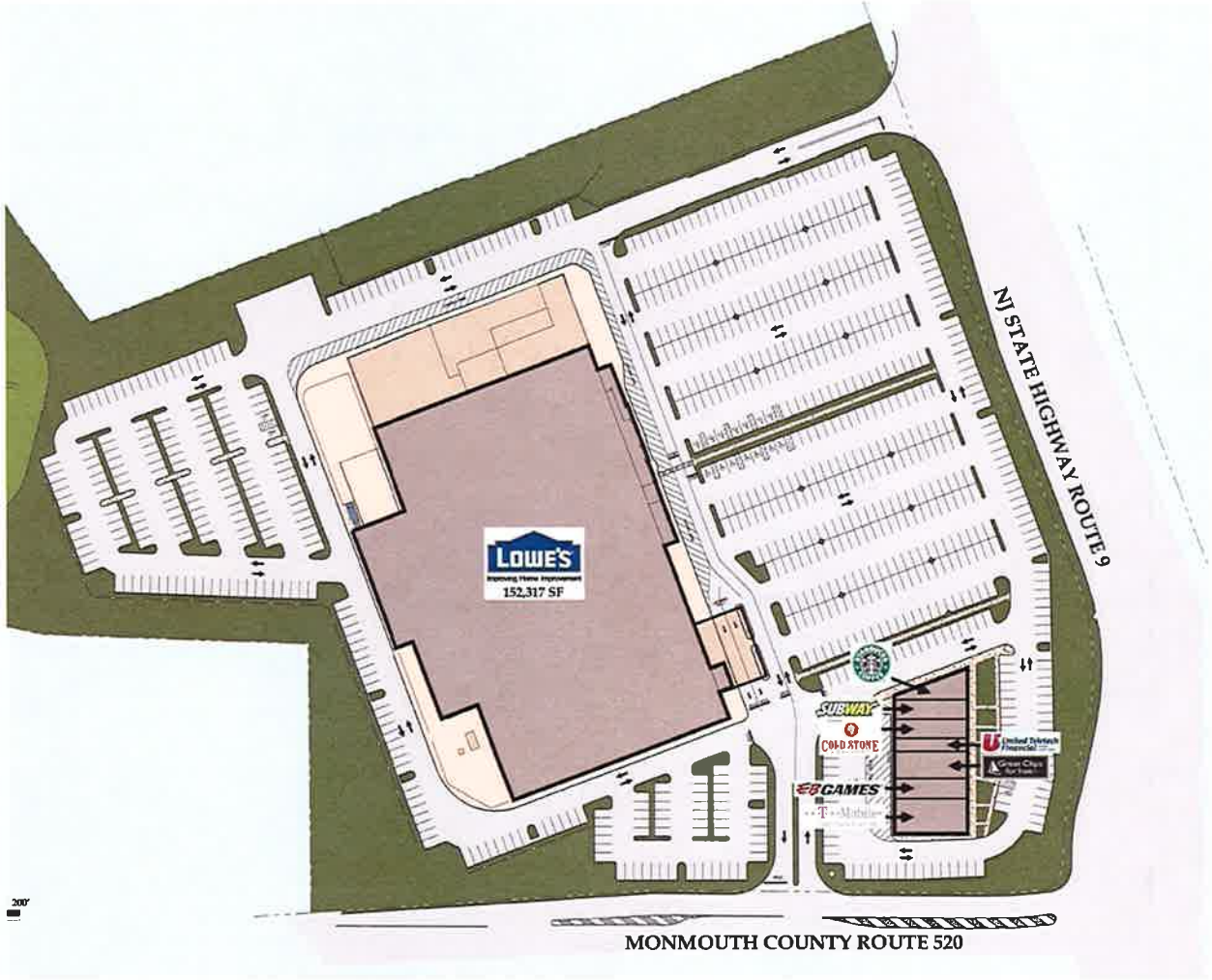
PROJECT INVENTORY: RETAIL – 305,030 SF. PAD – 2,800 SF
RESTAURANTS – 18,570 SF

MAJOR RETAILERS: Costco Wholesale, Dicks Sporting Goods, Christmas Tree Shops, and Staples.

DOWNTOWN LODI REDEVELOPMENT– LODI, NJ

LOCATION: NJ State Highway 46 & Main Street, Lodi, NJ
PROJECT INVENTORY: RETAIL – 215,000 SF
INTERESTS: Major Redevelopment Along NJ State Highway 46 and Main St.

ROUTE 9 RETAIL CENTER – MARLBORO, NJ



LOCATION: NJ State Route 9 & Monmouth County Route 520, Marlboro, NJ
PROJECT INVENTORY: EXIST. LOWES – 152,317 SF RETAIL – 14,490 SF
INTERESTS: An Existing Retail Center Located At Two Major Crossroads.

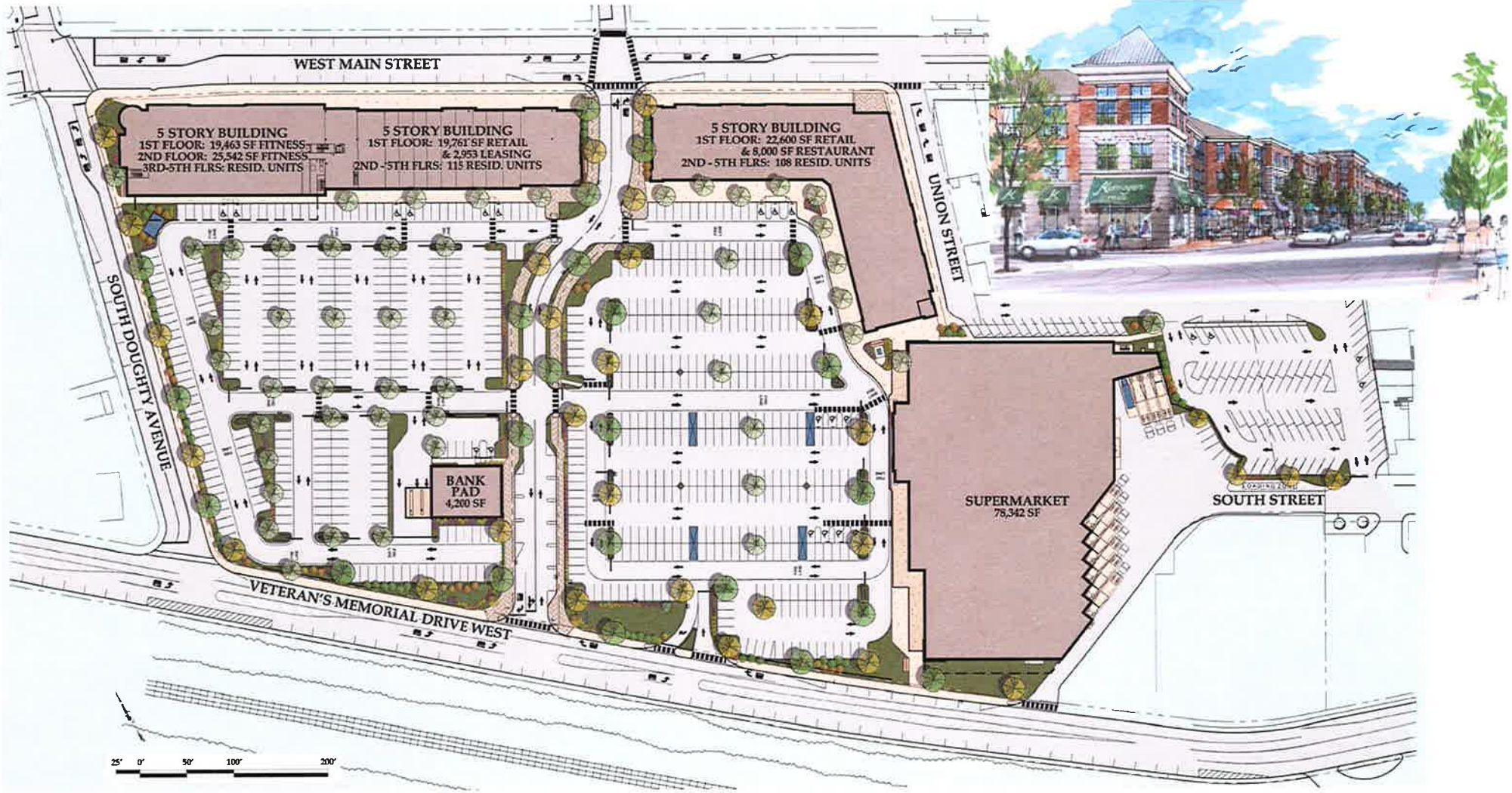
RARITAN HEIGHTS – NEW BRUNSWICK, NJ

LOCATION: US Highway Route 1, New Brunswick, NJ

PROJECT INVENTORY: RETAIL – 107,472 SF RESID. – 236 UNITS

PROJECT INTERESTS: Redevelopment Project Located Along The Scenic Raritan

SOMERVILLE TOWN CENTER – SOMERVILLE, NJ



LOCATION: West Main St. & South Doughty Ave., Somerville, NJ

PROJECT INVENTORY: Luxury Resid Units – 272 Fitness – 45,005 SF

Restaurant – 8,000 SF Retail – 42,361 SF Supermarket – 78,342 SF

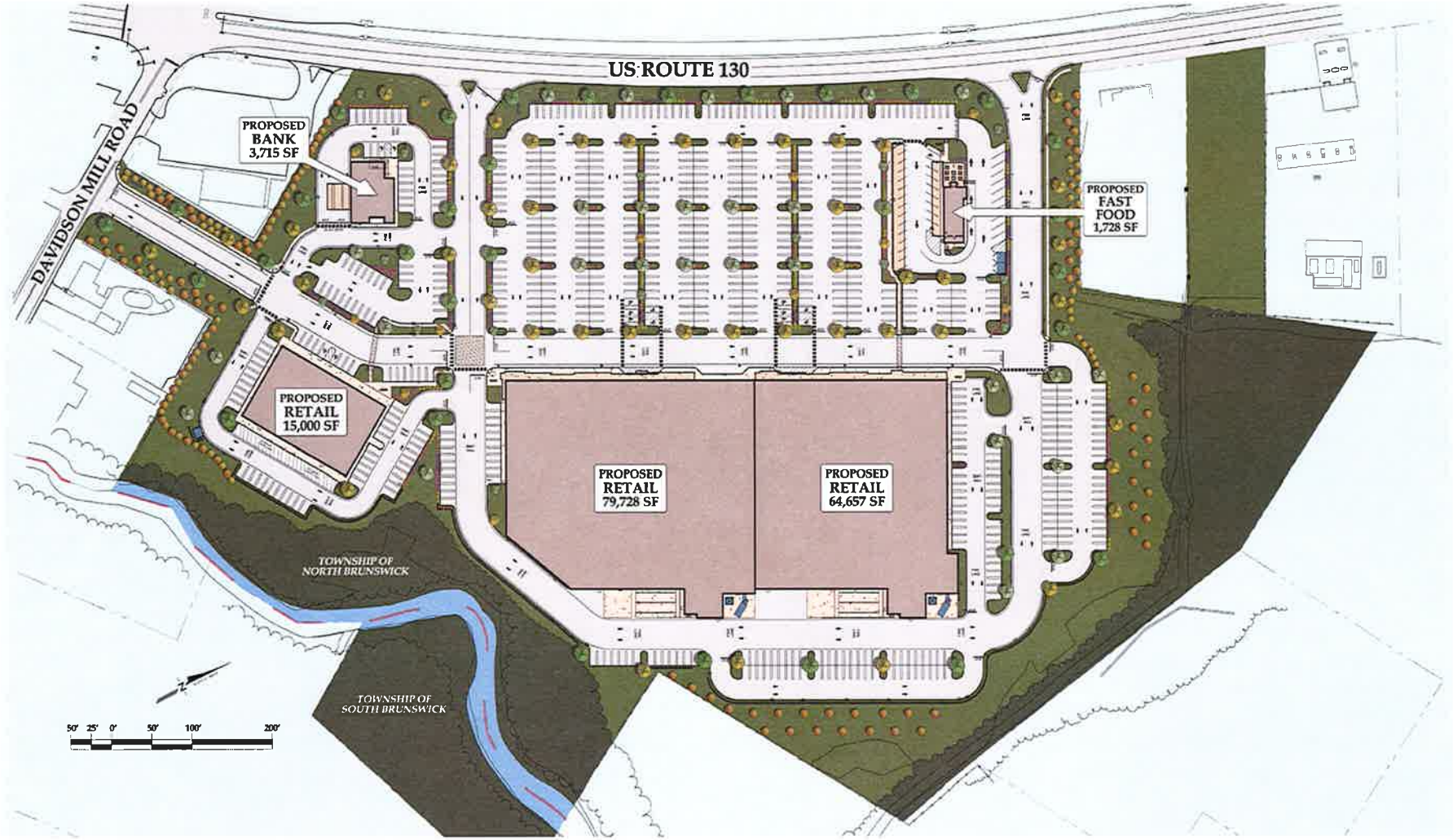
FAIRWAYS AT PISCATAWAY – PISCATAWAY, NJ

LOCATION: Stelton Rd. & Ethel Rd., Piscataway, NJ

PROJECT INVENTORY: RETAIL – 67,261 SF RESID. UNITS – 357

PROJECT INTERESTS: Proposed Regional Mixed-Use Town Center Development Located Next To Rutgers University.

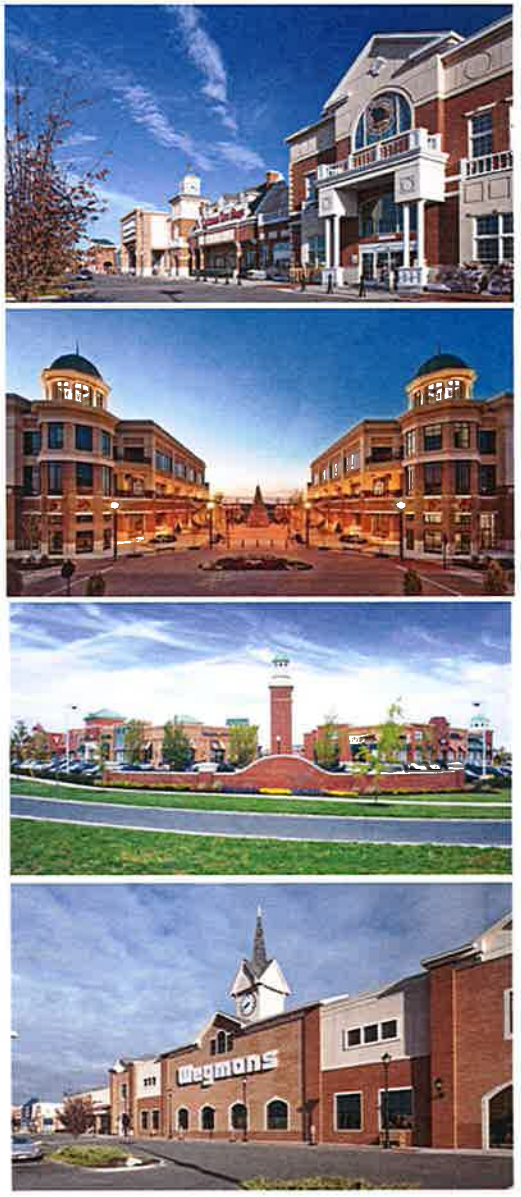
NORTH BRUNSWICK MARKET PLACE – NO. BRUNSWICK, NJ



LOCATION: NJ State Highway Route 130, North Brunswick, NJ
PROJECT INVENTORY: RETAIL – up to 165,158 SF
PROJECT INTERESTS: Located Along Major Central NJ Regional State Highway.

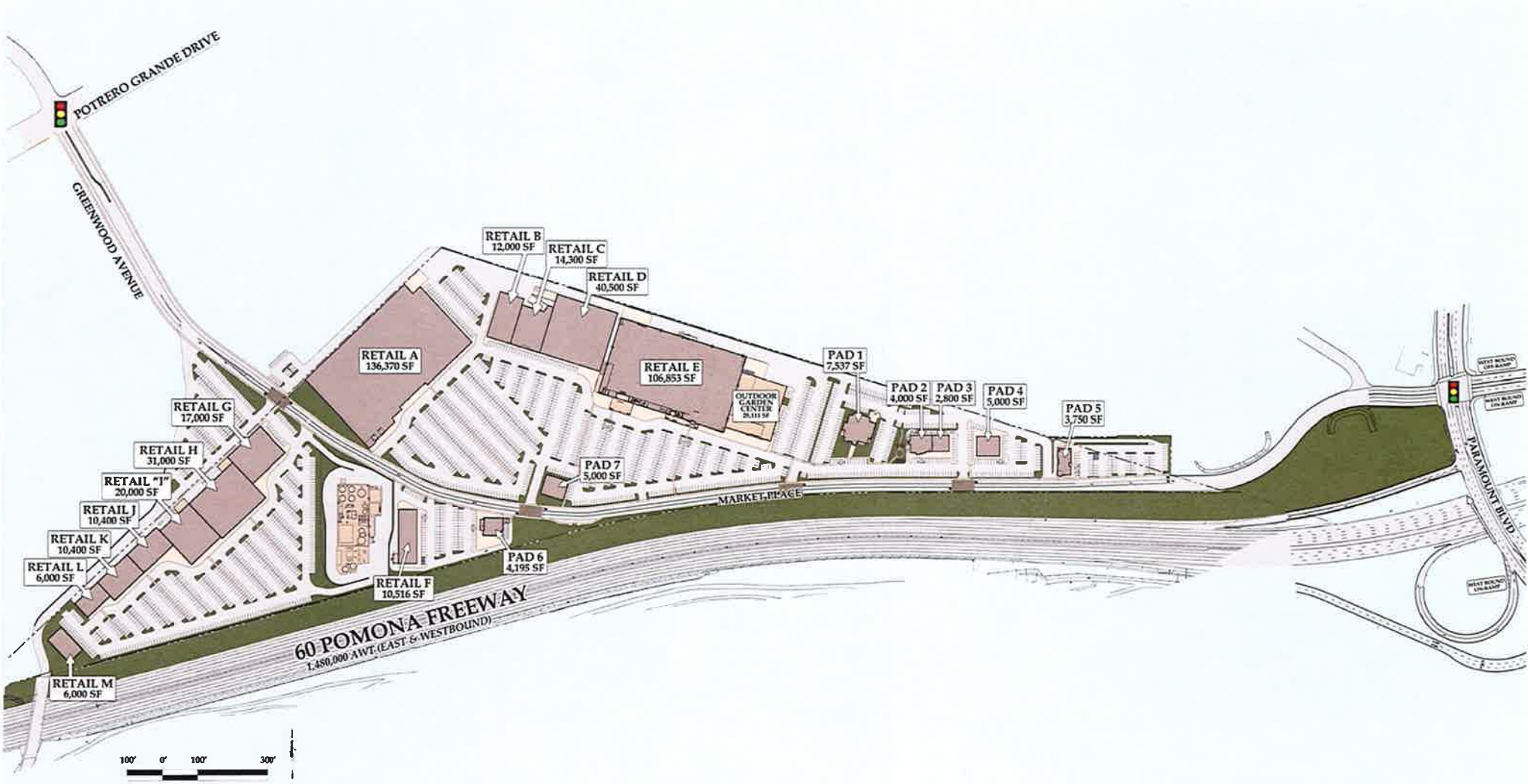
IN-HOUSE DEVELOPMENT EXPERTISE

- Fully integrated development firm
- Full time staff to handle:
  - Project Feasibility
  - Demographics Analysis
  - Land Use and Planning
  - Economic and Financial Analysis
  - Approval/Entitlement Management
  - Full In-House Design Services including Civil Engineering and Architecture
  - Brownfield Remediation & Redevelopment and Environmental Assessment
  - Construction Services
  - Real Estate
  - Financing
  - Legal
  - Public/Private Partnerships
  - Leasing, Marketing and Special Events
  - Property Management



MONTEREY PARK MARKET PLACE

PROPOSED SITE PLAN



M&M REALTY PARTNERS

MONTEREY PARK RETAIL PARTNERS, LLC

2012

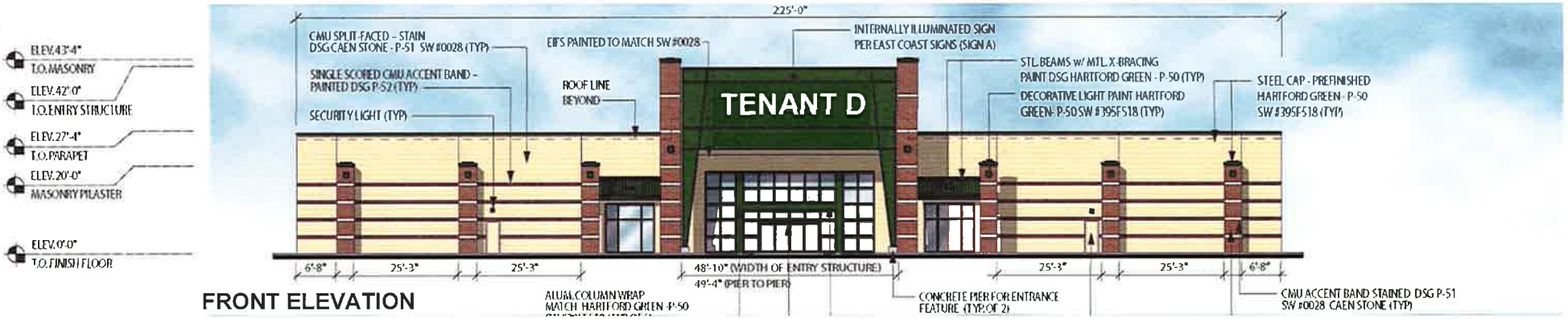
MONTEREY PARK MARKET PLACE

PROPOSED BUILDING ELEVATION
RETAIL E

FRONT ELEVATION

MONTEREY PARK MARKET PLACE

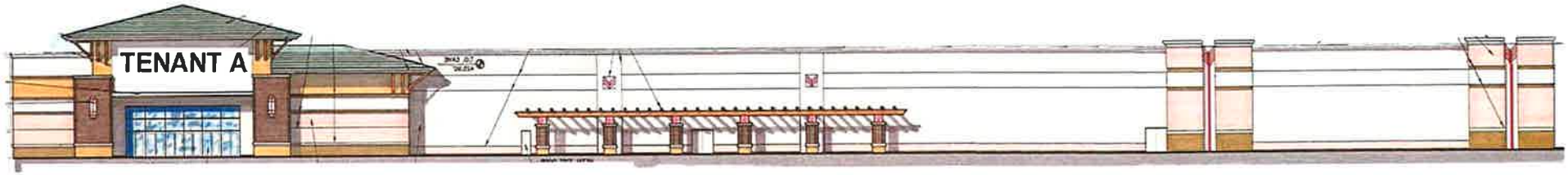
PROPOSED BUILDING ELEVATION
RETAIL D



FRONT ELEVATION

MONTEREY PARK MARKET PLACE

PROPOSED BUILDING ELEVATION
RETAIL A



FRONT SIDE ELEVATION

MONTEREY PARK MARKET PLACE

PROPOSED BUILDING ELEVATION
PROPOSED JUNIOR ANCHOR

MONTEREY PARK MARKET PLACE

PROPOSED BUILDING ELEVATION
PROPOSED PAD

FRONT ELEVATION

LEFT ELEVATION

REAR ELEVATION

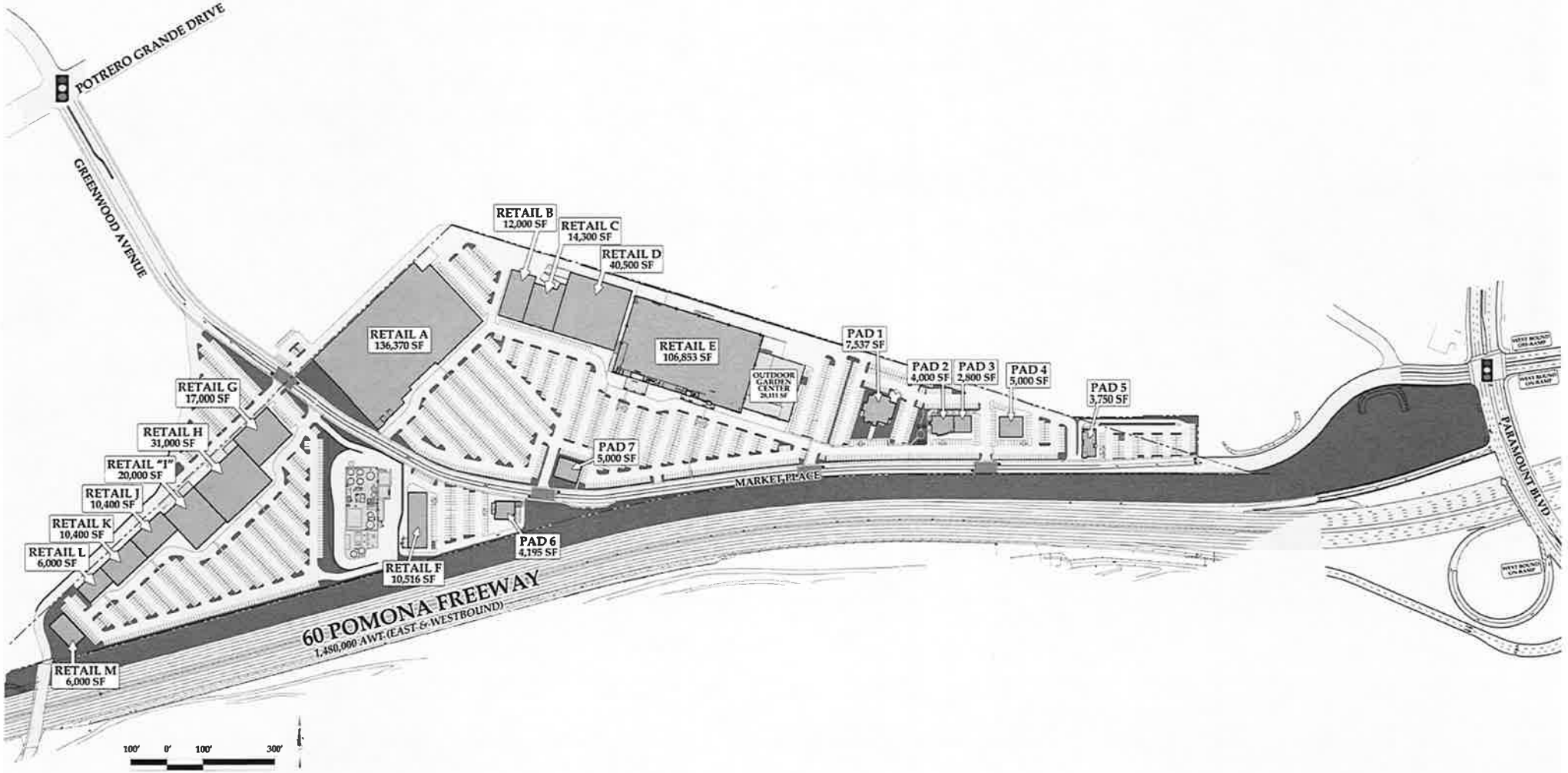
RIGHT ELEVATION

COLORS & MATERIALS

- CORNICE & HORIZONTAL BAND - I.C.I. PAINT CO. "EXTREME WHITE" #1012
- BUILDING MAIN FIELD - I.C.I. PAINT CO. "TAFFY PULL" #568
- UPPER ACCENT - I.C.I. PAINT CO. "SEED PEARL" #2009
- UPPER TOWER ACCENT - I.C.I. PAINT CO. "GINGER ROOT" #171
- RECESSED LINTEL ACCENT - I.C.I. PAINT CO. "CRIMSON RED" #192
- TOWER BRACKETS - I.C.I. PAINT CO. "EMBERGLOW" #268
- CONCRETE ROOF TILE - PIONEER ROOFING TILE CO. - COLOR #SL-467
- BRICK COLUMNS & WAINSCOAT - HIGGINS BRICK CO. "DRIFTWOOD"

MONTEREY PARK MARKET PLACE

PROPOSED SITE PLAN



M&M REALTY PARTNERS

MONTEREY PARK RETAIL PARTNERS, LLC

2012

PLANNING COMMISSION
STAFF REPORT

ITEM NUMBER
2

TO: Planning Commission

FROM: Director of Community Development

MEETING DATE: August 28, 2012

SUBJECT: PUBLIC HEARING

TENTATIVE PARCEL MAP NO. 071887 (PM-12-01) TO SUBDIVIDE AIR RIGHTS TO ESTABLISH AND MAINTAIN A THREE-UNIT CONDOMINIUM PROJECT AND VARIANCE (V-12-01) FOR A 50 FEET WIDE LOT IN THE R-3 (HIGH DENSITY RESIDENTIAL) ZONE

LOCATION: 429 East Graves Avenue

APPLICANT: Hayk Martirosian
Techna Land Co Inc
1545 N Verdugo Road, Suite 2
Glendale, CA 91208

PROJECT PLANNER: Samantha Tewasart
Associate Planner

RECOMMENDATION: That the Planning Commission continues Tentative Parcel Map No. 071887 (PM-12-01) and Variance (V-12-01), pursuant to the applicant's request.

Jim Basham
Director of Community Development

Attachments:

1. Applicant's Letter dated August 13, 2012

PLANNING COMMISSION

STAFF REPORT

ITEM NUMBER

1

TO:	Planning Commission
FROM:	Director of Community Development
MEETING DATE:	August 28, 2012
SUBJECT:	PUBLIC HEARING CLIMATE ACTION PLAN AND ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA AMENDING CHAPTER 16.17 OF TITLE 16 OF THE MONTEREY PARK MUNICIPAL CODE AND ADDING GREENHOUSE GAS REDUCTION REQUIREMENTS
LOCATION:	Citywide
APPLICANT:	City of Monterey Park
RECOMMENDATION:	After holding the public hearing, staff recommends that the Planning Commission adopt the attached Resolution recommending that the City Council adopt the Climate Action Plan and ordinance entitled "An Ordinance of the City Council of the City of Monterey Park, California Amending Chapter 16.17 of Title 16 of the Monterey Park Municipal Code and adding Greenhouse Gas Reduction Requirements"

ZONE: All Zones

LEGAL NOTIFICATION:

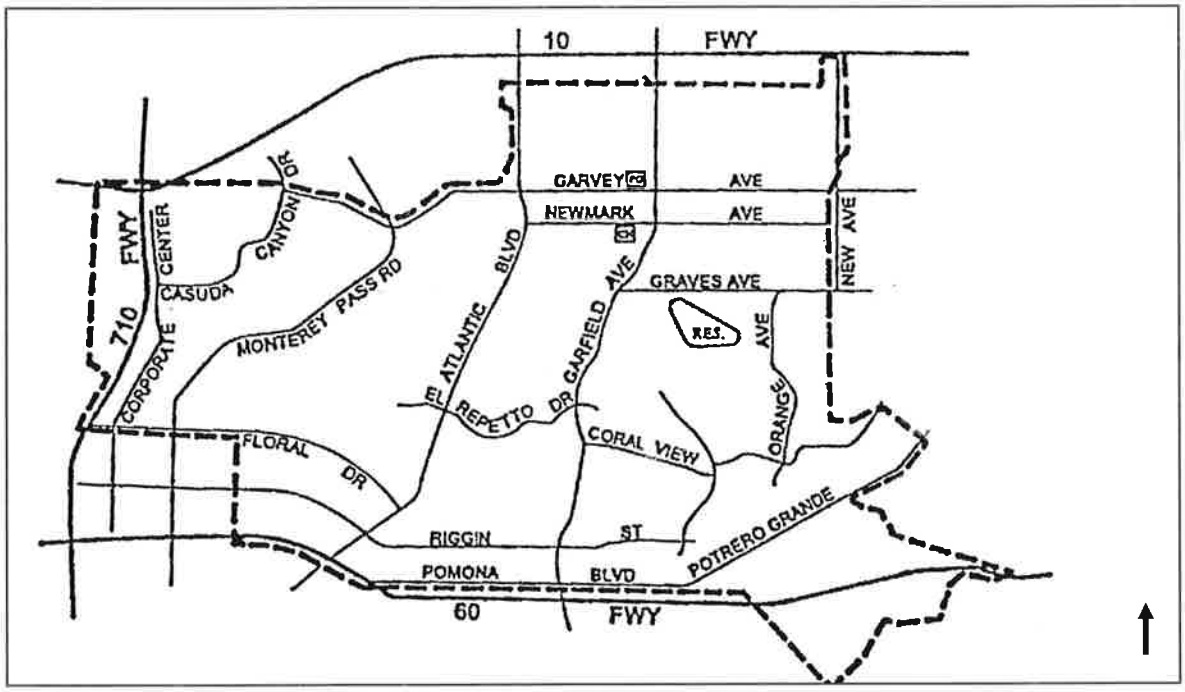
The legal notice of this hearing was published in the **Monterey Park Progress** on **August 1, 2012** and posted on **August 1, 2012**, in the Monterey Park Bruggemeyer Library, Langley Center and the City Hall with affidavits of publishing and posting on file.

ENVIRONMENTAL ASSESSMENT:

Pursuant to the State of California Public Resources Code and State Guidelines for the California Environmental Quality Act (CEQA), the Community Development Department has determined after the preparation of an Initial Study and environmental assessment of possible environmental impacts that there is no substantial evidence that the Climate Action Plan may have a significant effect on the environment and therefore, a Negative Declaration has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA).

Pursuant to CEQA, and the CEQA Guidelines, the proposed ordinance was determined to be exempt from CEQA because it consists only of minor revisions and clarifications to an existing code of construction-related regulations and specification of procedures related thereto and will not have the effect of deleting or substantially changing any regulatory standards or findings required therefore. Further, the proposed ordinance, therefore, is an action being taken for enhanced protection of the environment and that does not have the potential to cause significant effects on the environment. Consequently, it is categorically exempt in accordance with CEQA Guidelines §§ 15301 as a minor alteration of existing public or private structures involving no expansion of use; 15305 as a minor alteration in land use limitations which do not result in any changes in land use or density; and 15308 as an action taken by a regulatory agency as authorized by California law to assure maintenance or protection of the environment. The proposed ordinance is covered by a general rule that CEQA applies only to projects which have a potential for causing a *significant effect* on the environment. Where it can be seen with certainty that there is no possibility that an activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

CITYWIDE CODE AMENDMENT:



ANALYSIS AND EVALUATION OF PROPOSED CODE AMENDMENT:

Background:

In 2006, the California Legislature passed Assembly Bill 32 (AB 32), the Global Warming Solutions Act, which set the 2020 greenhouse gas emission (GHG) reduction goal into law. AB 32 required the Air Resources Board prepare a Climate Change Scoping Plan which outlined the State's strategy to achieve GHG emission reductions to 1990 levels (427 million metric tons of carbon dioxide equivalent) by the year 2020. Such plan was adopted by the Board in December of 2008.

The Air Resources Board adopted policy statements encouraging cities to participate in the global warming solutions goal by adopting targets to reduce greenhouse gases. As a rule of thumb, cities are encouraged to focus on reducing the consumption of natural gas, gasoline and electricity.

On July 2, 2008 the City Council pushed forward with a new direction which focuses on reducing greenhouse gas emissions by adopting a resolution supporting 'Green" activities by residents and local businesses to achieve environmental sustainability. The City recognizes that current global environmental challenges related to the over-consumption of natural resources, climate change, peak oil, availability of clean fresh water, food security. and environmental justice put our cities and residents at serious risk and requires immediate action at all levels.

On September 16, 2009 the City Council authorized the City Manager to apply for the Energy Efficiency and Conservation Block Grants (EECBG) program offered by the Department of Energy (DOE). One of the activities awarded to the City was a $100,000 grant to prepare a Climate Action Plan (CAP). The creation of a CAP allows the City to identify sources and quantities of greenhouse gas emissions and develop specific measures to achieve reduction targets.

Climate Action Plan:

The City acknowledges that its operation and activities of its residences and businesses are contributing to the increased concentration of global warming gases in the atmosphere. The City is committed to addressing climate change by reducing Greenhouse Gas (GHG) emissions and supports green activities to achieve environmental sustainability. The City has implemented several projects to reduce energy consumption such as installing a "cool roof" at its Senior Citizen Center. The cool roof is designed to reflect heat and reduce the thermal energy load. Other improvements include the use of LED lighting at all traffic signal intersections, the installation of energy efficient lighting and forced air units that are zoned controlled in the library and the replacement of water pumps at City wells with variable frequency motors that use less energy to supply pressurized water.

These projects have assisted the City in setting the leadership standard for reducing energy use and GHG emissions. A Climate Action Plan (CAP) will further guide future

efforts to reduce emission and will assist the City in emission reductions as quickly and cost effectively as possible.

The Climate Action Plan is a guiding document that lays out a strategy including specific policy recommendations that the City can use to address climate change and reduce its greenhouse gas emissions. Gases that trap heat in the atmosphere are called greenhouse gases and the primary sources of greenhouse gases are electricity production, vehicles, industries commercial and residential use of fossil fuels for generating heat and waste.

The main greenhouse gases as the following:

- Carbon dioxide (CO_2), which enters the atmosphere through burning fossil fuels from vehicles, trains, airplanes (coal, natural gas and oil), solid waste, trees, wood products

- Methane (CH_4), which is emitted during the production and transport of coal, natural gas and oil. Methane emissions also result from livestock and by the decay of organic waste, in municipal solid waste landfills.

- Nitrous oxide (N_2O) is emitted during agricultural and industrial activities as well as during combustion of fossil fuels and solid waste.

- Fluorinated gases emitted from a variety of industrial processes.

The CAP will help the Community of Monterey Park meet sustainability goals with cost effective climate change and clean energy strategies. The Climate Action Plan programs will help the City reduce greenhouse gas emissions and achieve multiple community goals such as reducing air pollutants, lowering energy costs, supporting local economic development, and improving public health, quality of life, and the reliability and security of its energy system.

Greenhouse Gas Reduction Measures

Green building design, construction, operational techniques, and quality control programs to conserve energy, reduce construction waste and have become increasingly widespread in commercial and residential building construction. The proposed Ordinance would set standards to improve public health, safety and general welfare by improving the design and construction of buildings through the use of building concepts that requires sustainable construction practices. For example, the greenhouse gas reduction requirements ensures new construction activity are planned and designed with energy efficiency, water efficiency and conservation, material conservation and resource efficiency. Additionally, construction activities would include the installation of plumbing that reduces indoor water use, divert construction waste from landfills to recycling, and use low-pollutant paints, carpets, and floors. The Ordinance is consistent with the Tier 1 2010 California Green Building Standards Code.

CONCLUSION:

After holding the public hearing, staff recommends that the Planning Commission adopt the attached Resolution recommending that the City Council adopt the Climate Action Plan and an Ordinance entitled "An Ordinance of the City Council of the City of Monterey Park, California amending Chapter 16.17 of Title 16 of the Monterey Park Municipal Code greenhouse gas reduction requirements"

Jim Basham
Director of Community Development

Attachments:

1. Draft Resolution
2. Draft Ordinance
3. Initial Study/Negative Declaration
4. Notice of Exemption
5. Climate Action Plan