


CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
PROPOSED MITIGATED NEGATIVE DECLARATION

LEAD CITY AGENCY City of Los Angeles		COUNCIL DISTRICT CD 10 - Herb J. Wesson, Jr.	
PROJECT TITLE Catalina Apartments Project		CASE NO. ENV-2006-7211-MND and CPC-2006-8689-GPA-ZC-HD-CU-ZAA-SPR	
PROJECT LOCATION 805-823 S. Catalina Street and 806-820 S. Kenmore Avenue, Los Angeles, CA 90005			
PROJECT DESCRIPTION Construction of a mixed use building with 27 stories of 300.5 feet in height, 269 residential units, 7,500 square feet of ground/second floor retail space, and 562 parking spaces, including two subterranean levels. The total floor area proposed is 322,238 square feet, and the site is 53,857 square feet. A total of 33,046 square feet of open space and common amenities, including a gym/recreation area; library; lounge; theater; a courtyard with a swimming pool, lounging areas, and putting green; and rooftop lounge, will be provided on the project site. A General Plan Amendment from Neighborhood Office Commercial and High Medium Residential to Regional Center Commercial, a zone change from [Q]C2-1 and R4-2 to R5-2, a Height District change from Height District 1 to Height District 2, a Conditional Use permit to allow a commercial use in the R5-2 zone, a Zoning Administrator Adjustment for Yard Reductions, and a Site Plan Review approval are being requested by the applicant.			
NAME AND ADDRESS OF APPLICANT IF OTHER THAN CITY AGENCY Colony Holdings 140 S. Beverly Drive, Suite 200 Beverly Hills, CA 90212			
FINDING: The <u>City Planning Department</u> of the City of Los Angeles has proposed that a mitigated negative declaration be adopted for this project because the mitigation measures(s) outlined on the attached page(s) will reduce any potential significant adverse effects to a level of insignificance.			
SEE ATTACHED SHEET(S) FOR ANY MITIGATION MEASURES IMPOSED.			
Any written comments received during the public review period are attached together with the response of the Lead City Agency. The project decision-maker may adopt this mitigated negative declaration, amend it, or require preparation of an EIR. Any changes made should be supported by substantial evidence in the record and appropriate findings made.			
THE INITIAL STUDY PREPARED FOR THIS PROJECT IS ATTACHED.			
NAME OF PERSON PREPARING THIS FORM Debbie Lawrence	TITLE City Planner	TELEPHONE NUMBER (213) 978-1163	
ADDRESS 200 N. Spring Street, Room 621 Los Angeles, CA 90012	SIGNATURE (Official) 		DATE Nov. 5, 2014



Los Angeles City Planning Commission

200 North Spring Street, Room 272, City Hall, Los Angeles, CA 90012
www.cityofla.org/PLN/index.htm

Determination Mailing Date: NOV 24 2009

CASE NO. CPC-2006-8689-GPA-ZC-HD-CU-ZAA-SPR
CEQA: ENV-2006-7211-MND

Location: 805-833 S. Catalina Street and 806-836 S. Kenmore Avenue and Add Area: 800 S. Kenmore Avenue and 3130 W. 8th Street
Council District: No. 10
Plan Area: Wilshire
Request(s): General Plan Amendment, Zone/Height District Change, Conditional Use, Zoning Administrator's Adjustment, Site Plan Review

Applicant: Mike Hakim, Colony Holdings, LLC
Representative: Armen Ross, Grumpy Old Men Co.

At its meeting on October 8, 2009, the following action was taken by the City Planning Commission:

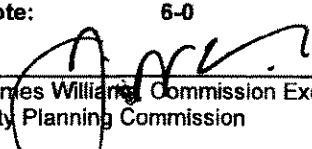
1. **Disapproved and recommended** that the City Council **not adopt** the requested **General Plan Amendment** (Periodic Plan Review for Window 162, Geographic Area 2) to the Wilshire Community Plan from Neighborhood Commercial and High Medium Residential to Regional Commercial.
2. **Disapproved and recommended** that the City Council **not adopt** the requested **Zone Change** from C2-1 and R4-2 to R5-2.
3. **Denied a Conditional Use** for a development combining residential and commercial uses in the R5 zone when located in a redevelopment project area.
4. **Denied Adjustments** to Section 12.12C as follows: To permit an 11 foot setback along Catalina Street in lieu of the minimum 15 foot setback otherwise required; and to permit a 15.5 foot setback along the northerly portion of the property parallel to 8th Street in lieu of the minimum 16 foot setback otherwise required.
5. **Denied a Site Plan Review** approval for a development project which will result in an increase of 50 or more dwelling units.
6. **Did not adopt** Mitigated Negative Declaration No. ENV-2006-7211-MND.
7. **Adopted** the attached Findings.

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

This action was taken by the following vote:

Moved: Cardoso
 Seconded: Roschen
 Ayes: Burton, Kezios, Orozco, Romero
 Absent: Freer, Woo
 Vacant: One

Vote: 6-0


James Williams, Commission Executive Assistant I
City Planning Commission

Effective/Appeals: The Commission's determination will be final 20 days from the mailing date of this determination unless an appeal is filed to the City Council within that time. If the Commission has disapproved the *Zone Change/Height Density* request, in whole or in part, the applicant may appeal that disapproval to the Council within 20 days after the mailing date of this determination. Any appeal not filed within the 20-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.

FINAL APPEAL DATE DEC 14 2009

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachment: Findings
City Planner: Lynda Smith

FINDINGS

A. General Plan Finding. The subject property is located within the Wilshire Community Plan, which was adopted by the City Council on September 19, 2001 (Case No. CPC 97-0051 CPU). The Plan map designates the subject property as Neighborhood Commercial with corresponding zones of: C1, C1.5, C2, C4, P, CR, RAS3 and RAS4 and High Medium Residential with corresponding zone(s) of R4 (with Height District 2).

B. General Plan Text. The Wilshire Community Plan text includes the following relevant land use objectives, policies and programs:

GOAL 1 A SAFE, SECURE, AND HIGH QUALITY RESIDENTIAL ENVIRONMENT FOR ALL ECONOMIC, AGE, AND ETHNIC SEGMENTS OF THE COMMUNITY.

Policy 1-1.1. Protect existing stable single family and low density residential neighborhoods from encroachment by higher density residential uses and other uses that are incompatible as to scale and character, or would otherwise diminish quality of life.

Policy 1-1.2 Promote neighborhood preservation in all stable residential neighborhoods.

Program: With the implementation of the Wilshire Community Plan, all discretionary actions, Specific Plans, and any community and neighborhood residential projects must be consistent with Wilshire Community Plan recommendations.

Policy 1-1.4 Provide for housing along mixed-use boulevards where appropriate.

Program: Create Mixed Use Districts along targeted boulevards identified in the General Plan Framework to support the construction of mixed use development.

Program: Implement a Mixed Use District in the Wilshire Center Area, including the area generally bounded by Third Street, Hoover Street, Olympic Boulevard, and Western Avenue.

Objective 1-2. Reduce vehicular trips and congestion by developing new housing in close proximity to regional and community commercial centers, subway stations and existing bus route stops.

Pollicles 1-2.1. Encourage higher density residential uses near major public transportation centers.

Program: To accommodate the anticipated population increase to the Wilshire Community Plan Area by the year 2010, the Plan designates a number of increased residential density city blocks, in close proximity to the City's highest number of major public transit corridors, major bus route stops, and subway stations.

Policy 1-3.4. Monitor the impact of new development on residential streets. Locate access to major development projects so as not to encourage spillover traffic on local residential streets.

Program: Incorporate Neighborhood Traffic Mitigation Plans (NTMP) for major development and provide LADOT assistance to neighborhoods in design of NTMP's.

Policy 1.4-2. Ensure that new housing opportunities minimize displacement of residents.

Program: Decision-makers should adopt displacement findings in any decision relating to the construction of new housing.

Policy 1.4-3. Encourage multiple family residential and mixed use development in commercial zones.

Program: The community plan identifies areas for mixed use development in commercial zones, as illustrated on the General Plan Framework Map.

Program: Create and implement mixed-use districts along boulevards as designated in the General Plan Framework.

The proposed Zone Change from C2-1 and R4-2 to R5-2 and General Plan Amendment from Neighborhood Commercial and High Medium Residential to Regional Commercial, does not meet the above Goals, Policies and Objectives of the Wilshire Community Plan in that the proposed level of development is not consistent with the existing pattern of development, is not consistent with the Wilshire Community Plan and would better suited, and compatible with existing development along the Wilshire Corridor, to the north.

- C. City Charter Sections 556 and 558.** The recommended General Plan Amendment from Neighborhood Commercial and High Medium Density Residential **does not comply** with Charter Sections 556 and 558 in that the recommended amendment does not reflect the land use patterns, trends and uses in the immediate area and does not further the intent, purposes and objectives of the Wilshire Community Plan. The General Plan Amendment to Regional Commercial is not consistent with the Wilshire Community Plans Objectives and Policies to: Protect existing stable single family and low density residential neighborhoods from encroachment by higher density residential uses and other uses that are incompatible as to scale and character, or would otherwise diminish quality of life and Provide for housing along mixed-use boulevards where appropriate.

The subject site does not meet any of General Plan Framework criteria for designation as a Regional Center. It is not located on a Secondary Highway such as Wilshire Boulevard, is not sited on a large independent lot set back from the property frontages nor does it contain a retail commercial mall, such as the Beverly Center and is not identified as a Mixed Use Boulevard by General Plan Framework. The Wilshire Community Plan supports applicable commercially zoned portions of 8th Street (From Western Avenue to Vermont Avenue) as mixed use districts. However, the scale and intensity of the proposed project at the R5-2 and Regional Commercial density, is not compatible with the existing pattern of development along 8th Street and would better suited and consistent with development along the Wilshire corridor to the immediate north. In addition, the proposed project does not have direct access to, or frontage along, 8th Street.

Parcels located to the north, which have their primary orientation toward Wilshire Boulevard a designated Major Class II Highway, are zoned R5-2 and have a General Plan Land Use Designation of Regional Commercial. These parcels are designated for high density residential (R5) and regional serving commercial uses. These are the only parcels in the immediate area planned and zoned for Regional Commercial uses, and they contain historically designated (Normandie-Mariposa Apartment District) high density multiple family residential uses, the LAUSD Central Los Angeles Learning Center #1, and various regional serving office and commercial uses.

D. Zone and Height District Change Findings. Pursuant to Section 12.32C7 of the Municipal Code, and based on these findings, the recommended action is deemed NOT consistent with public necessity, convenience, general welfare and good zoning practice.

- a. The requested Zone and Height District Change from C2-1 and R4-2 to R5-2 is not in keeping with the prevailing zoning of the immediate area, and is not consistent with the existing, or planned, pattern of development within the immediate area, which includes one to six story, Low Medium Density Residential uses zoned R4-2 and one to three story Neighborhood serving Commercial uses zoned C2-1.

The subject parcel is located south of 8th Street and abuts two commercial zoned properties (to the immediate north) which face 8th Street and constitute the ADD AREA portion of the subject General Plan Amendment from Neighborhood Commercial to Regional Commercial. These parcels are zoned C2-1 and contain surface parking and a one story commercial structure, and are not part of the proposed project.

Parcels located further to the north, which have their primary orientation toward Wilshire Boulevard a designated Major Class II Highway, are zoned R5-2 and have a General Plan Land Use Designation of Regional Commercial. These parcels are designated for high density residential (R5) and regional serving commercial uses. These are the only parcels in the immediate area planned and zoned for Regional Commercial uses, and they also contain historically designated (Normandie-Mariposa Apartment District) high density multiple family residential uses, the LAUSD Central Los Angeles Learning Center #1, and various regional serving office and commercial uses.

The requested Zone Change from C2-1 and R4-2 to R5-2 will allow a level of development that is not consistent in scale or character with the existing, low to mid-rise multiple family and neighborhood serving commercial uses. The proposed project is the construction of a 35 story, 270 unit mixed use structure with a helipad on the roof. Existing development in the immediate area is one to six stories in height and structures contain 1 to 40 dwelling units per site. The approval of the R5-2 Zone will permit a level of development that is not consistent in intensity, scale or density to existing residential development and would be more appropriate if placed along Wilshire Boulevard, a designated Major Class II Highway, where the existing General Plan Land Use designation is Regional Commercial.

The proposed Zone Change and General Plan Amendment would permit Regional Commercial uses along 8th Street (a designated Secondary Highway), Catalina Street and Kenmore Avenue (both designated Local Streets). The proposed project is located two blocks south of Wilshire Boulevard which is identified in the General Plan Framework as a Transit-Related Priority street (major public transit corridor) as it has both high level rapid bus service and fixed rail transit. 8th Street is not an identified transit priority street as it supports only local bus traffic as is therefore, not identified in the Wilshire Community Plan as a location for increased residential density at the level which would be permitted by the Regional Commercial land use designation. In addition, the proposed project will generate 1,935 daily vehicle trips (270 proposed dwelling units), which will impact both Catalina Street and Kenmore Avenue (Local residential streets).

The subject site is located within the Koreatown Regional Commercial Center as identified by the Wilshire Community Plan. The Koreatown Regional Commercial Center runs along Olympic Boulevard, directly south of Wilshire Center. The intersection of Western Avenue and Olympic Boulevard is the core of this center. It is in the southwestern portion of the Plan Area, and is generally bounded by Eighth Street on the north, Twelfth Street on the south, Western Avenue on the west, and continues east towards Vermont Avenue. The Koreatown

Regional Center includes low to mid-rise office and retail uses along Olympic Boulevard, with adjoining multiple family apartment blocks. The area is a cultural meeting place and nucleus of Korean American businesses, restaurants, and shops in addition to a wide range of community serving commercial uses and large shopping centers. The proposed site is located along the northern border of the Koreatown Regional Commercial Center and the southern border of the Wilshire Center Regional Commercial Center. There are no R5-2 zoned properties currently located in the Koreatown Regional Commercial Center as this zone classification is permitted only on those parcels which are designated by the Wilshire Community Plan as Regional Commercial. The existing Wilshire Community Plan only contains this land use designation along Wilshire Boulevard between Hoover Street and Western Ave (Wilshire Center), Wilshire Boulevard between La Brea and La Cienega (Miracle Mile Center) and Beverly Boulevard (Beverly Center-Cedars Sinai) between Robertson Boulevard and San Vicente Boulevard.

The Citywide General Plan Framework identifies the subject site as being located within a Regional Center. These Centers contain a diversity of uses such as corporate and professional offices, retail commercial malls, government buildings, major health facilities, major entertainment and cultural facilities and supporting services. Region-serving retail commercial malls and retail services should be integrated where they complement and support the other uses in the regional center. The development of sites and structures integrating housing with commercial uses is encouraged in concert with supporting services, recreational uses, open spaces, and amenities.

While the Wilshire Community Plan does support applicable commercially zoned portions of 8th Street (From Western Avenue to Vermont Avenue) as lower density mixed use districts, the scale and intensity of the proposed project at the R5-2 and Regional Commercial designation, is not compatible with the existing pattern of development along 8th Street and would be better suited and more consistent with development along the Wilshire corridor to the immediate north.

E. **Conditional Use Denial Finding.** Pursuant to Section 12.24 W 15 of the Municipal Code, a Conditional use for a development combining residential and commercial uses in the R5 zone when located in a redevelopment project area.

a. ***The location of the project will NOT be desirable to the public convenience and welfare.***

The development of the proposed mixed use in the R5-2 Zone is not desirable to the public convenience and welfare in that it is neither consistent nor compatible with the existing or proposed pattern of development in the subject area. The requested Zone and Height District change to R5-2 and General Plan Amendment to Regional Commercial is being recommended for denial as indicated above.

b. ***The proposed project will NOT be proper in relation to adjacent uses or the development of the community.***

The proposed development of a 270 unit, 35 story mixed use development is not proper in relation to adjacent uses or the development of the community. The requested Zone and Height District Change and General Plan Amendment which would permit the development of the proposed use is being recommended for denial. While mixed use development is compatible with the Wilshire Community Plan, the proposed intensity and scale is not and would be better suited for Wilshire Boulevard where the requested density is permitted,

consistent and compatible.

- c. ***The proposed project will be materially detrimental to the character of development in the immediate neighborhood.***

As stated above, the scale and level of intensity of the proposed project is not compatible with the existing level of development in the immediate area and is not consistent with the Wilshire Community Plan as state above.

- d. ***The proposed project will NOT be in harmony with the various elements and objectives of the General Plan.***

The proposed project will not be in harmony with the Wilshire Community Plan in that the proposed intensity and scale is not compatible with the existing pattern of development and the requested Zone/Height District Change from C2-1 and R4-2 to R5-2 and General Plan Amendment from Neighborhood Commercial and High Medium Residential to Regional Commercial is not consistent with the Wilshire Community Plan.

- F. **Adjustment Denial Findings.** Pursuant to Section 12.28 of the Municipal Code Adjustments to Section 12.12.C as follows: to permit an 11 foot setback along Catalina Street in lieu of the minimum 15 foot setback otherwise required; and to permit a 15 ½ foot setback along the northerly portion of the property parallel to 8th Street in lieu of the minimum 16 foot setback otherwise required.

- a. ***The granting of an adjustment will NOT result in development compatible and consistent with the surrounding area.***

The granting of the requested adjustments will not result in development compatible and consistent with the surrounding area. The proposed mixed use project is much greater in scale and intensity (270 dwelling units/ 35 stories in height) than any existing development in the immediate area. The proposed density is better suited along Wilshire Boulevard, to the north, where the existing General Plan Land Use Designation is Regional Commercial and will permit the R5-2 zone. The proposed mixed use project is located immediately adjacent to low level residential uses to the south. The project frontage is proposed along Catalina Street, which contains multiple family residential structures which do not exceed 6 stories in height. The intent of the required setback of 15 feet is to provide some buffer between the sidewalk and the structures and to soften the street frontage. The intensity and scale of the proposed mixed use project further support the placement of the required setbacks.

- b. ***The granting of an adjustment will NOT be in conformance with the intent and purpose of the General Plan of the City.***

The proposed project will not be harmony with the Wilshire Community Plan in that the proposed intensity and scale is not compatible with the existing pattern of development and the requested Zone/Height District Change from C2-1 and R4-2 to R5-2 and General Plan Amendment from Neighborhood Commercial and Medium High Residential to Regional Commercial is not consistent with the Wilshire Community Plan, therefore, the granting of the subject adjustments will not be in conformance with the intent and purpose of the Wilshire Community Plan.

- c. ***The granting of an adjustment is NOT in conformance with the spirit and intent of***

the Planning and Zoning Code of the City.

The granting of the requested Adjustments is in conformance with the spirit and intent of the LAMC in that the requested Zone/Height District Change and General Plan Amendment are not consistent with the Wilshire Community Plan.

- d. ***There are no adverse impacts from the proposed adjustment or any adverse impacts have been mitigated.***

For the reasons set forth in Proposed Mitigated Negative Declaration No. ENV 2006-7211-MND, the project will not have a significant effect on the environment.

- e. ***The site and/or existing improvements DO NOT make strict adherence to zoning regulations impractical or infeasible.***

The proposed mixed use project is located immediately adjacent to low level residential uses to the south. The project frontage is proposed along Catalina Street, which contains multiple family residential structures which do not exceed 6 stories in height. The intent of the required setback of 15 feet is to provide some buffer between the sidewalk and the structures and to soften the street frontage. The intensity and scale of the proposed mixed use project further support the placement of the required setbacks.

- G. **Site Plan Review Denial Findings.** Pursuant to Section 16.05 F of the Municipal Code. The project Does NOT comply with all applicable provisions of the Los Angeles Municipal Code, Planning and Zoning Section and any applicable specific plan: The project is NOT consistent with the General Plan: The project is NOT consistent with any applicable adopted redevelopment plan: The project does NOT consist of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, load areas, lighting, landscaping, trash collections, and other such pertinent improvements, which is or will be compatible with existing and future developments, on the neighboring properties: Any project containing residential uses provides its residents with appropriate type and placement of recreational facilities and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties where appropriate. (For Residential Projects Only.).

The proposed mixed use project is much greater in scale and intensity (270 dwelling units/ 35 stories in height) than any existing development in the immediate area. The subject site does not meet any of the above criteria for designation as a Regional Center. It is not located on a Secondary Highway such as Wilshire Boulevard, is not sited on a large independent lot set back from the property frontages nor does it contain a retail commercial mall, such as the Beverly Center and is not identified as a Mixed Use Boulevard by General Plan Framework. The Wilshire Community Plan supports applicable commercially zoned portions of 8th Street (From Western Avenue to Vermont Avenue) as mixed use districts. However, the scale and intensity of the proposed project at the R5-2 and Regional Commercial density, is not compatible with the existing pattern of development along 8th Street. The requested density is better suited along Wilshire Boulevard, to the north, where the existing General Plan Land Use Designation is Regional Commercial and will permit the R5-2 zone. The proposed mixed use project is located immediately adjacent to low level residential uses to the south. The project frontage is proposed along Catalina Street, which contains multiple family residential structures which do not exceed 6 stories in height.

The proposed project will not be in harmony with the Wilshire Community Plan in that the

proposed intensity and scale is not compatible with the existing pattern of development and the requested Zone/Height District Change from C2-1 and R4-2 to R5-2 and General Plan Amendment from Neighborhood Commercial and High Medium Residential to Regional Commercial is not consistent with the Wilshire Community Plan.

**DETERMINATION LETTER
CPC-2006-8689-GPA-ZC-HD-
CU-ZAA-SPR
MAILING DATE: 01/16/15**

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