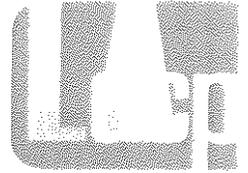




# DEPARTMENT OF CITY PLANNING

## RECOMMENDATION REPORT



### CITY PLANNING COMMISSION

**Date:** December 11, 2014  
**Time:** After 8: 30 a.m.  
**Place:** Los Angeles City Hall  
Public Works Board Room 350  
200 N. Main Street  
Los Angeles, CA 90012

**Public Hearing:** August 7, 2009, for project as originally proposed; December 11, 2014, for revised project

**Appeal Status:** Not applicable

**Expiration Date:** January 27, 2015

**Case No.:** CPC-2006-8689-GPA-ZC-  
HD-CU-ZAA-SPR

**CEQA No.:** ENV-2006-7211-MND

**Related Case No.** None

**Council No.:** 10 – Herb J. Wesson Jr.

**Plan Area:** Wilshire

**Specific Plan:** N/A

**Certified NC:** Wilshire Center – Koreatown

**GPLU:** Neighborhood Commercial  
High Medium Residential

**Zone:** (Q)C2-1 and R4-2

**Applicant:** Mike Hakim, Colony  
Holdings LLC

**Representative:** Applicant

### PROJECT

**LOCATION:** 805-833 S. Catalina Street and 806-836 S. Kenmore Avenue

### PROPOSED PROJECT:

The project as originally proposed was a 35-story mixed use building with 270 dwelling units and 3,600 square feet of commercial use. As revised, the project is proposed as a 27-story (300.5 feet tall) mixed use building with 269 dwelling units and 7,500 square feet of commercial use. The total floor area proposed is 322,238 square feet on a site of 53,857 square feet. A total of 33,046 square feet of common open space and 562 parking spaces will be provided.

The project is located in the Wilshire Community Plan area and is bounded by 8th Street to the north, Catalina Street to the east, Kenmore Avenue to the west, and multi-family residential use to the south. The project involves the demolition of three residential buildings containing 14 residential units. The environmental analysis for the project as originally proposed, ENV-2006-7211-MND, was updated to reflect the revised project description and published on October 16, 2014.

A separate public hearing has not been held for the revised project. The City Planning Commission Meeting on December 11, 2014 will serve as the public hearing.

### NOTE ON PROJECT PROCESS:

*On October 8, 2009, the City Planning Commission disapproved and recommended that the City Council not adopt the project. The applicant appealed the decision, and subsequently revised the project. The City Attorney has directed the revised project back to City Planning Commission, and the December 11th meeting will also serve as the public hearing. Consistent with the Department of City Planning's original recommendation, the current recommendation is for denial.*

**REQUESTED  
ACTIONS:**

1. Pursuant to Section 21082.1(c) of the California Public Resources Code, **Adopt** the Mitigated Negative Declaration (MND) ENV-2006-7211-MND (for an expanded Initial Study/MND) and required Findings for the above referenced project.
2. Pursuant to Section 11.5.6 of the Municipal Code, a **General Plan Amendment** to the Wilshire Community Plan from Neighborhood Office Commercial and High Medium Residential to Regional Commercial.
3. Pursuant to Section 12.32 of the Municipal Code, a **Zone/Height District Change** from (Q)C2-1 (Commercial Zone) and R4-2 (Multiple Dwelling Zone, one unit for each 400 square feet of lot area) to R5-2 (Multiple Dwelling Zone , one unit for each 200 square feet of lot area).
4. 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.
5. Pursuant to Section 12.28 of the Municipal Code, **Zoning Administrator Adjustments** to Section 12.12.C as follows: to permit a 15 foot side yard setback along the northerly portion of the property parallel to 8th Street and along the southern portion of the property in lieu of the minimum 16 foot setback otherwise required.
6. Pursuant to Section 16.05 of the Municipal Code, a **Site Plan Review** approval for a development project which will result in an increase of 50 or more dwelling units.

**RECOMMENDED  
ACTIONS:**

1. **Do not Adopt** Mitigated Negative Declaration No. ENV-2006-7211-MND, an expanded Initial Study/MND).
2. **Deny** the requested General Plan Amendment to the Wilshire Community Plan from Neighborhood Commercial and Medium Density Residential to Regional Commercial.
3. **Deny** a Zone Change from (Q)C2-1 and R4-2 to R5-2.
4. **Deny** a Conditional Use for a development combining residential and commercial uses in the R5 zone when located in a redevelopment project area.
5. **Deny** Zoning Administrator Adjustments to permit a 15 foot side yard setback along the northerly portion of the property parallel to 8th Street and along the southern portion of the property in lieu of the minimum 16 foot setback otherwise required.
6. **Deny** a Site Plan Review approval for a development project which will result in an increase of 50 or more dwelling units.
7. **Adopt** the attached findings for denial.

MICHAEL J. LOGRANDE  
Director of Planning



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Daniel Scott, Principal City Planner



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Shana Bonstin, Senior City Planner



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Debbie Lawrence, AICP, City Planner  
Telephone: 213-978-1163



## TABLE OF CONTENTS

Project Analysis .....	A-1
Project Summary	
Background Issues	
Conclusion	
Findings .....	F-1
General Plan Findings	
Charter Findings	
Zone Change Findings	
Entitlement Findings	
CEQA Findings	
Public Hearing and Communications .....	P-1
Exhibits:	
A. Maps	
A1 - Vicinity Map	
A2 - Radius Map	
A3 - General Plan Land Use	
A4 - Zoning Map	
B. Plans	
C. Environmental Analysis - ENV-2006-7211-MND (provided on a CD)	
D. CPC Determination for Project as Originally Proposed, CPC-2006-8689	



## PROJECT ANALYSIS

### Project Summary

The project is located in the Wilshire Community Plan area and is bounded by 8<sup>th</sup> Street to the north, Catalina Street to the east, Kenmore Avenue to the west, and multi-family residential use to the south. The project involves the demolition of three residential buildings containing 14 residential units. The subject request represents a revised project. The project as originally proposed was a 35-story mixed-use building with 270 residential units and 3,600 square feet of commercial/retail space. The Department of City Planning recommended denial of the project as proposed, stating that it was not in harmony with the Wilshire Community Plan, in that; 1) the proposed intensity and scale was not compatible with the existing pattern of development and the requested Zone/Height District Change from (Q)C2-1 and R4-2 to R5-2; and 2) that a General Plan Amendment (GPA) from Neighborhood Commercial and High Medium Residential to Regional Commercial was not consistent with the Wilshire Community Plan. Additionally, the project as originally proposed studied an Add Area, which included 800 S. Kenmore Avenue and 3130 W. 81st Street (two parcels north of the proposed project site) for the GPA to Regional Center. On October 8, 2009, the City Planning Commission agreed with staff's recommendation of denial, and disapproved and recommended that the City Council not adopt the project. The applicant appealed the decision, and has subsequently revised the project. Based on advice from the City Attorney's Office, a new environmental document was prepared and the revised project was directed back to the City Planning Commission. The original case numbers are retained.

The revised project consists of 269 units with 7,500 square feet of commercial use, 562 parking spaces, and is 27 stories in height (300.5 feet tall). The total floor area proposed is 322,238 square feet, on a site of 53,857 square feet. A total of 33,046 square feet of common open space and 562 parking spaces will be provided.

The subject request is a General Plan Amendment from Neighborhood Commercial and High Medium Residential to Regional Commercial, a Zone and Height District Change from (Q)C2-1 and R4-2 to R5-2, an Adjustment for reduced side yard setbacks of 15 feet along the northerly portion of the property parallel to 8th Street and along the southern portion of the property in lieu of the minimum 16 foot setback otherwise required, a Conditional Use to permit mixed use development in the R5 zone when located in a Redevelopment Area, and a Site Plan Review for projects having more than 50 dwelling units. The parcel zoned (Q)C2-1 is regulated by "Q" Qualified Conditions imposed by Ordinance No. 169,036 (October 14, 1993), and includes conditions related to tenant relocation, energy and water conservation, and landscaping, and also limits the footprint of the existing building to a maximum of 4,000 square feet.

### Background

The subject site is located on a through-lot with frontage along Catalina Street and Kenmore Avenue. The lots are immediately adjacent to commercially zoned properties that front 8th Street to the north. The site does not have direct access to 8th Street. Wilshire Boulevard is located approximately two blocks north. The LAUSD Central Learning Center #1 (Robert F. Kennedy High School) is located to the north, between 8th Street and Wilshire Boulevard. Catalina Street and Kenmore Avenue are designated Local Streets (70 and 60 feet in width, respectively) and are improved with gutter and sidewalks. 8th Street, to the north, is a designated Collector Street, 80 feet in width and is also improved with gutter and sidewalks.

The existing pattern of development consists of lower height 1- to 6-story multiple family residential and neighborhood serving commercial uses. These parcels are zoned R4-2 and C2-1 and are designated, like the subject property, as High Medium Residential and Neighborhood Commercial.

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

The proposed site is located at the northern border of the Koreatown Regional Commercial Center and south of the Wilshire Center 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 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. However, there are no R5-2 zoned properties currently located in the Koreatown Regional Commercial Center as this zone classification. This zone classification is permitted only on those parcels which are designated by the Wilshire Community Plan with the Regional Commercial Land Use Designation. 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 Wilshire Community Plan supports commercially zoned portions of 8th Street (from Western Avenue to Vermont Avenue) as lower density 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 or with the planned density for this area. The project frontage is along Catalina Street, which contains multiple family residential structures that do not exceed 6 stories in height. The R5-2 density is better suited along Wilshire Boulevard to the north, where the Wilshire Community Plan General Plan Land Use Designation is Regional Commercial and the General Plan Framework identifies the corridor as part of a Regional Center.

The proposed General Plan Amendment from Neighborhood Commercial and High Medium Residential to Regional Commercial and associated Zone/Height District change from (Q)C2-1 and R4-2 to R5-2 is not consistent with the Wilshire Community Plan. The proposed revised mixed use project is still much greater in scale and intensity than any existing development in the immediate area and is located immediately adjacent to low level residential uses to the south. While the original project proposed 270 dwelling units/35 stories in height, the revised project proposes 269 dwelling units/27 stories in height.

### **Conclusion**

Staff recommends denial of all entitlement requests for the revised project. While the development of the site as a mixed use project (at a lower density), is compatible with the intent of the Wilshire Community Plan, the requested Zone/Height District Change, General Plan Amendment, and the proposed scale and intensity of the proposed revised project are still not consistent with the Wilshire Community Plan and are not appropriate for the subject location. A 27-story building is still well above the 1 to 6-story buildings that characterize the area, and is better suited further north along the Wilshire Boulevard corridor in the Wilshire Center Regional Center.

## FINDINGS

1. **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).
2. **General Plan Text.**

### Framework Element

The Citywide General Plan Framework Element is a guide for communities to implement growth and development policies by providing a comprehensive long-range view of the City as a whole. The Element establishes categories of land use -- Neighborhood District, Community Center, Regional Center, Downtown Center, and Mixed-Use Boulevard -- that are broadly described by ranges of intensity/density, heights, and lists of typical uses. The definitions reflect a range of land use possibilities found in the City's already diverse urban, suburban, and rural land use patterns.

The Citywide General Plan Framework text defines policies related to growth and includes policies for land use, housing, urban form/neighborhood design, open space/conservation, economic development, transportation, and infrastructure/public services. The proposed project would be in conformance with several goals of the Framework as described below.

**Objective 3.4.** Distribution of Land Use: Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

**Policy 3.4.1.** Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.

**Objective 3.10:** Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.

### Wilshire Community Plan.

The Wilshire Community Plan text includes the following relevant land use objectives and policies:

**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.

**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.

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

**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.

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

**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 (Q)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 be better suited, and compatible with existing development along the Wilshire Corridor, to the north.

3. **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.

As described in the Framework Element, Regional centers are intended to serve as the focal points of regional commerce, identity, and activity. They 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. The development of sites and structures integrating housing with commercial uses is encouraged in concert with supporting services, recreational uses, open spaces, and amenities. They are typically high-density places whose physical form is substantially differentiated from the lower-density neighborhoods of the City. Generally, regional centers will range from FAR 1.5:1 to 6:1 and are characterized by six- to twenty-story (or higher) buildings as determined in the community plan. Their densities and functions support the development of a comprehensive and inter-connected network of public transit and services.

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 the 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 be 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.

4. **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.*

The requested Zone and Height District Change from (Q)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 commercially zoned properties (to the immediate north) which face 8<sup>th</sup> 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 (Q)C2-1 and R4-2 to R5-2 would 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 27 story, 269 unit mixed use structure. 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 Zone Change to R5-2 would 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 8<sup>th</sup> 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. 8<sup>th</sup> 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, according to the Traffic Impact Study (September, 2014) the proposed project will generate 2,012 daily vehicle trips, which will impact both Catalina Street and Kenmore Avenue (Local residential streets).

The project site is located along the northern border of the Koreatown Regional Commercial Center and the southern border of the Wilshire Center Regional Commercial Center. 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 uses and large shopping centers. 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 Wilshire Center Regional Commercial Center area is approximately 100 acres in size and includes a dense collection of high rise office buildings, large hotels, regional shopping complexes, churches, entertainment centers, and both high-rise and low-rise apartment buildings. It includes Wilshire Boulevard in the eastern central portion of the Plan Area and is generally bounded by 3<sup>rd</sup> Street on the north, 8<sup>th</sup> Street on the south, Hoover Street on the east, and Wilton Place on the west. The Wilshire Center includes the Vermont, Normandie, and Western Metro Red Line subway stations along Wilshire Boulevard.

While the Wilshire Community Plan does support applicable commercially zoned portions of 8<sup>th</sup> 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 8<sup>th</sup> Street and would be better suited and more consistent with development along the Wilshire corridor to the immediate north.

5. **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 269 unit, 27 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 (Q)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.

6. **Adjustment Denial Findings.** Pursuant to Section 12.28 of the Municipal Code Adjustments to Section 12.12.C as follows: to permit a 15 foot side yard setback along the northerly portion of the property parallel to 8th Street and along the southern portion of the property 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 (269 dwelling units/27 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 that 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 (Q)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 not 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. A Traffic Study was prepared for the project in September 2014 and found that the addition of project traffic would not result in significant impacts at any of the study area intersections. The Los Angeles Department of Transportation has established specific thresholds for project-related increases in the Volume/Capacity (V/C) ration of signalized intersections.

- e. ***The site and/or existing improvement 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.

7. **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.

The proposed mixed use project is much greater in scale and intensity (269 dwelling units/27 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 (Q)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.

8. **CEQA Findings**

An expanded Initial Study/Mitigated Negative Declaration (ENV-2006-7211-MND) was prepared for the proposed project but was not adopted. Because the applicant revised the project description, and the previous MND was more than five years old at the time of the revision, ENV-2006-7211-MND was updated and recirculated for a period of 20 days, beginning October 16, 2014 and ending November 4, 2014. No comments were received. On the basis of the whole of the record before the lead agency, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, at 200 North Spring Street.

The categories of Cultural Resources, Air Quality and Noise were found to have potentially significant impacts unless mitigated. Although the proposed project was identified in the MND as having a less-than-significant environmental impact with regard to Planning and Land Use, the proposed revised project does not conform to the City's land use goals and policies as defined in the General Plan Framework Element or Land Use Element (the Wilshire Community Plan). The environmental analysis indicates that the proposed project would be consistent with statewide, regional and local policies, citing recent legislation (i.e. SB 743 and SB 375) that encourages development of mixed-use projects in transit priority areas, thereby reducing greenhouse gas emissions through reduced vehicle trips.

## PUBLIC HEARING AND COMMUNICATIONS

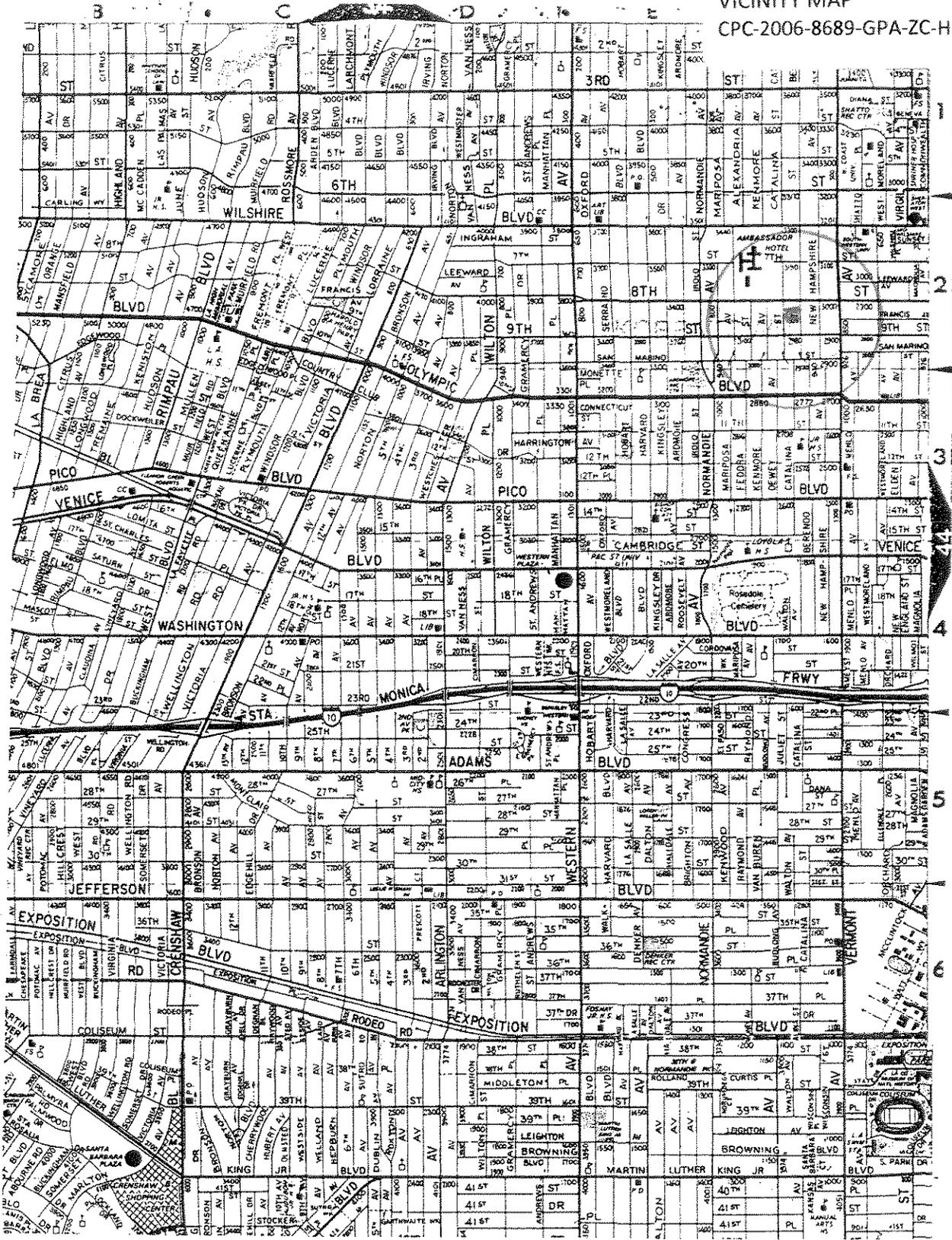
The public hearing for the revised project is being held at the City Planning Commission meeting on December 11, 2014. A public hearing for the project as originally proposed was held August 7, 2009 at 200 N. Spring Street, Los Angeles, California, 10<sup>th</sup> floor hearing room. There were approximately seven people in attendance. The project representative and architect spoke and indicated the following:

- The project phase has taken approximately two years;
- The applicant has held meetings with both the Community Redevelopment Agency and the LA Unified School District;
- The project is one of the first major privately funded in community;
- The commercial component will front Catalina Street;
- Developer feels that this type of project is wanted in the community;
- 36,000 square feet of open space is being provided;
- Project will provide 663 parking spaces (626 required).
- Student safety is a requirement of LAUSD;
- The building/structure will be set-back from the street;
- Project access (vehicle) will be reviewed by LAUSD;
- Provided parking is being done to condominium standard, not apartment;
- Approximately 108 spaces available for guests;
- Commercial is neighborhood serving;
- Project was financed on apartment rents, not condominium sales;
- Final project will be three to four years out
- Hazards related to circulation and traffic were addressed in the MND;
- The structure will meet all seismic requirements and building codes.

One member of the public spoke in opposition to the project. The speaker's comments were as follows:

- There will be student safety issues along the Catalina Street entrance;
- New school facility to the north will mean more traffic related to pick up and drop offs;
- Many students will walk to school and project is along direct path of student access;
- The project's potential affect upon students was not addressed in the MND;
- Parking for the project is not sufficient;
- Project vehicle access is not adequate;
- City of Los Angeles may be liable since environmental review was not adequate
- 8<sup>th</sup> Street will also be affected by project;
- MND is old and does not analyze school and other development in the area;
- Existing off street parking is inadequate in the area;
- Project will diminish the quality of life of area;
- The impact of the retail/commercial component was not taken into account;
- Older apartments in the area are vacant, yet new development continues;
- Project will have negative impact on existing residential properties;
- Five to six stories is the average height of development in the area;
- 30-story and higher developments are located on Wilshire, not in the immediate area;
- The sidewalk along the school frontage off Catalina Street has been increased to accommodate students, so setbacks will not be consistent along the street;
- Fault lines were not identified in the MND;
- An Environmental Impact Report should have been done.

Two written correspondences were received and are contained in the administrative file. One is dated 8/3/09 from a concerned neighbor indicating that the proposed project does not have adequate parking, local off street parking is being reduced and the traffic impact of the project on the neighborhood and the new school will be negative. A second correspondence was received dated 7/27/09 and also indicates that the proposed project will diminish the quality of life in the community by making street parking almost unavailable to residents and customers of existing businesses. This letter indicates that 1,000 new cars a day will be generated by the project and 663 parking spaces are not adequate. The correspondence also states that a new environmental review document should be completed since the environment has changed since it was issued in 2006.



VICINITY MAP  
SCALE 1" = 2800'

CPC 2006-8689-GPA-ZC-HD-CU-ZAA-SPR

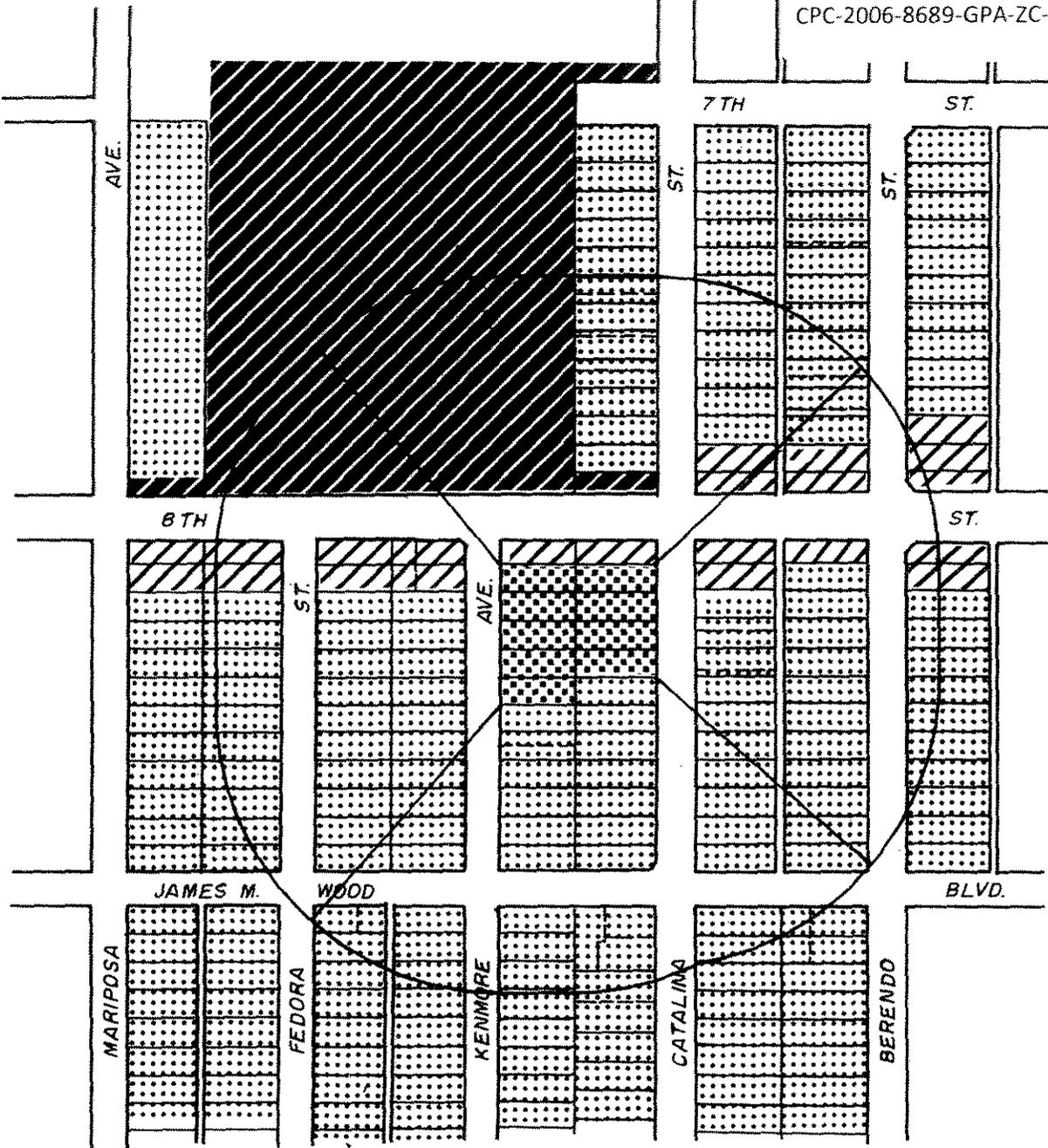




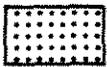
**EXHIBIT A-2**

RADIUS MAP

CPC-2006-8689-GPA-ZC-HD-CU-ZAA-5



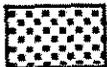
**REQUESTED WILSHIRE COMMUNITY PLAN**



R4 HIGH  
MEDIUM



C1, C1.5, C2, C4, P, NEIGHBORHOOD  
CR, RAS3, RAS4



R5 HIGH

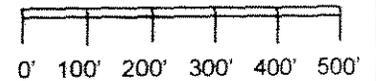


CR, C1.5, C2, C4, P, PB REGIONAL  
RAS3, RAS4, R3, R4, R5

CASE NO.

DATE: MAY 29, 2013

SCALE:

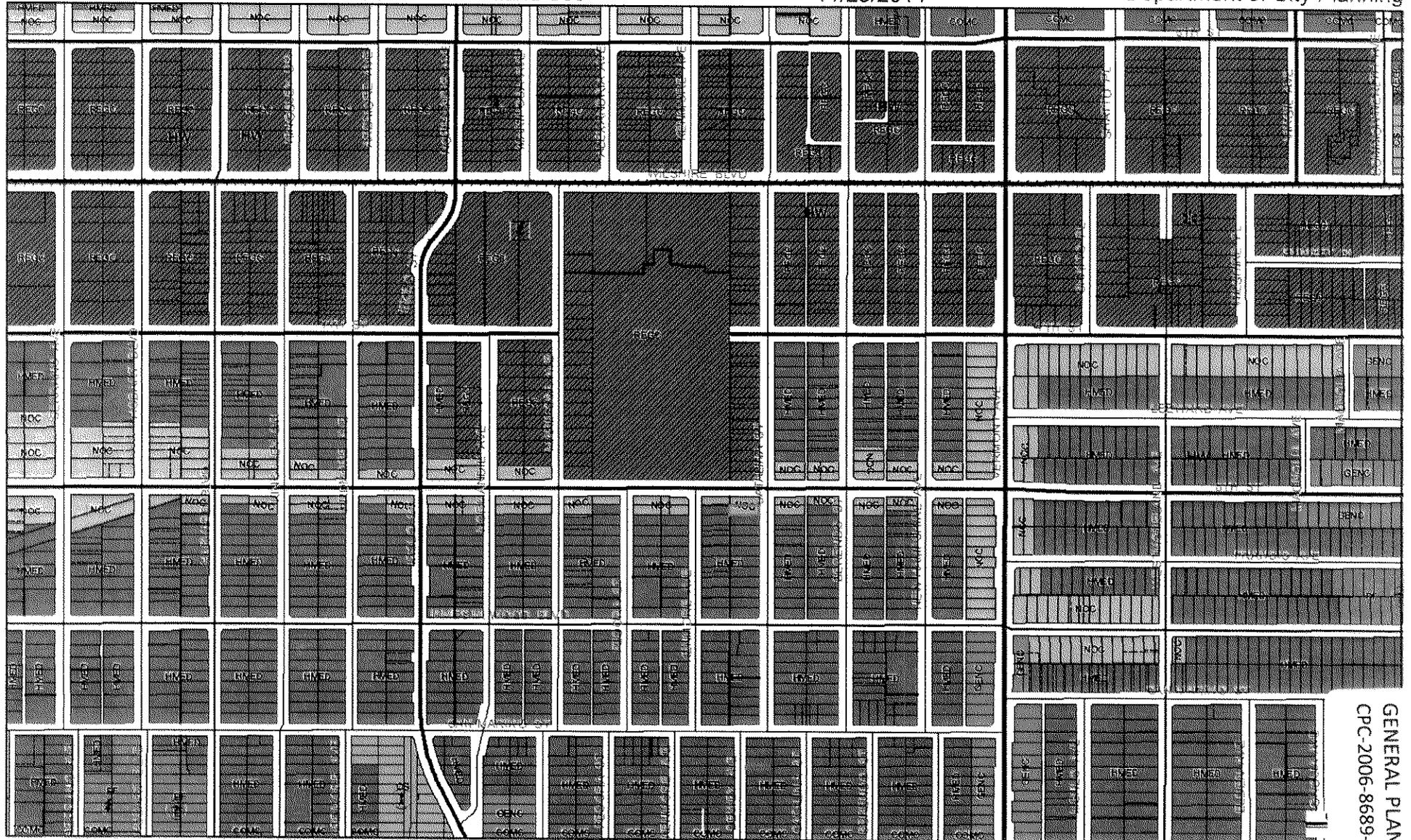


**THE KATHERMAN CO.**

1308 SARTORI AVE. SUITE 109  
TORRANCE, CA 90501  
(310) 618-1999

CPC 2006-8689-GPA-ZC-HD-CU-ZAA-SPR





Address: 805 S CATALINA ST

Tract: WILSHIRE BOULEVARD  
HEIGHTS

Zoning: (Q)C2-1

APN: 5094015002

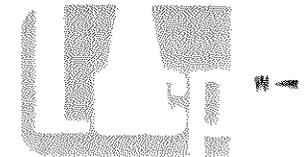
Block: 1

General Plan: Neighborhood Office Commercial

PIN #: 132B197 516

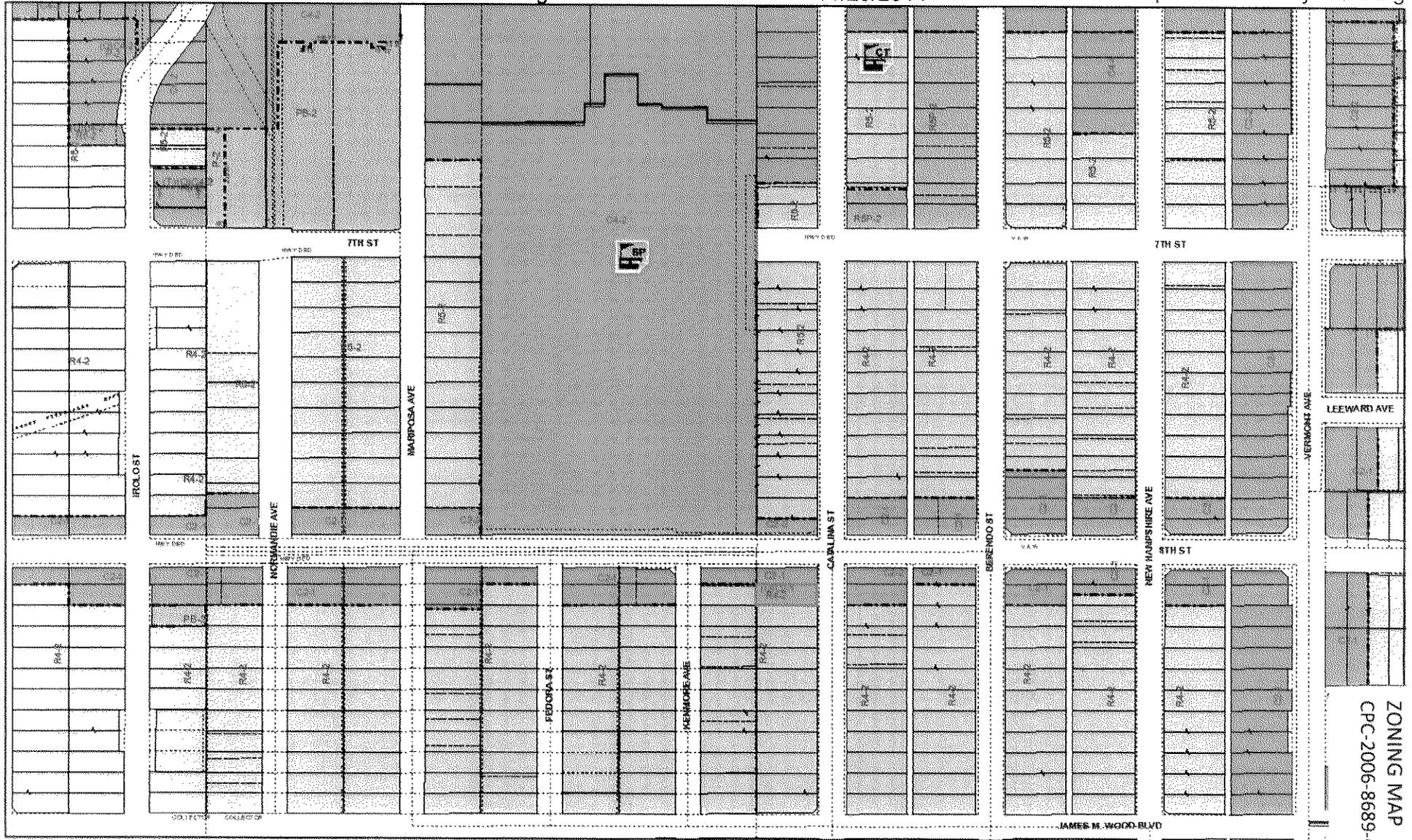
Lot: 2

Arb: None



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Address: 805 S CATALINA ST

Tract: WILSHIRE BOULEVARD  
HEIGHTS

Zoning: (Q)C2-1

APN: 5094015002

Block: 1

General Plan: Neighborhood Office Commercial

PIN #: 132B197 516

Lot: 2

Arb: None

