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October 29, 2020

Tom Weigel (A)
MHH-LA Liquor Subsidiary, LLC
6951 Research Drive
Irvine, CA 92618

Brian League (O)
University of Southern California
620 W. McCarthy Way, Ste. 5
Los Angeles, CA 90089

Lee Rabun (R)
CLR Enterprises, Inc.
420 S. San Pedro St., Ste. 225
Los Angeles, CA 90013

CASE NO. ZA-2020-1128-MPA
Master Plan Approval
1550 North San Pablo Street, Unit #100
(2200 East Trojan Way)
Northeast Los Angeles Planning Area
Zone : [T][Q] C2-2
C.D. : 14 – Kevin DeLeon
D.M. : 135A225 142
CEQA : ENV-2020-1129-CE
Legal Description:
Lot 2, Tract PM 2014-0599, BK

Pursuant to CEQA Guidelines Section 15061, I hereby DETERMINE:

based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines Section 15301, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies; and,

Pursuant to Los Angeles Municipal Code Section 12.24-M I hereby APPROVE:

a Master Plan Approval to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption with live entertainment in conjunction with a proposed 200 guest room hotel with a 18,400 square-foot ground-floor lobby, restaurant, bar, conference rooms, and outdoor pool area.

Upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.

2. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Zoning Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
6. Prior to the effectuation of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in case file. Fees required per L.A.M.C section 19.01 E (3) for Monitoring of Conditional Use Permits and Inspection and Field Compliance Review of Operations shall be paid to the City prior to the final clearance of this condition.
7. Authorized herein is the sale and dispensing of a full line of alcoholic beverages for on-site consumption with live entertainment in conjunction with the 200 guest rooms and the 18,400 square-foot ground-floor lobby, restaurant, bar, conference rooms, and a 5,800 square foot uncovered outdoor pool area of a proposed mixed-use hotel. The grant shall be subject to the following limitations:
 - a. The hours of operation for the hotel shall be 24-hours, daily. The hours of the pool patio area shall be limited to 6:00 a.m. to 10:00 p.m.
 - b. The use of controlled-access liquor cabinets in guest rooms.
 - c. Interior seating shall be limited to a maximum of 175 seats within the 18,400 square-foot ground floor which includes the integrated lobby area, dining area (restaurant and bar), and conference rooms. The number of seats shall not exceed the maximum allowable occupant load as determined by the Department of Building and Safety. Maximum occupancy shall be as determined by the Department of Building and Safety.
 - d. Outdoor seating shall be limited to a maximum of 24 seats within the pool area of the hotel's ground floor. The number of seats shall not exceed the maximum allowable occupant load as determined by the Department of Building and Safety.
8. The applicant shall comply with Condition Nos. 4 – 18 of Case No. CPC 2015-376-MCUP-ZV-ZAD-SPR.

9. No after-hour use is permitted, except routine clean-up. This includes, but is not limited to, private or promotional events, special events, excluding any activities which are issued film permits by the City.
10. No conditional use for dancing has been requested or approved herein. Dancing is prohibited.
11. The establishment shall not be leased or contracted out to third party promoters that will require cover charge or prepayment for admission to the establishment for uses such as or similar to rave parties, electronic music parties, or record release parties advertised and open to the general public.
12. The premises shall not be leased or rented to outside promoters or to any third parties for private parties or special events. The applicant/operator may host private parties or events where a fixed number of customers is predetermined and does not exceed the seating capacity or maximum occupancy approved by the Fire Department. The conduct of the business during any private parties shall be under the direct control of the business owner/operator and restaurant management staff shall be present during private parties. The person responsible for the private party or event shall be provided with a copy of the conditions of this grant and the language below or similar language shall be included in the contract related to any private party or event. **Prior to the utilization of this grant**, the Applicant shall provide a copy of its standard contract related to private parties or events to the Department of City Planning for inclusion in the case file.

The total number of guests shall not exceed the maximum occupancy determined by the Fire Department. Restaurant management staff shall be present during the private party or event. The City's conditions of approval imposed on the operation of the establishment by Case No. ZA-2020-1128-MPA, which permits the sale and dispensation of a full line of alcoholic beverages for on-site consumption, shall be observed at all times during the private party or event.

13. **Private Events.** Any use of the hotel's guest rooms, ground-floor lobby, dining area (restaurant and bar), conference rooms, and outdoor pool area for private events, including corporate events, birthday parties, anniversary parties, weddings or other private events which are not open to the general public, shall be subject to all the same provisions and hours of operation stated herein.
14. Parking shall be provided in compliance with the Municipal Code and to the satisfaction of the Department of Building and Safety. No variance from the parking requirements has been requested or granted herein.
15. Coin operated game machines, pool tables or similar game activities or equipment shall not be permitted. Official California State lottery games and machines are allowed.
16. There shall be no Adult Entertainment of any type pursuant to Los Angeles Municipal Code Section 12.70.
17. Any music, sound or noise including amplified or acoustic music which is under control of the applicant shall not violate Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance) and shall not be audible beyond the subject premises. At any time during the term of the grant a City inspector may visit the site during operating hours to measure the noise levels using a calibrated decibel/sound level meter. If, upon inspection, it is found that the noise level exceeds those allowed by the Citywide Noise Ordinance, the owner/operator will be notified and will be required to modify or, eliminate the source of the

- noise or retain an acoustical engineer to recommend, design and implement noise control measures within the property such as, noise barriers, sound absorbers or buffer zones.
18. Entertainment in conjunction with the hotel is limited to ambience music or live band without amplified sound (acoustic) Amplified ambience music played by hotel employees to compliment the hotel experience, shall be limited to background music at a low volume. Independent, professional or amateur disc jockeys are not allowed.
 19. All entertainment shall be conducted within a wholly enclosed building; there shall be no live entertainment or dancing in the outdoor pool area at any time.
 20. A camera surveillance system shall be installed at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recorded tapes/images shall be maintained for a minimum period of 30 days and are intended for use by the Los Angeles Police Department.
 21. All exterior portions of the site shall be adequately illuminated in the evening so as to make discernible the faces and clothing of persons utilizing the space. Lighting shall be directed onto the site without being disruptive to persons on adjacent properties.
 22. The applicant shall be responsible for maintaining free of debris or litter the area adjacent to the premises over which they have control, including the sidewalk in front of the establishment.
 23. The exterior windows and glass doors of the location shall be maintained substantially free of signs and other materials from the ground to at least six (6) feet in height above the ground so as to permit surveillance into the location by Police and private security. Notwithstanding this condition, exterior windows and glass doors of the location may be covered by sheer roll-up shades or other mechanisms to shield the patrons from excessive glare of the sun, if necessary.
 24. **Complaint Log.** Prior to the utilization of this grant, a phone number and an email address shall be provided for complaints or concerns from the community regarding the operation. The phone number and email address shall be posted at the following locations:
 - a. Entry, visible to pedestrians.
 - b. Customer service desk, front desk or near the cash registers.
- The applicant shall maintain a log of all calls and emails, detailing: (1) date complaint received; (2) nature of complaint, and (3) the manner in which the complaint was resolved. This log shall be made available to law enforcement personnel upon request and presented as part of the application if and when a new application to continue the operation is submitted to the Department of City Planning. Complaints shall be responded to within 24 hours.
25. **STAR/LEAD/RBS Training.** Within the first six months of operation or effectuation of the grant, all employees involved with the sale of alcohol shall enroll in the Los Angeles Police Department “Standardized Training for Alcohol Retailers” (STAR), Department of Alcoholic Beverage Control “Licensee Education on Alcohol and Drugs” (LEAD) training program, or the Responsible Beverage Service (RBS) Training Program. Upon completion of such training, the applicant shall request the Police Department or Department of Alcohol Beverage Control to issue a letter identifying which employees completed the training. Thereafter STAR/LEAD/RBS training shall be conducted for all new hires within three (3) months of their employment. In the event there is a change in the licensee, within six months

- of such change, this training program shall be required for all new staff. STAR training shall be conducted for all new hires within two months of their employment.
26. An electronic age verification device shall be retained on the premises to determine the age of any individual and shall be installed on at each point-of-sales location. This device shall be maintained in operational condition and all employees shall be instructed in its use.
 27. The applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under his/her control to assure behavior that does not adversely affect or detract from the quality of life for adjoining residents, property owners, and businesses.
 28. Loitering is prohibited on or around these premises or the area under the control of the applicant. "No Loitering or Public Drinking" signs shall be posted in and outside of the subject facility.
 29. Smoking tobacco or any non-tobacco substance including from electronic smoking devices is prohibited in or within 10 feet of any outdoor dining areas in accordance with Los Angeles Municipal Code Section 41.50 B2(c). This prohibition applies to all outdoor areas of the establishment if the outdoor area is used in conjunction with food service and/or the consumption, dispensing or sale of alcoholic or non-alcoholic beverages.
 30. The applicant shall comply with California Labor Code Section 6404.5(b) which prohibits the smoking of tobacco or any non-tobacco substance, including from electronic smoking devices, within any place of employment. The applicant shall not possess ashtrays or other receptacles used for the purpose of collecting trash or cigarettes/cigar butts within the interior of the subject establishment.
 31. "No Smoking" signs shall be posted in English and in the predominant language of the facility's clientele, if different, at the front entrance and at any other entrance utilized by the public in accordance with Los Angeles Municipal Code Section 41.50 C. A sufficient number of signs which are clearly visible and readable to patrons shall be posted around the outdoor pool area to ensure the "No Smoking" prohibition.
 32. At least one on-duty manager with authority over the activities within the facility shall be on the premises at all times that the facility is open for business. The on-duty manager's responsibilities shall include the monitoring of the premises to ensure compliance with all applicable State laws, Municipal Code requirements and the conditions imposed by the Department of Alcoholic Beverage Control (ABC) and the master plan approval herein. Every effort shall be undertaken in managing the facility to discourage illegal and criminal activity on the subject premises and any exterior area over which the building owner exercises control, in effort to ensure that no activities associated with such problems as narcotics sales, use or possession, gambling, prostitution, loitering, theft, vandalism or truancy occur.
 33. A copy of the conditions of this letter of determination, business permit and insurance information shall be retained on the premises at all times and produced upon request by the Police Department, the Department of Building and Safety or the State Department of Alcoholic Beverage Control. All employees working in the restaurant shall be knowledgeable of these conditions and shall sign a document acknowledging receipt of these conditions.

ADMINISTRATIVE CONDITIONS

34. **MViP – Monitoring Verification and Inspection Program.** Prior to the effectuation of this grant, fees required per LAMC Section 19.01-E, 3 for Monitoring of Conditional Use Permits, Inspection, and Field Compliance Review of Operations shall be paid to the City.
- a. Within 24 months from the beginning of operations or issuance of a Certificate of Occupancy, a City inspector will conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and included in the administrative file.
 - b. The owner and operator shall be notified of the deficiency or violation and required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed, may result in additional corrective conditions imposed by the Zoning Administrator.
35. Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination including the conditions required here with has been provided to the prospective owner/operator shall be submitted to the Department of City Planning in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the Department of City Planning within 30-days of the beginning day of his/her new operation of the establishment along with any proposed modifications to the existing the floor plan, seating arrangement or number of seats of the new operation.
36. The Zoning Administrator reserves the right to require that the new owner or operator file a Plan Approval application, if it is determined that the new operation is not in substantial conformance with the approved floor plan, or the operation has changed in mode or character from the original approval, or if documented evidence be submitted showing a continued violation(s) of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties. The application, in association with the appropriate fees, and a 500-foot notification radius, shall be submitted to the Department of City Planning within 30 days of the date of legal acquisition by the new owner or operator. The purpose of the plan approval will be to review the operation of the premise and establish conditions applicable to the use as conducted by the new owner or operator, consistent with the intent of the Conditions of this grant. Upon this review, the Zoning Administrator may modify, add or delete conditions, and if warranted, reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.
37. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**
- Applicant shall do all of the following:
- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
 - b. Reimburse the City for any and all costs incurred in defense of an action related to or

arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.

- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions include actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval shall be fulfilled before the use may be established. The

instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

“A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code.”

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective after **NOVEMBER 13, 2020**, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://planning.lacity.org>**. Public offices are located at:

Downtown
 Figueroa Plaza
 201 North Figueroa Street, 4th Floor
 Los Angeles, CA 90012
[\(213\) 482-7077](tel:(213)482-7077)

San Fernando Valley
 Marvin Braude San Fernando
 Valley Constituent Service Center
 6262 Van Nuys Boulevard, Room 251
 Van Nuys, CA 91401
[\(818\) 374-5050](tel:(818)374-5050)

West Los Angeles
 West Los Angeles Development
 Services Center
 1828 Sawtelle Boulevard,
 2nd Floor
 Los Angeles, CA 90025
[\(310\) 231-2598](tel:(310)231-2598)

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.

NOTICE

The applicant is further advised that subsequent contact regarding this determination must be with the staff assigned to this case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the statements made at the public hearing on August 26, 2020 all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for authorizing an approval of plans under the provisions of Sections 12.24-M have been established by the following facts:

BACKGROUND

The subject property is a level, irregular-shaped, 78,749 square-foot parcel of land located in the Lincoln Heights neighborhood. The property has a frontage of approximately 387 feet along San Pablo Street and a depth of approximately 193 feet along Alcazar Street. As of 2020, the subject site is being developed into a five-story mixed-use hotel development. The subject hotel (Hyatt House) will occupy a majority of the development fronting Trojan Way, which runs parallel to the northern edge of the property.

The site is zoned [T][Q]C2-2 with a land use designation of General Commercial within the Northeast Los Angeles Community Plan Area. The property is also located within the East Los Angeles State Enterprise Zone (ZI-2129), the Adelante Eastside Redevelopment Plan Area (ZI-2488), an Urban Agriculture Incentive Zone, a Hillside Area (BOE Basic Grid Map A-13372), a Liquefaction Zone, and is within the Upper Elysian Park Fault Zone.

The subject project, "Hyatt House", will be developed on the northeast corner of San Pablo Street and Alcazar Street, along the northern edge of the USC Health Sciences Campus. Upon completion, the mixed-use hotel will rise five-stories in height with a total area of 175,845 square-feet. Retail and restaurant tenant space will inhabit a portion of the ground-floor. Located on the basement level of the hotel will be the proposed USC Conference Center. While both establishments occupy the same building they are not accessible from one another; each establishment will provide their own respective entrance. Guests and visitors can park their cars at either the off-site San Pablo parking structure just north of the site, or find a limited number of parking spaces on-site adjacent to the hotel entrance. In total, 310 parking stalls will be provided; 300 off-site and 10 on-site. A total of 52 short-term and long-term biking spaces will also be provided adjacent to the hotel property and within the parking structure noted above. Nearby public transportation is available on Valley Boulevard, north of the subject property, with the Metro Local Bus Line 76 providing east-west service for communities between El Monte and Downtown LA.

The subject project is a Master Plan Approval to permit the sale and dispensing of a full line of alcoholic beverages with live entertainment in conjunction with the proposed Hyatt House hotel. The hotel will include 200 guest rooms and a 18,400 square-foot ground-floor lobby, restaurant, bar, conference rooms, and a 5,800 square foot uncovered outdoor pool area. A total of 199 seats will be provided on the ground-floor; 175 interior seats and 24 exterior seats. The hotel will operate 24 hours, daily to allow guests to check-in and out throughout the day. The hotel's restaurant and bar

will be integrated with the lobby area and will be managed by hotel staff. Two conference rooms will also be located on the ground-floor with no association to the USC Conference Center. Lastly, the outdoor pool area will be accessible from the hotel’s ground-floor lobby. Live entertainment will consist of an instrumental band and will serve as background music for hotel patrons.

Case No. CPC-2015-375-MCUP-ZV-ZAD-SPR established the use of the subject property permitting a mixed-use hotel development containing no more than 200 guest rooms, no more than 24,182 square-feet of restaurant and conference meeting space, and no more than 5,143 square-feet of retail space. Further, the on-site sale of alcoholic beverages was authorized within the Hyatt House hotel development by the underlying approved Master Conditional Use Permit (Case No. CPC-2015-376-MCUP-ZV-ZAD-SPR). Condition No. 4 states the following:

Authorization. The conditional use authorization herein for the sale of a full line of alcohol alcoholic beverages for on-site consumption shall be limited to areas within the hotel including the hotel conference center, hotel lobby bar and lounge, the backyard outdoor lounge, and hotel in-room mini cabinets; and a full line of alcohol for onsite consumption at three restaurants and for on-site consumption of beer and wine only for one additional restaurant.

Prior to the utilization of any of these venues, a Master Plan Approval must be filed and granted. Conditions may be imposed to address any operational characteristics deemed appropriate by the decision maker. Currently there are two (2) Master Plan Approval entitlement under review, inclusive of the subject request. The following Master Plan Approvals are currently pending at the site:

Case Number	Venue Name	Type	Area
ZA-2020-1097-MPA	USC Conference Center	full line, on-site	20,548 SF
ZA-2020-1128-MPA	Hyatt House	full line, on-site	18,400 SF (lobby, restaurant, bar, meeting rooms), 200 guest rooms

SURROUNDING PROPERTIES

The surrounding properties are primarily zoned for commercial use in the [T][Q]C2-2, C2-2, CM-1 zones. Other nearby properties are zoned PF-1. These properties are characterized by level topography and fully improved streets.

Properties immediately to the north, across Trojan Way, include a surface parking lot and the San Pablo parking structure zoned [T][Q]C2-2. Further north, along Valley Boulevard, is a Union Pacific rail right-of-way and Lincoln Park zoned PF-1 and OS-1XL, respectively. Properties east of the subject project are zoned PF-1 and CM-1, and include Los Angeles County Department of Public Works facilities and parking. Properties south of the subject property are zoned C2-2 and include various academic and medical facilities which compose the USC Health Science Campus. Properties west of the subject property are zoned [T][Q] C2-2 and include a graduate student housing complex and childcare facility.

STREETS

Valley Boulevard, adjoining the subject property to the north, is a designated Avenue I, dedicated to a Roadway width of 70 feet and a Right-of-Way width of 100 feet, and improved with a curb, gutter, and sidewalk. Valley Blvd. is located just north of train tracks that run parallel with the street.

San Pablo Street, adjoining the subject property to the west, is a designated Avenue III, dedicated

to a Roadway width of 46 feet and a Right-of-Way width of 72 feet, and improved with a curb, gutter, and sidewalk.

Alcazar Street, adjoining the subject property to the south, is a designated Modified Collector, dedicated to a width of 80 feet, and improved with curb, gutter, and sidewalk

Previous relevant cases, affidavits and orders on the subject property:

Case No. AA-2016-965-PMEX – On February 14, 2017, the Advisory Agency approved a lot line adjustment to move the lot line to the north of Alcazar St. for future ground lease

Case No. CPC-2015-376-MCUP-ZV-ZAD-SPR – On October 28, 2015, the City Planning Commission approved a Master Conditional Use for the on-site sale and consumption of alcoholic beverages in a proposed hotel including its guest rooms, restaurants, lobby bar, outdoor areas, and meeting/banquet rooms; a Zone Variance to allow the required long-term bicycle parking/storage to be located in the adjacent parking structure instead of on the hotel site; a Zoning Administrator Determination to permit shared parking for the hotel rooms, commercial uses, and conference center uses to be shared with the student parking structure; and a Site Plan Review for a project developing a hotel with 200 guest rooms.

Case No. ZA-2014-3413-ZV – On August 7, 2015 the Zoning Administrator approved zoning variances to allow five monument signs to exceed the maximum height of eight feet above the sidewalk grade, to have a vertical dimension greater than its horizontal dimension, to exceed the allowable sign area dimension, to be located less than fifteen feet from another monument sign, and to be permitted in a private educational institution.

Case No. AA-2014-599-PMLA – On July 24, 2014, the Advisory Agency approved the parcel map for a maximum three lots subdivision for proposed student housing, childcare facility, surface parking and a future hotel and conference center.

Case No. CPC-2013-7-GPA-ZC-ZAD-SPR – On January 28, 2014, the City Planning Commission approved a General Plan Amendment to the Northeast Los Angeles Community Plan from Limited Industrial to General Commercial for the subject property; a Zone Change and Height District Change from CM-1 and [T][Q]CM-1 to [T][Q]C2-2 for the subject property; a Zoning Administrator's Determination to permit shared parking between the student housing and childcare facility uses and the USC Health Science Campus parking pool; and a Site Plan Review to permit a 178-unit graduate student housing building and childcare facility.

Case No. CPC-2011-3043-GPA – On May 29, 2014, the City Planning Commission approved the General Plan Amendment to the Northeast Community Plan and the Transportation Element of the City's General Plan to change the street classifications within the USC Health Sciences Campus.

Cases on Surrounding Properties:

There are no relevant cases on surrounding properties.

PUBLIC CORRESPONDENCE

An email communication dated, August 25, 2020, was received from Richard Larsen a member of the Lincoln Heights Neighborhood Council (via the applicant's representative) denoting that every attempt was made to coordinate outreach between the applicant and the Neighborhood Council during the Covid Pandemic. The meeting was held on July 22, 2020 in which the project received unanimous support from their Planning and Land Use Committee.

An email communication dated, August 25, 2020, was received from Shaylee Papadakis of Council District 14 (via the applicant's representative) indicating that their office will not be taking a position on the case and they have no concerns at this time.

An email communication dated, August 25, 2020, was received from the applicant's representative indicating that there is an error to the floor area tabulation on the Plot Plan that omitted the Pool/Outdoor area which measures 5,800 square feet, because it is open to the sky. Updated plans were attached.

An email communication dated, August 31, 2020, was received from Lee Rabun, the applicant's representative, requesting that the address be changed to 2200 Trojan Way since the City's ZIMAS now lists the address on the property.

On September 21, 2020, the LAPD Hollenbeck Area Vice Unit signed a letter stating that they do not oppose the Master Plan Approval request for the sale of a full line of alcohol for the subject case and provided 27 operating conditions to be considered for the project site.

PUBLIC HEARING

The public hearing was held on August 26, 2020 at 9:30 a.m. telephonically in conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19. There were approximately eight persons who called in to attend – the applicants, his representative, and stakeholders in the area.

Lee Rabun of CLR Enterprises, Inc. representative for both the hotel and USC Conference Center. Tom Weigel is the applicant of Hyatt Hotel and Dine Dejong is the applicant of USC Hospitality along with Mr. Jung. Mr. Rabun indicated that the applicants were present and made the following comments:

- In 2015, a Master Conditional Use and other entitlements were approved by the City Planning Commission with the larger scope of the project involving a hotel of 185,000 square feet having 200 rooms and a ground floor area with 39,000 square feet including a 24,000 square foot restaurant service area, involving 180 interior seats and 32 outdoor seats; however, we are asking for 175 interior seats and 24 outdoor seats.
- The conference facility will provide catalyst opportunities for the USC campus. The banquet hall is composed of a 9,000 square foot banquet center for private and public bookings, from 6 a.m. to 2 a.m.
- There are 171 on site parking spaces for the hotel and conference center provided in the parking structure across San Pablo Street.
- Security is provided by the larger USC Security Guard Service.
- Outreach was also done with the Lincoln Heights Neighborhood Council but Mr. Rabun was sick during their first meeting, then the Covid Pandemic hit. It was no fault of the Neighborhood Council, but it was difficult to meet until March 20th. The committee wondered what happened then unanimously approved the request. The full Council didn't have a quorum in June and will meet at a later date.
- Council District No. 14 supports the request, as evidence of their email and had no issues.
- Officer Sandoval of the LAPD is poised to comment on the request.

Gilbert Garcia of Soto Street near the Liquor Store expressed that there will be problems of clean-up. There are always debris in the neighborhood from patrons of the liquor store. Another liquor outlet would create the same problem. Additionally, the conference facility will be open later hours into the night. USC has made it safer, but the on-site sales will cause problems in the adjacent neighborhood. The neighbors are older may not want to speak up on these issues. Bravo High

School is close by as well. What happens to people that leave while intoxicated? He opposes alcohol. The hotel's alcohol sales should not be at the expense of the neighbors.

Maria, a neighbor and has children at Bravo High School. She expressed that the neighborhood will benefit from the project; however, rejects alcohol in the neighborhood. There is a larger problem in the neighborhood when people leave the conference center at night while drunk. The other liquor store in the area where people on campus already purchase alcohol. She is not in agreement with having alcohol until 2 a.m. Other restaurants have alcohol issues as far away as Dodger Stadium with exiting drunk and noisy. There is already a liquor store across the street at Alcazar and Soto Street.

Natalia Banek resides on Soto Street and is a parent of a student at Bravo High School. She expressed opposition to the alcohol sales and is concerned with accidents and people drinking outside of the liquor store and drunken behavior toward the high school.

Officer Angel Sandoval of LAPD indicated he has been on this assignment for the past 8 and a half years and made the following comments:

- He will submit a letter in a few weeks.
- Had been working with Lee Rabun.
- Been working with USC on the larger campus and noted that heir agency has a good working relationship with the school.
- He will continue working with Mr. Rabun on the day care, hotel, and conference center.

Lee Rabun responded to the comments with the following:

- There are two liquor licenses on the Arts Coffee Shop and the Health Sciences Campus. They are for facilities and campus employees. Then in 2015 the Conditional Use identified the Faculty House license will be replaced by the current project site. The paragraph on page 11 read to record that state Alcohol facilities will serve largely the campus.
- Liquor stores do pose problems that have triggered Conditional Use Permit laws and the South Central Alcohol Specific Plan.
- Homeless and drunken behavior on public streets have occurred. Mr. Rabun is familiar with the problems in downtown LA. However, part of the economic resurgence is downtown is due to restaurants and liquor licenses.
- Full-service hotel and conference are able to serve the facility, patients of the hospital and campus and others in the neighborhood doing quince eras at the conference center.
- These licenses have been vetted by the City Planning Commission in the Master Conditional Use entitlement.

The Zoning Administrator closed the public hearing and stated that he finds the testimony favorable and within the scope of the Master Conditional Use. He indicated that there is concern with traffic and patrons of the site exiting the site through the residential neighborhood via the interior of the campus and through Soto Street. The Zoning Administrator prefers exiting traffic be directed towards Valley Boulevard. Additionally, with the proper conditions, indicated that findings can be made in the affirmative after review of the administrative record and intends to conditionally grant the case. Further, the Zoning Administrator stated that the case will be held on advisement for a period of one week pending the receipt of the following information:

- Consideration of safety issues
- Sensitive uses nearby (residential uses and Bravo High School)
- LAPD's letter

LAPD responded and an updated Plot Plan was also received from the applicant's representative.

CONDITIONS IDENTIFIED FOR CONSIDERATION BY THE STATE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL RELATIVE TO THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES

In approving the instant grant, the Zoning Administrator has not imposed Conditions specific to the sale or distribution of alcoholic beverages, even if such Conditions have been volunteered or negotiated by the applicant, in that the Office of Zoning Administration has no direct authority to regulate or enforce Conditions assigned to alcohol sales or distribution.

The Zoning Administrator has identified a set of Conditions related to alcohol sales and distribution for further consideration by the State of California Department of Alcoholic Beverage Control (ABC). In identifying these conditions, the Office of Zoning Administration acknowledges the ABC as the responsible agency for establishing and enforcing Conditions specific to alcohol sales and distribution. The Conditions identified below are based on testimony and/or other evidence established in the administrative record, and provide the ABC an opportunity to address the specific conduct of alcohol sales and distribution in association with the Master Plan Approval granted herein by the Zoning Administrator.

- No "Happy Hour" type of reduced-price alcoholic beverage or "2 for 1" promotion shall be allowed at any time. Discounted food promotions are encouraged.
- No alcohol shall be allowed to be consumed on any adjacent property under the control of the applicant.
- There shall be no exterior advertising of any kind or type, including advertising directly to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.
- The sale of alcohol shall be incidental to the sale of food.
- The sale of alcoholic beverages for consumption off the premises is prohibited.
- The off-site sale of alcoholic beverages as a secondary use (i.e., "take out") is not permitted.
- All service of alcoholic beverages shall be conducted by a waitress or waiter or bartender.
- The alcoholic beverage license shall not be exchanged for a public premises type license nor operate as a public premises.
- A "Free Designated Driver Program" shall be implemented in which free non-alcoholic beverages such as water, coffee, tea and soft drinks will be offered to the designated driver of a group.
- Signs shall be prominently posted in English, and the predominant language of the facility's clientele, if different, stating that California State law prohibits sale of alcoholic beverages to persons who are under 21 years of age. No Loitering or Public Drinking" signs shall be posted in and outside of the facility in the same languages(s).

AUTHORITY FOR PLAN APPROVAL

Section 12.24-M of the Los Angeles Municipal Code provides in pertinent part:

"M. Development of Uses. (Amended by Ord. No. 173,992, Eff. 7/6/01)

1. Development of Site. On any lot or portion of a lot on which a deemed-approved conditional use is permitted pursuant to the provisions of this section, new buildings or structures may be erected, enlargements may be made to existing buildings, existing uses may be extended on an approved site, as permitted in Subsection L of this Section, provided plans are submitted to and approved by the Zoning

Administrator, the Area Planning Commission, or the City Planning Commission, whichever has jurisdiction at that time...”

BASIS FOR CONDITIONAL USE PERMITS

A particular type of development is subject to the conditional use process because it has been determined that such use of property should not be permitted by right in a particular zone. All uses requiring a conditional use permit from the Zoning Administrator are located within Section 12.24-W of the Los Angeles Municipal Code. In order for the sale of a full line of alcoholic beverages for on-site consumption to be authorized, certain designated findings have to be made. In these cases, there are additional findings in lieu of the standard findings for most other conditional use categories.

MANDATED FINDINGS

Following (highlighted) is a delineation of the findings and the application of the relevant facts to same:

1. **The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.**

The proposed Hyatt House hotel will be located in a portion of the Lincoln Heights neighborhood that consists of the County-USC Medical Center and the USC Health Science Campus. Prior to 2014, the subject project area was designated Limited Industrial until approval of a General Plan Amendment was granted transitioning it to General Commercial (Case No. CPC-2013-7-GPA-ZC-ZAD-SPR). While academic and medical institutions largely inhabit the area, the neighborhood is also characterized by several open space and public facilities. Commercial uses are new and uncommon in the area, especially developments such as the Hyatt House hotel which will provide a mixture of lodging accommodations, retail and dining services, and a gathering space for conferences and social events.

The Hyatt House hotel will enhance the surrounding built environment by creating a more vibrant and active streetscape within the USC Health Science Campus. Prior to the proposed hotel development, the subject property was partially utilized as a surface parking lot. The site's conversion into a mixed-use development will attract commercial and pedestrian activity through its lodging, dining, social gathering capabilities. It will primarily serve visiting scholars and prospective students of the USC Health Science Campus, as well as family and friends of in-patients at the Los Angeles County + USC Medical Center and the Keck Hospital of USC. In addition, activation of the site will also contribute to the area's safety and surveillance with the addition of amenities such as lighting fixtures, security cameras, and landscaping.

Approval of the request will enable Hyatt House hotel to offer its patrons a full line of alcoholic beverages through its in-room mini-cabinets and hotel bar and restaurant. The sale of alcoholic beverages, with or without food or other beverage sales, will lend to the commercial vibrancy of neighborhood by providing a service that is generally in demand by hotel patrons and commonly provided by similar hotel operators. It will provide additional sales revenue for the hotel as well as enhance patron experience. While the sale of alcoholic beverages is already authorized on the site by the approved Master Conditional Use Permit (Case No. CPC-2015-376-MCUP-ZV-ZAD-SPR), the Plan Approval enables the Zoning Administrator to consider more closely the nature of each operation and to impose further conditions as necessary. Monitoring and safety conditions have been imposed in this grant to address public concerns related to the sale and on-site consumption of alcoholic beverages at the

subject Hyatt House.

The approval of the sale and dispensing of a full line of alcoholic beverages, in conjunction with the imposed conditions of approval, will assure that the service of alcohol is not disruptive to the community. The approved grant supports the transition of properties from Light Industrial to General Commercial, with the Hyatt House hotel development offering services and amenities that are new to the community. Nearby residents and staff will have the opportunity shop, dine, and host events at the mixed-use hotel while guests can find accommodations during their visit to the USC Health Science Campus or nearby hospitals. As such, the request will contribute to the commercial and pedestrian activation of the surrounding built environment.

2. **The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

The subject property was previously entitled for a Master Conditional Use Permit (MCUP) to allow on-site alcohol sales at five establishments at the mixed-use Hyatt House hotel development (Case No. CPC-2015-376-MCUP-ZV-ZAD-SPR). The MCUP requires each tenant to file for a Master Plan Approval to review the proposed operation of each tenant in further detail and to impose project-specific conditions of approval that address hours of operation, seating, size, security, live entertainment, etc. The 175,845 square-foot Hyatt House hotel, at-large, anchors the mixed-use development and is the subject project in review. Other tenants include the USC Conference Center and prospective retail shops and restaurants. Upon completion, the hotel will provide 200 guest rooms and a variety of amenities and services on the ground floor. The hotel will be located on the northeast corner of San Pablo Street and Alcazar Street.

Surrounding land uses consist of commercial, light industrial, open space, and public facility uses. Properties north of the subject property and across Valley Boulevard are zoned PF-1 and OS-1XL, and include a Union Pacific rail right-of-way and Lincoln Park. Properties east of the subject project are zoned PF-1 and CM-1, and include Los Angeles County Department of Public Works facilities and parking. Properties south of the subject property are zoned C2-2 and include a variety of academic and medical facilities part of the USC Health Science Campus. Properties west of the subject property are zoned [T][Q] C2-2 and include a graduate student housing complex and childcare facility.

The Plan Approval for the sale of a full line of alcoholic beverages on the subject site in conjunction with the Hyatt House hotel will not further degrade adjacent properties. The request does not alter the location, size, height, or any other significant features associated with the overall development of the Hyatt House hotel, including the ground-floor tenant spaces and the USC Conference Center. The sale and on-site consumption of alcoholic beverages will be confined within the hotel premises.

The subject hotel will conform with the development standards for projects in the C2-2 zone set forth by the Northeast Los Angeles Community Plan and the Citywide Commercial Design Guidelines. It will be consistent with the following design components: (i) articulation of facades to provide variation and visual interest; (ii) use of building materials that accent or complement adjacent and nearby building facades; (iii) screening of mechanical, electrical and rooftop equipment from public view; and (iv) on-site lighting along pedestrian walkways and vehicular access ways.

The height of the project will be consistent in scale with the height of the existing structures within the USC Health Science Campus. The Hyatt House hotel will stand five-stories tall

similar to that of the adjacent graduate student housing complex. Other nearby USC Health Science Campus and public facilities buildings range from 4 to 15 stories in height.

Hyatt House hotel will provide 24-hour daily operation for guests to check-in and out. Guests will have access to numerous hotel amenities, including but not limited to, a 5,800 square foot uncovered outdoor pool area, two conference rooms, and a restaurant and bar located adjacent to the hotel lobby. These spaces serve as extensions of the guest rooms allowing guests to gather, dine, and socialize. Live music, in the form of piano and jazz, will also be offered as entertainment at these locations. Food and alcohol service will be offered from the hotel's fixed bar and restaurant, as well as portable bars stationed within the outdoor pool area. Upon request, hotel staff will authorize use of controlled-access liquor cabinets in guest rooms as commonly practiced among hotel operators.

During the public process, two communications were received from the public. These include an email from the Lincoln Heights Neighborhood Council (via the applicant's representative) denoting that every attempt was made to coordinate outreach between the applicant and the Neighborhood Council during the Covid Pandemic. The meeting was held on July 22, 2020 in which the project received unanimous support from their Planning and Land Use Committee. A second email communication Council District 14 (via the applicant's representative) indicating that their office will not be taking a position on the case and they have no concerns at this time.

The public hearing was held on August 26, 2020 at 9:30 a.m. telephonically in conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19. There were approximately eight persons who called in to attend – the applicants, his representative, and stakeholders in the area. Lee Rabun of CLR Enterprises, Inc. representative for both the hotel and USC Conference Center. Tom Weigel is the applicant of Hyatt Hotel and Dine Dejong is the applicant of USC Hospitality along with Mr. Jung. Mr. Rabun indicated that the applicants were present and commented that in 2015, a Master Conditional Use and other entitlements were approved by the City Planning Commission with the larger scope of the project involving a hotel of 185,000 square feet having 200 rooms and a ground floor area with 39,000 square feet including a 24,000 square foot restaurant service area, involving 180 interior seats and 32 outdoor seats; however, we are asking for 175 interior seats and 24 outdoor seats. The conference facility will provide catalyst opportunities for the USC campus. The banquet hall is composed of a 9,000 square foot banquet center for private and public bookings, from 6 a.m. to 2 a.m. There are 171 on site parking spaces for the hotel and conference center provided in the parking structure across San Pablo Street. Security is provided by the larger USC Security Guard Service. Outreach was also done with the Lincoln Heights Neighborhood Council but Mr. Rabun was sick during their first meeting, then the Covid Pandemic hit. It was no fault of the Neighborhood Council, but it was difficult to meet until March 20th. The committee wondered what happened then unanimously approved the request. The full Council didn't have a quorum in June and will meet at a later date. Council District No. 14 supports the request, as evidence of their email and had no issues. Officer Sandoval of the LAPD is poised to comment on the request.

There were three community stakeholders that expressed opposition to alcohol sales and cited the following issues:

- there will be problems of clean-up. There are always debris in the neighborhood from patrons of the liquor store. Another liquor outlet would create the same problem.
- the conference facility will be open later hours into the night. USC has made it safer, but the on-site sales will cause problems in the adjacent neighborhood. There is a larger problem in the neighborhood when people leave the conference center at night while drunk.

- The neighbors are older may not want to speak up on these issues.
- Bravo High School is close by as well. He is concerned of people that leave while intoxicated.
- The hotel's alcohol sales should not be at the expense of the neighbors.
- the neighborhood will benefit from the project; however, rejects alcohol in the neighborhood. The other liquor store in the area where people on campus already purchase alcohol.
- concerned with accidents and people drinking outside of the liquor store and drunken behavior toward the high school.

Officer Angel Sandoval of LAPD indicated he will submit a letter in a few weeks. Had been working with Lee Rabun. He had been working with USC on the larger campus and noted that heir agency has a good working relationship with the school. He will continue working with Mr. Rabun on the day care, hotel, and conference center.

Lee Rabun responded that there are two liquor licenses on the Arts Coffee Shop and the Health Sciences Campus. They are for facilities and campus employees. Then in 2015 the Conditional Use identified the Faculty House license will be replaced by the current project site. The paragraph on page 11 read to record that state Alcohol facilities will serve largely the campus. Liquor stores do pose problems that have triggered Conditional Use Permit laws and the South Central Alcohol Specific Plan. Homeless and drunken behavior on public streets have occurred. Mr. Rabun is familiar with the problems in downtown LA. However, part of the economic resurgence is downtown is due to restaurants and liquor licenses. Full-service hotel and conference are able to serve the facility, patients of the hospital and campus and others in the neighborhood doing quince eras at the conference center. These licenses have been vetted by the City Planning Commission in the Master Conditional Use entitlement.

The Zoning Administrator closed the public hearing and stated that he finds the testimony favorable and within the scope of the Master Conditional Use. He indicated that there is concern with traffic and patrons of the site exiting the site through the residential neighborhood via the interior of the campus and through Soto Street. The Zoning Administrator prefers exiting traffic be directed towards Valley Boulevard. Additionally, with the proper conditions, indicated that findings can be made in the affirmative after review of the administrative record and intends to conditionally grant the case. Further, the Zoning Administrator stated that the case will be held on advisement for a period of one week pending the receipt of the following information:

- Consideration of safety issues
- Sensitive uses nearby (residential uses and Bravo High School)
- LAPD's letter

Beyond the advisement period, LAPD's recommendations were received. An updated Plot Plan was also received from the applicant's representative.

Upon review of the administrative record, findings were made for the granting of the instant request. As with the approval of the Master Conditional Use Permit, the Plan Approval request was determined to be compatible with the surrounding uses, subject to specific conditions imposed. The Master Plan Approval for the sale of a full line of alcoholic beverages in conjunction with the proposed Hyatt Hotel on the subject site will not further degrade adjacent properties. The request will not alter the location, size, height, or any other significant features associated with the overall development of the Hyatt House mixed-use development. The sale and on-site consumption of alcoholic beverages shall be restricted to premises of the hotel and restaurant.

Operating conditions were established in the review of the record in order to achieve

compatibility with the surrounding vicinity. To mitigate potential nuisances and criminal activity from occurring, conditions have been imposed to ensure the safety and welfare of the community and to encourage responsible management. Between 25-30 employees will be staffed at the hotel with all restaurant and bar employees fulfilling the required training pertaining to alcohol sales, an on-site security program will provide safeguards against alcohol-related issues and USC campus security personnel will ensure that alcohol consumption is conducted in a responsible manner. As conditioned, the proposed development and operation of the Hyatt House hotel will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety and the development of the community.

3. The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.

The twelve elements of the General Plan establish policies that provide for the regulatory environment in managing the City and for addressing concerns and issues. The majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code (LAMC). Except for the entitlement described herein, the project does not propose to deviate from any of the requirements of the LAMC.

The Land Use Element of the City's General Plan divides the City into 35 Community Plans. The subject site is located within the Northeast Los Angeles Community Plan area, and designates the land use as General Commercial.

The Northeast Los Angeles Community Plan identifies the project site as being within a portion of the Lincoln Heights neighborhood (County-USC Medical Center and USC Health Science Campus) posed with unique opportunities and challenges. Within the past decade, the subject property been approved of:

- Zone and Height change from CM-1 to [T][Q]C2-2 (*Case No. CPC-2013-7-GPA-ZC-ZAD-SPR*);
- Two General Plan Amendments approving the change from Limited Industrial to General Commercial, and the reclassification of streets within the USC Health Science Campus (*Case No. CPC-2013-7-GPA-ZC-ZAD-SPR and Case No. CPC-2011-3043-GPA*)
- Parcel Map approving the subdivision of commercial and residential lots (*Case No. AA-2014-599-PMLA*);
- Two Site Plan Reviews approving a new graduate student housing complex, childcare facility, and hotel (*Case No. CPC-2015-376-MCUP-ZV-ZAD-SPR and Case No. CPC-2013-7-GPA-ZC-ZAD-SPR*); and more

With the property transitioning into commercial use, the Community Plan acknowledges opportunities that will increase compatibility and complimentary uses between commercial and institutional areas. Hyatt House hotel will provide lodging accommodations for visiting scholars and prospective students of the USC Health Science Campus, as well as for family and friends of in-patients in the Los Angeles County + USC Medical Center and the Keck Hospital of USC. Given the large student and staff population that work in these institutions, the on-site restaurant bar, and conference rooms will provide beneficial services to the community and enhance the commercial character of the neighborhood. With the subject property adjacent to a student housing complex, medical and public facilities, the project complements these uses by functioning as a gathering space for hotel guests and visitors to socialize, dine, and attend public/private events.

The Community Plan text is silent with regards to alcohol sales, therefore in such cases the

Zoning Administrator must interpret the intent of the plan. Approval of the applicant's request is consistent with the plan's objectives and policies, including:

- **Objective 2-2:** *To enhance the identity and appearance of commercial districts;*
 - **Policy 2-2.2:** *Require that projects in commercial areas be designed and developed to achieve a high level of quality, distinctive character, and compatibility with appropriate existing uses and development limited conversion to accommodate affordable residential uses.*

The Framework Element identifies the proposed hotel as a "community center". Community Centers "contain a diversity of uses such as small offices, overnight accommodations, cultural and entertainment facilities, schools and libraries in addition to neighborhood-oriented uses". As such, the subject project is consistent with the objectives and policies related to the [Q]C2-2 designation in the following matter:

- **Objective 3.9** *Reinforce existing and encourage new community centers, which accommodate a broad range of uses that serve the needs of adjacent residents, promote neighborhood and community activity, are compatible with adjacent neighborhoods, and are developed to be desirable places in which to live, work and visit, both in daytime and nighttime;*
 - **Policy 3.9.2:** *Encourage the integration of school classrooms, libraries, and similar educational cultural facilities within commercial, office, and mixed commercial-residential structures*

The proposed Hyatt House hotel also adheres with the objectives of the Adelante-Eastside Redevelopment Plan notably:

- **§ 106.1:** *Improve the quality of life for those who live and work in and visit the Project Area through enhanced business, employment, housing, shopping, entertainment, recreational, and educational opportunities.*

The project supports the objectives and policies of the above plans providing a beneficial and complementary use to the USC Health Science Campus community. The required findings have been made and the operation has been imposed with conditions of approval. Therefore, the project conforms to the purpose, intent, and provisions of the General Plan, the Northeast Los Angeles Community Plan, and the Adelante-Eastside Redevelopment Plan.

4. **The proposed use will not adversely affect the welfare of the pertinent community.**

The approval of the Master Plan Approval request for the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with the subject hotel will not adversely affect the welfare of the community. The site was entitled for a Master Conditional Use Permit of up to five (5) establishments to sell alcoholic beverages on-site. It will offer guests lodging accommodations during their visit to the USC Health Science and the nearby hospital facilities. Additionally, the hotel's ground-floor restaurant, bar, conference rooms, and outdoor pool area will serve as a gathering place for people to socialize, dine, and attend academic and social events. The incidental sale of alcohol will provide a desired service for guests, enhancing their stay at the hotel. In addition, the project will positively impact the public and economic welfare of the neighborhood with the generation of new job opportunities and tax revenue. While the proposed Hyatt House hotel will be a new and uncommon use to

the area, conditions have be imposed to safeguard against any nuisances and criminal activity associated with the sale and consumption of alcohol.

With oversight from the California Department of Alcoholic Beverage Control (ABC) and the conditions which have been imposed upon the conference center, the project will be compatible with the character of the immediate neighborhood. Such conditions include the requirement of security measures such as a surveillance system and deterrence of graffiti and loitering. In addition, the grant requires the use and maintenance of an age verification device to deter underage purchases and drinking. Employees must also undergo STAR (Standardized Training for Alcohol Retailers) training, provided by the Los Angeles Police Department, LEAD (Licensee Education on Alcohol and Drugs) training, or RBS (Responsible Beverage Service) provided by the Department of Alcoholic Beverage Control. Both the Conditions of Approval and the requirements of the State Alcoholic Beverage Control agency are intended to protect the public health, welfare, and safety of the community. Therefore, it is expected that the sale and dispensing of alcohol will not adversely affect the welfare of the pertinent community.

5. **The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.**

According to the California Department of Alcoholic Beverage Control's (ABC) licensing criteria, two (2) on-sale and one (1) off-sale consumption licenses are allocated and authorized to the subject census tract (Census Tract 2033). Currently there are 3 establishments holding active, alcohol licenses in the census tract which include:

- (1) *Type 20: Off-Sale Beer and Wine*
- (1) *Type 41: On-Sale Beer and Wine – Eating Place*
- (1) *Type 51: Club*

Within 1,000 feet of the subject site there are two (2) alcohol-selling establishments holding a total of two (2) alcohol licenses. They include:

- Type 41: On-Sale Beer and Wine – Eating Place, Art's Coffeeshop*
- Type 51: Club, Edmondson Faculty Center*

According to statistics provided by the Los Angeles Police Department's Central Division Vice Unit, within Crime Reporting District No. 443, which has jurisdiction over the subject property, a total of 164 crimes were reported in 2019 (121 Part I, Crimes and 43 Part II, Arrests), compared to the Citywide Average of 170 crimes and compared to the High Crimes average of 204 crimes for the same reporting period.

Part I Crimes reported by LAPD include Homicide (0), Rape (1), Robbery (8), Aggravated Assault (13), Burglary (11), Auto Theft (9), and Larceny (79). Part II Crimes reported include, Narcotics (8), Liquor Laws (0), Public Drunkenness (0), Disturbing the Peace (0), Disorderly Conduct (0), Gambling (0), DUI related (6), Moving Traffic Violations (3), Miscellaneous Other Violations (15) and other offenses (5). Of the 164 total crimes reported for the Reporting District, 6 arrests were made for driving under the influence.

The concentration of alcohol licenses in a given area can be undue if the addition of a license will negatively impact the surrounding neighborhood. Concentration is not undue when the approval of a license does not negatively impact the neighborhood, rather it serves a public convenience to the community. The subject request allowing the sale of a full line of alcoholic beverages for on-site consumption at Hyatt House hotel will not, by itself, contribute to an undue concentration of on-sale licenses within the Census Tract with respect to the maximum numbers authorized and it being located within a crime reporting district where the crime rate is below the Citywide average. However, with the MCUP of 2015 permitting on-sale alcohol service for up to five establishments on the subject property and the USC Conference Center's pending request (Case No. ZA-2020-1097-MPA), the number of licenses will surpass the authorized threshold.

Like many hotel operators, the sale and dispensing of alcohol for on-site consumption is a typical service provided to patrons to complement their hotel and dining experience. It also lends to the economic viability of the hotel operation and contributes to an increase in tax revenue. With one other establishment (Edmond Faculty Center) in USC's Health Science Campus licensed to serve alcohol, the demand for gathering places such as the Hyatt House hotel which are capable of accommodating guests and hosting events justifies the need for on-site sale of alcohol. Therefore, the sale and dispensing of alcohol will not contribute to an undue concentration of alcohol licenses in the area and will be of public convenience to the community.

Conditions have been imposed in the grant to mitigate potential nuisances and criminal activity at the subject property. ABC has discretion to approve an application if there is evidence that normal operations will not be contrary to public welfare and will not interfere with the quiet enjoyment of property by residents. In addition, negative impacts commonly associated with the sale of alcohol for on-site consumption such as criminal activity, public drunkenness, and loitering are mitigated by the imposition of conditions set forth by the Zoning Administrator to safeguard the welfare of the community. For example, hotel employees responsible for serving alcohol to patrons must complete the required training pertaining to alcohol sales, and security personnel will be present to monitor responsible behavior. The operation of the Hyatt House hotel, in conjunction with the sale and dispensing of a full line of alcoholic beverages for on-site consumption will serve to enhance the character of the area while operating in a manner that will be responsible and considerate of its surrounding uses.

6. **The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.**

The project site is zoned for commercial use and will be utilized as such with the development of the subject Hyatt House hotel. The five-story hotel will operate within the USC Health Science Campus in the Lincoln Heights neighborhood, an area predominantly surrounded by institutional (academic and medical) and public facilities. The hotel will serve the surrounding community by offering lodging accommodations, food service, and conference rooms for meetings and social events. It will also contribute to the commercial and pedestrian vibrancy of the surrounding built environment. The hotel will complement the needs of the neighboring students, employees, and guests while not detrimentally affecting the surrounding residential communities and sensitive uses. The following sensitive uses are located within a 1,000-foot radius of the site:

Sensitive Uses

Eastlake Juvenile Court Central Juvenile Hall	1601 Eastlake Ave. 1605 Eastlake Ave.
Lincoln Park El Parque de Mexico Hazard Recreation Center	3501 Valley Blvd. Mission Rd./Valley Blvd. 2230 Norfolk St.
Keck School of Medicine of USC LAC + USC Medical Center	1975 Zonal Ave. 2051 Marengo St.
Alcazar Child Development Center	2215 Alcazar St.
Currie Hall (Graduate Student Housing)	2215 Alcazar St.

Establishments Selling Alcoholic Beverages

Art's Coffee Shop Edmondson Faculty Center	1917 Zonal Ave. 1969 Zonal Ave.
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Consideration has been given to the distance of the subject establishment from the above-referenced sensitive use. The grant has been well-conditioned, which should protect the health, safety, and welfare of the surrounding neighbors including the adjacent graduate student housing complex (Currie Hall). The potential effects of excessive noise or disruptive behavior have been considered and addressed by imposing conditions related to noise and loitering. The project is consistent with the zoning and in keeping with the existing uses adjacent to the development. This project will contribute to the USC Health Science Campus in Boyle Heights and will provide a beneficial service to neighboring residents, employees, and visitors. Therefore, as conditioned, the project will not detrimentally affect residentially-zoned properties or any other sensitive uses in the area.

ADDITIONAL MANDATORY FINDINGS

9. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Flood Zone X, areas determined to be outside the 500-year flood plain.

Inquiries regarding this matter shall be directed to David Woon, Planning Staff for the Department of City Planning at (213) 978-1368 or David.Woon@lacity.org.

FRANKLIN N. QUON
Associate Zoning Administrator

FNQ:JP:DW:bk

cc: Councilmember Kevin DeLeon
Fourteenth Council District
Adjoining Property Owners
Interested Parties