

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
ZA-2020-1097-MPA-1A	ENV-2020-1091-CE-1A	14 - Kevin de Leon
PROJECT ADDRESS:		
1550 North San Pablo Street, Unit #070 (2200 East Trojan Way)		
APPLICANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
Dirk Dejong, University of Southern California <input type="checkbox"/> New/Changed	213-748-4141	ddejong@usc.edu
APPLICANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
Lee Rabun, CLR Enterprises, Inc.	213-229-4300	clr1985lee@yahoo.com
APPELLANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
SEIU Local 721 and Eastside LEADS	213-304-8792	susan.li@seiu721.org
APPELLANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
Jordan R. Sisson, Esq.	213-629-2071	jordan@gideonlaw.net
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
David Woon	213-978-1368	david.woon@lacity.org
ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION		
CEQA Appeal		

FINAL ENTITLEMENTS NOT ADVANCING:

ITEMS APPEALED:

ENV-2020-1091-CE

ATTACHMENTS:	REVISED:	ENVIRONMENTAL CLEARANCE:	REVISED:
<input checked="" type="checkbox"/> Letter of Determination	<input type="checkbox"/>	<input checked="" type="checkbox"/> Categorical Exemption	<input type="checkbox"/>
<input checked="" type="checkbox"/> Findings of Fact	<input type="checkbox"/>	<input type="checkbox"/> Negative Declaration	<input type="checkbox"/>
<input checked="" type="checkbox"/> Staff Recommendation Report	<input type="checkbox"/>	<input type="checkbox"/> Mitigated Negative Declaration	<input type="checkbox"/>
<input checked="" type="checkbox"/> Conditions of Approval	<input type="checkbox"/>	<input type="checkbox"/> Environmental Impact Report	<input type="checkbox"/>
<input type="checkbox"/> Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Mitigation Monitoring Program	<input type="checkbox"/>
<input type="checkbox"/> Zone Change Map	<input type="checkbox"/>	<input type="checkbox"/> Other _____	<input type="checkbox"/>
<input type="checkbox"/> GPA Resolution	<input type="checkbox"/>		
<input type="checkbox"/> Land Use Map	<input type="checkbox"/>		
<input type="checkbox"/> Exhibit A - Site Plan	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Mailing List	<input type="checkbox"/>		
<input type="checkbox"/> Land Use	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Other _____	<input type="checkbox"/>		

NOTES / INSTRUCTION(S):

FISCAL IMPACT STATEMENT:

Yes

No

*If determination states administrative costs are recovered through fees, indicate "Yes".

PLANNING COMMISSION:

- City Planning Commission (CPC)
- Cultural Heritage Commission (CHC)
- Central Area Planning Commission
- East LA Area Planning Commission
- Harbor Area Planning Commission

- North Valley Area Planning Commission
- South LA Area Planning Commission
- South Valley Area Planning Commission
- West LA Area Planning Commission

PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
January 27, 2021	3-2
LAST DAY TO APPEAL:	APPEALED:
March 5, 2021	CEQA appealed: March 4, 2021
TRANSMITTED BY:	TRANSMITTAL DATE:
Irene Gonzalez, Commission Office	April 6, 2021



EAST LOS ANGELES AREA PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

*CORRECTED LETTER OF DETERMINATION

Mailing Date: MAR 10 2021

Case No. ZA-2020-1097-MPA-1A
CEQA: ENV-2020-1091-CE
Plan Area: Northeast Los Angeles
Related Case: ZA-2020-1128-MPA-1A

Council District: 14 – de León

Project Site: 1550 North San Pablo Street, Unit #070 (2200 East Trojan Way)

Applicant: Dirk Dejong, University of Southern California
Representative: Lee Rabun, CLR Enterprises, Inc.

Appellant: Susan Li, SEIU Local 721
Representative: Jordan R. Sisson, Law Office of Gideon Kracov

At its meeting of **January 27, 2021**, the East Los Angeles Area Planning Commission took the actions below in conjunction with the approval of the following project:

A Master Plan Approval to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed 20,548 square-foot conference center with live entertainment.

1. **Determined** based on the whole of the administrative record, the Project is exempt from CEQA pursuant to CEQA Guidelines, Section 15301, and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines Section 15300.2, applies;
2. **Found**, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in the previously certified Environmental Impact Report No. ENV-2004-1950-EIR, certified on July 18, 2006, and addenda dated March 2013 and April 2014; and pursuant to CEQA Guidelines, Sections 15162 and 15164, no subsequent EIR, negative declaration, or addendum is required for approval of the project;
3. **Denied** the appeal and **sustained** the Zoning Administrator's determination dated October 28, 2020 to approve, pursuant to Section 12.24 M of the Los Angeles Municipal Code, a Master Plan Approval to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed 20,548 square-foot conference center with live entertainment;
4. **Adopted** the attached Conditions of Approval; and
5. **Adopted** the attached Findings.

This action was taken by the following vote:

Moved: Campos
Second: Arellano
Ayes: Stevens
Nays: Espinoza, Rascon

Vote: 3 - 2



Etta Armstrong, Commission Executive Assistant I
East Los Angeles Area Planning Commission

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

***Effective Date/Appeals:** The decision of the East Los Angeles Area Planning Commission is not further appealable and shall become final upon the mailing of this determination letter.

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable and the decision is final.**

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.

Attachments: Conditions of Approval, Findings, Interim Appeal Procedures

c: Heather Bleemers, Senior City Planner
Jojo Pewsawang, City Planner
David Woon, Planning Assistant

CONDITIONS OF APPROVAL

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.
7. Authorized herein is the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed 20,548 square-foot conference center. The grant shall be subject to the following limitations:
 - a. The hours of operation shall be limited to 6:00 a.m. to 2:00 a.m., daily.
 - b. Interior seating shall be limited to a maximum of 852 seats within the within the five banquet hall 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.
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 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. 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-2020-1097-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 conference center and its banquet halls 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. All events shall be monitored by campus security.
 - a. The applicants shall prepare a security plan for review and approval by the Los Angeles Police Department. No later than 12 months after the issuance of the Certificate of Occupancy for the restaurant, the applicant shall meet with the LAPD to determine the effectiveness of the security plan. A copy of the security plan shall be submitted for the case file.
 - b. Security shall direct exiting traffic to Valley Boulevard and not the interior of the campus unless such individuals reside on the campus or have business in the campus.
 - c. Security personnel shall take steps necessary to prevent departing guest who appear to be intoxicated from driving, including observing patrons as they are walking them to their motor vehicle and actively encouraging the alternative use of designated sober drivers and/or having the security personnel call a taxi cab or other driving service.
 - d. Only the front door shall be used for patron access. All other doors shall be equipped on the inside with an automatic locking device and shall be kept closed at all times other than to permit temporary access for delivery of supplies and said trash removal. These doors shall not consist solely of a screen or ventilated security door but shall be solid.

15. 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.
16. 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.
17. There shall be no Adult Entertainment of any type pursuant to Los Angeles Municipal Code Section 12.70.
18. 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.
19. Entertainment in conjunction with the conference center is limited to live band with limited amplified sound. Amplified ambience music played by conference center employees to compliment the conference experience, shall be limited to background music at a low volume. Independent, professional or amateur disc jockeys are not allowed.
20. All entertainment shall be conducted within the interior of the conference center; there shall be no live entertainment or dancing in the outdoor area at any time.
21. 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.
22. 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.
23. 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.
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.
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 entrance to the conference center 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.
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.

ADMINISTRATIVE CONDITIONS

33. **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.
34. 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.
35. 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.
36. **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.

FINDINGS

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 USC Conference Center will be located within 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. The development of the USC Conference Center will be new in the area, providing the community a gathering space for conferences, meetings, and social events. It will contain a fully-equipped kitchen allowing for food and beverage service.

The USC Conference Center will provide a service that is beneficial to the community by creating a venue space for public and private events. While its five banquet halls and two classrooms will primarily cater to academic conferences, meetings, and social events hosted by the USC Health Science Campus, events such as celebratory parties, wedding receptions, corporate events, and other similar events may also be scheduled and attended by the public. In addition to providing a complementary service to the existing community and adjacent facilities, the conference center will also complement the hotel, retail, and restaurant uses of the Hyatt House development. It will encourage visiting scholars, prospective students, and family members of patients of the nearby hospital facilities to find accommodations at the hotel and enhance commercial and pedestrian activity in the neighborhood.

The approval of the Master Plan Approval request will enable the USC Conference Center to offer its guests a full line of alcoholic beverages with live entertainment through its banquet halls and classrooms. The sale and dispensing of alcoholic beverages for events such as conferences, social gatherings, celebratory parties, and receptions is typically desired by guests and is therefore provided by similar establishments. By providing alcoholic beverage service, the conference center will enhance guest experience at events as well as benefit from the collection of additional sales and tax revenue. 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 USC Conference Center.

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 USC Conference Center providing nearby residents, employees, and visitors a gathering space for hosting and attending events. As such, the request will serve a function and provide a service that is beneficial to the community.

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 20,548 square-foot USC Conference Center will be a tenant of the Hyatt House mixed-use development located on the northeast corner of San Pablo Street and Alcazar Street. Other tenants include the five-story Hyatt House hotel and prospective retail shops and restaurants. Upon completion, the conference center will reside on the basement level of the development. It will be comprised of five banquet halls and two classrooms. The conference center will also be furnished with a fully-equipped kitchen, allowing food preparation and service to be conducted in-house. Hours of operation shall be limited to 6:00 a.m. to 2:00 a.m., daily.

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 USC Conference Center, in conjunction with the entire Hyatt House hotel development, 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 Hyatt House hotel development will also be consistent in scale with the height of the existing structures within the USC Health Science Campus. It will stand five-stories tall similar to that of the adjacent graduate student housing complex. Other nearby Health Science Campus and public facilities buildings range from 4 to 15 stories in height.

Parking will be shared with the graduate student housing complex, the childcare facility, and other facilities within the USC Health Science Campus in the San Pablo parking structure just north of the subject site. The structure provides a total of 1,200 shared parking stalls, in which 300 are designated for the Hyatt House hotel.

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 their 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 in 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. Updated floor plans were 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 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 conference center.

To reduce potential nuisances and criminal activity from occurring, conditions and security measures have been adopted to ensure the safety and welfare of the community and to encourage responsible management. Between 10-15 employees will be staffed during a scheduled event with all employees fulfilling the required training pertaining to alcohol sales, an on-site security program will provide safeguards against alcohol-related issues, USC campus security personnel will ensure that alcohol consumption is conducted in a responsible manner, and all personnel will enforce the 10 p.m. curfew loitering laws concerning minors within the grounds. As conditioned, the proposed development and operation of the USC Conference Center 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 with the corresponding zones C1, CR, C1.5, C2, C4, P, and RAS3.

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. The USC Conference Center will provide a gathering space for students, faculty, visiting scholars and medical professionals of the USC Health Science Campus. With the subject property adjacent to a student housing complex and several medical and public facilities, the addition of a conference center will provide a beneficial and complementary use for the community. It will provide the necessary amenities to host conferences, meetings, and social events such as seating, food service, and access to lodging accommodations.

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 conference centers 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 zone 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 USC Conference Center 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 multiple establishments to sell alcoholic beverages on-site. It will provide the students, faculty, and visiting scholars of the USC Health Sciences Campus a gathering place for meetings, conferences, and social events, as well as invite other interested parties the opportunity to host events such as celebratory parties, receptions, and corporate events. The incidental sale of alcohol will provide a desired service for guests, enhancing their experience at the conference center. In addition, the project will positively impact the public and economic welfare of the community by generating new job opportunities and tax revenue. While the proposed USC Conference Center will be a new use to the area, conditions have been 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:

- (1) *Type 41: On-Sale Beer and Wine – Eating Place, Art's Coffeeshop*
- (1) *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 the USC Conference Center will not, by itself, contribute to an undue concentration of on-sale licenses within the Census Tract with respect to the maximum number 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 Hyatt House hotel's pending request (Case No. ZA-2020-1128-MPA), the number of licenses will surpass the authorized threshold.

Similar to other campus settings, including USC's main University Park Campus, the sale and dispensing of alcohol at conference rooms and banquet halls is typical given their ancillary use and service to support a large campus population. It is a desirable service which enhances guest experience at events. With one other similar establishment (Edmond Faculty Center) in USC's Health Science Campus, the demand for gathering spaces such as the USC Conference Center capable of hosting conferences, receptions, and other social events justifies the need for an additional establishment serving alcohol. Therefore, the sale and dispensing of alcohol will not contribute to an undue concentration of alcohol licenses in the area.

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, conference center staff 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 USC Conference Center, 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 operate as a conference center hosting various events. The USC Conference Center will operate within the USC Health Sciences Campus, an area predominantly comprised of institutional (academic and medical) and public facilities. It will provide a beneficial service to the community by serving as a gathering space for meetings, conferences, and social events hosted by neighboring graduate students and staff of the USC Health Science Campus. Located on the basement level of the Hyatt House hotel development, nuisances and issues related to the sale and consumption of alcohol at the conference center will be minimized. Although it occupies the same building as the Hyatt House hotel and prospective retail and restaurant tenants, they are not connected to each other. Public entry to and from the conference center will only be accessible from San Pablo Street, and will not be facing any sensitive uses. The following sensitive uses and alcohol establishments are located within a 1,000-foot radius of the site:

Sensitive Uses

Lincoln Park	3501 Valley Blvd.
El Parque de Mexico	Mission Rd./Valley Blvd.
Hazard Recreation Center	2230 Norfolk St.
Keck School of Medicine of USC	1975 Zonal Ave.
LAC + USC Medical Center	1200 N. State St.
Keck Hospital of USC	1500 San Pablo St.
Currie Hall (Student Housing)	2215 Alcazar St.

Establishments Selling Alcoholic Beverages

Art's Coffee Shop	1917 Zonal Ave.
Edmondson Faculty Center	1969 Zonal Ave.

Consideration has been given to the distance of the subject establishment from the above-referenced sensitive use. Testimony received during the public hearing expressed concern over potential impacts to Bravo Medical Magnet School which is feet from the subject premises. Exiting traffic from the conference facility is required to exit onto Valley Boulevard - the opposite direction of the magnet school to avoid any conflicts. 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.

COVID-19 UPDATE

Interim Appeal Filing Procedures

Fall 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, City Planning has implemented new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction.

OPTION 1: Online Appeal Portal

(planning.lacity.org/development-services/appeal-application-online)

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check. Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment. On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

OPTION 2: Drop off at DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop.

Metro DSC

(213) 482-7077
201 N. Figueroa Street
Los Angeles, CA 90012

Van Nuys DSC

(818) 374-5050
6262 Van Nuys Boulevard
Van Nuys, CA 91401

West Los Angeles DSC

(310) 231-2901
1828 Sawtelle Boulevard
West Los Angeles, CA 90025

City Planning staff will follow up with the Appellant via email and/or phone to:

- Confirm that the appeal package is complete and meets the applicable LAMC provisions
- Provide a receipt for payment