

MITIGATED NEGATIVE DECLARATION (MND), ADDENDUM, PLANNING AND LAND USE MANAGEMENT (PLUM) COMMITTEE REPORT, and ORDINANCE FIRST CONSIDERATION relative to a Conditional Use Permit Appeal and Zone Change for the properties located at 1523-1541 North Wilcox Avenue.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the Project was assessed in MND No. ENV-2014-3707-MND-REC-1, adopted on September 10, 2015; and, pursuant to California Environmental Quality Act Guidelines 15162 and 15164, as supported by the Addendum dated October 2020 (ENV-2014-3707-MND-REC2), no major revisions are required to the MND; and, no subsequent Environmental Impact Report or negative declaration is required for approval of the Project.
2. ADOPT the FINDINGS of the Central Los Angeles Area Planning Commission (CLAAPC) as the Findings of Council.
3. RESOLVE TO DENY THE APPEAL filed by David Carrera, and THEREBY SUSTAIN the determination of the CLAAPC in approving a Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with 1) a 5,125 square-foot ground floor restaurant and 840 square-foot outdoor eating area; 2) 4,970 square-foot combined lobby and lobby bar; 3) 4,105 square-foot rooftop restaurant, bar, and lounge, and a 1,193 square-foot outdoor dining terrace; 4) 3,406 square-foot combined pool bar, pool bar lounge, and pool deck; and, 5) within controlled access cabinets in the guest rooms (mini bars); the ground floor restaurant and bar would have operating hours between 6:00 a.m. and 2:00 a.m. daily; the enclosed rooftop restaurant would have operating hours from 7:00 a.m. to 12:00 a.m. daily; and, the outdoor rooftop areas would operate between 7:00 a.m. and 12:00 a.m. daily; for the properties located at 1523-1541 North Wilcox Avenue, subject to the Conditions of Approval as modified by the PLUM Committee on April 20, 2021, to change the hours of operation of the rooftop restaurant, reflected in Condition No. 7.d, for a closure time of 12:00 a.m.
4. PRESENT and ADOPT the accompanying ORDINANCE, dated December 8, 2020, effectuating a Zone Change from (T)(Q)C4-2D to (Q)C2-2D, pursuant to Section 12.32 of the Los Angeles Municipal Code (LAMC), for the use and maintenance of a 190-room hotel with: 1) a 5,125 square-foot ground floor restaurant and 840 square-foot outdoor eating area; 2) 4,970 square-foot combined lobby and lobby bar; 3) 4,105 square-foot rooftop restaurant, bar, and lounge, and a 1,193 square-foot outdoor dining terrace; and, 4) a 3,406 square-foot combined pool bar, pool bar lounge, and pool deck; the ground floor restaurant and bar would have operating hours between 6:00 a.m. and 2:00 a.m. daily; the enclosed rooftop restaurant would have operating hours from 7:00 a.m. to 12:00 a.m. daily; the outdoor rooftop areas would operate between 7:00 a.m. and 12:00

a.m. daily; with live entertainment (including disc jockeys) and amplified music within the lobby bar, and live acoustic (non-amplified) music with up to three musicians and ambient music to complement the dining, bar, and/or lounge experience within the Project's ground floor restaurant and outdoor eating area; including a maximum of 24 special events annually; for the properties located at 1523-1541 North Wilcox Avenue, subject to the Conditions of Approval.

5. ADVISE the applicant, pursuant to LAMC Section 12.32 G:

...property shall not remain in a Q Qualified classification for more than six years unless during that time: (1) there is substantial physical development of the property to allow for one or more of the uses for which the Q Qualified classification was adopted; or (2) if no physical development is necessary, then the property is used for one or more of the purposes for which the Q Qualified classification was adopted... When these time limitations expire, the Q Qualified classification and the authority contained therein shall become null and void, the rezoning proceedings shall be terminated, and the property thereafter may only be utilized for those purposes permitted prior to the commencement of such rezoning proceedings.

6. ADVISE the applicant that, pursuant to State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project, and the City may require any necessary fees to cover the cost of such monitoring.
7. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

Applicant: 1541 Wilcox Hotel, LLC

Representative: Alfred Fraijo, Jr., Sheppard, Mullin, Richter, and Hampton, LLP

Case No. APCC-2020-537-ZC-CUB-1A

Environmental No. ENV-2014-3707-MND-REC2

Related Case: CPC-2014-3706-ZC-HD-ZAA-SPR

Fiscal Impact Statement: The CLAAPC reports that there is no General Fund impact as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

Summary:

At a regular meeting held on April 20, 2021, the PLUM Committee considered a report from the CLAAPC, Conditional Use Permit appeal, and draft Ordinance regarding a Zone Change for the properties located at 1523-1541 North Wilcox Avenue. DCP staff provided an overview of the matter. A Representative of Council District 13 provided comments in support of denying the appeal, and requested a change in the hours of operation of the rooftop restaurant for a closure time of 12:00 a.m. After an opportunity for public comment, presentations from the Applicant's Representative and Appellant, the Committee recommended to deny the appeal and sustain the determination of the CLAAPC in approving the Conditional Use Permit; and, approve the draft Ordinance effectuating the Zone Change, as amended to change the hours of operation of the rooftop restaurant, reflected in Condition No. 7.d, for a closure time of 12:00 a.m. This matter is now submitted to the Council for consideration.

Respectfully Submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
HARRIS-DAWSON:	YES
CEDILLO:	YES
BLUMENFIELD:	YES
RIDLEY-THOMAS:	YES
LEE:	YES

AXB
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