

Hearing: Planning and Land Use Management Committee

Date: [Tuesday, August 17, 2021](#)

Item #: 11 & 12

Council File Number: [21-0371](#), [21-0371-S1](#)

Good Afternoon Councilmembers,

Emma Howard, Planning Director, Council District 14, Councilmember de León here today to speak regarding the appeals of the Planning Cases ZA-2020-1128-MPA and ZA-2020-1097-MPA.

At our office's request two weeks ago your Committee continued this appeal for two weeks to give our office time to work with the applicant and appellants in order to better understand the community concerns and possible mitigation measures which might be acceptable to both parties. As a result of this continuance we come to PLUM today to present modifications of conditions which our office believes will better implement the intent of the Plan Approval recommended by the Department of City Planning. These modifications are intended to apply to the [Attachment to Report dated 4-06-21 - Conditions of Approval](#) available to this body under Council File Number [21-0371-S1](#).

Council District 14 recommends the following modifications to the current Conditions of Approval be incorporated. Changes to the Conditions are highlighted in bold and underlined text here.

Condition 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). **shall not be audible beyond the subject premises and will not exceed 60 dbA at 25-foot distance from the source.** 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.

Condition 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. **Ambient music is prohibited in the pool patio and outdoor areas before 8 am and after 10 pm.**

Condition 20. A camera surveillance system shall be installed by the hotel operator at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises including the parking areas operated by the hotel, Service Drive, and Loading Zone. Recorded tapes/images shall be maintained for a minimum period of 30 days and shall be made accessible to the Los Angeles Police Department and Department of City Planning for the purposes of reviewing conditions of compliance and improving security.

Condition 24. Complaint Log. Prior to the utilization of this grant, a phone number and concerns website ~~email address~~ shall be provided for complaints or concerns from the community regarding the operation. The phone number and concerns website ~~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 online concerns 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 to the Community Working Group during their meetings. The log shall also be submitted 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.

Additional Voluntary Conditions offered by the Applicant and recommended by this office are as follows in underlined text:

The applicant shall post "No Idling" signs in the alley and any other location where supply vehicles might unload.

The applicant shall post signs reminding patrons and vendors to reduce noise and be mindful of the neighbors. Specific text to be approved by the Department of City Planning

The Applicant shall maintain a log of events with giving the hours and location of events within their subject property which will be provided to the Department of City Planning on request.

Community Working Group. The applicant shall convene a Community Working Group to meet quarterly each year. The purpose of the Community Working Group is proactive resolution of onsite concerns and assistance in ongoing compliance with the conditions of approval in a collaborative community process.

- Membership: The Community Working Group shall include at a minimum the hotel operative's Community Liaison as required by Condition 17 of [CPC-2015-376-MCUP-ZV-ZAD-SPR](#) and additional representatives of the University of Southern California, staff from the City Council Office, and community representatives- with invitations specifically offered to members of Service Employees International Union (SEIU) Local 721 , Eastside LEADS, USC Forward, RAC Ramona Gardens, local Neighborhood Councils and Legacy LA. Additional members may be identified by the the applicant and the Community Working Group as part of the Community Working Group Guidelines and shall be chosen from a geographic area defined in the Community Working Group Guidelines.
- Guidelines. During the first 2 meetings the Community Working Group must develop the Community Working Group guidelines to further refine their process, detail objectives and scope, set procedures, and determine meeting hours. These guidelines must be provided to the Department of City Planning as part of the project's case file and may be updated and refined by the Community Working Group as needed.
- Requirements.
 - Community Working Group meetings shall be held at a time that ensures the greatest number of members may attend.
 - The hotel operator shall be responsible for providing meeting space for the Community Working group, however the group may meet in other locations if agreed on in a prior meeting.
 - All agendas and minutes of the meeting must be submitted electronically to the Department of City Planning on an annual basis for inclusion in this case file. Prior to any additional Plan Approvals related to this case the Planning Department must have all of the available agendas and meeting minutes. Agendas and Meeting minutes must be distributed to members of the Community Working Group in a timely fashion.
 - At least one meeting per year must include a review of the Complaints Log, and Meeting Event Log.
 - At least one meeting per year must include the attendance of a Professional Licensed Acoustical Engineer, who is compensated by the hotel operator or University of Southern California. This expert will walk the site perimeter to take baseline readings and discuss opportunities to reduce noise levels with the Community Working Group.

The meeting materials submitted by the Community Working Group may be used as documented evidence to impose additional corrective conditions for this Plan Approval.

Based on prior cases I believe that the correct way to amend these conditions is to move to Deny the Appeal, and Sustain the Director of Planning's Determination including acceptance of the modifications as presented here today.

While these conditions may seem exhaustive in nature our office wants to note some additional agreements which lie outside this specific Plan Approval which remain critical to the conversations we've engaged in with the applicant and appellant and which must be stated as part of the public record to commit to our mutual understanding.

The Applicant has agreed to submit information to the CA State Department of Alcoholic Beverage Control (ABC) offering to limit evening sales of alcohol in the hotel to 12 AM with the exception of H Mart sales intended for guests to consume in their room

They have also offered to do their part to reduce parking impacts in the community and provide "No Parking for USC/Hyatt Hotel" signs on request to local businesses and non-profits who have issues with visitors attempting to park in non USC related parking lots.

They will also confirm that doors and windows at the hotel are kept closed at all times with the exception of window cleaning and ingress and egress through the doors.

Lastly they agree to begin convening the Community Working Group as soon as possible after Council Action on this case is finalized.

Our office would like to thank the applicant and appellants for their sincere work to provide our office with their recommendations. We know that the conditions presented here today represent only a very small part of a long standing dialogue between many parties who have a stake in this portion of Council District 14. Councilmember de León is committed to continuing this work to ensure the presence of large institutions with many employees and visitors can be a benefit to the community as a whole, and to the obligation of our office to continuously ensure we increase the representation and local participation of all.

Thank you.

Emma Howard,
Planning Director, Council District 14,
Office of Councilmember de León