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October 12, 2023

Los Angeles City Council
c/o Office of the City Clerk
City Hall, Room 395
Los Angeles, California 90012

Attention: PLUM Committee

Dear Honorable Members:

APPEAL FOR A PROPOSED PROJECT AT 2053-2059 EAST 7TH STREET & 719-725 EAST 5TH STREET; CASE NO. CPC-2017-4734-GPA-ZC-HD-CUB-CUX-ZV-ZAA-RDP-SPR-1A AND ZA-2021-9890-ZV-2A, RESPECTIVELY; CF 22-1162, 22-1162-S1 & 22-1162-S2

At its meeting of April 28, 2022, the Los Angeles City Planning Commission took the actions below in conjunction with the approvals of the following project:

CPC-2017-4734-GPA-ZC-HD-CUB-CUX-ZV-ZAA-RDP-SPR-1A (2053-2059 East 7th Street)

A new, 15-story hotel with 103 guest rooms with a maximum height of 172 feet, five (5) inches (172'-5") and 15,907 square feet of commercial floor area. An existing hotel building would remain and would undergo structural alterations, tenant improvements, and a one-story addition. The existing 42 Single-Room Occupancy (SRO) units would be replaced on a one-to-one basis and would involve interior renovations and tenant improvements of the El Sol Hotel building (719-725 East 5th Street; Case No. ZA-2021-9890-ZV-2A).

1. Found that after consideration of the whole of the administrative record, including the Mitigated Negative Declaration Case No. ENV-2017-4735-MND, including the Erratum, dated March 2022, ("Mitigated Negative Declaration"), and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment;
2. Adopted the Mitigated Negative Declaration and the Mitigation Monitoring Program prepared for the Mitigated Negative Declaration;
3. Recommended that the Mayor and the City Council approve a General Plan Amendment to the Central City North Community Plan to change the Community Plan land use designation from Heavy Manufacturing to Regional Center Commercial;
4. Recommended that the City Council approve a Zone and Height District Change from M3-1-RIO to (T)(Q)C2-2-RIO Zone;

5. Approved a Conditional Use Permit to allow the sale of a full-line of alcoholic beverages for on-site consumption in conjunction with the hotel and restaurant/bar areas;
6. Approved a Conditional Use Permit to permit public dancing;
7. Approved a Variance to allow zero (0) on-site parking spaces in lieu of the required 56 spaces;
8. Approved a Zoning Administrator's Adjustment to allow for reduced side yards and rear yard setbacks;
9. Approved a Redevelopment Plan Project Compliance Review for development activity involving a Residential Hotel/Single Room Occupancy Hotel (SRO); and
10. Approved a Site Plan Review for a proposed hotel containing more than 50 guest rooms.

ZA-2021-9890-ZV-2A (719-725 East 5th Street)

The re-establishment of an apartment hotel use to allow the operation of a 42-room hotel.

1. Found that after consideration of the whole of the administrative record, including the Mitigated Negative Declaration Case No. ENV-2017-4735-MND, including the Erratum, dated March 2022, ("Mitigated Negative Declaration"), and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment;
2. Adopted the Mitigated Negative Declaration and the Mitigation Monitoring Program prepared for the Mitigated Negative Declaration; and
3. Denied the appeals and sustain the decision of the Zoning Administrator's approval to allow an apartment hotel use with 42 rooms in the M2-2D Zone.

On April 1, 2022, Jordan Sisson, from Law Offices of Gideon Kracov, on behalf of UNITE HERE Local 11, filed appeals of both of CPC's actions, the approval of the requested entitlements (CPC-2017-4734-GPA-ZC-HD-CUB-CUX-ZV-ZAA-RDP-SPR-1A) and the denial of the appeals of the Zoning Administrator's approval of the Zone Variance to allow an apartment hotel use with 42 rooms in the M2-2D Zone (ZA-2021-9890-ZV-2A). Below is the Department of Planning's response to the appeal.

- A. CPC's approvals on the Projects fail to adequately address CEQA compliance concerns, including the MND's failure to properly analyze and mitigate the Projects' environmental impacts (e.g., vehicle miles traveled, greenhouse gas emissions, noise, housing, land use inconsistency, etc.) that were raised by Appellant and others, including multiple experts (e.g., SWAPE, Menlo Scientific Acoustics, Smith Engineering).**

This appeal point was raised by the appellant during the first level of appeal before the City Planning Commission. The CPC considered the appeal point and found that the environmental analysis was adequate and properly analyzed and mitigated any potential environmental impacts. The Department's response to this appeal point is the same as was provided the CPC during their consideration of the proposed project and associated appeal.

B. The CPC LODs for both Projects fail to address Local 11's concern with the City's refusal to apply the one-for-one replacement requirement to the El Sol Hotel units. The SRO rules do in fact apply to the El Sol Hotel, which was a residential apartment hotel.

Similar to above, this appeal point was raised by the appellant during the first level of appeal before the City Planning Commission. The CPC considered the appeal point and found that the El Sol does not meet the definition of a Residential Hotel, as defined by the Development Guidelines and Controls for Residential Hotels in the City Center and Central Industrial Redevelopment Project Areas ("Development Guidelines"), and therefore is not subject to certain provisions of the Development Guidelines. The Department's response to this appeal point is the same as was provided the CPC during their consideration of the proposed project and associated appeal.

Sincerely,

VINCENT P. BERTONI, AICP
Director of Planning



Oliver Netburn
City Planner