

GENERAL INFORMATION ABOUT THE CONTENTS OF THIS FILE

This file contains correspondence and documents submitted to the Commission which is in compliance with the Commission Rules and Operating Procedures, Rule 4.3. Compliance means that the deadline, delivery method (hard copy and/or electronic) AND the number of copies, when applicable, has been met. This file is divided into three sections and each section has been bookmarked** by the case numbers if additional documents were submitted for specific cases on the agenda.

- **“Initial Submissions”**: Submissions received no later than by end of day Monday of the week prior to the meeting (unlimited).
- **“Secondary Submissions”**: Submissions received after the Initial Submission deadline up to 48-hours prior to the Commission meeting (for the Central, Harbor and South Los Angeles Area Planning Commissions, the deadline is 3:00 p.m. Thursday prior to the Commission meeting). Maximum 10-pages including exhibits.
- **“Day of Hearing Submissions”**: Submissions after the Secondary Submission deadline up to and including the day of the Commission meeting. This section also includes material received at the meeting.

Material which does not comply with the submittal rules is not distributed to the Commission. The Commission Rules and Operating Procedures can be accessed at <http://planning.lacity.org>, by selecting “Commissions & Hearings” and selecting the specific Commission.

Please note that all complying Initial Submissions **have been transmitted to the Commission,** either integrated with the Staff Report or along side it.

If the material was submitted to the project planner prior to the Monday deadline, it was made part of the staff report which can be accessed in the agenda by clicking on the specific item (correspondence is typically included at the end of the staff report). All other compliant material is included in this file.

Day of Hearing Submissions will be posted after the meeting and will be included at the end of this file.

**If you are using Explorer, you will need to enable the Acrobat  toolbar to see the bookmarks on the left side of the screen.

If you are using Chrome, the bookmarks are on the upper right-side of the screen. If you do not want to use the bookmarks, simply scroll through the file.

If you have any questions, please contact the Commission Office at (213) 978-1300.

INITIAL SUBMISSIONS

SECONDARY SUBMISSIONS

500r LLC
3275 Wilshire Blvd., Suite 207
Los Angeles, CA 90010



May 16, 2018

VIA EMAIL

Central Los Angeles Area Planning Commission
200 North Spring Street, Room 532
Los Angeles, CA 90012

**Re: Appeal of Vesting Conditional Use, Conditional Use Beverage, Adjustment and Site Plan Review;
966 S. Dewey Ave.; ZA 2017-3446-VCU-CUB-ZAA-SPR and ENV-2017-3447-CE**

Honorable Commissioners:

This office represents the appellant David Kim in his appeal of the above-referenced project. The appellant maintains his serious and well-founded concerns about whether a 99-room hotel with mini-bars, intoxicated guests and sixth-story roof decks could ever be compatible with its residential context *regardless of conditions*. The project risks degrading the quality of life for current and future residents on both Catalina Street and Dewey Avenue through the obstruction of sidewalks and roadways, nuisance behavior of hotel guests and the acute disruption of living next to a major construction site. This appeal continues to seek denial of the project.

The project introduces a hotel with on-site alcohol service mid-block onto local streets in a residential neighborhood, potentially impacting the quality of life for residents and deterring investment on nearby properties. In addition, the introduction of an 81-foot hotel into a low-rise neighborhood is understandably jarring for many residents. The appellant's property, among many others, will lose much of its direct sunlight during winter and spring months. This appeal respects those concerns but focuses on other aspects of the project including:

- (1) whether hotel operations will obstruct the abutting sidewalk or result in off-site loading on Dewey Street or Catalina Avenue;
- (2) whether hotel operations will attract members of the public and focus on alcohol consumption;
- (3) whether the second-story and roof decks will result in noise disturbances to current and future residents of adjacent lots;
- (4) whether the project's landscape plan is well-considered and sets a high standard for development in Koreatown.

In this case, the Zoning Administrator erred because the project as approved was incompatible with adjacent residential uses, now and into the future. Hotels demand careful consideration of access and loading. Hotel guests will regularly obstruct the sidewalk while waiting for the valet to open the door. Loading may occur while double-parking on Dewey for convenience, or because insufficient loading space (even if code-compliant) is available on-site. The second-story roof decks permit hotel guests to drink alcohol 24-hours daily, with no required landscape setbacks from the roof perimeter. The design of the roof deck made it possible that guests of the "Unit B" rooms on the second floor might return home late

at night and use the deck, rather than interior corridor, to access doors to their guest rooms. The second-story landscaping plans illustrated trees on the north façade that could not feasibly mature and landscaping that appears unrealistic to maintain. Construction noise barriers, which are becoming standard for projects of this scale in better-represented communities, were not required.¹

The Zoning Code structure recognizes that hotels inherently may disrupt nearby residential uses. Except in the R5 Zone, a Conditional Use Permit is required for any hotel within 500' of any residential zone, yet this project is *mid-block on a local residential street*. The essence of sound project planning, and the *explicit requirement of Conditional Use Permits and Site Plan Review*, is to consider the unique circumstances of a project and determine whether it will maintain compatibility with existing and future uses. In this context, the Zoning Administrator erred by holding the project to only the bare minimum standards – the Citywide Noise Ordinance, standard Department of Transportation requirements for the driveway gates, flexible Building and Safety approval of loading space and the deck setback requirements of the Municipal Code (none in the R4 Zone).

Should this Commission approve the project, the appellant respectfully requests the following conditions and regulatory compliance measures enumerated below.

Hotel Compatibility Conditions

1. The Office shall be used for administrative and back-of-house purposes only.
2. The Multi-Purpose Room shall be used by hotel guests only.
3. The Multi-Purpose Room shall not exceed 750 square feet in area.
4. Portions of the second-story deck abutting *Unit B* guest rooms shall be used only as private decks for the abutting guest rooms.

Operational Noise Conditions

1. No amplified music audible at adjacent properties shall be permitted on the second-story or roof decks.
2. For decks accessible to all hotel guests, a 5-foot landscaped buffer shall be provided from the roof perimeter.
3. Hours of operation for the second-story deck shall be 8 a.m. to 10 p.m., daily.
4. Hours of operation for the roof deck shall be 8 a.m. to 10 p.m. Sunday through Thursday and 8 a.m. to midnight Friday and Saturday.

Loading, Access and Parking Conditions

5. The driveway access gate from Dewey Avenue shall be set back at least 20 feet from the property line and shall be operated to ensure guest vehicles do not obstruct the sidewalk while accessing the property.

¹ Construction noise barriers are typically a mitigation measure for MNDs but may properly be required as a Regulatory Compliance Measure detailing project compliance with the Noise Ordinance. The technical infeasibility exception in LAMC 112.05 applies only when the prescribed maximum noise levels “cannot be complied with despite the use of mufflers, shields, *sound barriers* and/or other noise reduction device or techniques during the operation of the equipment.”

6. A dedicated valet employee shall be available 24 hours daily and shall not serve as front desk staff.
7. The project shall provide a loading space with a minimum clear height of 14' and a minimum continuous length of 25 measured along the drive aisle.
8. All loading shall occur on-site within the designated loading area.

Landscape Conditions

1. The landscape plan shall identify minimum 36-inch box trees at the first and second levels. Planters at ground level shall not exceed 30 inches in height above natural grade.

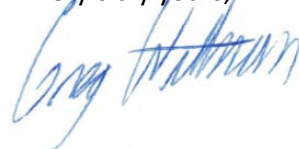
Construction Noise Condition

2. Temporary sound barriers shall be erected to block line-of-sight noise travel from the Project site to abutting residential uses at 962 S. Dewey Ave., 965 Catalina St., 975 S. Catalina St. and 982 S. Dewey Ave. These barriers should be constructed in such a way so as to have a surface weight of four pounds per square foot or greater, and the project-facing side should be lined with exterior grade acoustical blankets to provide additional sound absorption.

Conclusion

The Zoning Administrator erred and abused his discretion in approving a 99-room hotel on local residential streets with only the bare minimum conditions. Jobs creation and economic development are of paramount importance within Los Angeles, but the City is not well-served by approving incompatible projects. The appellant respectfully requests this Commission deny the Conditional Use Permit to permit a hotel within 500 feet of a residential zone because it is inherently incompatible with its location in a local residential neighborhood and would degrade current and future residents' quality of life.

Very truly yours,



Greg Wittmann
500r LLC

cc: Client (by email only)
Elizabeth Carlin, CD 10 (by email only)

DAY OF HEARING SUBMISSIONS