

Your **PLANNING AND LAND USE MANAGEMENT** Committee

reports as follows:

CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal of the conditions on the operation of Tam's Burger No. Six located at 10023 and 10027 South Figueroa Street.

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

1. FIND that this action is categorically exempt from California Environmental Quality Act of pursuant to Article III, Section 1, Class 2, Category 21 of the City's Environmental Guidelines. [ENV-2012-2918-CE]
2. ADOPT the FINDINGS of the Zoning Administrator as the FINDINGS of the Council.
3. RESOLVE TO DENY THE APPEAL filed by Nick Benetatos dba Tam's Burger No. Six, (Michael G. Thomas, Representative), from the entire determination of the Zoning Administrator, and THEREBY SUSTAIN the decision of the Zoning Administrator in finding the operation of Tam's Burger No. Six located at 10023 and 10027 South Figueroa Street, is a public nuisance and requires the modification of its operation to mitigate adverse impacts on persons and properties in the surrounding area, subject to modified conditions approved by the Planning and Land Use Management Committee on November 20, 2012 (attached to the Council file).

Applicant: City of Los Angeles (Office of Zoning Administration)

DIR 2012-1288-(RV)

Fiscal Impact Statement: None submitted by the City Planning Department. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

TIME LIMIT FILE - DECEMBER 30, 2012

(LAST DAY FOR COUNCIL ACTION - DECEMBER 14, 2012)

Summary:

At a public hearing held on November 20, 2012, the Planning and Land Use Management Committee considered an appeal of the conditions on the operation of Tam's Burger No. Six located at 10023 and 10027 South Figueroa Street. Planning Department staff gave the Committee background information on the appeal. The property owner, his representative, and representatives from the Los Angeles Police Department also addressed the Committee on this matter. After an opportunity for public comment, the Committee recommended that Council deny the appeal and sustain the decision of the Zoning Administrator in finding the operation of Tam's Burger No. Six

located at 10023 and 10027 South Figueroa Street, is a public nuisance and requires the modification of its operation to mitigate adverse impacts on persons and properties in the surrounding area, subject to modified conditions approved by the Planning and Land Use Management Committee on November 20, 2012 (attached to the Council file). . This matter is now forwarded to the Council for its consideration.

Respectfully submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
REYES:	YES
HUIZAR:	YES
ENGLANDER:	YES

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