

**CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT (PLUM) COMMITTEE REPORT relative to an Appeal of the determination of the Zoning Administrator for the property located at 10023 and 10027 South Figueroa Street.**

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

1. DETERMINE that on February 12, 2019, the City of Los Angeles determined, based on the whole of the administrative record, the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061, and the project was issued a Notice of Exemption, log reference ENV-2018-3690-CE, for a Categorical Exemption 15321 of the State CEQA Guidelines for enforcement actions by regulatory agencies; that the action is consistent with State CEQA Guidelines Article 19 (Categorical Exemptions); and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies in that the Categorical Exemption does not meet any of the exceptions regarding location, cumulative impacts, significant effects, scenic highways or hazardous waste sites.
2. ADOPT the FINDINGS of the Director of Planning as the Findings of Council.
3. RESOLVE TO GRANT IN PART/DENY IN PART THE APPEAL filed by Nick Benetatos, Tam's Burger No. 6 (Representative: Neill Brower, Jeffer Mangels Butler and Mitchell LLP) and THEREBY APPROVE the modifications to Corrective Conditions No. 10, 12, 13 and 20 imposed on Tam's Burger No. 6 located at 10023 South Figueroa Avenue, and SUSTAIN the Zoning Administrators plans to modify conditions of the remaining modified conditions approved by the City Council on December 5, 2012, for the properties located at 10023 and 10027 South Figueroa Street, as Modified by the PLUM Committee and attached to the Council file.

Applicant: Nick Benetatos, Tam's Burger No. 6

Representative: Neill Brower, Jeffer Mangels Butler and Mitchell LLP

Case No. DIR-2012-1288-RV-PA1-1A

Environmental No. ENV-2018-3690-CE

Fiscal Impact Statement: None submitted by the Department of City Planning. 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 ITEM - AUGUST 27, 2019**

**(LAST DAY FOR COUNCIL ACTION - AUGUST 27, 2019)**

Summary:

At a regular meeting held on August 13, 2019 (continued from 6/11/19, 7/02/19 and 8/06/19), the PLUM Committee considered an appeal of the determination of the Zoning Administrator in approving plans to modify conditions of the Modified Conditions approved by the City Council on December 5, 2012, specifically Conditions Nos. 11 and 12, for the property located at 10023 and 10027 South Figueroa Street. Department of City Planning Staff provided an overview of the matter. A representative for the Applicant/Appellant provided comments. After an opportunity for public comment, the Committee recommended approve in part/deny in part the appeal. 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
BLUMENFIELD	YES
PRICE	YES
CEDILLO	YES
SMITH	ABSENT

RM

**-NOT OFFICIAL UNTIL COUNCIL ACTS-**