

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change request and an appeal filed for a proposed project at 9000 - 9034 North Reseda Boulevard.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council File No. 13-0879 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV-2012-3550-MND-REC1] filed on March 8, 2013.
2. ADOPT the FINDINGS of the North Valley Area Planning Commission (NVAPC), including the Environmental Findings, as the Findings of the Council.
3. RESOLVE TO GRANT THE APPEAL filed by Meyer Salloway (Representative: Tab Johnson, Rich Development Enterprises) of part of the determination of the NVAPC, and THEREBY APPROVE a Conditional Use for the operation of two drive-through fast-food establishment in the C zone, for the construction of two new single-story commercial buildings with retail and drive-through restaurant uses, located at 9000 - 9034 North Reseda Boulevard, subject to Conditions of Approval.
4. PRESENT and ADOPT the accompanying ORDINANCE, approved by the NVAPC, effecting a zone change from C2-1VL and P-1VL to (T)(Q)C2-1VL, for the construction of two new single-story commercial buildings with retail and drive-through restaurant uses, located at 9000 - 9034 North Reseda Boulevard, subject to Conditions of Approval.
5. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Council file.
6. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
7. ADVISE the applicant that, pursuant to:
 - a. California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
 - b. State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

Applicant: Tab Johnson, Rich Development Enterprises

Fiscal Impact Statement: The NVAPC reports that there is no General Fund impact as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 30, 2013

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 27, 2013)

Summary

At the public hearing held on September 10, 2013 (continued from August 20, 2013), the Planning and Land Use Management Committee considered an appeal filed regarding a proposed project located at 9000 - 9034 North Reseda Boulevard. Staff from the Department of City Planning gave the Committee background information on the matter. The Applicant's representatives, appellant, and Council Office staff also provided testimony.

After an opportunity for public comment, the Committee recommended that Council approve the appeal filed by Meyer Salloway, thereby approving the above recommendations, for the proposed construction of two new single-story commercial buildings with retail and drive-through restaurant uses, located at 9000 - 9034 North Reseda Boulevard, subject to Conditions of Approval. This matter is now forwarded to the Council for its consideration.

As indicated in Recommendation No. 6 and pursuant to Section 12.32-J of the Los Angeles Municipal Code, the applicant is hereby advised that:

" . . . whenever property remains in a "Q" Qualified classification for six years . . . after the effective date of the ordinance creating same without substantial physical development thereof for one or more of the uses first permitted herein having taken place within such time or if the Director of Planning determines that such development is not thereafter continuously and expeditiously carried on to completion, or if no physical development is necessary, without having been need for one or more of the purpose first permitted thereby, such Qualified classification and the authority contained therein shall become null and void, the rezoning proceedings shall be terminated and the property thereafter may only be utilized for those purposes permitted prior to the commencement of such rezoning proceedings."

Respectfully Submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
HUIZAR:	YES
CEDILLO:	ABSENT
ENGLANDER:	YES

-NOT OFFICIAL UNTIL COUNCIL ACTS-