

MITIGATED NEGATIVE DECLARATION, MITIGATION MEASURES, AND MITIGATION MONITORING PROGRAM, and RELATED CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS and PLANNING AND LAND USE MANAGEMENT (PLUM) COMMITTEE REPORT relative to Zone Variance appeals for the properties located at 6726 – 6740 West Sunset Boulevard and 1434 – 1456 North McCadden Place.

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

1. FIND, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration, No. ENV-2021-4711-MND, as circulated on August 18, 2022, 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; FIND, the Mitigated Negative Declaration reflects the independent judgment and analysis of the City; FIND, the mitigation measures have been made enforceable conditions on the project; and ADOPT the Mitigated Negative Declaration and the Mitigation Monitoring Program prepared for the Mitigated Negative Declaration.
2. ADOPT the amended FINDINGS of the Central Area Planning Commission (CAPC) as the Findings of Council.
3. RESOLVE TO DENY IN PART / GRANT IN PART THE APPEALS filed by: 1) Casey Maddren, Citizens for a Better LA; and 2) Madeline Brozen, from the determination of the CAPC, in approving a Zone Variance, pursuant to Los Angeles Municipal Code Section 12.27; and THEREBY OVERTURN the determination in part of the CAPC in approving a Zone Variance to: a) permit a drive-through fast-food use partially in the RD1.5-1XL Zone; in reliance of findings and evidence presented by the Applicant and discussed by Council District 13, the CAPC erred and abused its discretion in approving the Zone Variance for the fast food drive-through; and that part of the project is inconsistent with the General Plan as mentioned by Council District 13, therefore, the Variance application doesn't meet the Municipal Code criteria, and will be detrimental to public welfare, and affects the goals of the Mobility Element of the General Plan among others; and, THEREBY SUSTAIN the determination in part of the CAPC in approving a Zone Variance to: b) permit an outdoor eating area in excess of 50 percent of the interior dining area in the C4-2D-SN Zone; and c) permit access and accessory parking from a more restrictive zone to a less restrictive zone; for the demolition of an existing commercial building and surface parking lot and the construction, use, and maintenance of a new approximately 3,448 square-foot fast-food drive-through restaurant and surface parking lot, the Project proposes two drive-through lanes and 35 vehicle parking spaces, proposed hours of operation are from 9:00 a.m. to 1:00 a.m. Sunday through Thursday and from 9:00 a.m. to 1:30 a.m. Friday through Saturday; for the properties located at 6726 – 6740 West Sunset Boulevard and 1434 – 1456 North McCadden Place, subject to Modified Conditions of Approval.

Applicant: Robert Vann, Raising Cane's

Representative: Sherrie Olson, Permits N More, Inc.

Case No. ZA-2021-4710-CU-ZV-SPR-2A

Environmental No. ENV-2021-4711-MND

Related Case No. ZA-2021-4710-CU-ZV-SPR-1A

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

fees.

Community Impact Statement: None submitted

Summary:

At a regular meeting held on September 19, 2023, the PLUM Committee considered a report from the CAPC and Zone Variance appeals for the properties located at 6726 – 6740 West Sunset Boulevard and 1434 – 1456 North McCadden Place. DCP staff provided an overview of the matter. A representative of Council District 13 provided comments on the matter. After an opportunity for public comment, and presentations from the Appellants and Applicant Representatives, the Committee recommended to deny the Zone Variance to permit a drive-through fast-food and sustain a Zone Variance to permit an outdoor eating area in excess of 50 percent of the interior dining area in the C4-2D-SN Zone; and permit access and accessory parking from a more restrictive zone to a less restrictive zone. 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
LEE:	YES
YAROSLAVSKY:	ABSENT
PADILLA:	YES
HUTT:	ABSENT

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-NOT OFFICIAL UNTIL COUNCIL ACTS-