

FINDINGS

APPROVAL OF PLANS

Pursuant to LAMC Sections 12.24-M and 12.24-E, following is a delineation of the mandated findings required for approval of plans to revise the use of the site associated with the previously approved Transfer Station and Materials Recycling Facility (TS/MRF):

- 1. The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.**

The subject property was previously known as the Bradley Landfill and Recycling Center (BLRC), a municipal solid waste (MSW) disposal and recycling facility. The site is currently occupied with a closed landfill, an inactive materials recycling facility with appurtenant equipment, and a green and wood waste recycling facility. Accessory activities on the site including environmental monitoring to meet local, state, and federal operating requirements.

The subject property is a single, irregular-shaped parcel, generally located at 9227 North Tujunga Avenue and spanning approximately 2,626,317 square feet (60 acres) in total lot area. The subject property is zoned M2-1-G, M3-1-G, [T][Q]M2-1-G, and [T][Q]M3-1-G, and is located within the Sun Valley – La Tuna Canyon Community Plan which designates the site for Light Manufacturing and Heavy Manufacturing land uses as well as a “Refuse Collection Yard.” The project site is bounded by a City of Los Angeles Department of Water and Power transmission line right-of-way to the northwest and the Southern Pacific Railroad/Metrolink rail line to the southwest, and is located directly west of the intersection of Glenoaks Boulevard, Peoria Street, Tujunga Avenue, and Bradley Avenue.

The proposed use of site was authorized under Case No. CPC-2007-3888-CU-ZV-SPR, which approved the construction and operation of a TS/MRF to receive, sort, consolidate, and prepare municipal solid waste as well as commercial and residential recyclable materials for transport to other regional landfills and recycled materials processing facilities. On February 24, 2010, the City Planning Commission had initially disapproved the project, but the City Council granted in part and denied in part the appeal which followed. As a result, the Conditional Use, Variances, and Site Plan Review for the project was approved subject to modified Conditions of Approval attached to Council File No. 10-0468. Subsequently, the City Council approved the appeal on May 11, 2010, and the Mayor issued final approval for the appeal on May 21, 2010.

As previously discussed, the Conditions of Approval require modifications in order to align with the City Council motion and future street vacation of Peoria Street and Tujunga Avenue. The intent of the street closures and future street vacations is to mitigate illegal dumping activity that has been occurring in the vicinity. The illegal dumping has been causing quality of life issues as well as public safety issues for both the immediate vicinity and surrounding community. The requested modifications are related to improvements associated with Peoria Street and Tujunga Avenue, which will no longer be relevant, as they would not serve any purpose for the project or for the streets that are to be vacated. Modification of these conditions would allow the Applicant to proceed with all previously approved conditions and receive a final Certificate of Occupancy to complete the project as intended. There are no other changes to the previously approved project described above.

Surrounding properties are generally improved and include various light manufacturing, heavy manufacturing, and public and institutional uses. Adjoining the property to the northwest is a City of Los Angeles Department of Water and Power transmission line right-of-way zoned PF-1XL and designated as Public Facilities within the Sun Valley – La Tuna Canyon Community Plan. Across Glenoaks Boulevard to the northeast is a landfill use in the A1-1XL-G Zone. Properties across Tujunga Avenue, Peoria Street and Bradley Avenue to the east include an automobile wrecking yard and a recycled rock materials business, zoned M3-1-G and designated as Heavy Manufacturing. Properties to the south include a concrete manufacturing facility in the M3-1-G Zone and the Southern Pacific Railroad/Metrolink rail line in the PF-1XL Zone.

The approval of the instant request will allow the already approved TS/MRF to fully comply with the conditions required by Case No. CPC-2007-3888-CU-ZV-SPR and begin operation as originally intended. The requested modifications will assure that the conditions of the entitlement align with the actions of the City Council to vacate portions of Peoria Street and Tujunga Avenue. The proposed closures will support the safe and functional operation of the site and surrounding area, while limiting unauthorized public access and illegal dumping activity. Furthermore, adjacent public rights-of-way, including Bradley Avenue and Tuxford Street, are already improved to current mobility standards and will continue to provide access to within the vicinity of the project site. As a result, the development of the site will provide a beneficial service to the City while remaining compatible with the existing surrounding uses.

2. The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

Per the City Council motion described above, and the future vacation of Peoria Street and Tujunga Avenue, the Applicant requests a Plan Approval pursuant to LAMC Section 12.24-M to allow for the modifications within the intent of City Planning Commission Case No. CPC-2007-3888-CU-ZV-SPR. The closure of these streets has been necessitated by illegal dumping activity, which has degraded the quality of life and public safety for the immediate vicinity and surrounding community. The requested modifications are related to improvements associated with Peoria Street and Tujunga Avenue, which will no longer be relevant, as they would not serve any purpose for the project or for the streets that will be vacated. Modification of these conditions would allow the Applicant to proceed with all previously approved conditions and receive a final Certificate of Occupancy to complete the project as intended. There are no other changes to the previously approved project described above.

There is no change to the physical characteristics or operations of the previously approved use; therefore, the project's location, size, height, operations, and other significant features are and will continue to be compatible with the surrounding neighborhood. As previously discussed, the project's location has zoning and a land use designation for manufacturing uses as described in the Sun Valley – La Tuna Canyon Community Plan. Furthermore, the location of the project and surrounding area has a history of operating the site as a landfill, rendering the site suitable for the approved TS/MRF use. Appropriate conditions and mitigation measures have been imposed on the original entitlement to minimize impacts of the operation onto neighboring properties.

The approval of this instant request will allow the project to align with the actions by the City Council and thus improve the quality of life and public safety for residents and employees

of the surrounding neighborhood. The conditions identified as part of this request will no longer be relevant nor serve their original function once the street vacations are completed. The Department of Public Works Bureau of Engineering defines a street vacation as the abandonment or termination of the public right to use a street or public service easement. Therefore, public access will no longer be permitted on Peoria Street and part of Tujunga Avenue upon completion of the street vacations, and the improvements originally required will no longer serve any purpose for the project or surrounding area. Adjacent public rights-of-way, including Bradley Avenue and Tuxford Street, are already improved to current mobility standards and will continue to provide access to within the vicinity of the project site. Modification of the requested conditions related to improvements for these streets will allow the Applicant to proceed with and complete the previously approved use as its location, size, height, operations, and other significant features have been found to be compatible with and unlikely to adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety, as conditioned under the prior approval.

3. The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.

The General Plan is comprised of several Elements, including the Land Use Element. The Land Use Element consists of 35 Community Plans, which contain the goals, objectives, and policies to guide the future development of the Plan Area. The Zoning Code is the implementing tool of the Community Plan's goals, objectives, and policies. The subject property is located in the Sun Valley – La Tuna Canyon Community Plan area, and designated for Light and Heavy Industrial land uses. The northern strip of the project site fronting Glenoaks Boulevard has a Light Industrial land use designation and lists the following corresponding zones: MR2 and M2. The majority of the project site has a Heavy Industrial land use designation, which corresponds to the M3 Zone. The site is zoned M2-1-G, M3-1-G, [T][Q]M2-1-G, and [T][Q]M3-1-G, which is consistent with the land use designation. Furthermore, the Community Plan labels the site as a "Refuse Collection Yard," which also aligns with the project.

The conditional use process is intended to provide review of the proposed use to assure compatibility with surrounding uses. As previously described, the use of the site as a TS/MRF was approved by the City Council on May 11, 2010 with the Mayor's final approval on May 21, 2010. The Conditional Use was approved with conditions that would ensure that any new development of the site would be in conformance with the intent of the General Plan. The proposed project has been designed to be compatible with the surrounding uses and the property will continue to be used in the manner in which it was approved, with no changes being proposed to any physical characteristics or operations of the use.

As such, the plan approval to allow for modifications to the TS/MRF will continue to conform with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.

ADDITIONAL MANDATORY FINDINGS

- 4. Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone X, which is categorized as an area with a minimal chance of flood hazard.

5. **Environmental Finding.** The City of Los Angeles found, based on the independent judgment of the decision maker, after consideration of the whole of the administrative record, the project is exempt from CEQA pursuant to CEQA Guidelines Section 15301 (Class 1), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies.