



DEPARTMENT OF CITY PLANNING APPEAL REPORT

City Planning Commission

Date: February 25, 2021
Time: After 8:30 a.m.*
Place: In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the CPC meeting will be conducted entirely telephonically by Zoom [<https://zoom.us/>].

The meeting's telephone number and access code access number will be provided no later than 72 hours before the meeting on the meeting agenda published at <https://planning.lacity.org/about/commissions-boards-hearings> and/or by contacting cpc@lacity.org.

Public Hearing: Required
Appeal Status: Appealable to City Council
Expiration Date: February 25, 2021

Case No.: CPC-2007-3888-CU-ZV-SPR-PA1-1A
CEQA No.: ENV-2020-2426-CE
Incidental Case: N/A
Related Case: CPC-2007-3888-CU-ZV-SPR-PA1-1A
Council No.: 6 – Nury Martinez
Plan Area: Sun Valley – La Tuna Canyon
Plan Overlays: Clean Up Green Up (CUGU): Pacoima
Certified NC: Sun Valley Area
GPLU: Heavy Manufacturing
Zones: M2-1-G, M3-1-G, [T][Q]M2-1-G, [T][Q]M3-1-G
Applicant: Douglas Corcoran, Waste Management Recycling and Disposal Services of California, Inc.
Representative: Dana Sayles, Three6ixty
Appellant: Ernest R. Lenthall, Newman and Sons, Inc.

PROJECT LOCATION: 9055-9351 North Tujunga Avenue

PROPOSED PROJECT: The project is an approval of plans to modify conditions related to improvements associated with Peoria Street and Tujunga Avenue which will no longer be relevant once those portions of the street are vacated. Currently, these portions of the streets are not being used for traffic or circulation, and rather have been the site of illegal dumping activity and truck idling. 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.

APPEAL: An appeal of the August 12, 2020, the Designee of the Planning Director's Determination on behalf of the City Planning Commission which:

1. Determined based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Article 19, 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;
2. Approved a Plan Approval application for the Determination of Condition Compliance in accordance with Condition No. A.17.g. of Case No. CPC-2007-3888-CU-ZV-SPR, and

find that the use and operating requirements for vehicle replacement and retrofitting (as noted on Condition No. 16.d) have been fully complied with;

3. Conditionally Approved plans to permit a Recycling Materials Sorting Facility in the M2-1-G, M3-1-G, [T][Q]M2-1-G, [T][Q]M3-1-G Zones in relation to the temporary closure and future vacation of Peoria Street and Tujunga Avenue; and
4. Adopted the Findings.

RECOMMENDED ACTIONS:

1. **Deny** the appeal;
2. **Determine** that based on the whole of the administrative record, the project is exempt from CEQA pursuant to CEQA Guidelines, Article 19, 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;
3. **Sustain** the Designee of the Planning Director's Determination to approve a Plan Approval application for the Determination of Condition Compliance in accordance with Condition No. A.17.g. of Case No. CPC-2007-3888-CU-ZV-SPR, and find that the use and operating requirements for vehicle replacement and retrofitting (as noted on Condition No. 16.d) have been fully complied with;
4. **Sustain** the Designee of the Planning Director's Determination to conditionally approve plans to permit a Recycling Materials Sorting Facility in the M2-1-G, M3-1-G, [T][Q]M2-1-G, [T][Q]M3-1-G Zones in relation to the temporary closure and future vacation of Peoria Street and Tujunga Avenue; and
5. **Adopt** the Designee of the Planning Director's Findings.

VINCENT P. BERTONI, AICP
Director of Planning



Heather Bleemers
Senior City Planner



Esther Ahn
City Planner

ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the City Planning Commission Secretariat, 200 North Spring Street, Room 532, Los Angeles, CA 90012 (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to this programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

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Exhibits:

- Exhibit A – ZIMAS Map, Radius Map, and Site Photos
- Exhibit B – Appeal Application
- Exhibit C – Designee of the Planning Director’s Determination
CPC-2007-3888-CU-ZV-SPR-PA1-1A
Approved Project Plans
- Exhibit D – Written Communications

PROJECT ANALYSIS

Project Summary

The project is an approval of plans to modify conditions related to improvements associated with Peoria Street and Tujunga Avenue which will no longer be relevant once those portions of the street are vacated. Currently, these portions of the streets are not being used for traffic or circulation, and as such have been the site of illegal dumping activity and truck idling. 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 and approved. There are no other changes to the previously approved project described above.

Background

Project Site

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.

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 subject property was previously known as the Bradley Landfill and Recycling Center (BLRC), a municipal solid waste (MSW) disposal and recycling facility. The proposed use of site was authorized under Case No. CPC-2007-3888-CU-ZV-SPR, which approved the construction and operation of a Transfer Station and Materials Recycling Facility (“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.

Operations

Vehicles bringing material to the TS/MRF will follow the road along the west side of the building and enter through a truck door located at the northwest corner. After entering the building, vehicles will be directed to dump material in one of three locations – organics, municipal solid waste (MSW), or recyclables. After unloading, the trucks will exit through a door located at the southwest corner of the building. Organics will be processed to remove contaminants and then sent to a sewage treatment plant to enhance digestion or sent to a composting facility. MSW, including contaminants from the organics processing line and the material process facility, will be loaded into transfer trucks to be sent to a landfill. Recyclables will be sorted and sent out for further processing. The facility will provide 94 parking spaces for employees and visitors along the west side of the building mentioned previously. Electric charging stations are also provided for electric vehicles.

In compliance with South Coast Air Quality Management District (SCAQMD) regulations, the operator will continue to maintain negative air pressure in the building, including air intake vents and processing areas to contain odors. Air is pulled from within the building by a roof mounted ventilation system and set to a separate compartment where particulate matter is removed and cycled to exhaust fans equipped with odor neutralizing systems. Under normal operating conditions, three times the volume of the building will be removed and treated each hour.

Proposed Project

On May 3, 2017, the City Council adopted a motion recommending the City Council to instruct the Bureau of Engineering to report on the feasibility of the temporary closure of Peoria Street and Tujunga Avenue between Glenoaks Boulevard and 9000 Tujunga Avenue. The motion stated that excessive amounts of illegal dumping in the vicinity have created quality of life and public safety issues for the immediate area and surrounding community. On February 11, 2020, the City Council adopted a motion to reactivate Council File No. 17-0244 regarding the temporary closure of these streets. The intent is to permanently close this portion of Peoria Street and Tujunga Avenue for through-traffic in order to limit illegal dumping activity. Since the TS/MRF is the primary user of these streets in this location, traffic and circulation relative to the surrounding area would not be affected.

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. Currently, a temporary closure of these streets is being conducted under the management of the Bureau of Engineering while the permanent street vacation process, including all the necessary studies, is underway. 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.

As part of the entitlements adopted conditions, Condition No. A.17.g. of Case No. CPC-2007-3888-CU-ZV-SPR requires that a "Plan Approval shall include the latest status of a detailed schedule of vehicle replacement or retrofitted vehicles as noted on Condition No. 16.d." The condition further reads that "this requirement shall no longer be applicable once the applicant is 100% compliant with the CARB WCV Regulation." In order to demonstrate compliance with this condition, the Applicant has submitted a Certificate of Reported Compliance for Heavy Cranes Subject to Solid Waste Collection Vehicle Regulation issued by the California Air Resources Board (CARB). The certificate confirms that the fleet owner has attested under penalty of perjury

that the statements and information provided to the CARB are true, accurate, and complete regarding all relevant vehicles in the fleet require to show compliance with the Solid Waste Collection Vehicle Regulation. The Applicant has further provided a list of all operating trucks associated with the use, which are all CARB compliant. As such, the Applicant has demonstrated compliance with Condition No A.17.g. and no further reporting on this matter is necessary. The relevant documents are included in the case file.

Street and Circulation

Tujunga Avenue, abutting the property to the east, is a designated Avenue II, dedicated to a width of 60 feet and improved with asphalt roadway.

Peoria Street, abutting the property to the northeast, is a designated Avenue II, dedicated to a variable width between 80 feet and 97 feet, improved with asphalt roadway.

Bradley Avenue, abutting the property to the southeast, is a designated Avenue II, dedicated to a variable width between 60 feet and 90 feet, improved with asphalt roadway, curb, gutter, and concrete sidewalks.

Site Related Cases and Permits

Case No. CPC-2007-3888-CU-ZV-SPR-1A (Council File No. 10-0468) – On February 8, 2019, the Designee of the Director of Planning issued a Letter of Clarification modifying certain Conditions of Approval which: allowed the applicant to receive a temporary certificate of occupancy for the scale house and hauling company improvements while deferring satisfaction of the project's street dedications and improvements until the final Certificate of Occupancy for the Transfer Station/Materials Recycling Facility ("TS/MRF"); and clarified that the scheduled operational date of the TS/MRF shall not be impeded by outside governmental and regulatory approvals that are beyond the Project's control, provided that all other conditions are satisfied and the Project is diligently responding to governmental and regulatory requests for information.

Similar Cases on Surrounding Properties

No other relevant cases are found within 500 feet of the subject property.

APPEAL ANALYSIS

On August 12, 2020, the Designee of the Director of Planning on behalf of the City Planning Commission issued a Plan Approval which modified certain conditions related to improvements along portions of Peoria Street and Tujunga Avenue. On August 20, 2020, within the 15-day appeal period, an appeal was filed by Ernest R. Lenthall as an abutting property owner to the project site.

The following statements are from the appeal findings submitted by the appellant. The appeal is attached for reference (see Exhibit B).

1. Appeal Point:

The appellant states that there was an abuse of discretion because the decisionmaker's approval rested upon an erroneous finding that street improvements are not necessary along Peoria Street and Tujunga Avenue. The original requirement for street improvements was based on the Transportation Element of the General Plan (now Mobility Element) and policies set forth in the Los Angeles Municipal Code Section 12.37. The appellant states that the purpose of widening Tujunga Avenue was deemed necessary to address increased traffic resulting from material being delivered to the Transfer Station and Materials Recycling Facility (TS/MRF) as well as to accommodate larger trucks that will be servicing the facility, as referenced in a Letter of Clarification issued for this project on February 8, 2019. The appellant states that it is not known by reading the subject Plan Approval whether the Bureau of Engineering has completed their study as required by the February 4, 2020 City Council Motion (CF 17-0244) which states, "matter of the Council-adopted Public Works and Gang Reduction Committee Report relative to instructing the City Engineer to report on the temporary closure of Peoria Street and Tujunga Avenue between Glenoaks Boulevard and 9000 Tujunga Avenue, as recorded under Council File 17-0244, which expired per Council policy (CF 05-0553), be re-activated and that the matter be restored to its most recent legislative status as of the date of the File's expiration." The appellant further states that the subject Plan Approval does not establish whether the Department of Transportation was consulted on potential effects related to traffic and circulation that may arise from the removal of the improvement condition.

Staff Response:

The Los Angeles Municipal Code (LAMC) states in Section 12.37 that "the Director may waive, reduce or modify the required dedication or improvement as appropriate after making any of the following findings, in writing, based on substantial evidence in the record:

- (1) The dedication or improvement requirement does not bear a reasonable relationship to any project impact.
- (2) The dedication or improvement is not necessary to meet the City's mobility needs for the next 20 years based on guidelines the Streets Standards Committee has established.
- (3) The dedication or improvement requirement is physically impractical."

Through written documentation from the offices of City Council District 6 and the Bureau of Engineering (Exhibit D), the designee of the Director determined that the dedication or improvement is not necessary to meet the City's mobility needs for the next 20 years based

on guidelines the Street Standards Committee has established. Furthermore, evidence was submitted into the record showing that the subject streets were not being used for traffic and circulation, but rather illegal truck idling (Exhibit A) as well as illegal dumping as indicated in the Council Motion.

Currently, the Bureau of Engineering is managing a temporary street vacation of the subject streets in coordination with Council District 6. This process was initiated on February 11, 2020 by the City Council via the adopted Council Motion (CF 17-0244). The standard process for street vacations by the Bureau of Engineering includes its own environmental determination, public hearing, and investigations from other City agencies. The Bureau of Engineering describes this process as such:

“As the public street system belongs to the general public, there are many agencies (City of Los Angeles and other public utilities) who may be utilizing or have an interest in the public right-of-way proposed to be vacated. City agencies such as the Bureau of Engineering, Planning Department, Department of Transportation, Fire Department, Department of Water and Power and others, along with affected public utility companies such as the Gas Company and Pacific Bell, will be sent referrals for their comments and recommendations on the proposed vacation. Upon receipt of their responses, a report will be prepared by the Bureau of Engineering and submitted to the City Council through the Public Works Committee for their consideration.”

As such, a comprehensive study involving various City departments, including the Department of Transportation, will be conducted as part of the street vacation process lead by the Bureau of Engineering. Planning staff had received sufficient evidence from the Bureau of Engineering and the offices of City Council District 6 to make required findings pursuant to LAMC Section 12.37. Additionally, Planning staff did not receive any other written evidence or documentation to prove otherwise.

Therefore, the Director of Planning did not err in approving the requested waiver of roadway improvement conditions.

2. Appeal Point:

The appellant states that there was an abuse of discretion based on the Due Process clause of the Fourteenth Amendment, which requires reasonable notice and an opportunity to be heard. The appellant further states that a public hearing was not held, nor were findings made to justify waiver of a public hearing.

Staff Response:

The Conditions of Approval from the original entitlement, Case No. CPC-2007-3888-CU-ZV-SPR, states in Condition No. A.17.f. that:

“The Plan Approval shall be determined by the Director of Planning, or the City Planning Commission on appeal. Should the Director require a public hearing, public notice shall be made to owners and occupants of property within a radius of 500 feet.”

On June 26, 2020, Staff received a letter from Council District 6 indicating that their offices did not object to a request for a waiver of a public hearing given that the project has a long history of existence at this location and the requested modifications are negligible. Given

that the Council District was supportive of a waived hearing for the request, Planning Staff exercised their right under Condition A.17.f of the original grant to waive the public hearing.

Thus, Staff determined that the public hearing was not required for the initial action. Upon appeal, however, a public hearing notice was sent to owners and occupants of properties within a 500-foot radius two times in total, along with publication in the newspaper and on-site posting, in order to notify any interested parties who wish to participate.

As such, the Director of Planning did not err in waiving the initial public hearing and is not in conflict with the Fourteenth Amendment to the United States Constitution.

3. Appeal Point:

The appellant states that the temporary or permanent closure of Peoria Street and Tujunga Avenue between Glenoaks Boulevard and 9000 Tujunga Avenue will result in additional semi-truck and passenger traffic on Bradley Avenue, which has potential adverse impacts for adjacent property owners.

Staff Response:

As stated above, any potential impacts related to traffic and circulation, among many other topics, will be investigated thoroughly by the Bureau of Engineering through their standard process for temporary and permanent street vacations. Evidence was submitted into the Planning case file record indicating illegal semi-truck idling on the subject streets and minimal use for traffic and circulation from the general public. Documentation was also submitted to Planning staff indicating that the Bureau of Engineering has collected signatures of adjacent property owners to move ahead with the temporary closure. Lastly, there are additional streets in the surrounding area that provide adequate access to all lots without the use of the specific segment of Peoria Street and Tujunga Avenue,

Thus, this appeal point is not applicable to the Director of Planning, and there was no evidence submitted into the record demonstrating that such an impact should have been assumed.

4. Appeal Point:

The appellant states that the Director of Planning presented a cursory statement rather than a discussion for public review regarding Condition No. 17, which states:

- a. Upon issuance of the Project's first Certificate of Occupancy, the applicant shall provide a copy of the certificate of occupancy to the Director of Planning for inclusion in the subject City Plan Case file.
- b. Upon review of this annual report, the Director shall determine whether there will be need for additional conditions or measures, and state accordingly in his/her written determination.
- c. If the annual report provides evidence that corrective measures are necessary, the Director may require modifications to these conditions or additional conditions of approval pursuant to the purpose, authority, and procedures set forth in Section 12.27.1 of the Municipal Code.
- d. The applicant shall submit as part of the annual report to assist the Director in reviewing and evaluating permit compliance a record of any complaints received by the facility, from the surrounding community, about project traffic, air quality,

- operations, noise and measures undertaken to resolve legitimate community concerns.
- e. The annual report must be accompanied by the payment of appropriate fees and be accepted as complete by the Department of City Planning. The applicant's fee shall be the same as the Plan Approval Fee in accordance with Section 19.01 of the Los Angeles Municipal Code.
 - f. The Plan Approval shall be determined by the Director of Planning, or the City Planning Commission on appeal. Should the Director require a public hearing, public notice shall be made to owners and occupants of property within a radius of 500 feet.
 - g. The Plan Approval shall include the latest status of a detailed schedule of vehicle replacement or retrofitted vehicles as noted on Condition No. 16.d. This requirement shall no longer be applicable once the applicant is 100% compliant with the CARB WCV Regulation.

Staff response:

The specific requirements per Condition No. 17, stated above, pertain to an annual report conducted by the City Planning upon issuance of the Project's final Certificate of Occupancy. As the applicant has not yet received their Certificate of Occupancy for the project site, these requirements do not apply to the subject Plan Approval. Staff did, however, inquire about Condition No. 17.g. in the event that the Applicant had already fulfilled the requirement to eventually replace the existing diesel truck fleet with alternative clean air vehicles. This request from staff was not part of the Applicant's request, but documentation was received indicating that all of the Applicant's existing diesel trucks were indeed replaced with alternative clean air fuel vehicles. A full inventory of these vehicles and certification from the California Air Resources Board (CARB) was submitted to the file.

Thus, the Director in Planning did not err in fulfilling Condition No. 17 of Case No. CPC-2007-3888-CU-ZV-SPR, but provided supplemental documentation for the case file to be analyzed further when the Applicant has received their Certificate of Occupancy.

5. Appeal Point:

The appellant states that the determination by the Director of Planning could create potential liability for the City if property owners oppose the temporary or permanent closure of Peoria Street and Tujunga Avenue between Glenoaks Boulevard and 9000 Tujunga Avenue or if the Bureau of Engineering of Los Angeles Department of Transportation conclude that such action is not feasible or desirable.

Staff Response:

As stated above, any potential impacts related to traffic and circulation, among many other topics, will be investigated thoroughly by the Bureau of Engineering through their standard process for temporary and permanent street vacations. This effort is being managed by the Bureau of Engineering in coordination with City Council District 6. This process was initiated on February 11, 2020 by the City Council via the adopted Council Motion (CF 17-0244). The standard process for street vacations by the Bureau of Engineering includes its own environmental determination, public hearing, and investigations from other City agencies, including the Department of Transportation. Any considerations related to public safety or liability for property owners will be included in this process. Furthermore, there was no evidence submitted to the record demonstrating that such a scenario would be likely to

occur. Rather, evidence was submitted to Planning staff that the current state of the subject streets have been creating public safety and quality of life issues.

Thus, the Director of Planning did not err in granting the requested waiver of improvement conditions on the subject streets.

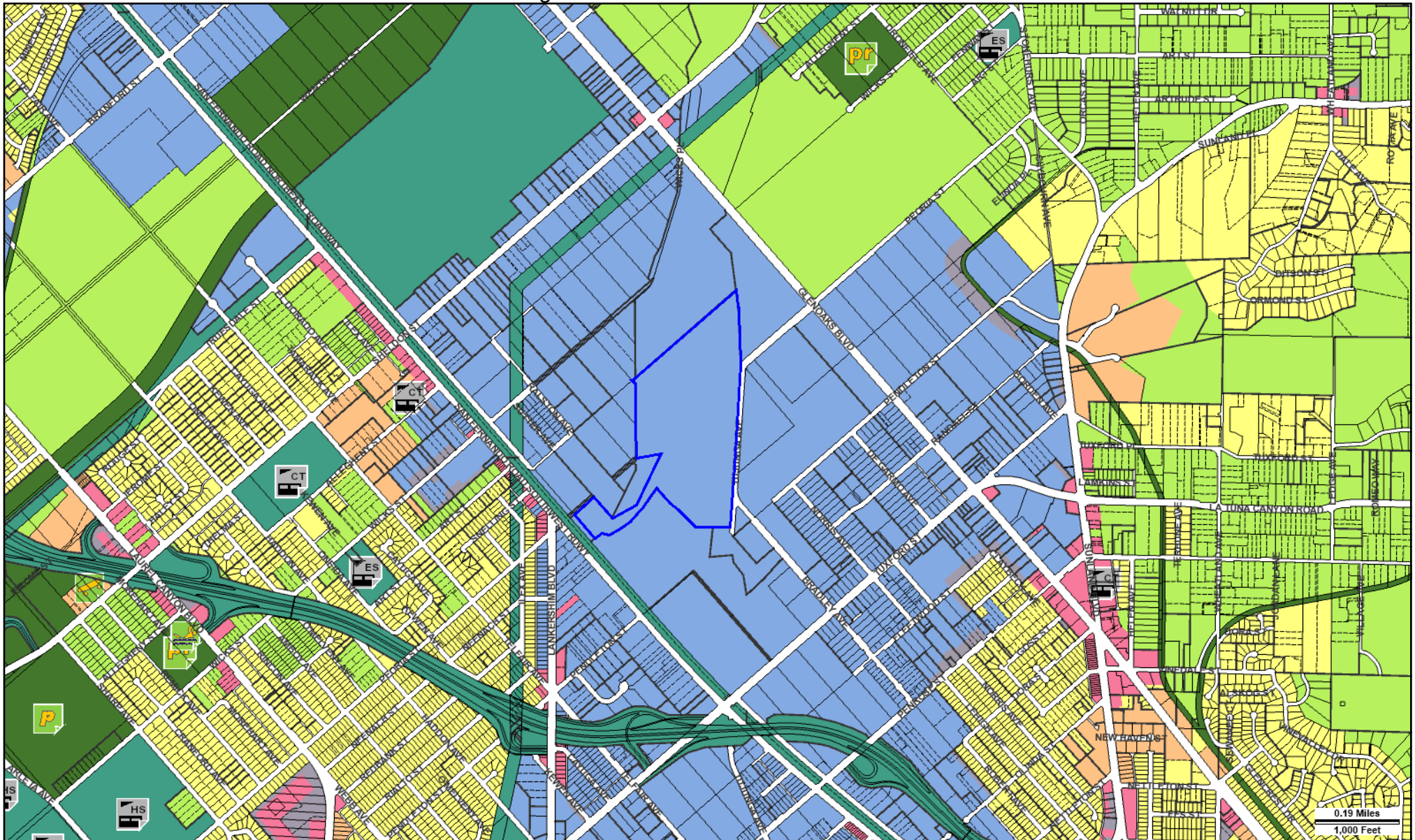
CONCLUSION AND RECOMMENDATION

Staff recommends that the City Planning Commission deny the appeal and sustain the Determination of the designee of the Director of Planning. The proposed project is well-documented with evidence and support from the offices of City Council District 6 and the Bureau of Engineering which chiefly handles matters related to the public right-of-way. The Director of Planning acted within the provisions of the LAMC and Conditions of Approval under the original entitlement, Case No. CPC-2007-3888-CU-ZV-SPR. The required findings were made in the affirmative, with no contrary evidence being submitted to City staff. As such, the Director did not err in approving the proposed project.

EXHIBIT A

Maps

ZIMAS Map
Radius Map
Site Photos

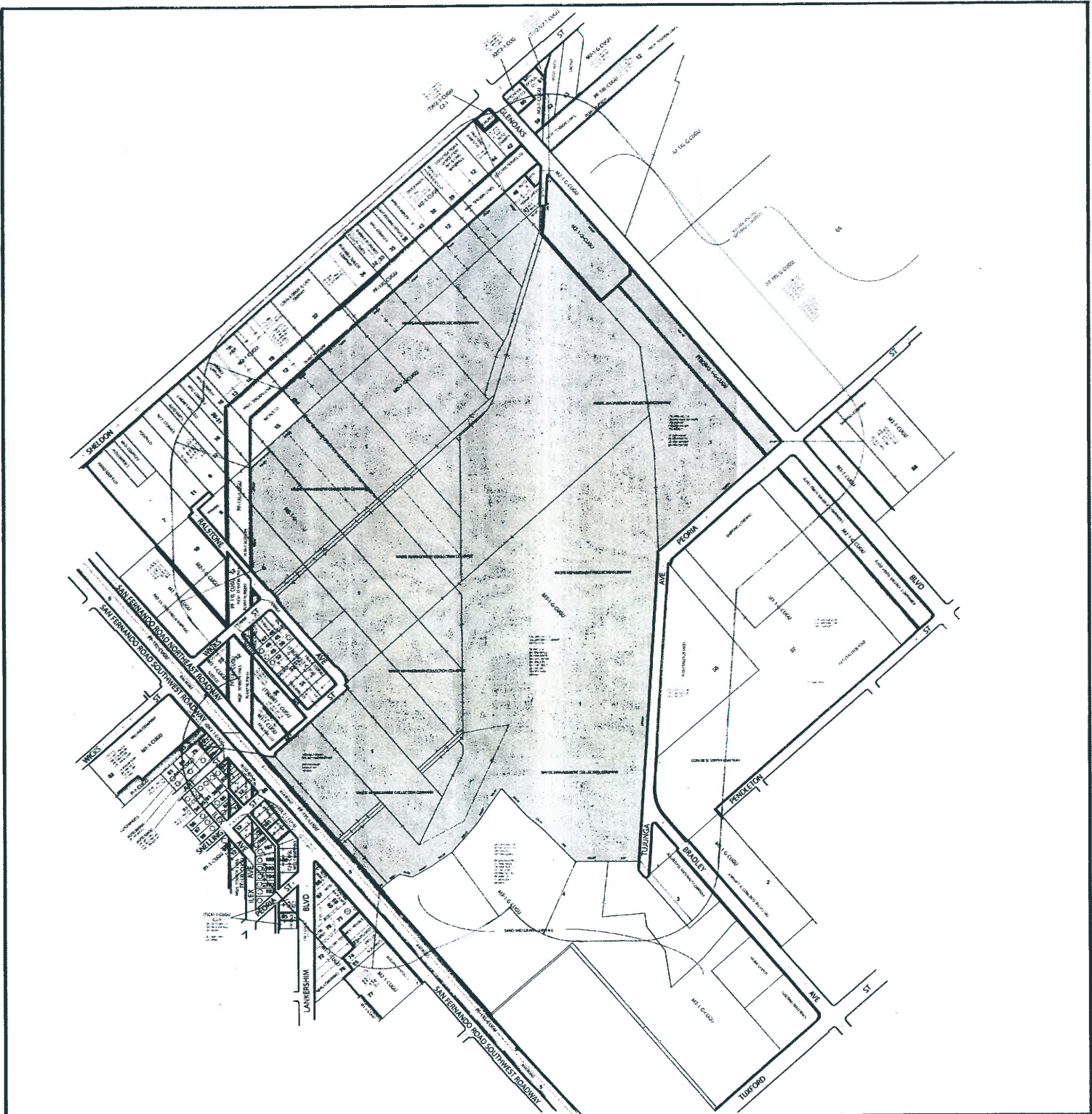


Address: 9351 N TUJUNGA AVE
 APN: 2538009008
 PIN #: 198B169 68

Tract: TR 10646
 Block: None
 Lot: FR 2
 Arb: 1

Zoning: M3-1-G-CUGU
 General Plan: Heavy Manufacturing





PLAN APPROVAL - 500FT RADIUS MAP

QMS Quality Mapping Service
 14549 Archwood St. Suite 301
 Van Nuys, California 91405
 Phone (818) 997-7948 - Fax (818) 997-0367
 qmspprp@qms.com

DRAWN BY:

THOMAS BROTHERS
 Page: 502 Grid: H-5.6

LEGAL
 SEE APPLICATIONS

CONTACT: THREE SIXTY PHONE: 310-204-3500

A.P.N. 2538 002-039, 2538-003-039
 2538-006-004, 2538-007-(022-024)
 2538-009-(001,008)

LEGAL
 CD: 6
 CT: 1211.02
 PA: SUN VALLEY - LA TUNA CVN.
 USES: FIELD/RECORD

SITE ADDRESS 9227 TUJUNGA AVE

CASE NO.:
SCALE: 1"=200'

D.M.L.: 1958169, 1958173
 1988169, 1988173
 2018169, 2018173

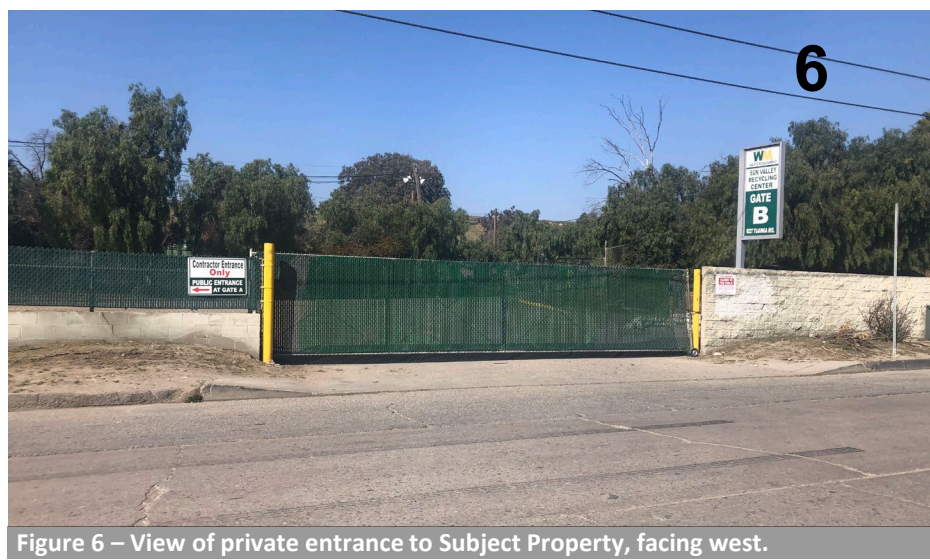
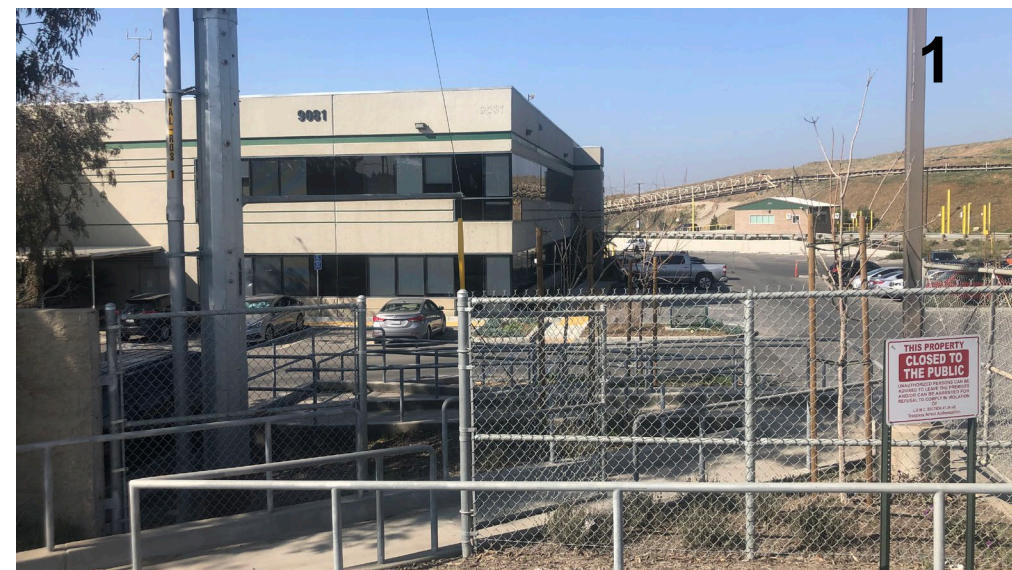
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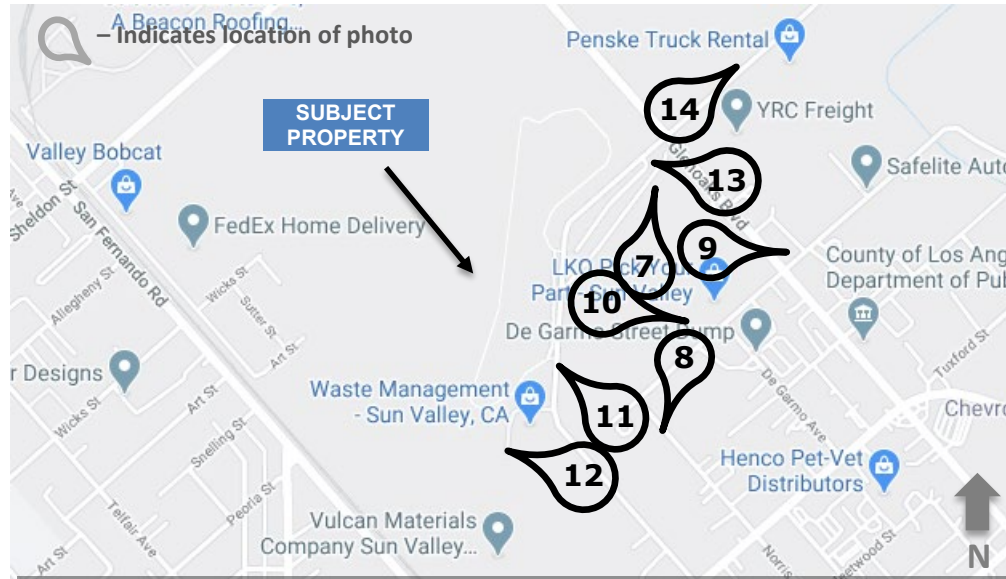
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QMS-20-312



📍 – Indicates location of photo
A Beacon Roofing...





Map 1 - Key Map II



Figure 7 -View of Tujunga Ave and Peoria St, facing north.



Figure 8 - View of Tujunga Ave, facing south.



Figure 9 - View of adjacent property, facing east.



Figure 10 - View of adjacent property, facing east.



Figure 11 - View of Subject Property, facing northwest.

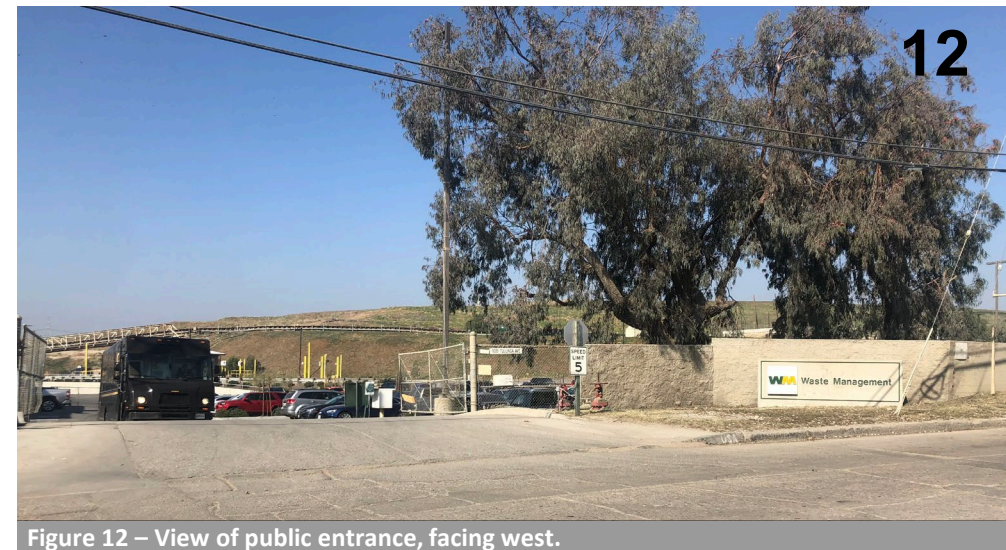


Figure 12 - View of public entrance, facing west.

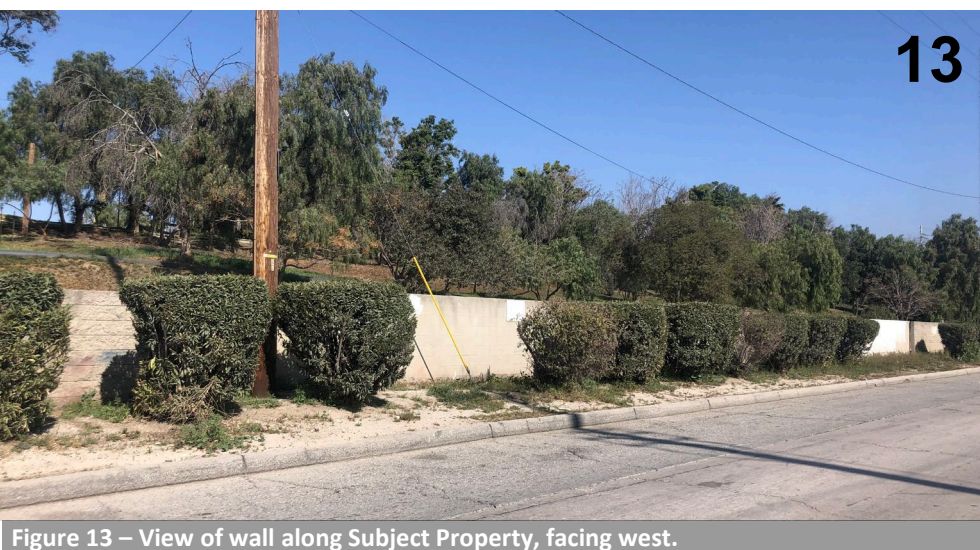


Figure 13 - View of wall along Subject Property, facing west.



Figure 14 - View of intersection of Peoria St and Glenoaks Blvd, facing northeast.





EXHIBIT B
Appeal Application



APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

Purpose: This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

A. APPELLATE BODY/CASE INFORMATION

1. APPELLATE BODY

- Area Planning Commission
 City Planning Commission
 City Council
 Director of Planning
 Zoning Administrator

Regarding Case Number: Case No. CPC-2007-3888-CU-ZV-SPR-PA1 and CEQA: ENV-2020-2426-CE

Project Address: 9055 – 9351 North Tujunga Avenue

Final Date to Appeal: 08/27/2020

2. APPELLANT

Appellant Identity:
(check all that apply)

- Representative
 Applicant
 Property Owner
 Operator of the Use/Site
 Person, other than the Applicant, Owner or Operator claiming to be aggrieved

Person affected by the determination made by the **Department of Building and Safety**

- Representative
 Owner
 Aggrieved Party
 Applicant
 Operator

3. APPELLANT INFORMATION

Appellant's Name: Ernest R. Lenthall, CFO

Company/Organization: Newman and Sons Inc.

Mailing Address: 2655 First Street, Suite 210

City: Simi Valley State: CA Zip: 93065

Telephone: (805) 522-1646 E-mail: er@ramco.us.com

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?

- Self
 Other: _____

b. Is the appeal being filed to support the original applicant's position? Yes No

4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): R. (Nic) Nicolas Brown, AICP

Company: SATT, LLC Land Use Consultant

Mailing Address: P.O. Box 800429

City: Valencia State: CA Zip: 91380

Telephone: (661) 753-9861 E-mail: sattgovt@gmail.com

5. JUSTIFICATION/REASON FOR APPEAL

a. Is the entire decision, or only parts of it being appealed? Entire Part

b. Are specific conditions of approval being appealed? Yes No

If Yes, list the condition number(s) here: Grant Clause, Condition Nos. 15, 16, 23

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

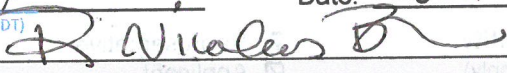
- The reason for the appeal
- How you are aggrieved by the decision
- Specifically the points at issue
- Why you believe the decision-maker erred or abused their discretion

6. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature: R. Nicolas Brown, AICP Date: Aug 20, 2020

R. Nicolas Brown, AICP (Aug 20, 2020 16:20 PDT)



GENERAL APPEAL FILING REQUIREMENTS

B. ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES

1. Appeal Documents

a. **Three (3) sets** - The following documents are required for each appeal filed (1 original and 2 duplicates) Each case being appealed is required to provide three (3) sets of the listed documents.

- Appeal Application (form CP-7769)
- Justification/Reason for Appeal
- Copies of Original Determination Letter

b. Electronic Copy

Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

c. Appeal Fee

- Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
- Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

d. Notice Requirement

- Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC
- Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

SPECIFIC CASE TYPES - APPEAL FILING INFORMATION

C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)

1. Density Bonus/TOC

Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

NOTE:

- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.
- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.

- Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

NOTE:

- Waivers for By-Right Projects, can only be appealed by the owner.
- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

E. TENTATIVE TRACT/VESTING

1. Tentative Tract/Vesting - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

NOTE: Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.

- Provide a copy of the written determination letter from Commission.

F. BUILDING AND SAFETY DETERMINATION

- 1. Appeal of the Department of Building and Safety determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.**

a. Appeal Fee

- Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

b. Notice Requirement

- Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

- 2. Appeal of the Director of City Planning determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.**

a. Appeal Fee

- Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

b. Notice Requirement

- Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
- Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

G. NUISANCE ABATEMENT

1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:

- Nuisance Abatement is only appealable to the City Council.

a. Appeal Fee

Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

2. Plan Approval/Compliance Review

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

a. Appeal Fee

Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.

Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

***Please note** that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.*

This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

APPEAL OF
Case No. CPC-2007-3888-CU-ZV-SPR-PA1
and CEQA: ENV-2020-2426-CE
9055 – 9351 North Tujunga Avenue

The appellant submits an appeal to CPC-2007-3888(CU)(ZV)(SPR)(PA1) of August 12, 2020 for the following reasons:

First, there was an abuse of discretion since the Decision-maker's decision rested upon a clearly erroneous finding that improvements are not necessary along Peoria Street and Tujunga Avenue. The original requirement for street improvements was based on the Transportation Element of the General Plan (now Mobility Element) and consistent with policies set forth in LAMC 12.37. The purpose of the widening Tujunga Avenue was deemed necessary to address increased traffic resulting from material being delivered to the TS/MRF as well as to accommodate the larger trucks servicing the facility. (February 8, 2019, Letter of Clarification, pg. 2)

It is not known by reading CPC-2007-3888(CU)(ZV)(SPR)(PA1), if Bureau of Engineering completed their study as required by the February 4, 2020 City Council Motion (i.e., CF 17-0244), which states, "matter of the Council-adopted Public Works and Gang Reduction Committee Report relative to instructing the City Engineer to report on the temporary closure of Peoria Avenue and Tujunga Avenue between Glenoaks Boulevard and 9000 Tujunga Avenue, as recorded under Council File 17-0244, which expired per Council policy (CF05- 0553), be re-activated and that the matter be restored to its most recent legislative status as of the date of the File's expiration." ^{1/} (Underline added for emphasis)

Nor is it established, if the Department of Transportation was consulted on what is a significant modification of traffic and vehicle circulation related to Waste Management, which effects other property owners by limiting ingress and egress into the industrial area.

Second, there was abuse of discretion based on the Due Process clause of the Fourteenth Amendment, which requires reasonable notice and an opportunity to be heard. The Department of City Planning's PCTS evidences the public hearing was not waived. However, there is no date and time of a public hearing. Nor does the Letter of Determination state a public hearing was held. Nor were Findings made in the Letter of Determination to justify waiving a public hearing. In fact, the action of the Decision-maker is with controversy, which should have been known due to prior appeals. (See attached) A public hearing on this matter will provide opportunity for property owners to be heard.

Third, temporary or permanent closure of Peoria Avenue and Tujunga Avenue between Glenoaks Boulevard and 9000 Tujunga Avenue will result in additional semi-truck and passenger traffic on Bradley Avenue. This has potential adverse impacts for several property owners and was not discussed in CPC-2007-3888(CU)(ZV)(SPR)(PA1).

CPC-2007-3888(CU)(ZV)(SPR)(PA1) broadened the instruction in CF 17-0244 with the following grant clause, "Conditionally Approve plans to permit a Recycling Materials Sorting Facility in the M2-1-G, M3-1-G, [T][Q]M2-1-G, [T][Q]M3-1-G Zones in relation to the temporary closure and future vacation of Peoria Street and Tujunga Avenue." The justification was stated as follows, "On February 11, 2020, the City Council adopted a motion to reactivate Council File No. 17-0244 regarding the temporary closure of these streets. The intent is to permanently close this portion of Peoria Street and Tujunga Avenue for through-traffic in order to limit illegal dumping activity." (pg. 7) (Underline added for emphasis)

Fourth, CPC-2007-3888(CU)(ZV)(SPR)(PA1) presented a cursory statement ^{2/} rather than a discussion for public review regarding Condition No. 16, which states:

- a. Upon issuance of the Project's first Certificate of Occupancy, the applicant shall provide a copy of the certificate of occupancy to the Director of Planning for inclusion in the subject City Plan Case file.
- b. Upon review of this annual report, the Director shall determine whether there will be need for additional conditions or measures, and state accordingly in his/her written determination.
- c. If the annual report provides evidence that corrective measures are necessary, the Director may require modifications to these conditions or additional conditions of approval pursuant to the purpose, authority, and procedures set forth in Section 12.27.1 of the Municipal Code.
- d. The applicant shall submit as part of the annual report to assist the Director in reviewing and evaluating permit compliance a record of any complaints received by the facility, from the surrounding community, about project traffic, air quality, operations, noise and measures undertaken to resolve legitimate community concerns.
- e. The annual report must be accompanied by the payment of appropriate fees and be accepted as complete by the Department of City Planning. The applicant's fee shall be the same as the Plan Approval Fee in accordance with Section 19.01 of the Los Angeles Municipal Code.
- f. The Plan Approval shall be determined by the Director of Planning, or the City Planning Commission on appeal. Should the Director require a public hearing, public notice shall be made to owners and occupants of property within a radius of 500 feet.
- g. The Plan Approval shall include the latest status of a detailed schedule of vehicle replacement or retrofitted vehicles as noted on Condition No. 16.d. This requirement shall no longer be applicable once the applicant is 100% compliant with the CARB WCV Regulation.

Lastly, the determination by the Decision-maker could create potential liability for the City if property owners oppose the temporary or permanent closure of Peoria Avenue and Tujunga Avenue between Glenoaks Boulevard and 9000 Tujunga Avenue or if Bureau of Engineering or Los Angeles Department of Transportation conclude such action is not feasible or desirable.

^{2/} "Approve a Plan Approval application for the Determination of Condition Compliance in accordance with Condition No. A.17.g. of Case No. CPC-2007- 3888-CU-ZV-SPR, and find that the use and operating requirements for vehicle replacement and retrofitting (as noted on Condition No. 16.d) have been fully complied with;" Specific reference for compliance with Condition No. A.17.g is found on page 7.

RECEIVED

MAY 11 2010

Comunidad en Acción

Petición:

Para demostrar la oposición de el nuevo proyecto de la compañía de Badley Landfield. Los residentes de Sun Valley están firmando en apoyo de una comunidad saludable y rechazando el proyecto de Bradley landfield.

	Nombre	Telefono	Firma
1	Mario Preciado		Mario Preciado
2	MARtha Rangel	818) 658-4651	MARtha Rangel
3	Ingrid Anguian	818-307-6486	Ingrid Anguian
4	Holman Hernandez	818-939-2515	Holman Hernandez
5	Georgina Villanueva	818-665-6622	Georgina Villanueva
6	Martina Espinoza	818-572-2811	Martina Espinoza
7	Miguel	818-376-8641	
8	Rutilio Martinez Duran	8053102331	Rutilio Martinez Duran
9	JENNY MARTINEZ	818) 3260000	Jenny Martinez
10	Miguel Brumbilla	818) 299-4635	Miguel Brumbilla
11	Julio V. Villalobos	818-504-2665	Julio V. Villalobos
12	Mano Coarain	(818) 631-7471	Mano Coarain
13	Mario		
14	Jose Hernandez		Jose Hernandez
15	Diana Barajas	818) 771-1398	Diana B.
16	ANDREA BARRAJAS	(818) 771-1398	Andrea Barajas
17	Lorena Guzman	818) 281-5736	Imelda L. Guzman
18	Isidro Guzman	818) 504-7285	Isidro Guzman
19	Josefina Guzman	818) 504-7285	Josefina Guzman
20	Jocelyn Rocha	(818) 471-8503	Jocelyn Rocha
21	Humberto Jaimez	(714) 709-6925	Humberto Jaimez
22	Veronica Alvarez	(818) 767-1524	Veronica Alvarez
23	Karen Brambila	(818) 799-5768	Karen Brambila
24	RAUL Guzman	(818) 339-8944	Raul Guzman
25			

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

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PRESIDENT

VAHID KHORSAND
VICE-PRESIDENT

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**CITY OF LOS ANGELES
CALIFORNIA**



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MAYOR

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DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

August 12, 2020

Douglas Corcoran (A) (O)
Waste Management Recycling and
Disposal Services of California, Inc.
9227 Tujunga Avenue
Sun Valley, CA 91352

Dana Sayles (R)
Three6ixty
11287 West Washington Boulevard
Culver City, CA 90230

Case No. CPC-2007-3888-CU-ZV-
SPR-PA1

CEQA: ENV-2020-2426-CE

Related Cases: CPC-2007-3888-CU-ZV-
SPR

Location: 9055 – 9351 North Tujunga
Avenue

Council District: 6 – Nury Martinez

Neighborhood Council: Sun Valley Area

Community Plan Area: Sun Valley – La Tuna
Canyon

Land Use Designation: Heavy Manufacturing

Zones: M2-1-G, M3-1-G, [T][Q]M2-
1-G, [T][Q]M3-1-G

Legal Description: Lot FR 2, Tract TR 10646

Last Day to File an Appeal: August 27, 2020

DETERMINATION – PLAN APPROVAL

Pursuant to Condition No. A.17 of the Entitlement Conditions issued under Case No. CPC-2007-3888-CU-ZV-SPR, and Los Angeles Municipal Code (LAMC) Section 12.24-M and as the designee of the Director of Planning on behalf of the City Planning Commission, I hereby:

1. **Approve** a Plan Approval application for the Determination of Condition Compliance in accordance with Condition No. A.17.g. of Case No. CPC-2007-3888-CU-ZV-SPR, and find that the use and operating requirements for vehicle replacement and retrofitting (as noted on Condition No. 16.d) have been fully complied with;
2. **Conditionally Approve** plans to permit a Recycling Materials Sorting Facility in the M2-1-G, M3-1-G, [T][Q]M2-1-G, [T][Q]M3-1-G Zones in relation to the temporary closure and future vacation of Peoria Street and Tujunga Avenue.
3. **Find**, that based on the whole of the administrative record, the project is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA

Guidelines, Article 19, 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;

4. Adopt the attached Findings.

CONDITIONS OF APPROVAL

The project continues to be subject to all conditions of approval as required by CPC-2007-3888-CU-ZV-SPR, except as modified below:

Modify Condition No. A.14 to read as follows (deletions are in ~~strikeout~~):

A. Entitlement Conditions: Conditional Use and Variance for Waste Transfer Station and Materials Recycling Facility

14. Community Plan Design Guidelines:

- a. Designing the site and building(s) as to convey visual interest and to be visually compatible with adjacent uses.
- ~~b. Treating large expanses of blank walls and tilt-up concrete walls visible from the public right of way with contrasting complementary colors, building plane variation, murals, planters and/or other landscape elements to create visual interest.~~
- c. Screening of mechanical and electrical equipment from public view.
- ~~d. Screening of all rooftop equipment and building appurtenances from public view.~~
- e. Requiring the enclosure of trash areas for all projects.
- f. Requiring freestanding walls to conform to the requirements of Section A.2b above.
- g. Directing exterior lighting onto the project site and locating flood lighting so as not to impact any surrounding residential uses.

Modify Condition No. A.15 to read as follows (deletions are in ~~strikeout~~):

15. Traffic and Circulation. The project shall comply with the following conditions to the satisfaction of the Department of City Planning.

- a. Delivery of refuse, recyclable materials, green waste or wood waste shall be performed completely on the subject property within the area designated for pick-up/drop-off.
- b. Stacking for vehicles shall occur completely on site and not occur in the public right-of-way.
- c. Within the Transportation Demand Management (TDM) Plan, the applicant shall implement the following:
 - ~~i. The applicant shall hire or assign an individual to direct traffic at the driveway entrance of the subject facility at Tujunga Avenue/Bradley Avenue. The monitor shall direct traffic entering the site to ensure no blockage occurs on the public street during the hours of 6:00 a.m. to 7:30 p.m.~~

Modify Condition No. A.16.h. to read as follows (deletions are in ~~strikeout~~):

- 16. Environmental Justice.** The following conditions shall be performed by the applicant in the spirit of furthering environmental justice and in an effort to reduce and off-set the significant impacts identified by the Environmental Impact Report, including project-

specific and cumulative air quality impacts and to further reduce less than significant project specific and cumulative land use compatibility impacts:

- h. Weekly roadside cleanup of litter for typical truck access routes including but not limited to San Fernando Road, Glenoaks Boulevard, Bradley Avenue, Tujunga Avenue, Sheldon Street, Tuxford Street, and Penrose Street.

Modify Condition No. A.23.d.iv. to read as follows (deletions are in ~~strikeout~~):

23. Public Improvements:

- d. Dedication(s) and Improvement(s). Prior to the issuance of any building permits, public improvements and dedications for streets and other rights of way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional and federal government agencies, as may be necessary), for the following:

- iv. Improvements.

- ~~(1) Tujunga Avenue — Construct additional surfacing to join the existing improvements to provide a 35 foot half roadway in accordance with Secondary Highway Street standard, including asphalt pavement, integral concrete curb, and 2 foot gutter and a 10 foot full width concrete sidewalk for a frontage length of 700 feet along Tujunga Avenue, north of the intersection with Bradley Avenue. Improvements shall minimize or avoid disruption/conflict with the existing easements with Vulcan Industries and monitoring wells or equipment required by state and local permits. Improvements need not include widening of the roadway. These improvements should suitably transition to join the existing improvement to the satisfaction of the City Engineer. Such improvements shall be constructed to the satisfaction of the City Engineer prior to issuance of the final certificate of occupancy.~~

Modify Condition No. A.26.c. to read as follows (deletions are in ~~strikeout~~):

- 26. **Conditions of Case No. ZA 94-0792(ZV)(PAD):** The following conditions from previous grant of entitlement No. ZA 94-0792(ZV)(PAD), APPROVAL OF PLANS, dated June 2, 1998, although primarily governing the use of the site as a landfill operation, remain pertinent as they represent the amalgamated terms and conditions of approval of prior cases [Case No. ZA 92-0002(ZV) and Case No. ZA 94-0792(ZV)]. Therefore, the following applicable terms and conditions shall continue with the parenthetical indicating the previous condition number as stated in the June 2, 1998 entitlement:

- ~~e. The area in front of the masonry wall along Tujunga Avenue shall be landscaped with Oleander or similar shrubs and have a permanently installed watering system provided. (9)~~

Administrative Conditions (Plan Approval Application)

- 1. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building & Safety, the applicant shall submit all final construction plans that are awaiting

issuance of a building permit by the Department of Building & Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building & Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.

2. **Notations on Plans.** Plans submitted to the Department of Building & Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
3. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
4. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
5. **Department of Building & Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building & Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building & Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
6. **Enforcement.** Compliance with and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
7. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
8. **Expedited Processing Section Fee.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
9. **Indemnification and Reimbursement of Litigation Costs.**
Applicant shall do all of the following:
 - a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out, in whole or in part, of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the applicant otherwise created by this condition.

PROJECT BACKGROUND

Project Site

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.

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 subject property was previously known as the Bradley Landfill and Recycling Center (BLRC), a municipal solid waste (MSW) disposal and recycling facility. The proposed use of site was authorized under Case No. CPC-2007-3888-CU-ZV-SPR, which approved the construction and operation of a Transfer Station and Materials Recycling Facility (“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.

Operations

Vehicles bringing material to the TS/MRF will follow the road along the west side of the building and enter through a truck door located at the northwest corner. After entering the building, vehicles will be directed to dump material in one of three locations – organics, municipal solid waste (MSW), or recyclables. After unloading, the trucks will exit through a door located at the southwest corner of the building. Organics will be processed to remove contaminants and then sent to a sewage treatment plant to enhance digestion or sent to a composting facility. MSW, including contaminants from the organics processing line and the material process facility, will be loaded into transfer trucks to be sent to a landfill. Recyclables will be sorted and sent out for further processing. The facility will provide 94 parking spaces for employees and visitors along the west side of the building mentioned previously. Electric charging stations are also provided for electric vehicles.

In compliance with South Coast Air Quality Management District (SCAQMD) regulations, the operator will continue to maintain negative air pressure in the building, including air intake vents and processing areas to contain odors. Air is pulled from within the building by a roof mounted ventilation system and set to a separate compartment where particulate matter is removed and cycled to exhaust fans equipped with odor neutralizing systems. Under normal operating conditions, three times the volume of the building will be removed and treated each hour.

Proposed Project

On May 3, 2017, the City Council adopted a motion recommending the City Council to instruct the Bureau of Engineering to report on the feasibility of the temporary closure of Peoria Street and Tujunga Avenue between Glenoaks Boulevard and 9000 Tujunga Avenue. The motion stated that excessive amounts of illegal dumping in the vicinity have created quality of life and public safety issues for the immediate area and surrounding community. On February 11, 2020, the City Council adopted a motion to reactivate Council File No. 17-0244 regarding the temporary closure of these streets. The intent is to permanently close this portion of Peoria Street and Tujunga Avenue for through-traffic in order to limit illegal dumping activity. Since the TS/MRF is the primary user of these streets in this location, traffic and circulation relative to the surrounding area would not be affected.

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 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.

As part of the entitlements adopted conditions, Condition No. A.17.g. of Case No. CPC-2007-3888-CU-ZV-SPR requires that a "Plan Approval shall include the latest status of a detailed schedule of vehicle replacement or retrofitted vehicles as noted on Condition No. 16.d." The condition further reads that "this requirement shall no longer be applicable once the applicant is 100% compliant with the CARB WCV Regulation." In order to demonstrate compliance with this condition, the Applicant has submitted a Certificate of Reported Compliance for Heavy Cranes Subject to Solid Waste Collection Vehicle Regulation issued by the California Air Resources Board (CARB). The certificate confirms that the fleet owner has attested under penalty of perjury that the statements and information provided to the CARB are true, accurate, and complete regarding all relevant vehicles in the fleet require to show compliance with the Solid Waste Collection Vehicle Regulation. The Applicant has further provided a list of all operating trucks associated with the use, which are all CARB compliant. As such, the Applicant has demonstrated compliance with Condition No A.17.g. and no further reporting on this matter is necessary. The relevant documents are included in the case file.

MANDATORY 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.

AUTHORIZATION – TIME LIMIT AND TRANSFERABILITY

The authorization granted herein shall be for a three year period from the effective date. If building permits are not issued and construction work is not begun within such time and carried on diligently so that building permits do not lapse, this approval shall become null and void. There are no time extensions available beyond this three year period. Furthermore, this grant is not a permit or license and that permits and licenses required by all applicable laws must be obtained from the proper agency.

In the event the property is sold, leased, rented, or occupied by any person or corporation other than yourself, it is incumbent that you advise such person or corporation regarding the conditions of this authorization. If any portion of the authorization is utilized, the conditions and requirement of the grant will become operative and must be strictly observed.

APPEAL PERIOD - EFFECTIVE DATE

The Determination in this matter will become effective after fifteen (15) days from the date of mailing this determination unless an appeal there from is filed with the Department of City Planning. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of this Determination, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. Forms are available on-line at www.cityplanning.lacity.org.

Planning Department public offices are located at:

Figueroa Plaza
201 North Figueroa Street,
4th Floor
Los Angeles, CA 90012
(213) 482-7077

**Marvin Braude San Fernando Valley
Constituent Service Center**
6262 Van Nuys Boulevard, Suite 251
Van Nuys, CA 91401
(818) 374-5050

**West Los Angeles Development
Services Center**
1828 Sawtelle Boulevard, 2nd Floor
Los Angeles, CA 90025
(310) 231-2901

The applicant is further advised that all subsequent contact with this office regarding this Determination must be with the decision-maker who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished by appointment only, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedures Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

Vincent P. Bertoni, AICP
Director of Planning

Approved by:

Nicholas Hendricks

Nicholas Hendricks, Senior City Planner

Prepared by:

Esther Ahn

Esther Ahn, City Planner

Attachment:

Exhibit A: Site Plan

EXHIBIT C

Designee of the Planning Director's Determination

**CPC-2007-3888-CU-ZV-SPR-PA1-1A
Approved Project Plans**

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN
PRESIDENT

VAHID KHORSAND
VICE-PRESIDENT

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CAROLINE CHOE
HELEN LEUNG
KAREN MACK
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**CITY OF LOS ANGELES
CALIFORNIA**



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES

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DIRECTOR

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EXECUTIVE OFFICER

SHANA M.M. BONSTIN
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

August 12, 2020

Douglas Corcoran (A) (O)
Waste Management Recycling and
Disposal Services of California, Inc.
9227 Tujunga Avenue
Sun Valley, CA 91352

Dana Sayles (R)
ThreeSixty
11287 West Washington Boulevard
Culver City, CA 90230

Case No. CPC-2007-3888-CU-ZV-
SPR-PA1

CEQA: ENV-2020-2426-CE

Related Cases: CPC-2007-3888-CU-ZV-
SPR

Location: 9055 – 9351 North Tujunga
Avenue

Council District: 6 – Nury Martinez

Neighborhood Council: Sun Valley Area

Community Plan Area: Sun Valley – La Tuna
Canyon

Land Use Designation: Heavy Manufacturing

Zones: M2-1-G, M3-1-G, [T][Q]M2-
1-G, [T][Q]M3-1-G

Legal Description: Lot FR 2, Tract TR 10646

Last Day to File an Appeal: August 27, 2020

DETERMINATION – PLAN APPROVAL

Pursuant to Condition No. A.17 of the Entitlement Conditions issued under Case No. CPC-2007-3888-CU-ZV-SPR, and Los Angeles Municipal Code (LAMC) Section 12.24-M and as the designee of the Director of Planning on behalf of the City Planning Commission, I hereby:

1. **Approve** a Plan Approval application for the Determination of Condition Compliance in accordance with Condition No. A.17.g. of Case No. CPC-2007-3888-CU-ZV-SPR, and find that the use and operating requirements for vehicle replacement and retrofitting (as noted on Condition No. 16.d) have been fully complied with;
2. **Conditionally Approve** plans to permit a Recycling Materials Sorting Facility in the M2-1-G, M3-1-G, [T][Q]M2-1-G, [T][Q]M3-1-G Zones in relation to the temporary closure and future vacation of Peoria Street and Tujunga Avenue.
3. **Find**, that based on the whole of the administrative record, the project is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA

Guidelines, Article 19, 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;

4. Adopt the attached Findings.

CONDITIONS OF APPROVAL

The project continues to be subject to all conditions of approval as required by CPC-2007-3888-CU-ZV-SPR, except as modified below:

Modify Condition No. A.14 to read as follows (deletions are in ~~strikeout~~):

A. Entitlement Conditions: Conditional Use and Variance for Waste Transfer Station and Materials Recycling Facility

14. Community Plan Design Guidelines:

- a. Designing the site and building(s) as to convey visual interest and to be visually compatible with adjacent uses.
- ~~b. Treating large expanses of blank walls and tilt-up concrete walls visible from the public right-of-way with contrasting complementary colors, building plane variation, murals, planters and/or other landscape elements to create visual interest.~~
- c. Screening of mechanical and electrical equipment from public view.
- ~~d. Screening of all rooftop equipment and building appurtenances from public view.~~
- e. Requiring the enclosure of trash areas for all projects.
- f. Requiring freestanding walls to conform to the requirements of Section A.2b above.
- g. Directing exterior lighting onto the project site and locating flood lighting so as not to impact any surrounding residential uses.

Modify Condition No. A.15 to read as follows (deletions are in ~~strikeout~~):

15. **Traffic and Circulation.** The project shall comply with the following conditions to the satisfaction of the Department of City Planning.
 - a. Delivery of refuse, recyclable materials, green waste or wood waste shall be performed completely on the subject property within the area designated for pick-up/drop-off.
 - b. Stacking for vehicles shall occur completely on site and not occur in the public right-of-way.
 - c. Within the Transportation Demand Management (TDM) Plan, the applicant shall implement the following:
 - ~~i. The applicant shall hire or assign an individual to direct traffic at the driveway entrance of the subject facility at Tujunga Avenue/Bradley Avenue. The monitor shall direct traffic entering the site to ensure no blockage occurs on the public street during the hours of 6:00 a.m. to 7:30 p.m.~~

Modify Condition No. A.16.h. to read as follows (deletions are in ~~strikeout~~):

16. **Environmental Justice.** The following conditions shall be performed by the applicant in the spirit of furthering environmental justice and in an effort to reduce and off-set the significant impacts identified by the Environmental Impact Report, including project-

specific and cumulative air quality impacts and to further reduce less than significant project specific and cumulative land use compatibility impacts:

- h. Weekly roadside cleanup of litter for typical truck access routes including but not limited to San Fernando Road, Glenoaks Boulevard, Bradley Avenue, Tujunga Avenue, Sheldon Street, Tuxford Street, and Penrose Street.

Modify Condition No. A.23.d.iv. to read as follows (deletions are in ~~strikeout~~):

23. Public Improvements:

- d. Dedication(s) and Improvement(s). Prior to the issuance of any building permits, public improvements and dedications for streets and other rights of way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional and federal government agencies, as may be necessary), for the following:

- iv. Improvements.

- (1) ~~Tujunga Avenue — Construct additional surfacing to join the existing improvements to provide a 35 foot half roadway in accordance with Secondary Highway Street standard, including asphalt pavement, integral concrete curb, and 2-foot gutter and a 10 foot full width concrete sidewalk for a frontage length of 700 feet along Tujunga Avenue, north of the intersection with Bradley Avenue. Improvements shall minimize or avoid disruption/conflict with the existing easements with Vulcan Industries and monitoring wells or equipment required by state and local permits. Improvements need not include widening of the roadway. These improvements should suitably transition to join the existing improvement to the satisfaction of the City Engineer. Such improvements shall be constructed to the satisfaction of the City Engineer prior to issuance of the final certificate of occupancy.~~

Modify Condition No. A.26.c. to read as follows (deletions are in ~~strikeout~~):

- 26. **Conditions of Case No. ZA 94-0792(ZV)(PAD):** The following conditions from previous grant of entitlement No. ZA 94-0792(ZV)(PAD), APPROVAL OF PLANS, dated June 2, 1998, although primarily governing the use of the site as a landfill operation, remain pertinent as they represent the amalgamated terms and conditions of approval of prior cases [Case No. ZA 92-0002(ZV) and Case No. ZA 94-0792(ZV)]. Therefore, the following applicable terms and conditions shall continue with the parenthetical indicating the previous condition number as stated in the June 2, 1998 entitlement:

- ~~c. The area in front of the masonry wall along Tujunga Avenue shall be landscaped with Oleander or similar shrubs and have a permanently installed watering system provided. (9)~~

Administrative Conditions (Plan Approval Application)

- 1. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building & Safety, the applicant shall submit all final construction plans that are awaiting

issuance of a building permit by the Department of Building & Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building & Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.

2. **Notations on Plans.** Plans submitted to the Department of Building & Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
3. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
4. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
5. **Department of Building & Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building & Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building & Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
6. **Enforcement.** Compliance with and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
7. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
8. **Expedited Processing Section Fee.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
9. **Indemnification and Reimbursement of Litigation Costs.**
Applicant shall do all of the following:
 - a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out, in whole or in part, of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the applicant otherwise created by this condition.

PROJECT BACKGROUND

Project Site

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.

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 subject property was previously known as the Bradley Landfill and Recycling Center (BLRC), a municipal solid waste (MSW) disposal and recycling facility. The proposed use of site was authorized under Case No. CPC-2007-3888-CU-ZV-SPR, which approved the construction and operation of a Transfer Station and Materials Recycling Facility (“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.

Operations

Vehicles bringing material to the TS/MRF will follow the road along the west side of the building and enter through a truck door located at the northwest corner. After entering the building, vehicles will be directed to dump material in one of three locations – organics, municipal solid waste (MSW), or recyclables. After unloading, the trucks will exit through a door located at the southwest corner of the building. Organics will be processed to remove contaminants and then sent to a sewage treatment plant to enhance digestion or sent to a composting facility. MSW, including contaminants from the organics processing line and the material process facility, will be loaded into transfer trucks to be sent to a landfill. Recyclables will be sorted and sent out for further processing. The facility will provide 94 parking spaces for employees and visitors along the west side of the building mentioned previously. Electric charging stations are also provided for electric vehicles.

In compliance with South Coast Air Quality Management District (SCAQMD) regulations, the operator will continue to maintain negative air pressure in the building, including air intake vents and processing areas to contain odors. Air is pulled from within the building by a roof mounted ventilation system and set to a separate compartment where particulate matter is removed and cycled to exhaust fans equipped with odor neutralizing systems. Under normal operating conditions, three times the volume of the building will be removed and treated each hour.

Proposed Project

On May 3, 2017, the City Council adopted a motion recommending the City Council to instruct the Bureau of Engineering to report on the feasibility of the temporary closure of Peoria Street and Tujunga Avenue between Glenoaks Boulevard and 9000 Tujunga Avenue. The motion stated that excessive amounts of illegal dumping in the vicinity have created quality of life and public safety issues for the immediate area and surrounding community. On February 11, 2020, the City Council adopted a motion to reactivate Council File No. 17-0244 regarding the temporary closure of these streets. The intent is to permanently close this portion of Peoria Street and Tujunga Avenue for through-traffic in order to limit illegal dumping activity. Since the TS/MRF is the primary user of these streets in this location, traffic and circulation relative to the surrounding area would not be affected.

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 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.

As part of the entitlements adopted conditions, Condition No. A.17.g. of Case No. CPC-2007-3888-CU-ZV-SPR requires that a "Plan Approval shall include the latest status of a detailed schedule of vehicle replacement or retrofitted vehicles as noted on Condition No. 16.d." The condition further reads that "this requirement shall no longer be applicable once the applicant is 100% compliant with the CARB WCV Regulation." In order to demonstrate compliance with this condition, the Applicant has submitted a Certificate of Reported Compliance for Heavy Cranes Subject to Solid Waste Collection Vehicle Regulation issued by the California Air Resources Board (CARB). The certificate confirms that the fleet owner has attested under penalty of perjury that the statements and information provided to the CARB are true, accurate, and complete regarding all relevant vehicles in the fleet require to show compliance with the Solid Waste Collection Vehicle Regulation. The Applicant has further provided a list of all operating trucks associated with the use, which are all CARB compliant. As such, the Applicant has demonstrated compliance with Condition No A.17.g. and no further reporting on this matter is necessary. The relevant documents are included in the case file.

MANDATORY 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.

AUTHORIZATION – TIME LIMIT AND TRANSFERABILITY

The authorization granted herein shall be for a three year period from the effective date. If building permits are not issued and construction work is not begun within such time and carried on diligently so that building permits do not lapse, this approval shall become null and void. There are no time extensions available beyond this three year period. Furthermore, this grant is not a permit or license and that permits and licenses required by all applicable laws must be obtained from the proper agency.

In the event the property is sold, leased, rented, or occupied by any person or corporation other than yourself, it is incumbent that you advise such person or corporation regarding the conditions of this authorization. If any portion of the authorization is utilized, the conditions and requirement of the grant will become operative and must be strictly observed.

APPEAL PERIOD - EFFECTIVE DATE

The Determination in this matter will become effective after fifteen (15) days from the date of mailing this determination unless an appeal there from is filed with the Department of City Planning. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of this Determination, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. Forms are available on-line at www.cityplanning.lacity.org.

Planning Department public offices are located at:

Figueroa Plaza
201 North Figueroa Street,
4th Floor
Los Angeles, CA 90012
(213) 482-7077

**Marvin Braude San Fernando Valley
Constituent Service Center**
6262 Van Nuys Boulevard, Suite 251
Van Nuys, CA 91401
(818) 374-5050

**West Los Angeles Development
Services Center**
1828 Sawtelle Boulevard, 2nd Floor
Los Angeles, CA 90025
(310) 231-2901

The applicant is further advised that all subsequent contact with this office regarding this Determination must be with the decision-maker who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished by appointment only, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedures Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

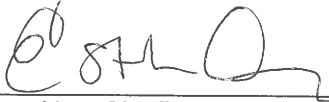
Vincent P. Bertoni, AICP
Director of Planning

Approved by:



Nicholas Hendricks, Senior City Planner

Prepared by:



Esther Ahn, City Planner

Attachment:

Exhibit A: Site Plan

