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**STATEMENT TO OPPOSE ZONING VARIANCE FOR LOPEZ CANYON LANDFILL FOR A TRUCK DRIVING ACADEMY - ZA 2009-3619 ZV.**

**PURPOSE OF THE CURRENT OS (OPEN SPACE) ZONING**

Upon closure of Lopez Canyon Landfill in 1996, Councilman Alarcon motioned that it be zoned OS in Council File # 95-0859-SA (July, 16, 1995), which was approved unanimously by the City Council in order to restore and develop the land for recreational and Open Space needs of the residents. This sentiment was again approved, unanimously in Council File # 07-1660 (June 1, 2007). All other City owned landfills have been closed and are being used similarly – Bishop Canyon Landfill, converted to a state of the art recreation facility; Gaffey Street Landfill, converted to a soccer field complex, known as “Field of Dreams”; Sheldon-Arleta Landfill, under construction to become the Cesar Chavez Recreation Complex; Toyon Canyon Landfill, planned as low intensity open meadow area intended for passive recreational activities.

The City zoned it Open Space to protect the neighborhoods from any more suffering they had endured while it was being used as industrial. This variance will again further allow industrial use, no matter what the time frame involved-5 years, 15 years or whatever the City deems they would like. By allowing a variance the effect is a zone change, which would necessitate a General Plan Amendment.

**INTENT OF FUTURE (SHORT-TERM) USAGE OF THE LANDFILL**

The application requests that the variance apply to only one and a half acres of the 596 landfill. Currently there also exists a mulching facility, which was approved by some of the community, agreeing that it was an environmentally correct thing to do. Recently, at the Bureau of Sanitation quarterly meeting on top of the landfill on September 9, 2009, which a handful of specially invited neighbors attended, it was announced that the City would like to install a field of solar panels to help generate clean energy to meet its future required ratio. This was met by complete opposition of the audience. It would appear that the City has a number of future uses for this facility, even if only for a decade or so that are inconsistent with the current zoning. This would suggest that the City is, in fact, piece-mealing projects and needs to be more transparent as to what, they are actually planning here.

**AVAILABILITY OF OTHER PROPERTIES WITHIN THE AREA**

When looking at the Community Plans, and driving around the Northeast Valley, one can easily see that there are a number of vacant, currently zoned OS lots, much larger than the one and a half acres needed, which are also freeway close. There is vacant acreage under power lines a short distance from the site. There is acreage along Glenoaks Blvd. There are lots available toward the west along old San

Fernando Road and Penrose in the Sun Valley area and north to Whiteman Airport which are industrially zoned areas. There is no hardship as to availability of other comparable sites.

#### DETRIMENTAL ASPECTS OF GRANTING THIS VARIANCE

This activity is unique, as the vast majority of its effects WILL NOT involve the one and one half acres it resides at but by the communities surrounding it, and to deny that existence would be a gross injustice.

**Air Quality** – Diesel particulates appear to cause cancer according to a number of various studies. The communities surrounding the site will be the ones affected by the emissions more than the site itself. The unreported amount of miles to be driven daily will not be for commerce purposes.

**Hazards** – Lopez Landfill's haul road makes its way circularly up a hill with 8" PVC pipes running right beside the road approximately 2 foot high. There are no barriers to protect them from being hit and what protection is there from a spark igniting the escaping methane even though supposedly a break allows oxygen to infiltrate the system and shut it down? There were buildings, trucks and equipment burned during the Marek fire last year at the site. Residents in the north-west section of Lake View Terrace, which is adjacent to the Landfill, were told to evacuate during that fire due to hazardous fumes and ash from Lopez and the neighboring facilities to the north. Brush fires, like earthquakes, will occur in this area. There is the potential for ground water contamination from truck leakage and emissions particularly in the near future due to the recent flood assessment report by LA County, US Forestry and USGS, where they call for extreme flooding conditions brought on by all of the recent fires.

**Noise** – Back-up horns are not the only noise generated by trucks, but was the only noise addressed in the application. When Foothill Trails District Neighborhood Council committee members were canvassing the Lake View Terrace area residents (from Foothill and Osborne north and west to Foothill and Paxton) regarding noise issues during their MND research, the overwhelming response by dozens of residents was their annoyance at the constant loud sound of the hydraulic brakes coming down the haul road, at stop signs and lights and on and off-ramps at the freeways, both the 210 at Paxton and Osborne.

**Safety** - With the first rains come increased chances of vehicular accidents, including the Lopez haul road with methane pipes roadside. Off-site, where the students will be driving, offer a number of potential problems for the adjacent neighborhoods. As the training program course and the lease indicate, they will be driving on 2-lane rural roads. Although the lease indicates there will be no training on Lopez and Kagel Canyon roads, there are many local roads that have schools, recreational areas and equestrian trails which have not experienced big rigs. There is a significant potential for injury to man and animal on these streets even if speed zones are observed due to not expecting tractor trailers to now be consistently driving there, nor does that enhance the neighborhoods quality of life.

**Traffic** – There will be congestion at the intersections where 8 tractor-trailers will be driving in and out daily and as they are larger than dump trucks, the effect will be amplified.

Land Use – Last but not least. To grant a variance to allow an industrial use in an Open Space zone sets a precedent that has vast consequences throughout the City. It opens up the potential for destruction and misuse of an integral part of City Planning's efforts to balance land use to the benefit of us all.

Everyone must admit that to provide free education to anyone in order to improve their lives is an admirable plan. But, for the City to contradict its previous decisions and actions with similar properties to support a special interest group is neither fair nor right. There are other, more appropriate, venues to do this and by trying to limit the impact to one and a half acre for a time period does not justify the precedent that it would create.