

APPROVED

APR 18 2021

BOARD OF RECREATION AND PARK COMMISSIONERS

BOARD REPORT

NO. 24-083

DATE April 18, 2024

C.D. 5

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: PARK FEES – REFUND FOR VTT-72415-CN – DECOMMITMENT OF PARK FEES FROM PAN PACIFIC PARK – POOL AND BATHHOUSE IMPROVEMENTS (PRJ21423) PROJECT

B. Aguirre _____ M. Rudnick _____
B. Jones _____ for *C. Santo Domingo DF
C. Stoneham _____ N. Williams _____



General Manager

Approved X

Disapproved _____

Withdrawn _____

RECOMMENDATIONS

1. Approve the refund claim from Bedford Development LLC for One Hundred Fifteen Thousand One Hundred Eighty-Two Dollars (\$115,182.00), in accordance with the detail set forth in this Report, subject to the approval of the City Council;
2. Direct the Board of Recreation and Park Commissioners (Board) Secretary to transmit this Report to the City Council;
3. Approve the decommitment of One Hundred Eleven Thousand, Five Hundred Five Dollars and Three Cents (\$111,505.03) in Park Fees from the Pan Pacific Park – Pool and Bathhouse Improvements (PRJ21423) Project (Project);
4. Direct the Chief Accounting Employee of the Department of Recreation and Parks (RAP) or designee to, upon receipt of the necessary approvals, to issue one (1) refund check as detailed in Recommendation No. 1 from Fund 302, Department 89, Account 89716H WO# QT072415 and Fund 302, Department 89, Account 89720H WO# SP720H00; and,
5. Authorize RAP's Chief Accounting Employee to make technical corrections as necessary to carry out the intent of this Report.

SUMMARY

RAP is in receipt of a request for refund of park acquisition and development fees paid to RAP pursuant to Los Angeles Municipal Code (LAMC) Section 17.12. A refund claim (Claim No. 170850) was filed on January 29, 2024 by the representatives of Entitle and Permits on behalf of Bedford Development LLC (Claimant), for a refund of Quimby Fees (hereinafter "Park Fees") in the amount of for One Hundred Fifteen Thousand One Hundred Eighty-Two Dollars (\$115,182.00) for VTT-72415-CN. On January 28, 2020, RAP received one (1) check for One Hundred Fifteen Thousand One Hundred Eighty-Two Dollars (\$115,182.00) for VTT-72415-CN, a residential project located at 1209-1215 South Bedford Street.

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Under the provisions of LAMC Section 17.12 applicable to VTT-72415-CN, no final subdivision map may be approved or recorded unless land within the subdivision has been dedicated to the City for park or recreational purposes, and that, as an alternative to land dedication, a fee in-lieu (Park Fee) could be paid within one year after Council approves the final map.

Under the provisions of LAMC Section 17.07(N) applicable to VTT-72415-CN, RAP must process and approve refunds of Park Fees, upon written request of the project subdivider, if the final subdivision map was not recorded. However, Section 17.07(N) did not establish any procedures relative to how a Park Fee refund request was to be reviewed, processed, and approved by RAP, nor did it describe what documentation the refund claimant would need to provide to RAP in order to guarantee that the final subdivision map would not be recorded. Additionally, it did not require that the refund request be filed on any specific form nor that it be filed by a certain date.

The City's refund provisions and procedures for certain fees are found in LAMC Sections 22.12 and 22.13. LAMC Sections 22.12(a) and 22.13(a) authorize the head of the Department to approve refunds of tax, license fees, permit fees, or application fees without the prior approval of the City Council, if such refund does not exceed a certain monetary limit. That monetary limit is subject to adjustment at the beginning of each fiscal year and the amount of the adjustment is calculated by the City Controller. The current limit of Department head refund authority is Sixty-One Thousand, Three Hundred Seventy-Nine Dollars (\$61,379.00). All refunds request over that limit are subject to the prior approval of the City Council.

The Claimant has indicated that the map proceedings on VTT-72415-CN have expired, as detailed in a letter from the Department of City Planning (Attachment 2) confirming such expiration. Thus, in accordance with the provisions of LAMC Sections 17.12 and 17.07(N) applicable to the Park Fee payment at issue, RAP staff recommends the approval of the claim for refund of Park Fees paid to RAP.

Pan Pacific Park – Pool Improvements (PRJ21423) Project

Previously, the Board of Recreation and Park Commissioners (Board) approved the commitment of Four Million, Three Thousand, Seven Hundred and Ten Dollars and Sixty-Six Cents (\$4,003,710.66) in Park Fees to the Pan Pacific Park – Pool and Bathhouse Improvements (PRJ21423) Project (Report No. 23-008). The commitment of Park Fees to the Pan Pacific Park – Pool and Bathhouse Improvements (PRJ21423) Project included One Hundred Eleven Thousand, Five Hundred Five Dollars and Three Cents (\$111,505.03) paid by VTT-72415-CN.

The previously approved scope of work of the Pan Pacific Park – Pool and Bathhouse Improvements (PRJ21423) includes initiation of the design for improvements to the pool and bathhouse (Report No. 23-008). Upon approval of this Report, One Hundred Eleven Thousand, Five Hundred Five Dollars and Three Cents (\$111,505.03) in Park Fees will be decommitted from the Pan Pacific Park – Pool and Bathhouse Improvements (PRJ21423) Project. It is not anticipated that the decommitment of these Park Fees will have an impact to the proposed Project.

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The total amount of funding available for the Project will be Three Million, Eight Hundred Ninety-Two Thousand, Two Hundred Five Dollars and Sixty-Three Cents (\$3,892,205.63). The Project is currently in the pre-design phase.

ENVIRONMENTAL IMPACT

Section 15378(a) of the California Environmental Quality Act (CEQA) Guidelines define a “project” as follows:

“Project” means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

The proposed activity would not result in any physical change or a reasonably foreseeable indirect physical change in the environment, therefore it is not subject to the provisions of CEQA.

FISCAL IMPACT

The approval of this Report will not have an impact on RAP General Fund.

This Report was prepared by David Lee, Management Assistant, Planning, Maintenance and Construction Branch.

LIST OF ATTACHMENTS

- 1) Attachment No. 1 – Claim for Refund Form – Claim #170850
- 2) Attachment No. 2 – Extension of Time Letter for VTT-72415-CN

Form Con. 65 (Rev. 2/74)
DISTRIBUTION:
ORIG. — City Council
DUP. — Controller (Approved)
TRIP. — Claimant

CITY OF LOS ANGELES
CLAIM FOR REFUND OVER \$5000

Sec. 22.12 Los Angeles Municipal Code

RESERVE FOR FILING STAMP

CLAIM NO. 170850

NOTE: A Claimant may be required to submit to examination under oath. (Charter Section 217.)
Presentation of a false claim is a felony. (California Penal Code Section 72.)

TO: CITY CLERK, Room 395, City Hall, Los Angeles 90012

PRINT NAME OF CLAIMANT (Last) (First) (Middle)
Kamdar Kambiz

BUSINESS ADDRESS (Street) (City) (State)

MAILING ADDRESS (Street) (City) (Zip Code) PHONE NO.

CITY DEPARTMENT TO WHICH PAYMENT WAS MADE
Department of Recreation and Parks
6. DATE PAID 01-28-2020
7. AMOUNT CLAIMED \$ 115,182.00

STATE WHETHER RECEIPT, LICENSE OR PERMIT, ENTER NO. AND ATTACH
Receipt

LOCATION OF JOB
1215 S. Bedford St. Los Angeles, CA 90035

REASONS FOR FILING CLAIM (Use Supplementary sheets if necessary)

The Tract Map has expired and planning will not issue an extension of the time and the county will not allow us to record the final map

If you have any questions? Please contact:
Sami Kahanim (Representative)

STATE OF CALIFORNIA }
County of Los Angeles } ss.

SEE ATTACHED ACKNOWLEDGMENT

being duly sworn, deposes and says:
that he are is the claimant(s) in the above-entitled claim; that he have has read the foregoing claim and sheets attached thereto, know(s) the contents thereof, and that the same is true of own knowledge, except as to the matters which are therein stated on information or belief, and as to those matters that he believe(s) it to be true.

SIGNATURE AND TITLE OF CLAIMANT

[Signature] owner

DATE

2-16-24

SUBSCRIBED AND SWORN TO BEFORE ME

SIGNATURE OF DEPUTY CITY CLERK OR NOTARY PUBLIC

this day of 20__

FILED
CITY CLERK'S OFFICE
2024 FEB 21 AM 10:58
CITY CLERK



City of Los Angeles
DEPARTMENT OF RECREATION AND PARKS

Nº 34526

Date 1-28 2020

Received from Bedford Development LLC

One Hundred Fifteen Thousand One Eighty two ^{00/100} Dollars \$ 115,182.00

for Park Fee: VTT- 72415- CN

Site: 1209 - 1215 S Bedford Street.

DEPARTMENT OF RECREATION AND PARKS

Account Wells Fargo 0846 By Terry Hua



DEPARTMENT OF RECREATION
AND PARKS

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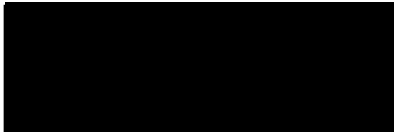
SOPHIA PIÑA-CORTEZ
ASSISTANT GENERAL MANAGER

CATHIE SANTO DOMINGO
ASSISTANT GENERAL MANAGER

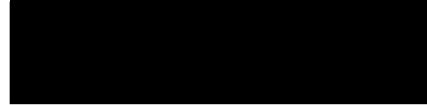
(213) 202-2633 FAX (213) 202-2614

January 17, 2020

Kambiz Kamdar



Kambiz Kamdar



Case/Tract No: VTT-72415-CN
Council District No: 5
Site Address: 1209-1215 South Bedford
Street

**REVISED PARK FEE CALCULATION
(SUBDIVISION)**

In accordance with the provision of Section 12.33 of the Los Angeles Municipal Code, the Department of Recreation and Parks on the above date, determined that a fee in the following amount be paid to the Department of Recreation and Parks prior to the recordation of the final tract map or parcel map.

New Dwelling Units	21
Exempt Units (-)	12
Net Non-Exempt Dwelling Units	9
Fee per Non-Exempt Dwelling Unit	\$ 12,998.00
SUB TOTAL	\$ 116,982.00
Credit for Previously Paid DUCT (-)	\$ (1,800.00)
<hr/>	
TOTAL FEE TO BE PAID	\$ 115,182.00



This calculation is based upon the Park Fee rates applicable as of July 1, 2019. The fee shall be paid prior to the recordation of the final tract map or parcel map. If this fee is not paid before July 1, 2020, the amount of the fee shall automatically be subject to recalculation by the Department of Recreation and Parks based on the provisions of Section 12.33 of the Los Angeles Municipal Code. All recalculation requests for expired letters must submit a new, updated Park Fee Calculation Application (PF-1001) either in person, via e-mail at rap.parkfees@lacity.org, or via mail in order for the recalculation request to be processed. If no Park Fee is owed, no further action is required.

Park Fee payments **MUST** be paid to the Department of Recreation and Parks. The Department of Recreation and Parks **ONLY** accepts cashier's checks and money orders for the payment of Park Fees. Checks should be made payable to the Department of Recreation and Parks. Payments can be made at, or mailed to, 221 N. Figueroa Street, 4th Floor, Los Angeles, CA 90012. Payments made to the public counter can **ONLY** be accepted from 8:00 a.m. to 12:00 p.m. & 1:00 p.m. to 4:00p.m. Monday – Thursday and 8:00 a.m. to 12:00 p.m. & 1:00 p.m. to 3:00 p.m. on Fridays. Please attach a copy of the Park Fee Calculation Letter to your payment.

For residential subdivision projects containing fifty (50) or fewer dwelling units or for non-subdivision projects that are seeking a building permit for a project application that contains any number of net new dwelling units, the project shall pay a park fee based on the provisions of Section 12.33 of the Los Angeles Municipal Code. If no fee is owed, the condition will be cleared by the Department of Recreation and Parks.

If you have any questions about this Park Fee calculation or the payment instructions detailed above, please contact Park Fee Staff at rap.parkfees@lacity.org or (213) 202-2682.

Sincerely,

CATHIE M. SANTO DOMINGO
Acting Assistant General Manager



 DARRYL FORD
Acting Superintendent

MAS/DF:cy

Cc: Reading file

DEPARTMENT OF
CITY PLANNINGCOMMISSION OFFICE
(213) 978-1300

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DEPUTY DIRECTOR

November 25, 2019

Kambiz Kamdar (A/O)
Arc Construction
[REDACTED]Tala Associate (R/E)
[REDACTED]RE: Vesting Tentative Tract Map No: 72415-CN
Related Case No: DIR-2013-3678-DB
Address: 1209-1215 South Bedford Street
Community Plan: Wilshire
Zone: [Q]R3-1-O
Council District: 5
CEQA No.: ENV-2013-3677-MND

EXTENSION OF TIME

On May 1, 2014, the Deputy Advisory Agency approved Vesting Tentative Tract Map No VTT-72415 for a new 21-unit residential condominium including 2-units set aside for Very Low-Income households, as shown on map stamp-dated November 15, 2013, in Wilshire Community Plan. In accordance with the provisions of Section 17.07 A2 of the Los Angeles Municipal Code, the Deputy Advisory Agency hereby grants a 6-year extension from the decision date for the recording of the final map for VTT-72415-CN located at 1209-1215 S. Bedford Street, in the Wilshire Community Plan Area.

Therefore, the new expiration date for the subject map is **May 13, 2023**, and no further extension time to record a final map can be granted.

Vincent P. Bertoni, AICP
Director of Planning

Bob Duenas
Principal City Planner

FOR

NM:SG