BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: VESTING TENTATIVE TRACT (VTT) NO. 74765 – RECOMMENDATION TO THE ADVISORY AGENCY FOR LAND DEDICATION OR IN-LIEU PARK FEE PAYMENT

AP Diaz *  
*R. Barajas  
H. Fujita  
V. Israel  
N. Williams

Approved ✔ Disapproved Withdrawn

RECOMMENDATIONS

1. Recommend that the Advisory Agency require Vesting Tentative Tract (VTT)-74765 (Project) to pay the in-lieu park fee to the City in order to fulfill the Project’s requirements under provisions of Los Angeles Municipal Code Section 12.33;

2. Direct the General Manager or his designee to provide a report to the Advisory Agency informing it of the Board’s recommendation.

SUMMARY

Ordinance 184,505 (Parks Dedication and Fee Update ordinance) became effective on January 11, 2017. Ordinance 184,505 requires most residential projects that create new dwelling units or joint living and work quarters to dedicate land, or to pay a fee in-lieu (Park Fee), for the purpose of developing park and recreational facilities. Residential projects that propose one or more additional dwelling units are subject to these requirements unless they meet one of the exceptions listed in Los Angeles Municipal Code Section 12.33 C.3 (e.g. certain affordable housing units and secondary dwelling units may be exempt from any requirement to pay a fee).

Pursuant to Los Angeles Municipal Code Section 17.04 (Subdivision Committee), the Department of Recreation and Parks (RAP) is to submit a report to the Advisory Agency for each application for subdivision map approval and that report “shall contain recommendations, approved by the Board of Recreation and Park Commissioners, specifying the land to be dedicated, the payment of fees in lieu thereof, or a combination of both ... ”.
VTT-74765 (Project) is located at 670 Mesquit Street in Downtown Los Angeles in the Arts District community. The Project is a mixed-use development consisting of three hundred eight (308) dwelling units, fifty (50) of which will be affordable dwelling units. The Project, as currently proposed, includes the construction of approximately 1.8 million square feet of mixed-use floor area potentially consisting of office, multi-family residential units, hotel, and commercial space.

The Project proposes to provide open space for residents and visitors in the community by providing integrated landscaping throughout the site, terraced walkways, rooftop gardens that include landscaping, and trees and relaxation areas. The northern portion of the Project Site is adjacent to the Sixth Street Bridge. The Project proposes making approximately 12,000 square feet of the northern portion of the Project Site open to the public and plans to design that area in a manner consistent with the public open space improvements proposed to be developed as a part of the 6th Street Viaduct Replacement Project. Additionally, the Project may include a large publicly-accessible and landscaped riverfront pedestrian deck that would span the length of the Project site. This proposed deck would project over adjacent railyard/railway property and provide a connection to the Los Angeles River. In order to develop the proposed deck the Project would need to acquire air rights from Amtrak, Metro, and BNSF Railway, which all control various portions of the railyard/railway to the east of the Project Site.

Conceptual renderings of Project are attached. (Attachment 1).

On January 23, 2017, RAP staff held an Early Consultation meeting with the Project representatives. At that meeting, staff discussed the requirements of Los Angeles Municipal Code Section 12.33, including options for parkland dedications, satisfaction of Park Fees, and recreational credits.

On March 8, 2017, the Advisory Agency distributed a notification to RAP requesting RAP provide its report and recommendations on the Project. The requested report is due to the Advisory Agency by April 17, 2017. The notification from the Advisory Agency indicated that if no written report is provided to the Advisory Agency by that date, the Advisory Agency would assume that RAP has no report to make.

REQUIRED LAND DEDICATION / IN-LIEU FEE PAYMENT

Land Dedication

Pursuant to Los Angeles Municipal Code Section 12.33 D, residential subdivision projects with more than fifty (50) residential dwelling units can be required by the City to dedicate land to the City for park and recreation purposes. The amount of land to be dedicated is calculated based on the formula detailed in Los Angeles Municipal Code Section 12.33 D.2:
• **LD** = (**DU** x **P**) x **F**
  o **LD** = Land to be dedicated in acres.
  o **DU** = Total number of new market-rate dwelling units.
  o **P** = Average number of people per occupied dwelling unit as determined by the most recent version of the U.S. Census for the City of Los Angeles.
    • **P** = 2.88
  o **F** = Park Service factor, as indicated by the Department of Recreation and Parks rate and fee schedule.
    • **F** = 0.00186 (1.86 acres of park land per 1,000 residents)

The maximum required land dedication for the Project would be:

$$1.65 \text{ Acres}^* = (308 \times 2.88) \times 0.00186$$

*The maximum required land dedication is subject to change based on the number of exempt dwelling units included as part of the Project.

Per Los Angeles Municipal Code Section 12.33 D.3, land dedications may be made on-site or off-site of the project location. Any land dedication shall be located within a certain radius of the project site, as specified below:

a) Neighborhood Park: within a 2-mile radius  
b) Community Park: within a 5-mile radius  
c) Regional Park: within a 10-mile radius

Should the Advisory Agency require the Project to dedicate land to the City, RAP staff will prepare a subsequent report to the Board relative to the proposed land dedication. The Board may accept or decline the proposed land dedication.

**Park Fee Payment**

Pursuant to Los Angeles Municipal Code Section 12.33, the Park Fee amount is determined by the type of residential development project (either Subdivision or Non-Subdivision). RAP collects these fees pursuant to Los Angeles Municipal Code Section 19.17 and according to the schedule specified in the Park Fees Section of the Department of Recreation and Parks' Rate and Fee Schedule. Residential subdivision projects are subject to the Quimby in-lieu fee and, as of January 11, 2017, shall pay:

- **$8,122.50 per each new non-exempt dwelling unit**

The maximum required Park Fees payment for the Project would be:

$$2,501,730.00^* = 8,122.50 \times 308 \text{ dwelling units}$$
*The maximum required Park Fees payment is subject to change depending on the Park Fee schedule in effect in the year of payment; the number of exempt dwelling units included as part of the Project; any Dwelling Unit Construction Tax previously paid by the Project; and, any credits granted by RAP to the Project for eligible privately owned recreational facilities and amenities.

STAFF RECOMMENDATION

For each proposed residential development project RAP staff analyzes the project location, anticipated new population, nearby existing parks, planned or proposed future parks, service radius gaps, planning and policy documents, etc., in order for staff to determine which mechanism, land dedication or Park Fee payment, to recommend for the Board’s review and approval. RAP staff also takes into consideration the goals and objectives of various planning and policy documents. The Mayor’s Sustainability pLAN, for example, sets a goal of increasing the percentage of Angelinos living within a one-half (1/2) mile from a park from its current level of fifty-four percent (54%) to sixty-five percent (65%) by 2025 and to seventy-five percent (75%) by 2035.

The Project is located in Downtown Los Angeles in the Arts District community. Currently, industrial buildings are located at the Project site. The Los Angeles River and railway tracks are immediately adjacent to the east side of the Project. To the north, west, and south of the Project site are a mix of industrial and apartment buildings. The Project is immediately adjacent to the 6th Street Viaduct, a bridge over the Los Angeles River, connecting the Arts District to Boyle Heights. The 6th Street Bridge which was recently demolished and is presently in the process of being replaced.

There are no public parks within a one-half (½) mile walking distance from the project site. The nearest public park to the project site is the Arts District Park, a 0.5 acre park located at 501 S. Hewitt Street. In order for Project residents to access Arts District Park, residents would need to traverse a semi-industrial area in which several streets lack sidewalks. Hollenbeck Park, a 18.30 acre park located at 415 South Saint Louis Street in Boyle Heights, is another nearby park. Hollenbeck Park is separated from the Project by the Los Angeles River and railyard railway property. A map showing the Project location and nearby public parks is attached hereto (Attachment 2).

There is one public park proposed to be developed within a one-half (½) mile walking distance from the project site. The 6th Street Viaduct Replacement Project, which is currently in design, conceptually includes the development of a twelve (12) acres of park space underneath the new 6th Street Viaduct on both the Boyle Heights and Arts District sides of the Los Angeles River. Construction of the park is planned to be coordinated with the construction of the new bridge, which is expected to be completed at the end of 2020. If a new public park were provided at the Project location, approximately six hundred eight (608) new residents within a one-half (½) mile would be served by that new park (Attachment 3).
Given the above, RAP's staff recommends that the appropriate mitigation measure for this project is the payment of Park Fees rather than requiring Project to dedicate park land to the City. The twelve (12) acres of park space proposed to be created as a part of 6th Street Viaduct Replacement Project will be immediately adjacent to the Project and the recreational amenities proposed to be created there will be easily accessible to future Project residents and should provide sufficient recreation amenities to serve the needs of those residents.

FISCAL IMPACT STATEMENT

The acceptance of the Park Fee will have no impact on the RAP's General Fund.

This Report was prepared by Meghan Luera, Management Assistant, Planning, Construction and Maintenance Branch, Department of Recreation and Parks.

LIST OF ATTACHMENTS

1) Conceptual Project Renderings
2) Project Location and Surrounding Parks
3) EPADSS Report
The land referred to herein below is situated in the City of Los Angeles, in the County of Los Angeles, State of California, and is described as follows:

PARCEL 1:

All of Lots 78, 79, 80, and 81 of the Westside Tract in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded October 1, 1886, in Book 15, page 110 of Official Records, in the Office of the County Recorder of said County, described as follows:

Beginning at the Northwest corner of said Lots 78, 79, 80, and 81, thence East along the West boundary of said Lots 78, 79, 80, and 81, 170 feet, thence North along the South boundary of said Lots 78, 79, 80, and 81, 170 feet, thence West along the East boundary of said Lots 78, 79, 80, and 81, 170 feet, thence South along the North boundary of said Lots 78, 79, 80, and 81, 170 feet to the point of beginning.

EXCEPT THEREFROM, THE INSTRUMENT NO. 3 of OFFICIAL RECORDS; SAID LAND IS DESCRIBED 20', THENCE, SUCH RIGHTS SHALL IN NO WAY INTERFERE WITH OR IMPAIR THE USE OF EAST 1924 IN BOOK 4052, PAGE 242, OF OFFICIAL RECORDS, INSTRUMENT NO. 3, A FILED IN BOOK 58, PAGE 32, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EAST LINE OF MODER STREET, EAST 200 FEET, AS SHOWN ON MAP DETAINED HORTON V. WALTER, SAID EAST LINE, 420 FEET FROM THE SOUTH LINE OF SAID TRACT, AND EAST OF THE CENTER OF SAID STREET. THENCE NORTH 84', 50' 19.60 WEST, 625.89 FEET, MORE OR LESS, TO THE EAST LINE OF SAID STREET, THENCE ALONG THE EAST END OF SAID STREET TO THE CENTER OF THE GOODWIN TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS SHOWN ON MAP RECORDED BOOK 15, PAGE 304, OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. BEGINNING AT A POINT IN THE EAST LINE OF MODER STREET, EAST 200 FEET, AS SHOWN ON MAP DETAINED HORTON V. WALTER, SAID EAST LINE, 420 FEET FROM THE SOUTH LINE OF SAID TRACT, AND EAST OF THE CENTER OF SAID STREET. THENCE NORTH 84', 50' 19.60 WEST, 625.89 FEET, MORE OR LESS, TO THE EAST LINE OF SAID STREET, THENCE ALONG THE EAST END OF SAID STREET TO THE CENTER OF THE GOODWIN TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS SHOWN ON MAP RECORDED BOOK 15, PAGE 304, OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM, THAT PORTION OF THAT PARCEL OF LAND DESCRIED AS PARCEL 3, A FILED IN BOOK 4052, PAGE 242, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, THE EXCEPTION TO BE IN THE MANNER HEREWITH DESCRIBED, THENCE SOUTH 10' 36' EAST 138.32 FEET, THENCE SOUTH 10' 36' WEST 138.32 FEET, THENCE SOUTH 10' 36' EAST 138.32 FEET, TO THE CENTER OF THE GOODWIN TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS SHOWN ON MAP RECORDED BOOK 15, PAGE 304, OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

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### Population and Age Breakdown

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<th>Total Residents</th>
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### Household and Income Breakdown

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Source: Census/ACS 2010