

# BOARD OF RECREATION AND PARK COMMISSIONERS

**NO**. 23-134

DATE	July 20, 2023	<u> </u>			C.D	10
BOARD OF	RECREATION AND PA	ARK COM	MISSIONER	S		
SUBJECT:	VESTING TENT. RECOMMENDATION OR IN-LIEU PARK F	N TO THE	<b>ADVISORY</b>		VTT-83914-0 FOR LAND	
B. Aguirre B. Jones B. Jackson	M. Rudnick For C. Santo Domir * N. Williams	ngo DF	_ _ _			
				91	h	
				Ge	eneral Manag	ger
Approved _	X	Disappro	ved		Withdra	wn

#### **RECOMMENDATIONS**

**BOARD REPORT** 

- Recommend that the Advisory Agency require Vesting Tentative Tract (VTT) 83914-CN-HCA (Project) to provide a land dedication or a combination of land dedication and in-lieu fee payment to the City in order to fulfill the Project's requirements under provisions of Los Angeles Municipal Code (LAMC) Section 12.33; and,
- 2. Authorize the Department of Recreation and Parks' (RAP) General Manager or designee to provide a Report to the Advisory Agency informing them of the Board of Recreation and Parks Commissioners' (Board) 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 LAMC 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).

LAMC Section 17.03 (Advisory Agency) states in part that, "[t]he Advisory Agency is charged with the duty of making investigations and reports on the design and improvement of proposed subdivisions, of requiring the dedication of land, the payment of fees in lieu thereof, or a combination of both, for the acquisition and development of park and recreation sites and facilities...". The Director of the City Planning Department (City Planning) is designated as the

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Advisory Agency for the City of Los Angeles and is authorized to act in such capacity through one or more deputies appointed by him or her for that purpose.

LAMC Section 17.04 (Subdivision Committee) states that 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 Parks Commissioners (Board), specifying the land to be dedicated, the payment of fees in lieu thereof, or a combination of both for the acquisition and development of park or recreational sites and facilities to serve the future inhabitants of such subdivision... ".

# **PROJECT SUMMARY**

The Project is located at 3100 West Wilshire Boulevard in the Koreatown community of the City. The Project, as currently proposed, includes the construction of a 33-story tower with 297 residential condominium units, of which 33 will be restricted as affordable, as well as 7,110 feet of outdoor dining and commercial uses, and subterranean parking. The Project will integrate and maintain the existing commercial building.

The Project also includes 18,494 square feet of common open space in the form of a Level 7 pool and amenity deck, Level 32 pool and amenity deck, and a Level 3 indoor common space.

The Project, as submitted to City Planning, is not proposing to make a land dedication to the City of Los Angeles either on-site or off-site of the Project location.

Conceptual renderings of the Project are attached as Attachment 1.

#### EARLY CONSULTATION MEETING

Pursuant to LAMC Section 12.33 D.1, applicants of residential Subdivision projects with more than fifty (50) residential dwelling units are required to meet with RAP and City Planning prior to submitting a tract map application to City Planning. Per LAMC Section 12.33 D.1, "[t]he purpose of this early consultation is to discuss whether the City requires land dedication for the project and/or to discuss credits available to the applicant, if any."

RAP and City Planning staff held an Early Consultation meeting with Project representatives on <u>December 12, 2022</u>. The meeting included a discussion of the requirements of Los Angeles Municipal Code Section 12.33, the maximum land dedication that the Project could be required to provide, options and opportunities for on-site or off-site park land dedications, the calculation of Park Fees, and the various recreational credits available to the Project.

## **ADVISORY AGENCY**

The Project filed a tract map application with City Planning on <u>June 5, 2023</u>. On June 22, 2023, the Advisory Agency sent RAP a notification requesting RAP provide its report and recommendations on the Project by <u>August 1, 2023</u>. The Advisory Agency Filing Notification is attached (Attachment 2).

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If no written Report is provided to the Advisory Agency, the Advisory Agency will assume that RAP has no report to make.

## REQUIRED LAND DEDICATION / IN-LIEU FEE PAYMENT

Pursuant to LAMC Section 12.33 C, "All new residential dwelling units and joint living and work quarters shall be required to dedicate land, pay a fee, or provide a combination of land dedication and fee payment for the purpose of acquiring, expanding and improving park and recreational facilities for new residents."

### Land Dedication

LAMC Section 12.33 D states that 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 maximum amount of land that the Advisory Agency could require a project to dedicate to the City is calculated based on the formula detailed in LAMC Section 12.33 D.2:

- LD = (DU x P) x F
  - LD = Land to be dedicated in acres.
  - DU = Total number of new market-rate dwelling units.
  - 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
  - F = Park Service factor, as indicated by the Department of Recreation and Parks rate and fee schedule.
    - F = 0.00251 (2.51 acres of park land per 1,000 residents)

The maximum land dedication for the Project's proposed 297 units would be:

**2.15** Acres = 
$$(297 \times 2.88) \times 0.00251$$

The amount of land that is required to be dedicated is subject to change depending on the Park Service factor in effect at the time the Project is required to dedicate the land; the number of exempt dwelling units (e.g. affordable housing units, existing dwelling units to be replaced on site, etc.) 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 improvements to dedicated park land or for eligible privately owned recreational facilities and amenities.

As currently proposed, the Project has 33 affordable units that would likely qualify for an exemption per LAMC Section 12.33 C.3. If those dwelling units are ultimately determined to be exempt, the maximum required land dedication for the Project would be:

**1.91 Acres** =  $(264 \times 2.88) \times 0.00251$ 

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Per LAMC Section 12.33 D.3, a project that is required to make a land dedication to the City may make said land dedication, or any portion thereof, either on-site or off-site of the project location. Any off-site land dedication must be located within a certain radius from 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

While the Advisory Agency has the authority to require the Project to dedicate land to the City for park purposes, the Board would need to approve any proposed park land dedication before that land can be acquired and accepted by the City. Therefore, if the Advisory Agency requires the Project to dedicate land to the City, RAP staff would need to prepare a subsequent report to the Board regarding the proposed land dedication. That report would detail the amount and location of the land being dedicated, and the improvements, if any, proposed to be developed on the dedicated property. Additionally, if it is determined that the Project will provide a combination of land dedication and fee payment, the report would also identify the amount of inlieu fees that would be owed to the City after RAP credits the Project for the amount of land being dedicated.

Per Section 66477 (7) of the California Government Code, "Only the payment of fees may be required in subdivisions containing 50 parcels or less, except that when a condominium project, stock cooperative or community apartment project, as those terms are defined in Sections 4105, 4125, and 4190 of the Civil Code, exceeds 50 dwelling units, dedication of land may be required notwithstanding that the number of parcels may be less than 50." The Project, as described in this Report, is a residential condominium project.

## In-Lieu Fee Payment

Pursuant to LAMC Section 12.33, the Park Fee amount is determined by the type of residential development project (Subdivision or Non-Subdivision) being developed. RAP shall collect these fees pursuant to LAMC Section 19.17 and the Park Fees Section of RAP's Rate and Fee Schedule. As of July 1, 2023, Residential Subdivision projects that are subject to the Subdivision fee shall pay:

## \$16,758.00 x number of new non-exempt dwelling units

The **maximum** Park Fees payment for the Project's proposed 297 units would be:

**\$ 4,977,126.00** = \$16,758.00 x 297 dwelling units

As currently proposed, the Project has 33 dwelling units that would likely qualify for an exemption per LAMC Section 12.33 C.3. If those dwelling units are ultimately determined to be exempt, the maximum required Park Fee payment for the Project would be:

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## **\$4,424,112.00** = \$16,758.00 x 264 dwelling unit

The amount of Park Fees that are required to be paid is subject to change depending on the Park Fee schedule in effect in the year of payment; the number of exempt dwelling units (e.g. affordable housing units, existing dwelling units to be replaced on site, etc.) 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 improvements to dedicated park land or for eligible privately owned recreational facilities and amenities.

Per LAMC Section 12.33 E.3, any Park Fees collected by the City shall be expended within a certain radius from 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

#### STAFF ANALYSIS AND RECOMMENDATION

In order for RAP staff to determine which mechanism, land dedication or payment of Park Fees, to recommend for the Board's review and approval, RAP staff analyzes each proposed development project including its location, new population, surrounding parks, any nearby active or proposed park acquisition or park development project, existing park service radius gaps, etc. RAP staff also analyzes any parks, open spaces, or recreational areas anticipated to be provided by each proposed development project in order to determine if those facilities would reduce the need for new public recreation and park facilitates to serve the project residents.

One of the most critical factors that RAP staff uses to analyze proposed developments is existing park service radius gaps. According to the Trust for Public Land 2022 Park Score Index, approximately 63% of residents in the City of Los Angeles live within a 10-minute walk, from a public park or open space. The Mayor's Office of Sustainability Plan sets a goal of increasing the percentage of Angelenos living within a one-half mile from a park to at least 65% by 2025; 75% by 2035; and 100% by 2050. RAP has employed a variety of strategies, such as the 50 Parks Initiative, that are intended to increase park access and meet these park access goals.

## Site Analysis

The Project site is located within the Koreatown community of the City and within the Wilshire Community Plan Area. Currently, the Project site is made up of various commercial businesses and a parking lot.

An aerial view of the Project site is attached hereto (Attachment 3). A map showing the generalized zoning of the Project site and the Community Plan Area is also attached (Attachment 4).

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The Project is located in a high density area of the City. Below is an analysis of the density of the area within walking distance of the Project site and a comparison to both citywide density and local community density:

- Half-mile walking distance of the Project site (EPADSS): 18,860 persons (34,926 persons per square mile).
- City of Los Angeles Population Density (2017-2021 American Community Survey): 8,312 persons per square mile.
- Wilshire Community Plan Area (2017-2021 American Community Survey): 19,353 persons per square mile.

#### Project Open Space and Recreational Areas

As previously discussed, the Project also includes 18,494 square feet of common open space in the form of pools and amenity decks, an outdoor terrace, and other indoor amenities.

The amount of common open space being provided by the Project does not appear to exceed the amount of open space the Project would otherwise be required to provide per LAMC (or other planning documents, specific plans, etc.). Additionally, it does not appear that these open spaces will include the type and variety of active and passive recreational facilities and amenities that are typically found in the City's Neighborhood and Community Parks and that are needed to meet the needs of residents of all ages and abilities.

As currently proposed, these recreational amenities would likely not significantly reduce the Project's impact on existing public recreational and park facilities nor would they likely significantly reduce the need for new or expanded public recreational and park facilities.

# Public Park Access

There are four (4) public parks within a half-mile walking distance of the Project site:

- Robert F. Kennedy Inspiration Park is located at 3384 Wilshire Boulevard in the Koreatown community of the City. This 0.15-acre facility provides a memorial dedicated to the life of Robert F. Kennedy, located very close to the site where he was assassinated in 1968, as well as benches and landscaping. This property is owned by LAUSD and operated by RAP.
- Shatto Park Recreation Center is located at 3191 4<sup>th</sup> Street in the Koreatown community of the City. This 5.45-acre facility provides tennis courts, pickleball courts, basketball courts, a baseball field, a gymnasium, and an auditorium for the surrounding community.
- Lafayette Park is located at 625 South La Fayette Park Place in the MacArthur Park community of the City. This 9.72-acre facility provides a skate park, a soccer field, a library, picnic tables, and a recreation center for the surrounding community.
- Francis Avenue Community Garden is located at 2909 West Francis Avenue in the MacArthur Park community of the City. This 0.15-acre facility provides a community garden.

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A map showing the project location and nearby public parks is attached (Attachment 5).

As previously noted in this Report, a land dedication for a new public park could be located either on-site or off-site of the Project location. If a new public park was provided at the Project location the park would serve the new residents of the Project and would serve approximately **zero (0)** new, previously unserved, residents within a half-mile walking distance (Attachment 5). If a new public park was provided off-site of the Project location the park would serve the new residents of the Project as well as an unknown number of new, previously unserved, residents within a half-mile walking distance. If the proposed Project does elect to make some or all of its required land dedication off-site, staff would work with the Project to identify a site that would serve project residents, help close an existing park service area gap, and maximize, to the extent feasible, the number of new residents who would be within a half-mile walking distance of a public park.

#### Staff Recommendation

RAP staff recommends that the appropriate mitigation measure for this proposed Project is the dedication of land or a combination of land dedication and in-lieu fee payment to the City as the Project is proposing the construction of condominium units and it is located in a high density area of the City. The proposed Project's common open space amenities will not reduce the impact on the park system.

#### FISCAL IMPACT

As it is not known at this time if the Advisory Agency will recommend the proposed Project dedicate park land to the City or to pay Park Fees, the potential Fiscal Impact to the RAP's General Fund is unknown.

# STRATEGIC PLAN INITIATIVES AND GOALS

Approval of this Board Report advances RAP's Strategic Plan by supporting:

**Goal No. 3:** Create & Maintain World Class Parks and Facilities **Outcome No. 3:** Increased park maintenance, with a focus on cleanliness.

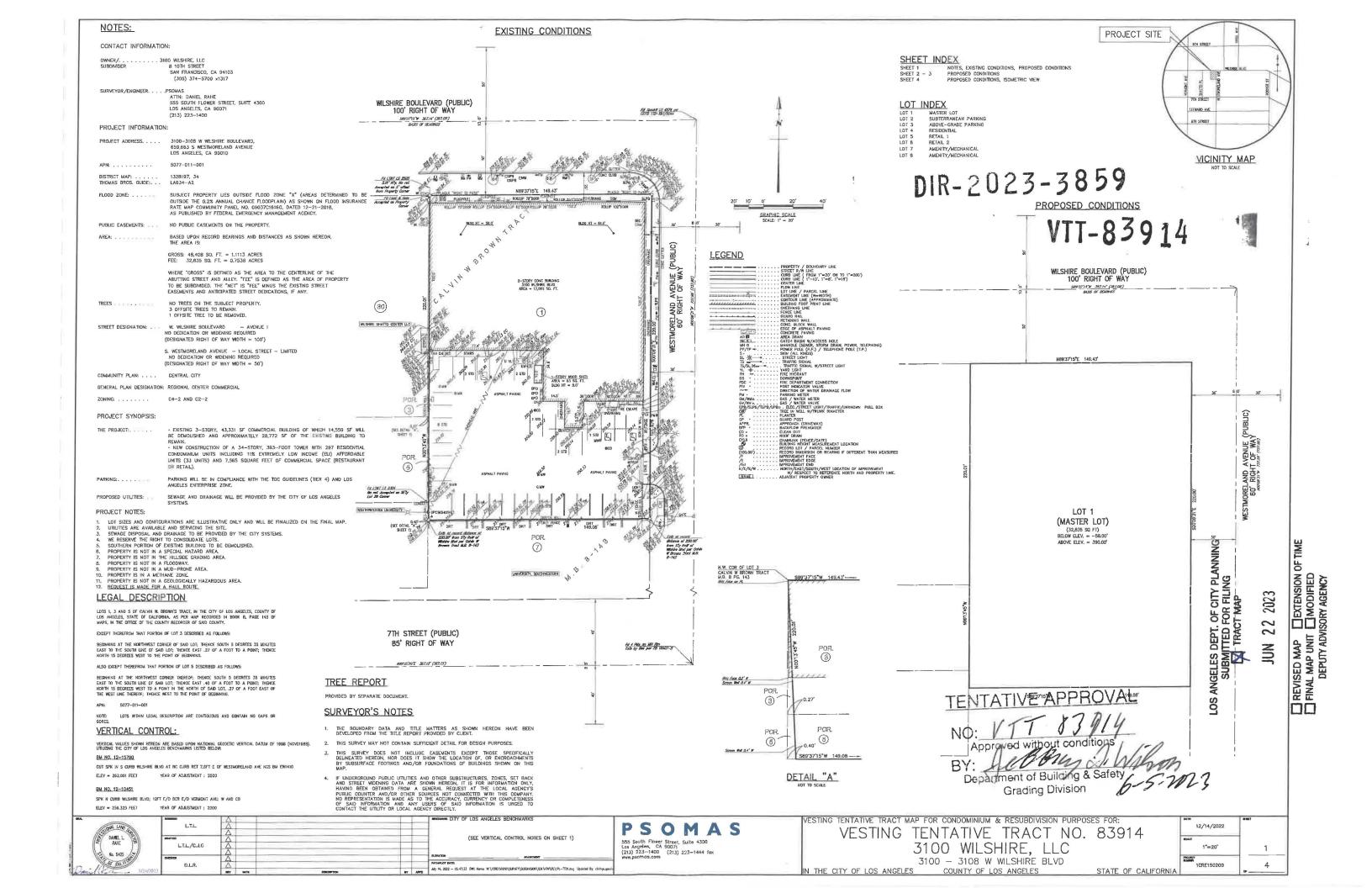
**Result:** Collected fees will mitigate the impact of the development on the park system and fund capital improvements at existing parks in the Project area.

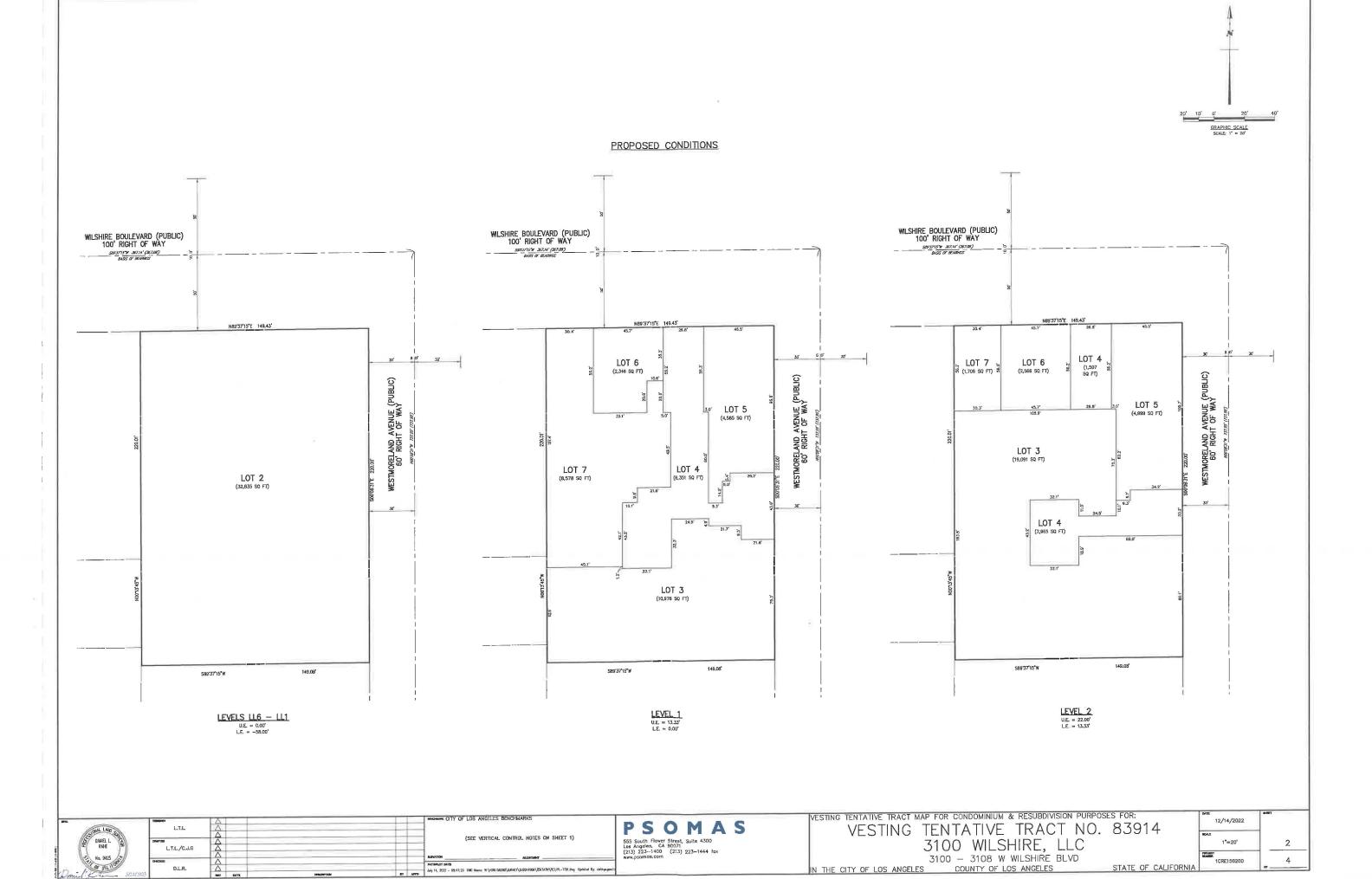
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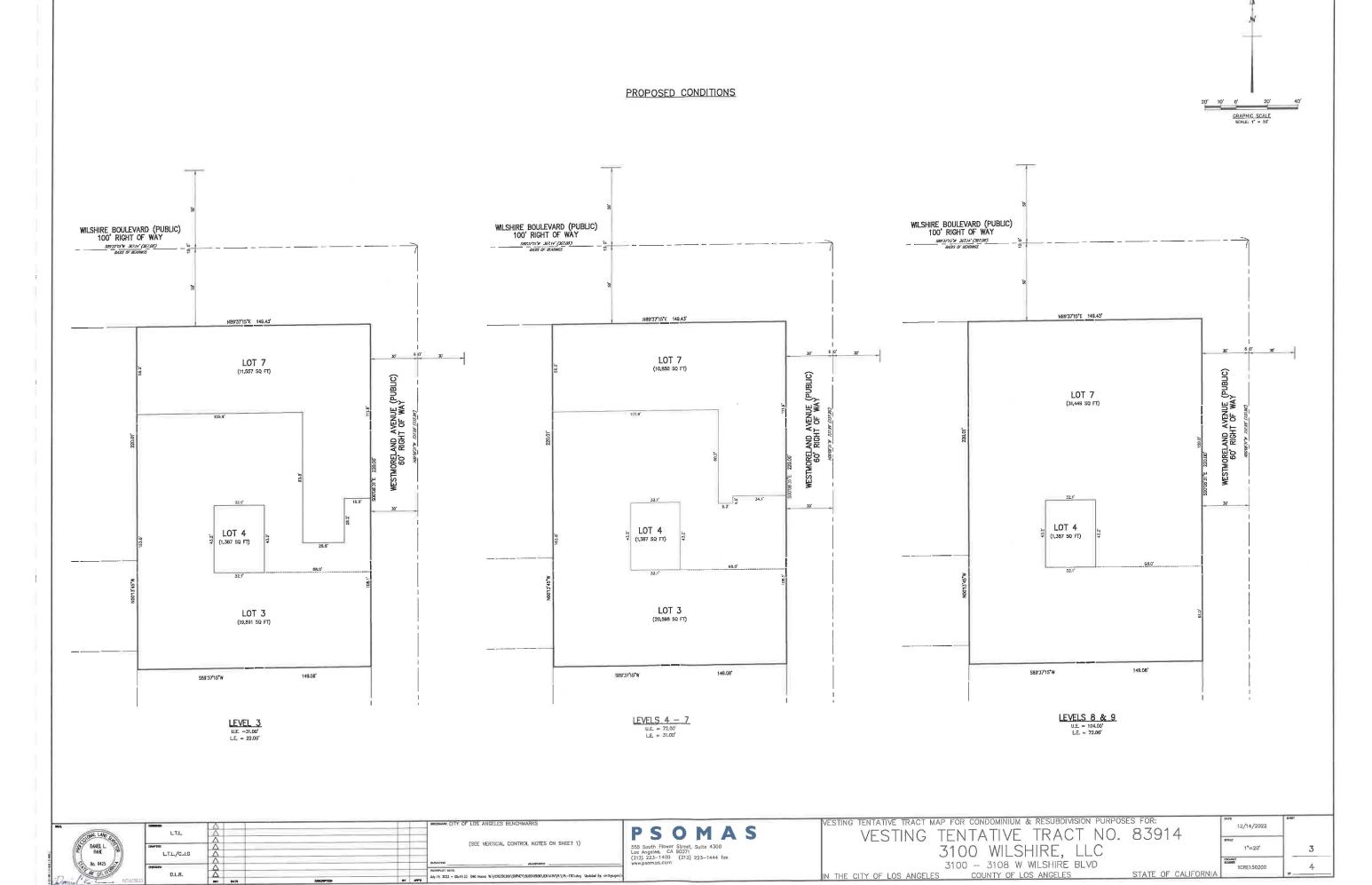
This Report was prepared by Robert Eastland, Management Assistant, Planning, Maintenance and Construction Branch.

# **LIST OF ATTACHMENTS**

- 1) Attachment 1 Proposed Subdivision Map
- 2) Attachment 2 Advisory Agency Filing Notice
- 3) Attachment 3 Aerial View of Project Site
- 4) Attachment 4 Generalized Zoning
- 5) Attachment 5 Project Location and Surrounding Parks
- 6) Attachment 6 EPADSS Report



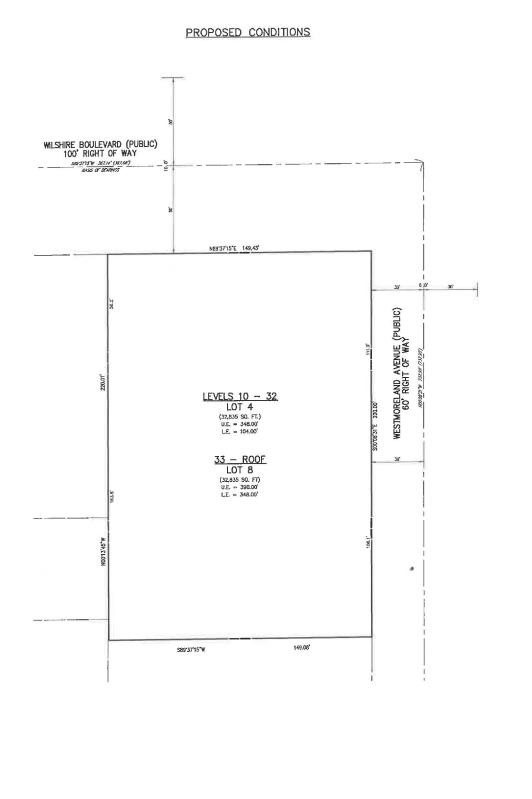


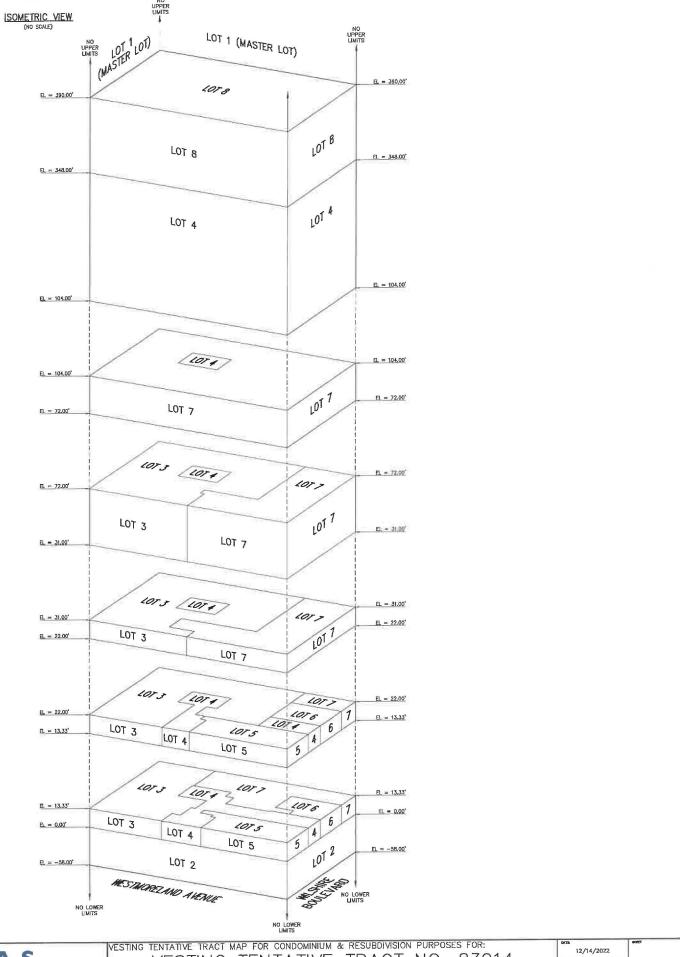


LT.L/C.J.G

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# CITY OF LOS ANGELES CALIFORNIA



KAREN BASS

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# Filing Notification and Distribution

**ADDRESS: 3100 W WILSHIRE BLVD** DATE OF FILING AND MAP STAMP DATE: 6/5/2023 VTT- MAP NO: VTT-83914-CN-HCA **COMMUNITY PLAN: Wilshire** ENV-2023-3860-EAF **EXPEDITED DEEMED COMPLETE AND DISTRIBUTION** DATE: 6/22/2023 PROCESSING SECTION Hillside: ( ) Yes (X) No (X) COUNCIL DISTRICT NO: 10 ( ) Community Plan Revision (X) Neighborhood Planning (Check Office below) (X) Department of Recreation and Parks Valley (X) Bureau of Street Services- Urban Forestry West Los Angeles (X) Bureau of Street Lighting (No. P.S.) ( ) ( ) ( ) Animal Regulation (Hillside) (X) Housing Department Metro E/S (X) Department of Public Works (X) Board of Education (No P.S.) (X) Los Angeles County Health Department Bureau of Engineering (**X**) (X) Bureau of Sanitation (No P.S.) Department of Building and Safety ( ) City of Beverly Hills (**X**) **Grading Engineer** (See Counter Map) (No P.S.) (X) Zoning Engineer ( ) Valley DOT – Taghi Gharagozli (X) Department of Transportation (X) Imaging Services Department of Water and Power (X) GIS - c/o Fae Tsukamoto (X) Wilshire Center-Koreatown Neighborhood **Underground Design** (X)Real Estate Council N.C. please respond with comments within 90 Water System days from "deemed complete and distribution date" (LISTED ABOVE). Fire Department (mark "Fire")

The above tract has been filed with City Planning, Expedited Processing Section.

The assigned planner for this case will await your report and recommendation regarding the above matter for 39 days. If we have not received a written report from you after 40 days from the date of filing, we will assume that you have no report to make.

Vincent P. Bertoni, **Director of Planning** 

## Nora Morales

Heather Bleemers, Senior City Planner **Expedited Processing Section** CP-6300 (1/21/09)

# RECOMMENDATION REPORTS DUE BY: 08/01/2023

Please forward reports to the following e-mail address:

planning.expedited@lacity.org





# **E-PADSS Map Output**







**LEGEND** 

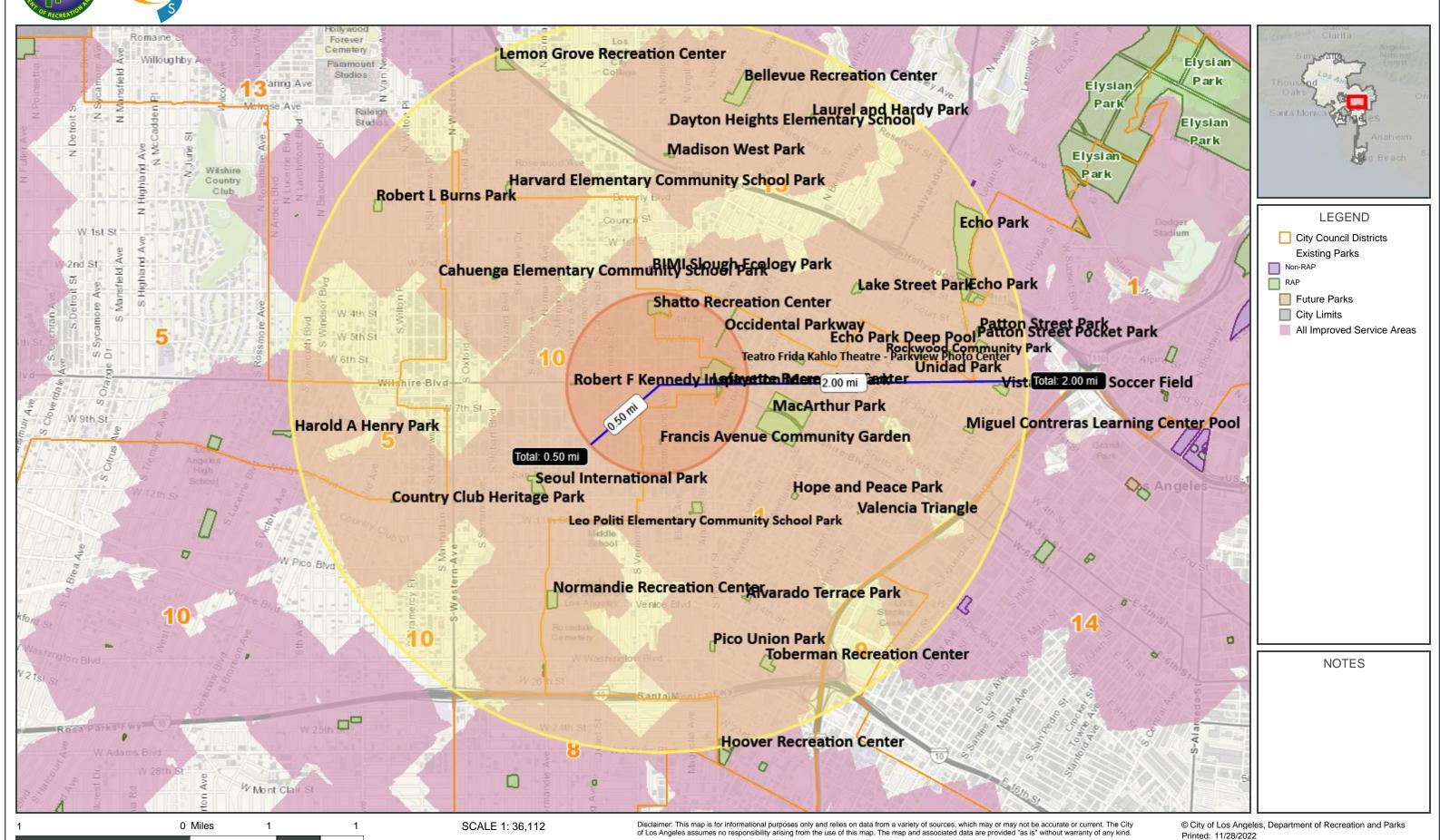
City Limits

**NOTES** 

City of Los Angeles ZIMAS PUBLIC Department of City Planning Generalized Zoning 06/29/2023 VALLEY VILLAGE UNIVERSAL GLENDALE EAGLE ROCK PASADENA HIGHLAND PARK HOLLYWOOD LOS FELIZ MOUNT SOUTH PASADENA GLASSELL PARK WASHINGTON HOLLYWOOD MONTEREY HILLS BEVERLY HILLS PARK LA BREA **Project Site** CHINATOWN CITY TER RANCHO PARK CHEVIOT CULVER CITY VIEW PARK SOUTH LOS ANGELES VERNON WINDSOR HILLS FOX HILLS LADERA Zoning: C4-2 Address: 3100 W WILSHIRE BLVD Tract: CALVIN W. BROWN'S TRACT General Plan: Regional Center Commercial APN: 5077011001 Block: None PIN #: 132B197 34 Lot: 1 Arb: None



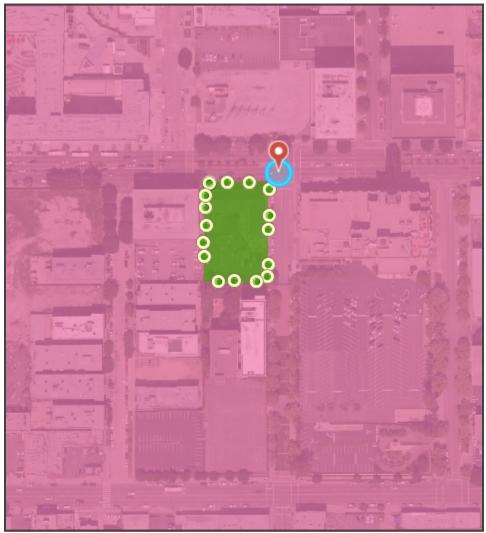








# **Park Analysis Report**



#### **Scenario Information**

Scenario Name:

VTT-83914

Description:

3100, 3102, 3104, 3108 West Wilshire Boulevard & 659, 633 South Westmoreland Avenue

Scenario Type:

New Park

Park Class:

Improved

Baseline Dataset\*:

All Parks (RAP and Non-RAP)

\*The baseline dataset is the existing parks dataset whose service areas are used to calculate the currently non-served metrics given below in blue. These residents and households, which would be served by the proposed park, are not currently served by any existing park in the baseline dataset.

# **Population and Age Breakdown**

#### **Household and Income Breakdown**

Residents Served: 18,860 0 Households Served: 7,828 0

Resider	nts Served by Age		Households Served by Annual Income			
Under Age 5:	1,308	0	Under \$25,000:	3,375	0	
Age 5 to 9:	954	0	\$25,000 to \$34,999:	1,316	0	
Age 10 to 14:	887	0	\$35,000 to \$49,999:	1,036	0	
Age 15 to 17:	599	0	\$50,000 to \$74,999:	1,150	0	
Age 18 to 64:	13,483	0	\$75,000 and Over:	951	0	
Age 65 and Over:	1,629	0		Source	: Census/ACS 2010	

City of Los Angeles Department of Recreation and Parks Date Generated: 11/28/2022 Disclaimer: This report is for informational purposes only and relies on data from a variety of sources, which may or may not be accurate or current. The City of Los Angeles assumes no responsibility arising from the use of this report. The map and associated data are provided "as is" without warranty of any kind.