

APPROVED

JAN 16 2019

BOARD OF RECREATION AND PARK COMMISSIONERS

BOARD REPORT

NO. 19-021

DATE January 16, 2019

C.D. 15

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: VESTING TENTATIVE TRACT (VTT) NO. 74520 – RECOMMENDATION TO THE ADVISORY AGENCY FOR LAND DEDICATION OR IN-LIEU PARK FEE PAYMENT

AP Diaz	_____	V. Israel	_____
<i>for</i> *R. Barajas	<u>RPB</u>	S. Piña-Cortez	_____
H. Fujita	_____	N. Williams	_____



General Manager

Approved X Disapproved _____ Withdrawn _____

RECOMMENDATIONS

1. Recommend that the Advisory Agency require Vesting Tentative Tract (VTT) 74520 (Project) to pay in-lieu fees to the City, in order to fulfill the Project's requirements under provisions of Los Angeles Municipal Code 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 Park 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 Los Angeles Municipal Code Section (LAMC) 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 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 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.

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LAMC Section 17.04 (Subdivision Committee) states that 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 for the acquisition and development of park or recreational sites and facilities to serve the future inhabitants of such subdivision...".

PROJECT SUMMARY

VTT 74520 (Project) is located at 1309 and 1311 West Sepulveda Boulevard in the Harbor Gateway area of the City. The Project site is approximately 5.18 gross acres and is presently under construction with the development of 352 residential dwelling units. The Project, as currently proposed, includes subdivision of land to enable the sale of these units as Residential Condominiums.

The Project also includes exterior and interior private open space and common open space.

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 **August 1, 2018**. 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 May 17, 2017. On April 4, 2018, the Advisory Agency sent RAP a notification requesting RAP provide its report and recommendations on the Project by **May 14, 2018**. The Advisory Agency Filing Notification is attached (Attachment 1).

Given that the case was filed prior to the applicant satisfying the requirement for an early consultation meeting RAP requested that the case be placed on hold until such time as the provisions of LAMC Section 17.04 could be met. If no written Report is provided to the Advisory Agency, the Advisory Agency will assume that RAP has no report to make.

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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.”

LAMC 12.33 D.2.b states “Any land dedication for park and recreation purposes shall not be deducted from a site’s gross lot area for the purposes of calculating project density, lot area, buildable area or floor area ratio.”

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 352 units would be:

$$2.54 \text{ Acres} = (352 \times 2.88) \times 0.00251$$

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.

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:

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- 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 of Recreation and Park Commissioners' (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 in-lieu fees that would be owed to the City after RAP credits the Project for the amount of land being dedicated.

In-Lieu Fee Payment

Pursuant to LAMC Section 12.33, the Park Fee amount is determined by the type of residential 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, 2018, residential Subdivision projects that are subject to the Subdivision fee shall pay:

\$12,607.00 x number of new non-exempt dwelling units

The maximum Park Fees payment for the Project's proposed 352 units would be:

\$4,437,664.00 = \$12,607.00 x 352 dwelling units

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 Los Angeles Municipal Code 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

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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 facilities to serve the project residents.

One of the most critical factors that RAP staff uses to analyze proposed development projects is existing park service radius gaps. Approximately fifty-four percent (54%) of residents in the City live within a one-half (1/2) mile, or a ten (10) minute walk, from a public park or open space. The Mayor's Sustainability City pLAn sets a goal of increasing the percentage of Angelinos living within a one-half mile from a park to sixty-five percent (65%) by 2025 and to seventy-five percent (75%) by 2035. RAP continues to employ 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 is located within the Harbor Gateway Community Plan Area. Currently, the site is under construction with 352 residential dwelling units. The Project site is located in a commercial and residential area and is surrounded by retail, residential, and commercial uses.

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).

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 (1/2) walking distance of the Project site (EPADSS): 1,725 persons (5,227 persons per square mile).
- City of Los Angeles Population Density (2010 United States Census): 8,092 persons per square mile.
- Harbor Gateway Community Plan Area (2014 American Community Survey): 7,943 persons per square mile.

Project Open Space and Recreational Areas

As previously discussed, the Project also includes exterior and interior private open space and common open space.

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As currently proposed, it is unknown whether or not these proposed recreational amenities would likely reduce the Project's impact on existing public recreational and park facilities or if they would reduce the need for new or expanded public recreational and park facilities.

Public Park Access

There are a number of public parks within a two (2) mile radius of the Project site. A map showing the project location and nearby park service area gaps is attached hereto (Attachment 5).

There are no RAP-operated public parks within a half (½) mile walking distance of the Project site, however, there is a RAP-operated public park, Normandale Recreation Center that is located just beyond the half (½) mile walking distance of the Project site.

As previously noted in the 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 1,725 currently non-served residents (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 (1/2) walking distance. If the 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 (1/2) walking distance of a public park.

Nearby Public Park Projects

There are no new public parks currently in development within a two (2) mile radius of the Project site:

There are no park renovation projects currently in development within a two (2) mile radius of the Project site.

Staff Recommendation

The Project is located in a high density area of the City. The density of the area within walking distance of the Project site is lower than the average density of the City and lower than the average density of the Community Plan Area (7,943 persons per square mile) in which the Project is located.

The Project site is located in an existing park service radius gap as there are no RAP-operated public parks within walking distance of the Project, however, there is a RAP-operated park, Normandale Recreation Center, just outside the ½ mile walking distance of the Project site.

If a new public park was provided at the Project location, the park would serve Project residents and 1,725 currently unserved residents within a half-mile (1/2) walking distance.

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RAP staff recommends that the appropriate mitigation measure for this Project is that the Project be required to pay in-lieu Park fees to the City.

FISCAL IMPACT STATEMENT

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

This Report was prepared by Melinda Gejer, City Planning Associate, Planning, Maintenance and Construction Branch.

LIST OF ATTACHMENTS

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

DEPARTMENT OF
CITY PLANNING

CITY PLANNING COMMISSION

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<http://planning.lacity.org>

Filing Notification and Distribution

Tract Map No. VTT-74520-CN
Tract Map Date: **March 19, 2018**
Property Address: **1309 W. Sepulveda Blvd.**
Community Plan: **Harbor Gateway**

Distribution Date: **April 4, 2018**

COUNCIL DISTRICT NO. 15

Hillside Yes No

Neighborhood Council District:

Harbor Gateway South

Community Plan Revision Division

Bureau of Engineering

Bureau of Sanitation

Dept. of Building and Safety - *Grading*

SSEID (Haul Route Only)

Dept. of Building and Safety – *Zoning*

Housing Department (No P.S.)

Dept. of Transportation

Board of Education (No P.S.)

DWP Real Estate

County Health Department (No P.S.)

DWP Water Design

GIS (Final Map & LOD)

Dept. of Fire, Engineering and Hydrant Unit

Bureau of Street Lighting

Animal Regulation (Hillside)

Department of Recreation and Parks

DATE DUE: UPON RECEIPT

Please send your reports to the following e-mail address: Steve.Garcia@lacity.org and Tyna.Hall@lacity.org.

Thank you.

Pursuant to Sections 17.50 through 17.60 of the Los Angeles Municipal Code, the attached tentative tract map is submitted for your consideration. The Advisory Agency 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.

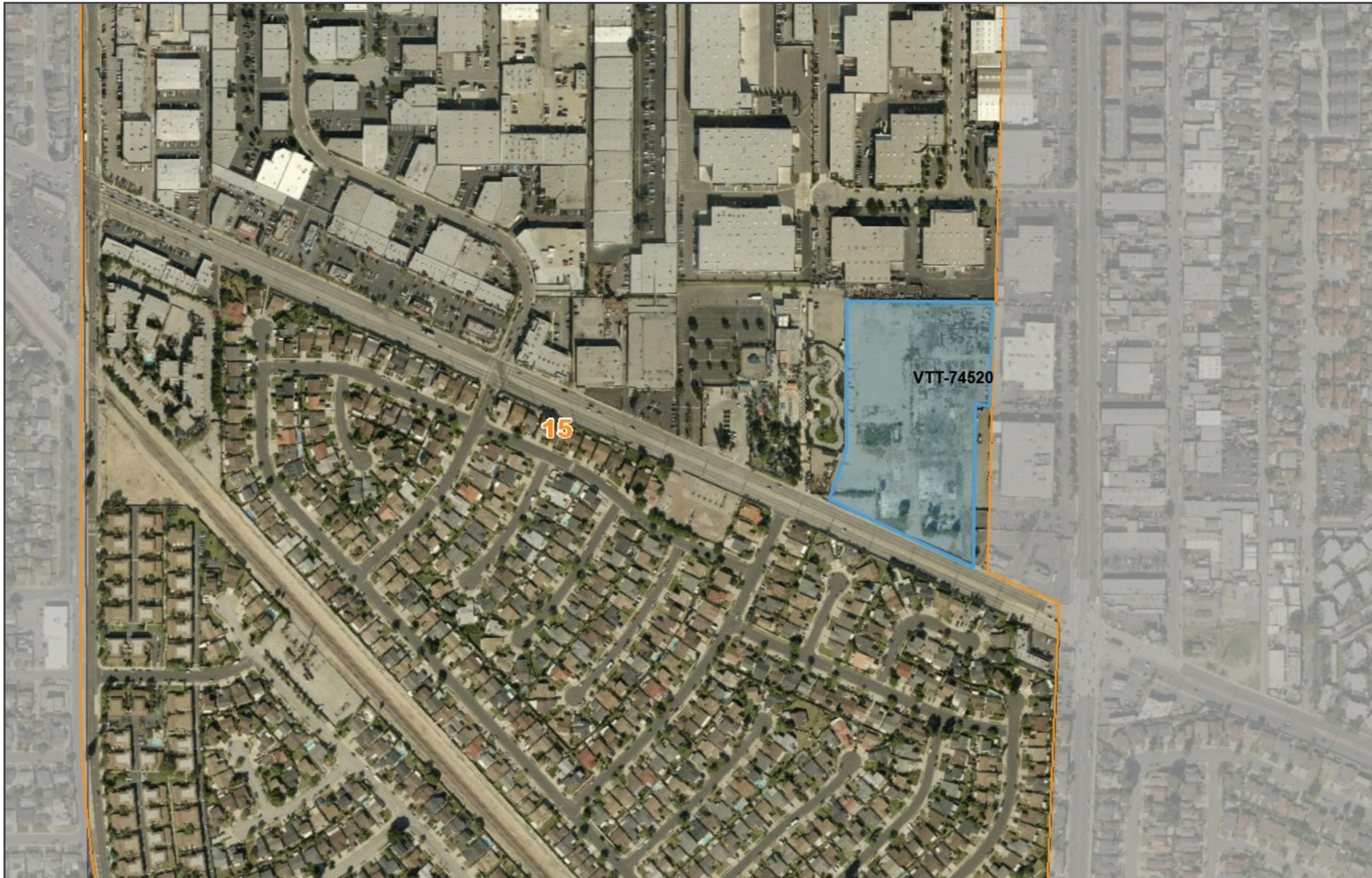
Vincent P. Bertoni, AICP
Advisory Agency

ALAN COMO
Deputy Advisory Agency



EQUITABLE PARKS & AMENITIES
DECISION SUPPORT SYSTEM

E-PADSS Map Output



LEGEND

- City Council Districts
- Existing Parks
- Non-RAP
- RAP
- City Limits

NOTES



SCALE 1: 4,514

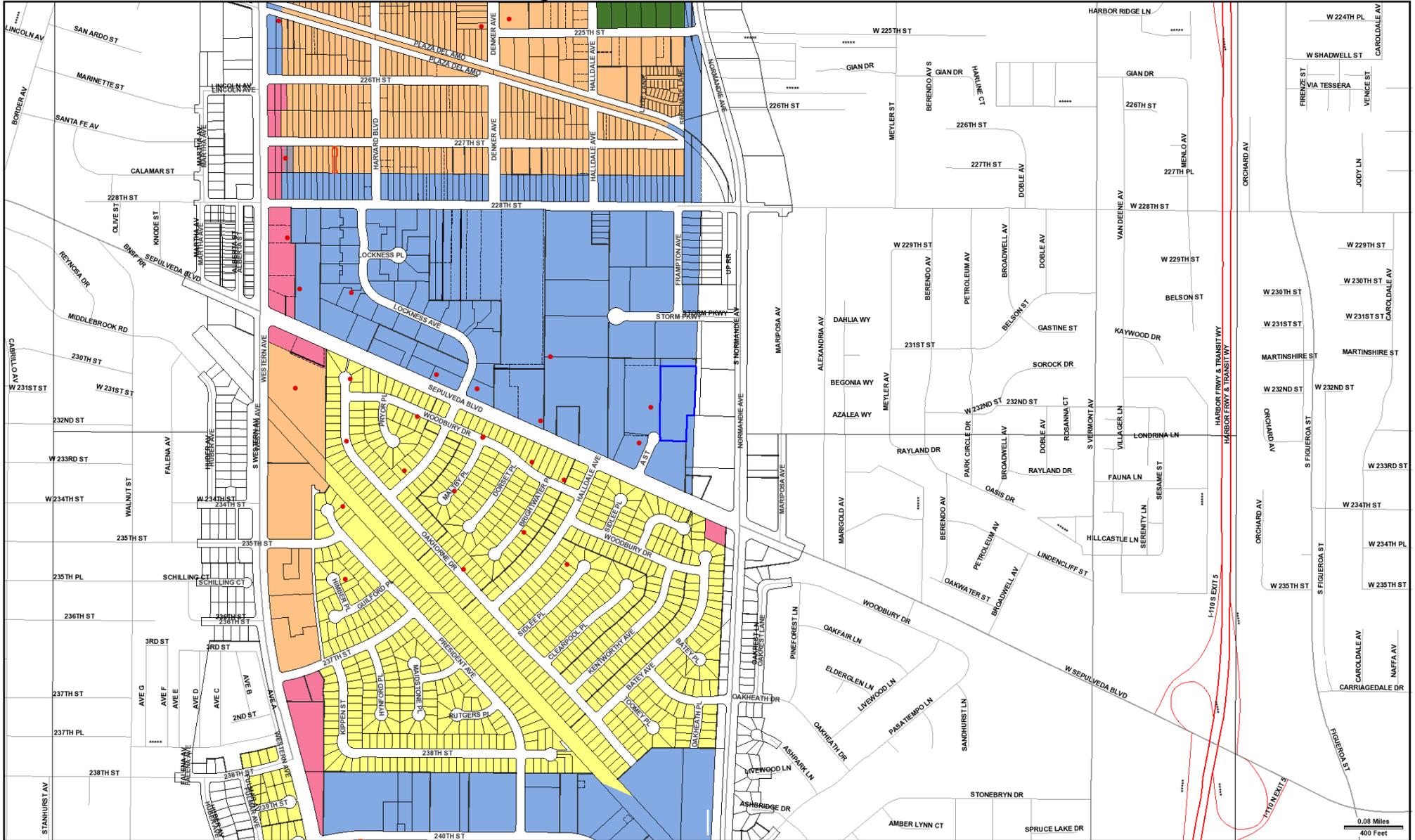
Disclaimer: This map is for informational purposes only and relies on data from a variety of sources, which may or may not be accurate or current. The City of Los Angeles assumes no responsibility arising from the use of this map. The map and associated data are provided "as is" without warranty of any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

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Printed: 01/02/2019

ZIMAS INTRANET

Generalized Zoning

01/02/2019



Address: 1309 W SEPULVEDA BLVD

APN: 7347018094

PIN #: 045B197 144

Tract: TR 65665

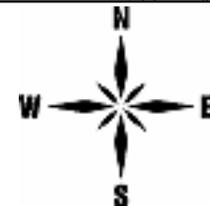
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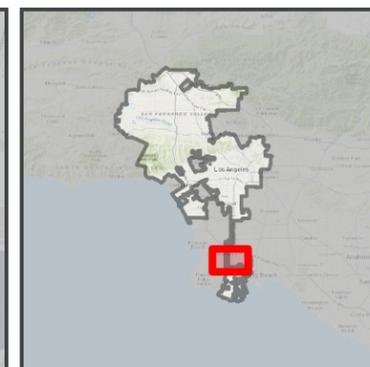
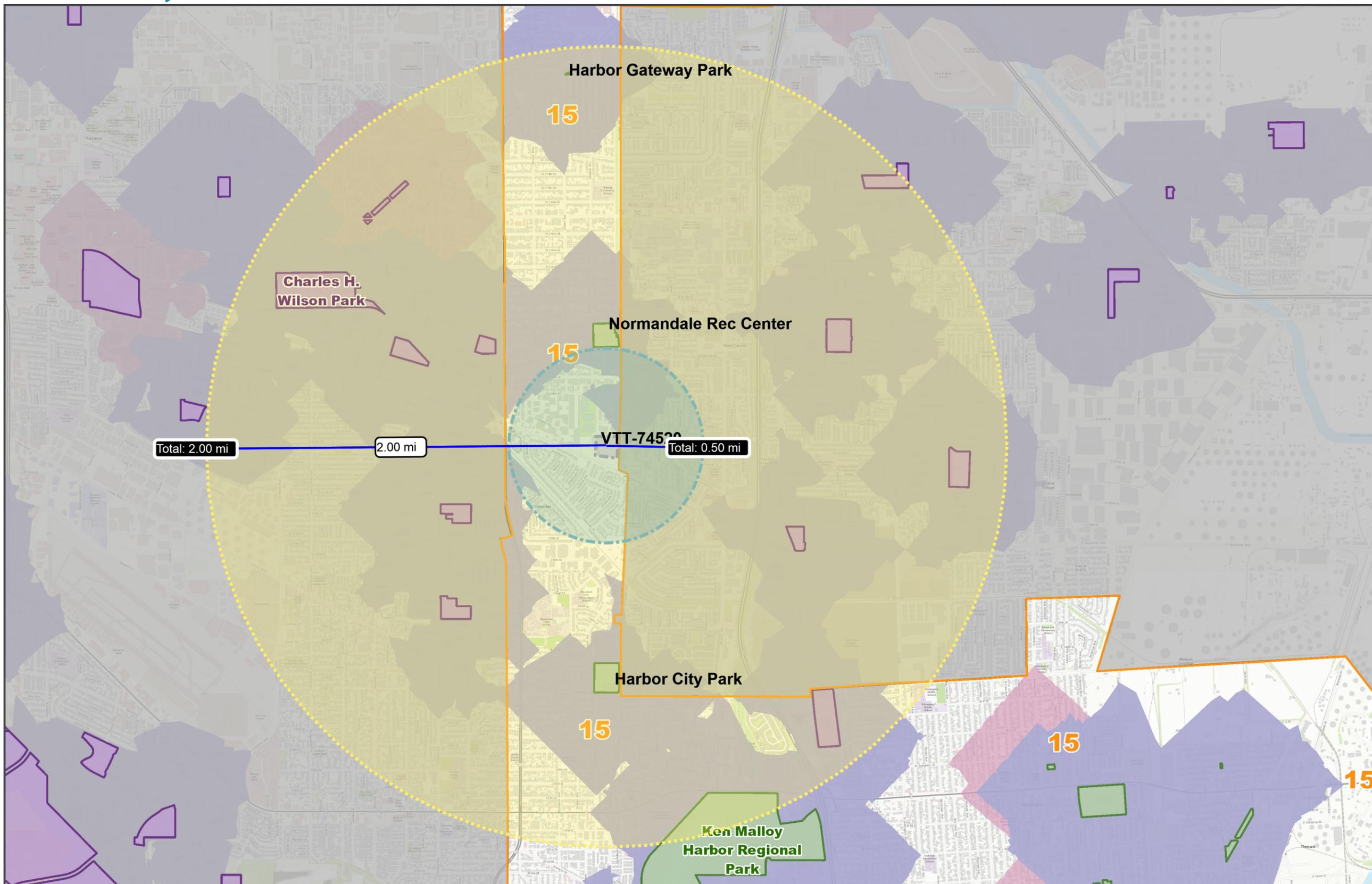
Lot: 3

Arb: 1

Zoning: M3-1VL

General Plan: Heavy Manufacturing





LEGEND

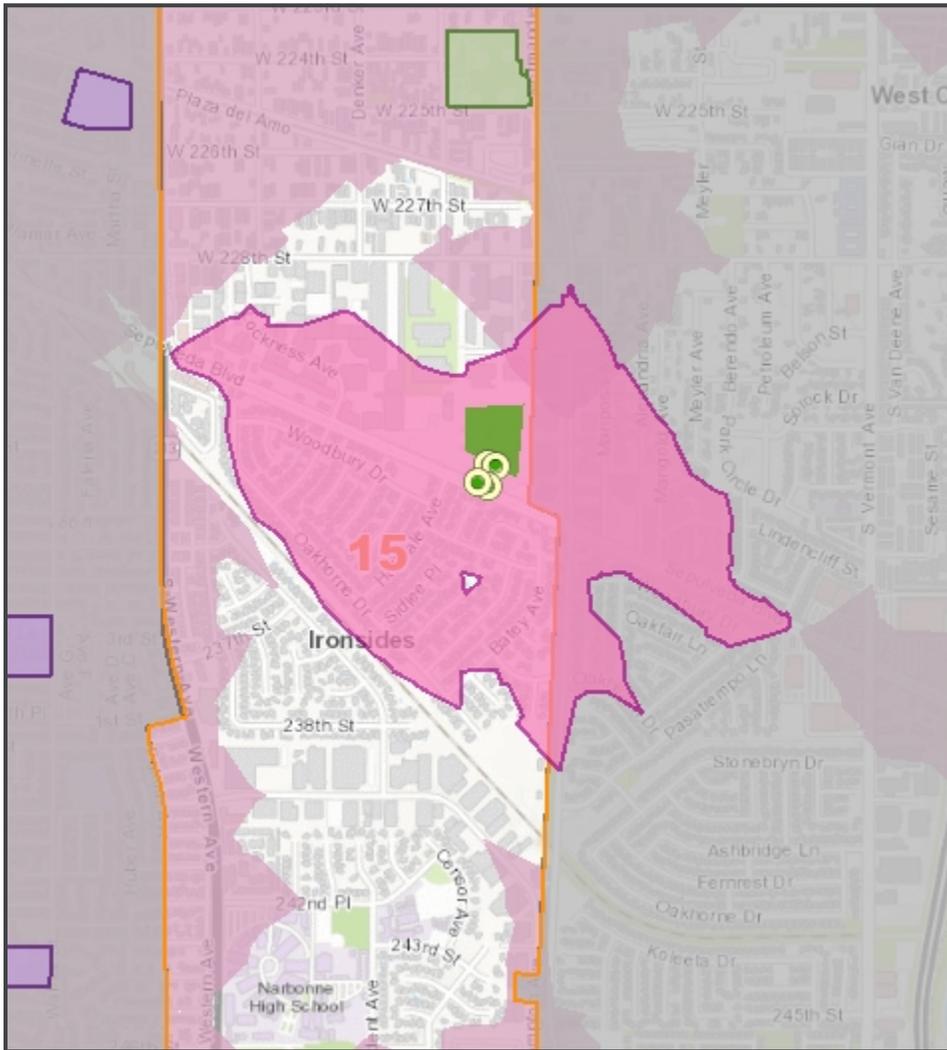
- E-PADSS Park Entrances
- E-PADSS Parks
- E-PADSS Service Areas**
- Neighborhood
- Community
- Regional
- Improved
- City Council Districts
- Existing Parks**
- Non-RAP
- RAP
- City Limits
- All Neighborhood Service Area
- All Improved Service Areas

NOTES



EQUITABLE PARKS & AMENITIES
DECISION SUPPORT SYSTEM

Park Analysis Report



Scenario Information

Scenario Name:

VTT-74520

Description:

Construction of 352 condominium units.

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

	Total Residents Served:	Currently Non-Served Residents Served:
Residents Served:	1,725	1,725

	Total Households Served:	Currently Non-Served Households Served:
Households Served:	646	646

Residents Served by Age

Under Age 5:	84	84
Age 5 to 9:	85	85
Age 10 to 14:	75	75
Age 15 to 17:	47	47
Age 18 to 64:	1,084	1,084
Age 65 and Over:	350	350

Households Served by Annual Income

Under \$25,000:	65	65
\$25,000 to \$34,999:	16	16
\$35,000 to \$49,999:	36	36
\$50,000 to \$74,999:	108	108
\$75,000 and Over:	421	421

Source: Census/ACS 2010