

APPROVED
SEP 06 2017

BOARD REPORT

BOARD OF RECREATION
AND PARK COMMISSIONERS

NO. 17-192

DATE September 6, 2017

C.D. 3

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: VESTING TENTATIVE TRACT (VTT) NO. 74891 – RECOMMENDATION TO THE ADVISORY AGENCY FOR LAND DEDICATION OR IN-LIEU PARK FEE PAYMENT

<i>fus</i>	AP Diaz _____	V. Israel _____
	*R. Barajas <u>CSD</u>	N. Williams _____
	H. Fujita _____	



General Manager

Approved ✓ Disapproved _____ Withdrawn _____

RECOMMENDATIONS

1. Recommend that the Advisory Agency require Vesting Tentative Tract (VTT)-74891 (Project) to dedicate land 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 General Manager or his designee to provide a report to the Advisory Agency informing them 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 ...".

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Project Summary

The Project is located at 20920-21051 Warner Center Lane and 20931-20971 Burbank Boulevard in the Warner Center community of the City. The Project is a multi-phase, mixed-use development containing ten (10) buildings with a combination of residential, office, hotel, restaurant and retail uses. The Project site is approximately 24 acres and is currently improved with twelve office buildings and associated parking lots. The Project is located within the Warner Center 2035 Plan (WC2035 Plan) Area.

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

RAP staff held an Early Consultation meeting with the applicant on August 1, 2017 to discuss the requirements of Los Angeles Municipal Code Section 12.33, including options for park land dedications, satisfaction of Park Fees, and recreational credits.

The Advisory Agency has sent RAP a notification requesting RAP provide its report and recommendations on the Project by September 9, 2017. If no written report is provided to the Advisory Agency by that date, the Advisory Agency will assume that RAP has no report to make.

Warner Center 2035 Plan

The WC2035 Plan is a specific plan that was adopted by the City in 2013 (Ordinance No. 182,766). According to the WC2035 Plan, "[t]he purpose of the Warner Center 2035 Plan is to create a vital mixed-use, transit-oriented district for the Plan area and surrounding communities. The WC2035 Plan's strategic provisions are intended to achieve a future state for the Plan area in which Warner Center's city streets are energized with the activity of many uses proximate to each other."

One of the guiding principles of the WC2035 Plan is to "create a network of publicly-accessible open spaces to encourage public gathering and pedestrian activity." In order to achieve the above, the WC2035 Plan includes detailed Publicly Accessible Open Space (PAOS) requirements for projects being developed within the plan area.

A summary of select WC2035 Plan PAOS requirements are below:

Section 6.2.2.1 (Requirements): All Projects shall be required to provide PAOS that: (i) has a minimum square footage equal to fifteen percent (15%) of the net site area (i.e., after dedication) of the entire Project site and (ii) satisfies all of the required standards set forth in subsection 6.2.2.2.

Section 6.2.2.2 (Standards): In order for a proposed PAOS to be counted toward the 15% minimum requirements, all of the following requirements shall be incorporated:

Section 6.2.2.2.1 (Contiguous): PAOS within a project may be adjacent to or interrupted by the public right-of-way, but otherwise shall be contiguous.

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Section 6.2.2.2.2 (Internally Integrated): PAOS within a Project shall be integrated into the overall design of such Project.

Section 6.2.2.2.3 (Externally Integrated): PAOS shall be integrated with neighboring buildings or structures and any existing, or approved, PAOS.

Section 6.2.2.2.4 (Accessible to the Public): At minimum, PAOS shall be open to the public from 6 a.m. to 10 p.m. seven days a week.

Section 6.2.2.2.5 (Open to the Sky): At least ninety percent (90%) of each PAOS shall be open to the sky, excluding shade structures and other features/elements that are not calculated as floor area.

Section 6.2.2.2.6 (Landscaped): At least fifty percent (50%) of each PAOS shall be landscaped.

Section 6.2.2.2.7 (Seating): Seating shall be provided at a rate of one seat per every 500 square feet of PAOS provided. Seating may be provided in a variety of traditional (i.e., benches) and non-traditional forms (i.e., planter walls). Seating may be permanent or movable.

Section 6.2.2.4.1 (Additional Requirements): Prior to the issuance of any building permit for a Project, a covenant running with the land shall be recorded against the Project site to ensure that the PAOS area for such Project will be maintained in good condition and made available and accessible to the public.

A conceptual illustration of the Project's proposed PAOS, and of some of the Project landscaping and open space amenities, are attached (Attachment 2). The Project proposes to provide approximately 5.26 acres of PAOS. The Project's PAOS are proposed to be improved with various landscaping and hardscape features, pedestrian pathways, focal points and plazas, and seating areas.

It should be noted that the provisions of the WC2035 Plan do not supersede the provisions of Los Angeles Municipal Code Section 12.33. All residential projects located in the WC2035 Plan are required to mitigate their park and recreation impacts through the dedication of land, payment of in-lieu Park Fees, or by providing on-site improvements equivalent in value of the in-lieu fees. These mitigation requirements are included as one of the environmental conditions and mitigations specified in the Warner Center 2035 Plan Final EIR (WC2035 Plan Appendix C), which are to be imposed on individual Projects as detailed in the WC2035 Plan

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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 may 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**
 - 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 = 0.00192 (1.92 acres of park land per 1,000 residents)**

The maximum required land dedication for the Project's proposed 1029 units would be:

$$5.69 \text{ Acres} = (1029 \times 2.88) \times 0.00192$$

The land dedication estimate is subject to change based on the number of exempt Affordable Housing Units included as part of the Project. Since the project has zero proposed affordable units in the Project that would qualify for an exemption per Los Angeles Municipal Code Section 12.33 G, the maximum required land dedication for the Project would be:

$$5.69 \text{ Acres} = (1029 \times 2.88) \times 0.00192$$

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 off-site 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 for the proposed land dedication. The Board may accept or decline the proposed land dedication.

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In-Lieu Fee Payment

Pursuant to Los Angeles Municipal Code Section 12.33, the Park Fee amount is determined by the type of residential development project (Subdivision or Non-Subdivision). RAP shall collect these fees pursuant to Los Angeles Municipal Code Section 19.17 and the Park Fees Section of the Department of Recreation and Parks' Rate and Fee Schedule. As of July 1, 2017, Residential Subdivision projects that are subject to the Subdivision fee shall pay:

- **\$8,382.42 x number of new non-exempt dwelling units**

The maximum required Park Fees payment for the Project for the total proposed 1029 would be:

$$\mathbf{\$8,625,510.18} = \$8,382.42 \times 1029 \text{ dwelling units}$$

The in-lieu fee estimate is subject to change depending on the Park Fee schedule in effect in the year of payment; the number of exempt Affordable Housing 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.

Since the project has zero proposed affordable units in the Project that would qualify for an exemption per Los Angeles Municipal Code Section 12.33 G, the maximum required Park Fee payment for the Project would be:

$$\mathbf{\$8,625,510.18} = \$8,382.42 \times 1029 \text{ dwelling units}$$

Staff Analysis and Recommendation

Approximately fifty-four percent (54%) of residents in the City of Los Angeles 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 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.

Requiring a land dedication for a public park as a condition of approval of a subdivision pursuant to LAMC 12.33 is one mechanism by which RAP acquires land. The payment of in-lieu fees also facilitates land acquisition, and those fees may also be used to improve the RAP controlled properties via capital improvement projects. In order for RAP staff to determine which mechanism, land dedication or in-lieu fees, to recommend for the Board's review and approval, RAP staff analyzes each proposed development project including its location, new population, surrounding parks, 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.

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The Project is located within the Warner Center neighborhood of the City. Currently the Project site is improved with twelve office buildings and associated parking lots. To the east and west of the Project site are residential communities. There are commercial and retail buildings on the north and south sides of the Project site.

As discussed above, projects located in the WC2035 Plan are required to mitigate the impacts of the residential projects with a land dedication or in-lieu Park Fees, despite any required PAOS. Additionally, Los Angeles Municipal Code Section 12.33 F states that the park fee requirements imposed on development projects are "additional and supplemental to, and not in substitution of, on-site open space requirement required by the City's Municipal Code, specific plan(s), or any other planning document..."

There no public parks within a half-mile (1/2) mile walking distance from the project site. The nearest public parks to the project site is Warner Center Park, located at 5800 Topanga Canyon Boulevard. The next closest park is Woodland Hills Recreation Center which is approximately three miles away. A map showing the project location and nearby public parks is attached hereto (Attachment 3).

If a new public park was provided at the Project location the park would serve the new residents of the Project as well as approximately Four Hundred Twenty-Two (422) new residents within a half-mile (1/2) walking distance (Attachment 4).

Therefore, RAP staff recommends that the appropriate mitigation measure for this Project is the dedication of land to the City.

FISCAL IMPACT STATEMENT

The Fiscal Impact is unknown at this time.

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

LIST OF ATTACHMENTS

- 1) Conceptual Project Renderings
- 2) Proposed PAOS and Amenities
- 3) Project Location and Surrounding Parks
- 4) EPADSS Report



MP-00
APR 24, 2011

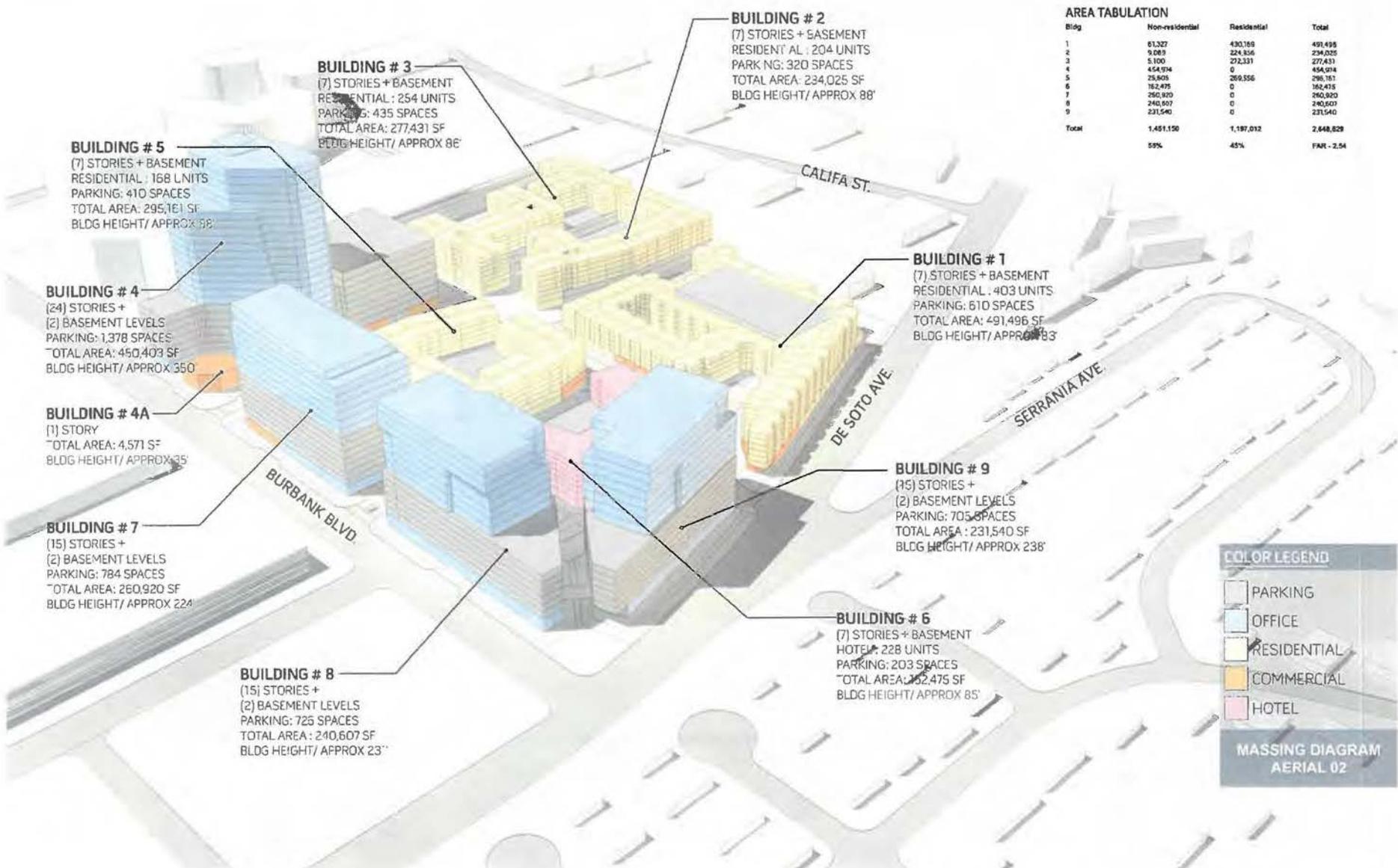
COVER SHEET



- RESIDENTIAL
- LIVE / WORK
- RETAIL / RESTAURANT
- HOTEL
- OFFICES / RETAIL / RESTAURANT
- PARKING STRUCTURE

UPPER LEVEL OVERALL SITE PLAN - ILLUSTRATIVE

MP-11
 SCALE: 1" = 50'-0"
 April 24, 2017



AREA TABULATION

Blgd	Non-residential	Residential	Total
1	61,327	430,169	491,496
2	9,089	234,856	243,945
3	5,100	277,431	282,531
4	454,074	0	454,074
5	25,905	269,556	295,461
6	162,475	0	162,475
7	260,920	0	260,920
8	240,607	0	240,607
9	231,540	0	231,540
Total	1,451,150	1,197,012	2,648,162
	59%	45%	FAR - 2.54

COLOR LEGEND

- PARKING
- OFFICE
- RESIDENTIAL
- COMMERCIAL
- HOTEL

**MASSING DIAGRAM
AERIAL 02**

MP-20
April 24, 2017

MASSING MODEL - SOUTHEAST VIEW

De Soto Ave. & Burbank Blvd. Concept Master Plan
Woodland Hills, CA

PUBLICLY ACCESSIBLE OPEN SPACE (PAOS) SUMMARY:

PAOS REQUIRED:
 TOTAL SITE AREA: 1,045,309 SF / 24 ACRES
 REQUIRED: 15%/2" OF TOTAL SITE AREA: 78,408 sf 1.8 acres 7.50%

* ACCESSIBLE OPEN SPACE PER WC 2035 PLAN SECTION 6.2.2.3.2: 50% REDUCTION FROM 15% REQUIREMENT WHEN NEW STREET IS PROVIDED.

PAOS PROVIDED:

BURBANK SETBACK EAST	5850 sf
BURBANK SETBACK CENTRAL	8460 sf
BURBANK SETBACK WEST	4882 sf
WARNER CENTER LANE SETBACK 1	7630 sf
WARNER CENTER LANE SETBACK 2	7914 sf
WARNER CENTER LANE SETBACK 3	16378 sf
WARNER CENTER LANE SETBACK 4	1228 sf
WARNER CENTER LANE SETBACK 5	8970 sf
WARNER CENTER LANE SETBACK 6	7900 sf
WARNER CENTER LANE SETBACK 7	1734 sf
WARNER CENTER LANE SETBACK 8	1754 sf
DESOTO SETBACK NORTH	7850 sf
DESOTO NORTH EASEMENT	6530 sf
DESOTO SETBACK SOUTH	11454 sf
PLAZA - FOCAL 1	1575 sf
PLAZA - FOCAL 2	9108 sf
PLAZA 3 - TOWN CENTER	13688 sf
PLAZA 4	10284 sf
PAOS 2	1074 sf
PAOS 3	4593 sf
PAOS 4	2857 sf
PAOS 5	3863 sf
PAOS 6	1130 sf
PAOS 7	2415 sf
PAOS 8	2290 sf
PEDESTRIAN ACCESSIBLE PATHWAY	80465 sf
TOTAL PROVIDED	229,276 sf 5.3 acres 22.17%



PAOS 7- 2,350SF / .08 ACRES
 PLAZA 4/ FOCAL- 10,284SF / .28 ACRES
 DESOTO SETBACK NORTH- 7,850 SF / .18 ACRES
 DESOTO EASEMENT ONLY NORTH- 6,530SF / .15 ACRES
 WARNER CENTER LANE SETBACK 5- 8,970SF / .18 ACRES
 WARNER CENTER LANE SETBACK 6- 7,900SF / .17 ACRES
 WARNER CENTER LANE SETBACK 8- 1,754SF / .04 ACRES

WARNER CENTER LANE SETBACK 7- 1,754SF / .04 ACRES
 DESOTO SETBACK SOUTH- 11454SF / .27 ACRES

PAOS 8- 2,290SF / .04 ACRES
 WARNER CENTER LANE SETBACK 4- 1,228SF / .03 ACRES
 WARNER CENTER LANE SETBACK 3- 16,378SF / .37 ACRES

BURBANK SETBACK WEST- 4,882SF / .07 ACRES
 PLAZA/ FOCAL 2- 9,108SF / .21 ACRES
 PLAZA/ FOCAL 1- 1,575 SF / .05 ACRES
 WARNER CENTER LANE SETBACK 2- 7,914SF / .22 ACRES
 WARNER CENTER LANE SETBACK 1- 7,630SF / .19 ACRES
 BURBANK SETBACK CENTRAL- 8,460SF / .14 ACRES
 PEDESTRIAN ACCESSIBLE PATHWAY/ FOCALS- 80,465SF / 1.86 ACRES
 BURBANK SETBACK EAST- 5,850SF / .19 ACRES

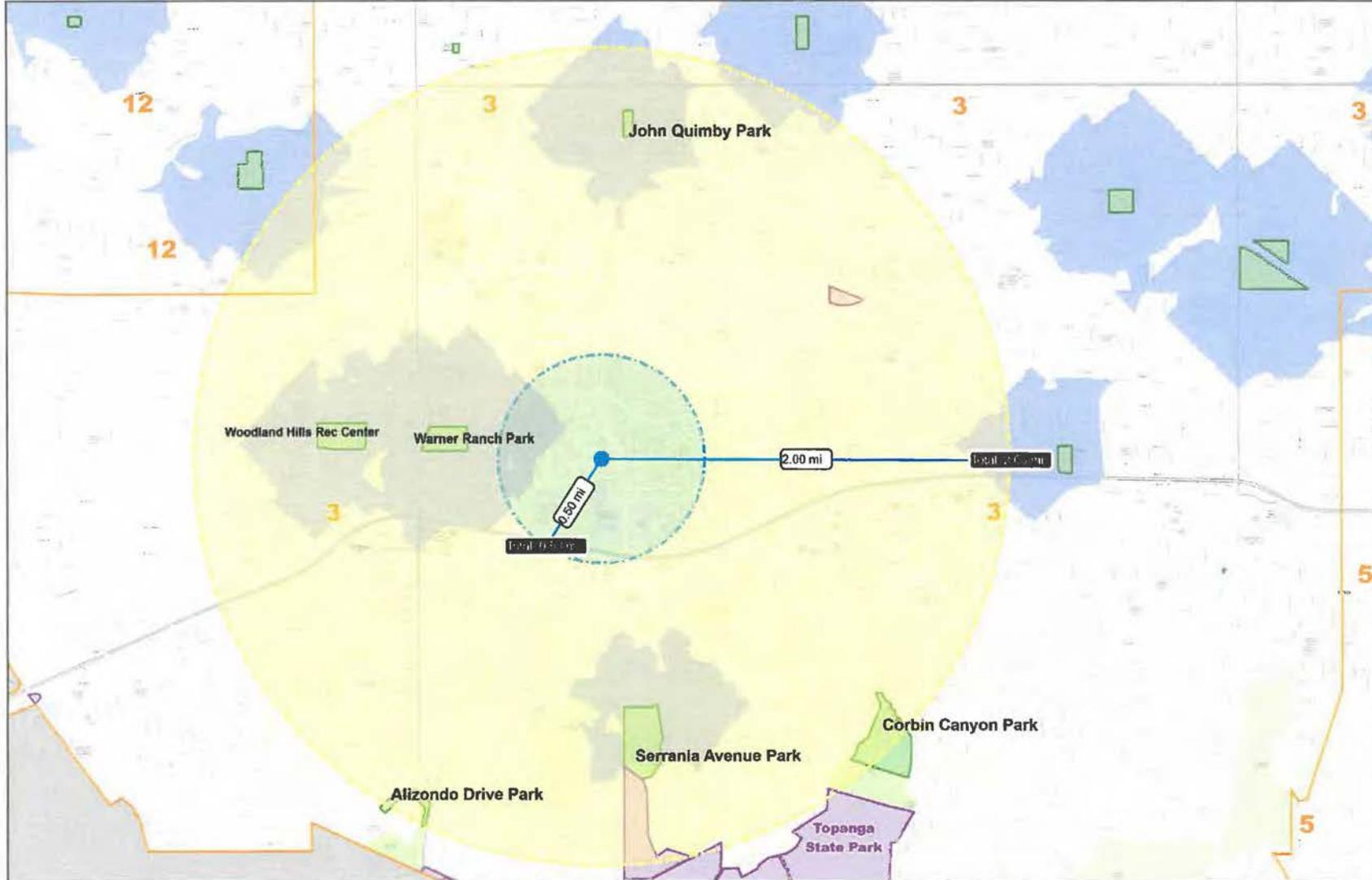
PUBLICLY ACCESSIBLE OPEN SPACE DIAGRAM

MP-22
 April 24, 2017



EQUITABLE PARKS & AMENITIES
DECISION SUPPORT SYSTEM

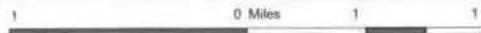
VTT-74891 - Project Site and Surrounding Parks



LEGEND

- City Council Districts
- Existing Parks
- Non-RAP
- RAP
- City Limits
- All Neighborhood Service Area

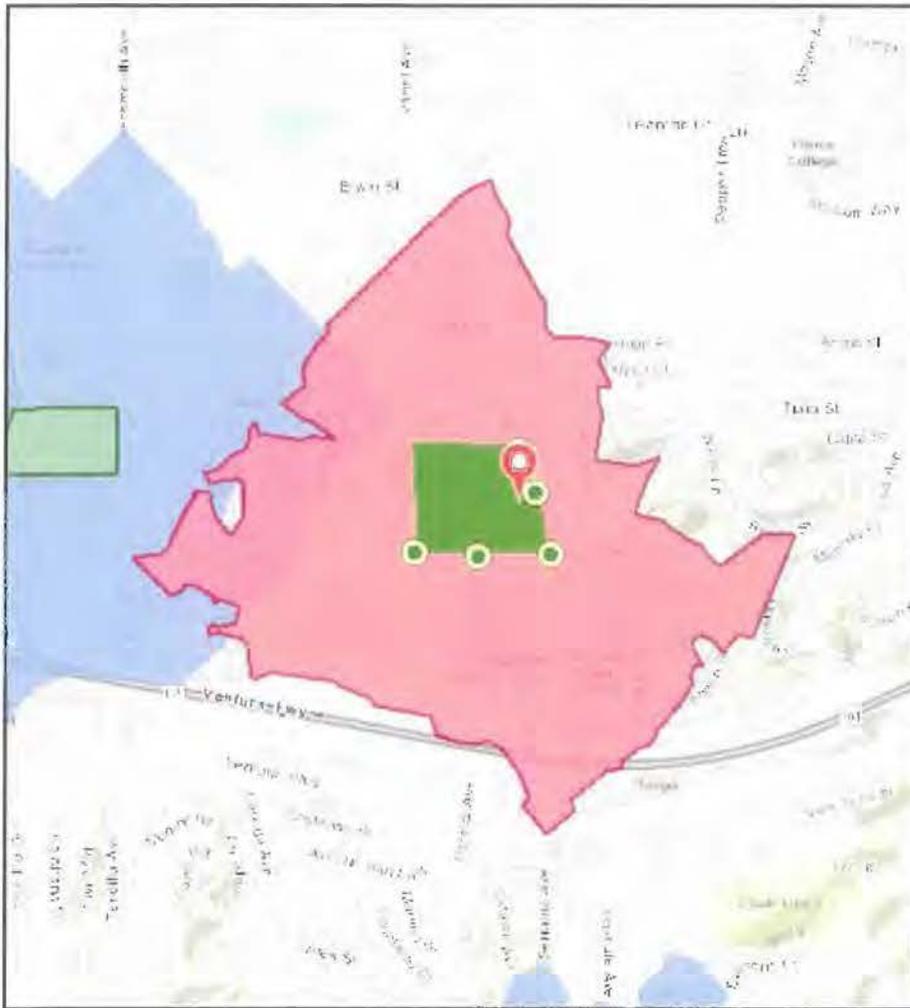
NOTES



SCALE 1: 36,112

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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Scenario Information

Scenario Name:

VTT-74891 - 20920 Warner Center Lance

Description:

The Project is a multi-phase, mixed-use development containing ten (10) buildings with a combination of residential, office, hotel, restaurant and retail uses.

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

	Total Residents Served:	Currently Non-Served Residents Served:
Residents Served:	422	422
Residents Served by Age		
Under Age 5:	25	25
Age 5 to 9:	16	16
Age 10 to 14:	13	13
Age 15 to 17:	18	18
Age 18 to 64:	264	264
Age 65 and Over:	86	86

Household and Income Breakdown

	Total Households Served:	Currently Non-Served Households Served:
Households Served:	161	161
Households Served by Annual Income		
Under \$25,000:	23	23
\$25,000 to \$34,999:	6	6
\$35,000 to \$49,999:	16	16
\$50,000 to \$74,999:	19	19
\$75,000 and Over:	97	97

Source: Census/ACS 2010