BOARD REPORT
DATE $\qquad$
September 03, 2020

NO. 20-173
C.D. 13

## BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: TRACT MAP NO. VTT-83086 - RECOMMENDATION TO THE ADVISORY AGENCY FOR LAND DEDICATION OR IN-LIEU PARK FEE PAYMENT


Approved $\qquad$ Disapproved $\qquad$ Withdrawn $\qquad$

## RECOMMENDATIONS

1. Recommend that the Advisory Agency require Tract Map No. VTT-83086 (Project) to pay in-lieu fees to the City in order 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.

## PARK FEE 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 (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 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 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

The proposed Project, located at 515-531 South Virgil Avenue and 518-526 South Westmoreland Avenue in the Rampart Village community of the City, consists of a mixed-use project with 130 total units ( 84 apartment units, 46 condominium units, including 19 of which are affordable units), 26,632 square feet (SF) of commercial office space, and two levels of subterranean parking space. The proposed subdivision would contain a total of 5 parcels.

The proposed Project also includes approximately 15,050 SF of common open space, which includes a community room, courtyard, and rooftop garden space.

The Project, as submitted to City Planning, is not proposing to make a park 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 (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 October 10, 2018. The meeting included a discussion of the requirements of LAMC 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 proposed Project.

## ADVISORY AGENCY

The proposed Project filed a tract map application with City Planning on June 11, 2020. On July 22, 2020 the Advisory Agency sent RAP a notification requesting RAP provide its report and recommendations on the Project by a deadline identified as "August 31, 2020." The Advisory Agency Filing Notification is attached (Attachment 2).

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 AND 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:

- $L D=(D U \times P) \times F$
o LD = Land to be dedicated in acres.
o DU = Total number of new market-rate dwelling units.
o $\mathbf{P}=$ 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.
- $F=0.00251$ (2.51 acres of park land per 1,000 residents)

The maximum required land dedication for the Project's proposed 130 units would be:
0.94 Acres $=(130 \times 2.88) \times 0.00251$

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.

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As currently proposed, the Project has 19 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:
0.80 Acres $=(111 \times 2.88) \times 0.00251$

Per LAMC 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

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 applicant states that the Project is a condominium project, as that term is defined in Sections 4125 of the Civil Code.

## 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, 2020, Residential Subdivision projects that are subject to the Subdivision fee shall pay:

## \$13,609.00 x number of new non-exempt dwelling units

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The maximum Park Fees payment for the Project's proposed 130 units would be:
\$1,769,170.00 = \$13,609.00 $\times 130$ dwelling units
As currently proposed, the Project has 19 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:
\$1,510,599.00 = \$13,609.00 x 111 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 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 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 developments is existing park service radius gaps. According to the Trust for Public Land 2020 Park Score Index, approximately $62 \%$ 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.

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## Site Analysis

The proposed Project is located within the Rampart Village community of the City and within the Wilshire Community Plan Area. Currently, the Project site is a commercial office and parking lot surrounded by commercial uses on all sides.

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

The proposed Project is located in a high-density area of the City. Below is 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): 20,159 persons $(37,331$ persons per square mile)
- City of Los Angeles Population Density (2010 United States Census): 8,092 persons per square mile.
- Wilshire Community Plan Area (2017 American Community Survey): 20,560 persons per square mile


## Project Open Space and Recreational Areas

As previously discussed, the proposed Project also includes approximately 15,050 SF of common open space, including a community room, courtyard, and rooftop garden space.

The amount of common open space being provided by the proposed Project does not appear to significantly exceed the amount of open space the proposed Project would otherwise be required to provide per LAMC Section 12.21 (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 to serve the Project's residents.

## Public Park Access

There are two (2) RAP-owned public parks within a half-mile walking distance from the Project site. A map showing the project location and nearby public parks is attached hereto (Attachment 5).

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- Shatto Recreation Center, located at 3191 West $4^{\text {th }}$ Street, is a 5.45 -acre facility that features a gymnasium, tennis courts, a baseball field, a multipurpose field, a children's play area, basketball courts and outdoor fitness equipment and provides a variety of services and programs.
- Lafayette Recreation Center, located at 625 South Lafayette Place, is a 9.72-acre park that features an indoor gymnasium and community center, a synthetic field and two outdoor basketball courts, two tennis courts, and two children's play areas.

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 $\underline{\mathbf{0}}$ new, previously unserved, residents within a half-mile walking distance (Attachment 6). 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.

## Nearby Public Park Projects

There is one (1) new public park currently in development within a two (2) mile radius of the Project site.

- The Pio Pico Library Park - Park Lease and Development (PRJ20934) Project, located at 694 South Oxford Avenue, proposes the development of a pocket park in the 0.60acre property and the construction of an underground parking structure with a capacity of at least 50 parking spaces in front of the Pio Pico Library. The Pio Pico Library Park Park Lease and Development (PRJ20934) Project is being led by BOE and is currently in the design phase. While the design and construction of the Pio Pico Library Park Park Lease and Development (PRJ20934) Project are fully funded at this time, additional funding may be needed in order to provide temporary parking at Pio Pico Library during the construction of the park.

There is one (1) major park renovation project currently in development within a two (2) mile radius of the Project site:

- Lafayette Recreation Center, located at 625 South Lafayette Park Place, is a 9.72-acre facility that features an indoor gymnasium and community center, a small synthetic field, a skate park, two basketball courts, two tennis courts, and two children's play areas. The scope of work for the Lafayette Recreation Center - Outdoor Improvements (PRJ21330) (PRJ20495) Project is the refurbishment of the existing turf, irrigation, landscaping, and the installation of related site amenities, new outdoor fitness equipment, outdoor lighting renovations, replacement of the existing 5-12 year old play


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area, reconfiguration of two existing basketball courts, the addition of one new tennis court, one new synthetic futsal court, new outdoor fitness equipment, new park pathways, and new site amenities such as benches, hydration stations, and a storage container. Portions of The Lafayette Recreation Center - Outdoor Improvements (PRJ21330) (PRJ20495), including the new playgrounds, have already been completed. The remaining elements of the Project, including the reconfiguration of the basketball courts and the new synthetic field are still in design. The Lafayette Recreation Center Outdoor Improvements (PRJ21330) (PRJ20495) Project is fully funded at this time.

## Staff Recommendation

RAP staff recommends that the appropriate mitigation measure for this proposed Project is the payment of in-lieu fees to the City.

The Project site is not located in an existing park service radius gap. There are two (2) RAPowned public parks within a half ( $1 / 2$ ) mile walking distance from the Project.

There is one (1) public park currently in development within a two (2) mile radius of the Project site.

There is one (1) park renovation project currently in development within a two (2) mile radius of the Project site.

If a new public park was provided at the Project location, the park would serve Project residents and 0 currently unserved residents within a half mile walking distance.

## 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: $\quad$ Create \& Maintain World Class Parks and Facilities
Outcome No. 3: Increased park maintenance, with a focus on cleanliness.
Result: $\quad$ Collected fees will fund capital improvements at existing parks in the Project area.

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This Report was prepared by Ligaya Khennavong, Management Assistant, Planning, Maintenance and Construction Branch.

## LIST OF ATTACHMENTS

1) Conceptual Project Renderings
2) Advisory Agency Filing Notice
3) Aerial View of Project Site
4) Generalized Zoning
5) Project Location and Surrounding Parks
6) EPADSS Report


## CAR

05/08/2020
525 S. VIRGIL AVE, LOS ANGELES, CA, 90020
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| PROJECT DIRECTORY <br> OWNER <br> CALIFORNIA ASSOCIATION OF REALTO 525 S VIRGIL AVE <br> LOS ANGELES, CA, 90020 |
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## CAR

525 S. VIRG AVE LOS ANGELES, CA, 90020

SURVEY (FOR REFERENCE ONLY



| $\frac{\text { Provided Open Space in Apartment Building (CR Zone): }}{\text { (Max. } 50 \text { SF of private open space can be used per unit) }}$ |  |
| :---: | :---: |
| Ground Level Community Room (common) | 850 SF |
| 2nd Residential Leve Courtyard (common) Units x 50 SF (private) | [4,500 SF |
| 3rd Residential Level 4 Units x 50 SF (private) | 200 SF |
| 4th Residential Level 4 Units $\times 50$ SF (private) | 200 SF |
| 5th Residential Level 4 Units $\times 50$ SF (private) | 200 SF |
| 6th Residential Level 4 Units x 50 SF (private) | 200 SF |
| $\begin{aligned} & \text { 7th Residential Level } \\ & 4 \text { Units } \times 50 \text { SF (private) } \end{aligned}$ | 200 SF |
| 8th Residential Level 4 Units x 50 SF (private) | 200 SF |
| TOTAL Open Space (private) TOTAL Open Space (common) TOTAL Open Space Provided | $\begin{aligned} & 1,400 \mathrm{SF} \\ & \substack{5,55 \mathrm{SF} \\ 6,750 \mathrm{SF}} \end{aligned}$ |

parking summary


 Totals. $\qquad$ Residential Parking:100 spapaces
 Commercial Compact Ratio (40\%\% Max) 35.95\%


## EvcS Requirements


Provided EVCS Tabulation
 Total EVCS Parking: 18 spaces
Total EVC R Ratio (10\% Min): $10.40 \%$


Bicycle Parking Requirements (ordinance no. 185, 480)

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| :---: | :---: | :---: | :---: |
| Leng Firsit Ter (1-25) | ${ }_{25}{ }^{\text {Unis }}$ | ${ }_{1}^{\text {Rate }}$ | ${ }_{25 \text { Sparaes }}$ |
| Seconod Ter (25-10) | 25 | 11.5 Units | 50 spaces |
| Third Tier (10-200) |  | 12 Units | 15 praeas |
|  | OTAL |  | 90 Spaces |
| Short Term <br> First Tier (1-25) Second Tier (25-100) Third Tier (101-200) |  |  |  |
|  | 25 |  |  |
|  | ${ }_{30}$ |  | 5spaces 1.55 paces |
|  |  | $\begin{aligned} & \text { ToTAL: } 9 \text { Spaces } \\ & \text { TOTAL Required: } 99 \text { Spaces } \end{aligned}$ |  |
|  |  |  |  |
| Bicycle Required (Commercial)Long Term: 1 per 5,000 FF (minimum 2) |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |
|  |  | 3 Spaces Req <br> TOTAL Required: 9 Spaces |  |
| Bicrcle Parking Provided (Residentia) |  |  |  |
| Term Paring PP1 Bike Storage Roon |  |  |  |
|  |  |  |  |
| Bike Maintenance - Additional 100 SF workspace provided within Bike Storage |  |  |  |
|  |  | Total Provided: 99 Spaces |  |
| Bicrcle Parkin9 Provided (Commercial) |  |  |  |
| Long Tem Parking P1 P1 Bie Storace | Room) |  | ed |
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PROJECT DATA

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PLAN LEVEL 3

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BUILDING SECTIONS

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## ARCHITECTS

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RENDERING - CONDO BUILDING

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EXCAVATION PLAN
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SECTION A-A


SECTION B-B


SECTION C-C


HORIZONTAL SCALE: 1 " $=20$
VERTICAL SCALE: $1^{\prime \prime}=5^{\prime}$





DEPARTMENT OF CITY PLANNING

ESTINEH MAILIAN
CHIEF ZONING ADMINISTRATOR
ASSOCIATE ZONING
ADMINISTRATORS JACK CHIANG HENRV CHU THEODORE L. IRVING FRANKLIN N. QUON CHARLES J. RAUSCH JR. FERNANDO TOVAR DAVID S. WEINTRAUB MAYA E. ZAITZEVSKY

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ARTHI L. VARMA, AICP DEPUTY DIRECTOR

LISA M. WEBBER, AICP DEPUTY DIRECTOR
http://planning.lacity.org

Filing Notification and Distribution


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,

Nicholas Hendricks, Senior City Planner Expedited Processing Section
CP-6300 (1/21/09)

## RECOMMENDATIONREPORTS DUE BY: $8 / 31 / 2020$

Please forward reports to the following e-mail address: planning.expedited@lacity.org




## Park Analysis Report



## Scenario Information

Scenario Name:
VTT-83086

Description:

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: |  | Total Households Served: | Currently Non-Served Households Served: |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Residents Served: | 20,159 | 0 | Households Served: | 8,939 | 0 |
| Residents Served by Age |  |  | Households Served by Annual Income |  |  |
| Under Age 5: | 1,222 | 0 | Under \$25,000: | 2,868 | 0 |
| Age 5 to 9: | 907 | 0 | \$25,000 to \$34,999: | 1,254 | 0 |
| Age 10 to 14: | 807 | 0 | \$35,000 to \$49,999: | 1,571 | 0 |
| Age 15 to 17: | 568 | 0 | \$50,000 to \$74,999: | 1,677 | 0 |
| Age 18 to 64: | 15,046 | 0 | \$75,000 and Over: | 1,569 | 0 |
| Age 65 and Over: | 1,609 | 0 |  |  |  |

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