

December 18, 2017

Los Angeles City Planning Commission
200 North Spring Street, Room 532
Los Angeles, CA 90012

Re: Appeal of Vesting Tentative Tract Map at 500 S. Oxford Ave.; VTT-75032-CN-1A

President Ambroz and Honorable Commissioners,

As an attorney who both lives and works in Koreatown near the project site, I support the Appeal of Condition No. 5 of Case VTT-75032-CN in which the Advisory Agency permitted the payment of in-lieu fees rather than dedication of land. The Planning Department's Appeal Report is deficient in its analysis and cannot justify sustaining the Advisory Agency's decision for the reasons identified below. I respectfully request the Commission grant the Appeal in its entirety, or alternatively continue consideration of the Appeal until the Planning Department and the Department of Recreation and Parks prepare a revised report properly informing this Commission of on-site or off-site land dedication options.

I. The Appeal Report Summarily Dismisses the Severe Need for Neighborhood Parks in Koreatown and Fails to Rationally Evaluate Competing Policy Goals.

The Appeal Report rejects the need for neighborhood-serving parks in Koreatown after presenting a list of 72 parks within a five-mile radius. The nearest such park, Seoul International Park, is described as 0.84 miles from the Project site. In fact, this park is 1.1 miles walking distance. Van Ness Park is approximately 1.2 miles walking distance. Burns Park is located 1.4 miles walking distance. Although intended to highlight the extensive park resources near the project site, the list of parks makes a compelling case for on-site dedication. Not a single park exists within one-mile walking distance from the project site. Furthermore, the project site is uniquely suited for on-site land dedication because it is approximately equidistant from neighborhood parks serving abutting neighborhoods.

Defying both the City's own policies and common sense, the Appeal Report asserts that the Project area is adequately served by park facilities because several Community and Regional parks are located within a five-mile radius, some of which are accessible by public transportation including Pershing Square and MacArthur Park. In fact, the General Plan, the Mayor's Sustainability pLAn, and other adopted policies emphatically support park development within walking distance.

Moreover, this assertion fails to acknowledge the unique demographics of Koreatown that make neighborhood parks within walking distance indispensable. Koreatown is one of the most diverse neighborhoods in the City of Los Angeles, including vibrant immigrant communities and many lower-income households. Koreatown has high concentrations of senior citizens, families with children, students, persons with special needs and other vulnerable population. The car-ownership rate in Koreatown is among the lowest in the City. Reliance on transit for access to parks is highly time-consuming. For lower-income families, repeated transit fares to and from parks for each member of the family will likely deter many from enjoying these public facilities.

Instead of assigning great weight to the need for parks in the project vicinity, the Appeal Report summarily dismisses the dire need for neighborhood parks in the project vicinity and recites a Mayoral directive encouraging housing production. The need for additional dwelling units is great indeed, especially in urban cores, but the Appeal Report omits any consideration of how to balance these objectives. The Appeal Report further assumes these objectives are in conflict, and invents out of thin air the possibility that land dedication would reduce the total number of units developed. As detailed below, the 0.82-acre project site is large enough to accommodate both land dedication and an 89-unit structure.

Any decision on land dedication must recognize the unique circumstances near the project site presenting a uniquely compelling need for neighborhood park space. To override this compelling need, the City must clearly articulate which competing policies are adversely affected, and why those policies should take priority over the demonstrated need for park facilities in Koreatown.

Even if such a finding could ever be sustained, it would stand as a scathing moral indictment of the City's generational failure to respect the needs of lower-income and immigrant communities in Koreatown.

II. The Advisory Agency Failed to Consider a Combination of Land Dedication and In-Lieu Park Fees.

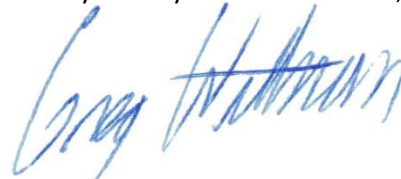
The Appeal Report analyzes land dedication as an all-or-nothing proposition and does not even consider a dedication of less than the maximum permitted (0.49 acres). The Los Angeles Municipal Code (LAMC) explicitly presents three alternatives for the Advisory Agency to condition a subdivision map: to dedicate land, to pay and in-lieu park fee or "a combination of land dedication and park fee payment."¹ Any rationally-based decision must necessarily consider the feasibility of all three options. In this case, the Appeal Report discussed only two possibilities: the 0.49 dedication recommended by the Department of Recreation and Parks, and the payment of in-lieu park fees.

This omission is especially consequential because dedication of less than the recommended 0.49 acres is the most rational response to the issues identified in the Appeal Report. Whereas a 0.49-acre dedication would reduce the 0.82-acre property to 0.33 acres, a dedication of only 0.30 acres would leave 0.52 acres for development – expanding developable area *nearly 50%* compared to the full-dedication recommendation. A 0.30-acre park provide ample room for a playground, a pavilion for neighborhood events and passive recreation areas including benches and trees. After estimating yards, a 0.52-acre development site would accommodate a floor plate of approximately 0.33 acres or 14,400 square feet.² The proposed 89 units and 107,000 square feet of Floor Area could be contained within eight residential stories, or ten stories if the floor plates were reduced to 11,000 square feet to accommodate open space at the podium level. In the face of a dire shortage of neighborhood parks in the project vicinity, the failure to seriously consider a combination of both land dedication and in-lieu park fees would be an abuse of discretion.

III. Conclusion.

I respectfully request that this Commission recognize the urgent need for park space in Koreatown and require land dedication.

Thank you for your consideration,



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¹ LAMC 12.33-C,1.

² Assumes 15-foot front and rear yards and 10-foot side yards.