



**REFERRAL FORMS:**

**TRANSFER OF FLOOR AREA RIGHTS (TFAR) - 50,000 SQ.FT. OR MORE  
CENTRAL CITY COMMUNITY PLAN AREA**

**RELATED CODE SECTION:** Section 14.5 of the Los Angeles Municipal Code establishes the standards to implement the Transfer of Floor Area Rights (TFAR) in the Central City TFAR Area.

**APPLICABILITY:** This form, completed and signed by appropriate Planning Staff, must accompany any application submitted to the Department of City Planning regarding any Transfer of Floor Area Rights (TFAR).

**A. APPLICANT INFORMATION**

**NAME:** 1045 Olive, LLC

**MAILING ADDRESS:** 2200 Biscayne Boulevard, Miami, FL 33137

**TELEPHONE:** (424) 653-2100

**EMAIL:** elkahn@crescentheights.com

**DATE SUBMITTED:** 04/30/2020

**PROJECT SUMMARY**

**B. Receiver Site<sup>1</sup> Information** (please complete all sections):

1. Receiver Site Address: 1033-1057 S. Olive St. Assessor Parcel Number: 5139-010-001/002/8-11

2. Is the Receiver Site Project<sup>2</sup> located in the City Center Redevelopment Project Area?

Yes  No

3. Lot Area in square feet (sq.ft.): 38,097

4. Buildable Area: 57,829

5. Zoning: [Q]R5-4D-O

6. By-Right Floor Area Ratio: 6:1

7. Total Floor Area of Proposed Development: 751,777

8. Total estimated size of the requested Transfer (in square feet of Floor Area Rights):

404,803 sq.ft.

9. Estimated Floor Area Ratio (upon completion): 13:1

<sup>1</sup> As defined in Section 14.5.3 of the Los Angeles Municipal Code (LAMC). A Receiver Site means a site within the Central City TFAR Area, which receives Floor Area Rights pursuant to the provisions of this article.

<sup>2</sup> See attached map for reference. As defined in Section 14.5.3 of the LAMC, the TFAR Area is generally bounded by: U.S. Highway 101 on the north; Alameda Street, Los Angeles Street, San Pedro Street, and Main Street on the east; the Santa Monica Freeway (Interstate 10) on the south; and the Harbor Freeway (110 Freeway) and Hill Street on the west.

**C. Proposed Transfer Plan** (please complete all that apply):

**Donor Site<sup>3</sup> Information** (Note: Multiple boxes may be checked. For example, a project may make a request to transfer floor area from the Los Angeles Convention Center, another City-owned site, and two different private donor sites as part of one project/ application).

**1. Los Angeles Convention Center (LACC)**

Floor Area Requested (sq.ft.): 404,803

**2. City owned site(s) other than LACC OR CRA/LA, Designated Local (CRA/LA-DLA) Authority owned site**

If requesting floor area from multiple CITY OWNED Donor Sites please specify the amount of floor area requested from each Donor Site (if more than two other Donor Sites, please attach another sheet):

<p><b>a. Name of Donor Site:</b> _____</p> <p><b>Owner of Donor Site:</b> _____</p>	<p>Site Address: _____</p> <p>Assessor Parcel Number(s) _____</p> <p>Current square footage on site: _____</p> <p>Maximum allowable square footage on site: _____</p> <p>Floor Area Requested: _____</p>
<p><b>b. Name of Donor Site:</b> _____</p> <p><b>Owner of Donor Site:</b> _____</p>	<p>Site Address: _____</p> <p>Assessor Parcel Number(s) _____</p> <p>Current square footage on site: _____</p> <p>Maximum allowable square footage on site: _____</p> <p>Floor Area Requested: _____</p>
<p><b>c. Name of Donor Site:</b> _____</p> <p><b>Owner of Donor Site:</b> _____</p>	<p>Site Address: _____</p> <p>Assessor Parcel Number(s) _____</p> <p>Current square footage on site: _____</p> <p>Maximum allowable square footage on site: _____</p> <p>Floor Area Requested: _____</p>

<sup>3</sup> As defined in Section 14.5.3 of the LAMC. A Donor Site means a site within the Central City TFAR Area from which Floor Area Rights are transferred pursuant to the provisions of Article 4.5 of the LAMC.

**3. Private Donor**

If requesting floor area from multiple PRIVATE Donor Sites please specify the amount of floor area requested from each Donor Site (if more than two other Donor Sites, please attach another sheet):

<p><b>a. Name of Donor Site:</b> _____</p> <p><b>Owner of Donor Site:</b> _____</p>	<p>Site Address: _____</p> <p>Assessor Parcel Number(s) _____</p> <p>Current square footage on site: _____</p> <p>Maximum allowable square footage on site: _____</p> <p>Floor Area Requested: _____</p>
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*The undersigned hereby certifies that (a) the undersigned is the record owner in fee simple of the real property described above as the Donor Site, (b) if the Transfer of the TFAR contemplated by this Application receives final approval, the undersigned will consent to the recording of a restrictive covenant that will run with the Donor Site that will reduce the maximum allowable FAR of the Donor Site by the amount of TFAR transferred to the Receiver Site.*

\_\_\_\_\_  
Signature of Owner of Donor Site  
(Signature must be notarized)

\_\_\_\_\_  
Date

<p><b>b. Name of Donor Site:</b> _____</p> <p><b>Owner of Donor Site:</b> _____</p>	<p>Site Address: _____</p> <p>Assessor Parcel Number(s) _____</p> <p>Current FAR on Site: _____</p> <p>Maximum By-Right FAR of Site: _____</p> <p>Floor Area Requested: _____</p>
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*The undersigned hereby certifies that (a) the undersigned is the record owner in fee simple of the real property described above as the Donor Site, (b) if the Transfer of the TFAR contemplated by this Application receives final approval, the undersigned will consent to the recording of a restrictive covenant that will run with the Donor Site that will reduce the maximum allowable FAR of the Donor Site by the amount of TFAR transferred to the Receiver Site.*

\_\_\_\_\_  
Signature of Owner of Donor Site  
(Signature must be notarized)

\_\_\_\_\_  
Date

**D. Public Benefits**

**1. Receiver Site Valuation for Public Benefit Payment Calculation** (please complete one and complete respective information):

**a. Sales Price**

Sales Price: N/A

Date of Sale: \_\_\_\_\_

Name of Buyer: N/A

Name of Seller: N/A

**b. Appraisal**

Appraised Value: \$23,700,000

Date of Appraisal: 8/15/17

Company Name: Cushman & Wakefield

Name of Appraiser: Michelle Kaufman, MAI

Address of Appraiser: 601 S Figueroa St.

Telephone # of Appraiser: (213) 955-6495

*By signing below Applicant hereby certifies the above-described sales transaction was between unrelated parties at arms-length and that no other consideration (monetary or non-monetary) other than that set forth was paid or provided to Seller as an inducement to enter into the sale of the Receiver Site.*

\_\_\_\_\_  
Applicant

**2. Estimated Public Benefits Payment<sup>4</sup>** (please complete the estimated Public Benefits Payment sections)

**How to Calculate Estimated Public Benefits**

**Information needed for calculation**

Valuation (sales price or appraised value) from #D above: \$23,700,000

Lot Area (sq.ft.) from #B.3.: 38,097

Floor Area Ratio Factor (e.g., factor for an FAR of 6:1 is 6): 6

Requested Floor Area Transfer from #B.8: 404,803

**Formula for Calculating of Public Benefits Payment**

(Value/ Lot Area/ Floor Area Factor) x 0.40 x Floor Area Transfer Request = Public Benefit Payment Estimate

**Example:**

Valuation: \$22,000,220; Lot Area: 37,031 sq.ft.; Floor Area Ratio Factor: 6

Public Benefit Payment Estimate:  $(\$22,000,220 / 37,031 \text{ sq.ft.} / 6) \times 0.40 \times 559,452 \text{ sq.ft.} = \$22,158,133$

**a. Estimated Public Benefit Payment: \$ 16,788,428**

Please show calculation in space below:

(Valuation [#D.1] 23.7m / Lot Area [#B.3] 38,097 / FAR Factor 6) x 0.40 x Floor Area Request sq.ft. [#B.8] 404,803

<sup>4</sup> Public Benefit Payment means that dollar sum established by the application of the formula set forth in Section 14.5.9 of the LAMC.

**3. Estimated TFAR Transfer Payment<sup>5</sup>**

If the owner of the Donor Site is the City of Los Angeles or CRA/LA, Designated Local Authority, please calculate the Estimated Transfer Payment according to the formula below. *If requested floor area transfer is only from a Private Donor Site<sup>6</sup>, please skip to next Section, #D.4.*

**a. Estimated Transfer Payment:** \$ 2,024,015.00

Estimated Transfer Payment (the Estimated Transfer Payment will be the greater of)

**i. Public Benefit Payment [#D.2a] x 0.10 = \$ 1,678,842.80**

*Show calculation in space below:*

Public Benefit Payment [#D.2a] 16,788,427.96 x 0.10 = \$ 1,678,842.80

OR

**ii. Estimated Floor Area Transfer Request sq.ft. [#B.8] x \$5.00 = \$ 2,024,015.00**

*Show calculation in space below:*

Estimated Floor Area Transfer Request [#B.8] 404,803 x \$5.00 = \$ 2,024,015.00

**4. Proposed Public Benefit<sup>7</sup> (please check one and respective information)**

**a. 100% to the Public Benefit Payment Trust Fund** (amount from Section #D.2a, once information inputted skip to Section E): \$ \_\_\_\_\_

**b. Public Benefit Direct Provisions**

A minimum of 50% of the Total Public Benefit must go to the Public Benefit Trust Fund, thus no more than a maximum of 50% of the Total Public Benefit Total shall go to Public Benefit Direct Provisions (see instructions on the next page to complete Proposed Public Benefit Direct Provisions Table).

Percentage to the Public Benefit Payment Trust Fund 0\*\* %

Total to the Public Benefit Trust Fund \$ \_\_\_\_\_

Public Benefit Direct Provisions must directly provide Public Benefits in the following categories. Please check all that apply. Public Benefit Direct Provision Project description must be as detailed as possible in the Table on page 6.

<input checked="" type="checkbox"/> <b>Affordable Housing</b>	<input checked="" type="checkbox"/> <b>Streetscape Improvements</b>
<input checked="" type="checkbox"/> <b>Public Open Space</b> <i>(in addition to entitlement requirements)</i>	<input checked="" type="checkbox"/> <b>Public Art Programs</b>
<input type="checkbox"/> <b>Historic Preservation</b>	<input type="checkbox"/> <b>Homeless Services Programs</b>
<input checked="" type="checkbox"/> <b>Recreational, Cultural, Community and Public Facilities</b>	<input type="checkbox"/> <b>Public Transportation Improvements</b>
<input type="checkbox"/> <b>Job Training/ Outreach Programs</b>	<input checked="" type="checkbox"/> <b>Other</b> <i>(on-site improvements separate from entitlement requirements or project scope, e.g., vertical garden)</i>

<sup>5</sup> TFAR Transfer Payment means the payment made by the owner of a Receiver Site in exchange for the Agency's or City's Transfer of Floor Area Rights to a Receiver Site pursuant to the valuation method set forth in Section 14.5.10 of the LAMC.

<sup>6</sup> As defined in Section 14.5.3 of the LAMC if the Donor Site is owned by a party other than the City of CRA/LA, Designated Local Authority, the amount and payment of any TFAR Transfer Payment will be negotiated between the owner of the Donor Site and owner of the Receiver Site.

<sup>7</sup> As defined in Section 14.5.3 of the LAMC. Public Benefits means amenities provided to the public including, but not limited to, providing for affordable housing; public open space; historic preservation; recreational, cultural, community and public facilities; job training and outreach programs; local hiring; payment of prevailing wages; affordable child care; streetscape improvements; sustainability features; public arts programs; homeless services programs; or public transportation improvements.



**NOTE: Public Benefits Direct Provisions**

Public Benefit Direct Provisions are subject to review through the discretionary review process and may be subject to change. If the proposed Public Benefit Direct Provisions listed in this Application are disapproved by any reviewing governmental body, the Applicant's proposed Public Benefit Direct Provisions will automatically convert to the payment of cash to the Public Benefit Payment Trust Fund in the amount of the required Public Benefit Payment.

**E. General Findings:**

Please complete as applicable to the TFAR Project (Receiver Site) location. Complete #E1 OR #E2 below. Attach responses to the section below or on a separate sheet attached to this form. When attaching the sheet label title of sheet "General Findings" and label with appropriate numbers e.g., 1.a., 1.b., etc.

**1. Projects NOT located within the City Center Redevelopment Project Area**, please describe how the TFAR Project complies with each of the following Findings.

**a.** The increase in Floor Area generated by the proposed Transfer is appropriate with respect to location and access to public transit and other modes of transportation, compatible with other existing and proposed developments and the City's supporting infrastructure, or otherwise appropriate for the long-term development of the Central City;

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**b.** The Transfer serves the public interest; and

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**c.** The Transfer is in conformance with the Community Plan and any other relevant policy documents previously adopted by the Commission or the City Council.

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2. Projects **WITHIN the City Center Redevelopment Project Area**, please describe how the TFAR Project complies with each of the following Findings.

a. The increase in Floor Area generated by the proposed Transfer is appropriate with respect to location and access to public transit and other modes of transportation, compatible with other existing and proposed developments and the City's supporting infrastructure, or otherwise determined to be appropriate for the long-term development of the Central City;

See Attachment A

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b. The Project is consistent with the purposes and objectives of the Redevelopment Plan;

See Attachment A

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c. The Transfer serves the public interest by complying with the requirements of Section 14.5.9 of this Code; and;

See attachment A

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d. The Transfer is in conformance with the Community Plan and any other relevant policy documents previously adopted by the Commission or the City Council.

See Attachment A

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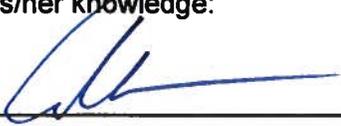
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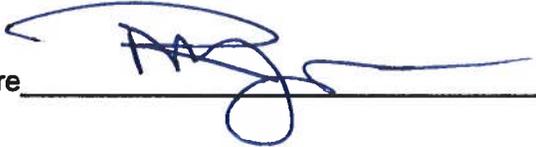
**F. Applicant's Signature**  
(Signature must be notarized)

Under penalty of perjury the undersigned Applicant affirms that the foregoing information is true and correct to the best of his/her knowledge:

Signature:   
By: Elliott Kahn  
Title: President

STATE OF ~~CALIFORNIA~~ FLORIDA  
COUNTY OF MIAMI DADE

Subscribed and sworn to (or affirmed) before me on this 30<sup>th</sup> day of April  
(month), 2020 (year), by Elliott Kahn, proved to me on the basis of  
satisfactory evidence to be the person(s) who appeared before me.

Signature   
(Seal)



**G. AUTHORIZATION TO FILE** (all items must be checked and information filled in to deem TFAR Application complete and to receive authorization to File TFAR Application). Signatures are required by both Community Planning and Projecting Planning.

**1. Early Consultation Compliance**

Prior to filing, the following Agencies/ Offices/ Departments shall be notified of the application.

- City Planning
- Mayor's Office
- City Council
- Chief Legislative Office
- CRA/LA, Designated Local Authority (if applicable)

**2. Verification of Public Benefit Payment Calculation**

- Appropriate verification of Receiver Site Valuation is complete and Public Benefit Payment calculation is correct.

**Public Benefit Payment Estimate \$** \_\_\_\_\_

**3. Verification of Transfer Payment Calculation**

- Not applicable – Private Owner Donor Site
- Appropriate verification of Donor Site ownership and Transfer Payment calculation is correct.

**Transfer Payment Estimate \$** \_\_\_\_\_

**4. Verification of TFAR Public Benefits**

- Public Benefit is serving a public purpose (description in the Table for Public Benefit Direct Provisions provides enough detail, and proposed Public Benefit Direct Provision Project may be categorized as any of the following affordable housing; public open space; historic preservation; recreational; cultural; community and public facilities; job training and outreach programs; affordable child care; streetscape improvements; public arts programs; homeless services programs; or public transportation improvements.
- Recipient Contact Information is complete.
- Not applicable – 100% of Public Benefit Payment to the Public Benefit Payment Trust Fund

Comments:

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**5. Findings are attached to Form**

- Yes  No

**6. ENVIRONMENTAL CLEARANCE** (check all that apply)

- Not Determined - Environmental Assessment Form (EAF) attached
- Categorical Exemption: Class \_\_\_\_\_ Category \_\_\_\_\_
- Environmental Impact Report (EIR) needed
- Existing ENV Case Number: \_\_\_\_\_
- ENV Addendum Case Number: \_\_\_\_\_

**Note:** Both Planners from Community Planning and Projecting Planning are required to sign. Community Planners shall sign off for requested floor area and Public Benefit Direct Provisions. Project Planning shall sign off for all other sections.

<b>Community Planning Signature:</b>	<b>Date:</b>	<b>Phone Number:</b>
<b>Print Name:</b>	<b>Email:</b>	
<b>Project Planning Signature:</b>	<b>Date:</b>	<b>Phone Number:</b>
<b>Print Name:</b>	<b>Email:</b>	

**INSTRUCTIONS: TFAR Referrals**

1. **Appointments:** A pre-filing appointment with the assigned Project Planner is required to complete this referral form. City Planning’s current Assignment List can be found on our website at <http://planning.lacity.org> under the “About” tab. [After the form is completed an appointment to file your application at the Development Services Centers is also required and must be made via the City Planning website.]
2. **Review Materials:** Review of the application by assigned Project Planning staff is intended to provide the Applicant with early notification of any issues with regard to requested actions or the adequacy of application exhibits/materials which could subsequently delay processing.
  - a. Provide the assigned planners with a copy of this form with all sections completed.
  - b. Provide a complete copy of all application materials as specified in the Master Filing Instructions (e.g. completed DCP Application, plot plans, photographs, etc.).
  - c. Provide the Specialized Requirements/Findings or Instructions pertinent to your project (e.g. Specific Plan filing instructions, DRB filing instructions, Tentative Tract filing instructions, etc.).
3. **Other Applicable Approvals:** Applicants are strongly advised to obtain a pre-plan check consultation with the Los Angeles Department of Building and Safety (LADBS) to ascertain if there are any other issues or necessary approvals associated with the project/site which should be resolved prior to filing. The design of the proposed project may require alterations in order to comply with the Los Angeles Municipal Code.

**City of Los Angeles Department of City Planning website: <http://planning.lacity.org>**

<b>DOWNTOWN OFFICES:</b>	Central Project Planning Offices Los Angeles City Hall 200 N. Spring Street, Room 621 Los Angeles, CA	West/South/Harbor Project Planning Offices Los Angeles City Hall 200 N. Spring Street, Room 720 Los Angeles, CA	DSC Metro Counter Figueroa Plaza, 4th Floor 221 N. Figueroa St. Los Angeles, CA
<b>VALLEY OFFICES:</b>	Valley Project Planning Offices Marvin Braude Building 6262 Van Nuys Blvd., Suite 430 Van Nuys, CA		DSC Valley Counter Marvin Braude Building 6262 Van Nuys Blvd., Suite 251 Van Nuys, CA
<b>WEST LA OFFICE:</b>	DSC West Los Angeles Counter 1828 Sawtelle Blvd., 2nd Floor West Los Angeles, CA 90025		

## **Attachment B**

This exhibit provides additional information and notes regarding the information presented in the updated TFAR application to which this is attached.

Please note that this form is being submitted on 4/30/2020 as requested by Department of City Planning staff. The TFAR application form was submitted on 8/15/2017. At the time, the TFAR application form was non-standard (not on City letterhead, was not assigned a form number) but was commonly used and accepted by the City for TFAR applications. The Applicant has completed the attached form which is the current standardized form (CP-3531) put into circulation by the City on 8/31/2018. Per City staff, submission of this form does not constitute a new application, but simply provides the TFAR request on the City's standard format.

### **Notes from form:**

\*As stated above the TFAR application was submitted to the City on 8/15/2017.

\*\*Per LAMC 14.5.9B, 100% of the Public Benefit Payment may be directly provided with approval from the City Council.

\*\*\*Total exceeds 50%. This Project is required to go to City Council for final approval and, per LAMC 14.5.9B, the City Council may allocate 100% of the Public Benefit Payment to be directly provided.