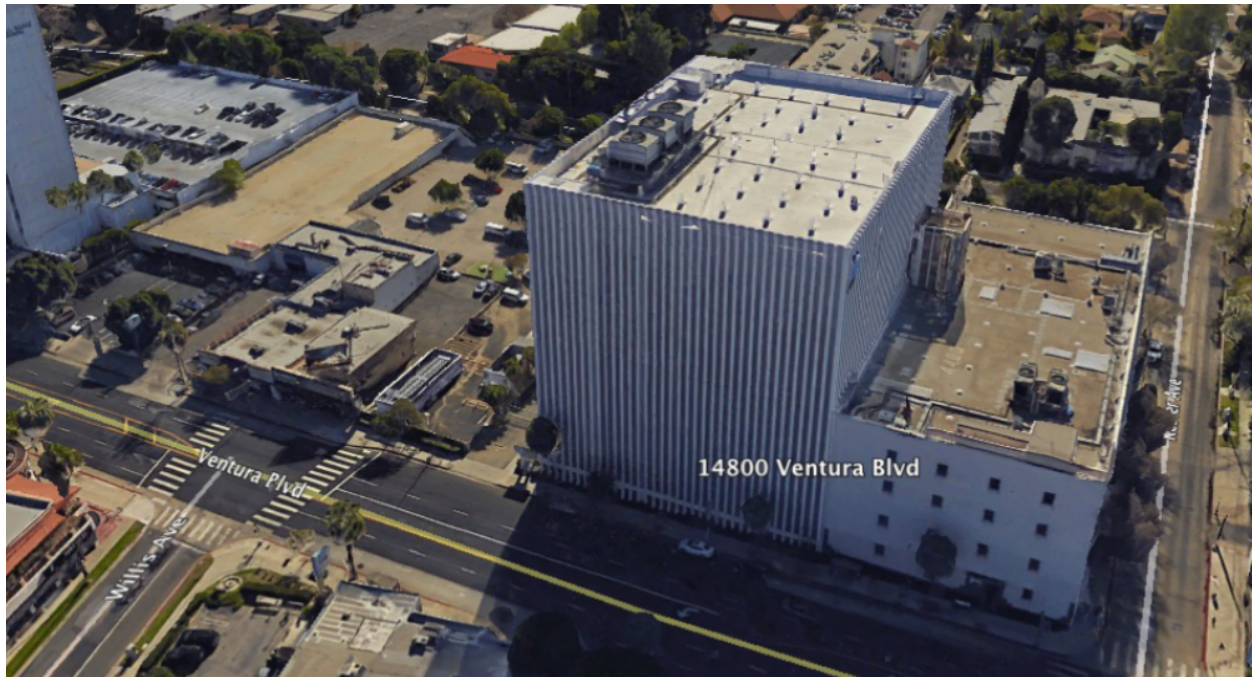


ZONE VARIANCE APPLICATION

14800 Ventura Boulevard
4480 Kester Avenue
Sherman Oaks, CA 91403



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REQUEST

- I. The approval of a Zone Variance to allow the existing telecommunications switching facility to provide 127 on-site parking spaces in lieu of the required 267 on-site stalls.
- II. Termination of Parking Affidavits P2304, P5325 and P5326 as a result of the proposed parking space requirement.

PROPERTY INFORMATION

The subject property is located at the southeast corner of Ventura Boulevard and Kester Avenue, bound by Dickens Street to the south, in the Sherman Oaks neighborhood of the City of Los Angeles. It is relatively flat, and contains +/- 4.51 acres (+/- 196,572 sf) of gross land area. The site is wholly improved with two buildings, surface parking and circulation areas, and a one-story parking structure. The two buildings, located at the northwest corner of the property are:

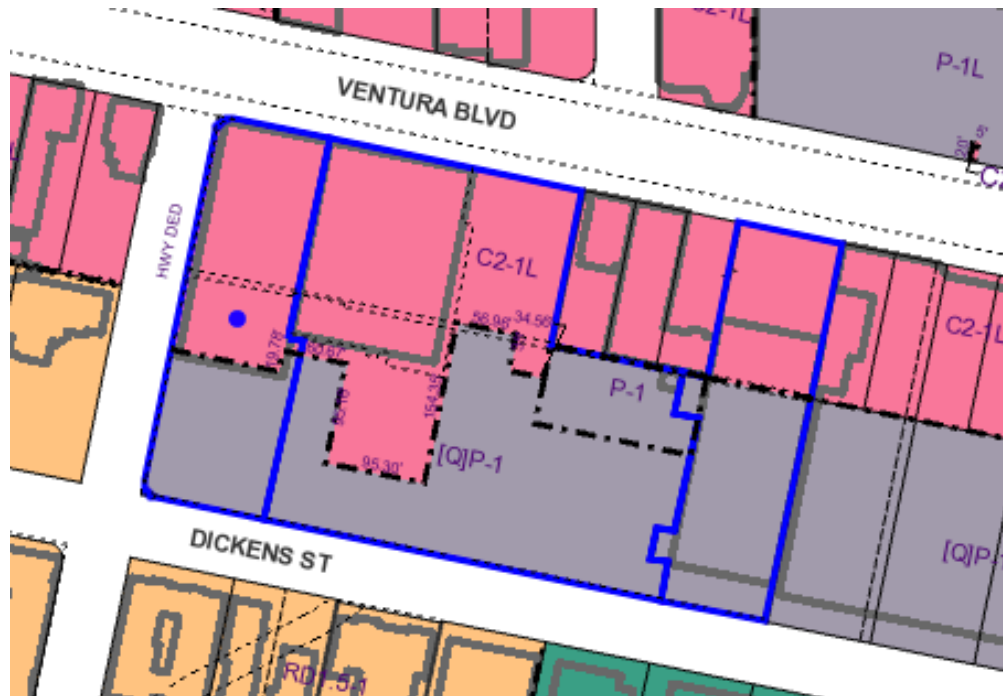
1. An eight-story Telecommunications Switching Facility, containing +/- 210,361 square feet of floor area (14800 Ventura Blvd); and,
2. A four-story Telecommunications Switching Facility, containing +/- 106,402 square feet of floor area (4800 Kester Ave)



Both buildings are constructed with basements and have existed in their current form since the 1970s. AT&T, and its predecessors, originally purchased a portion of the subject property in 1946 and continued acquiring the balance of the property over the course of the following twenty years. The 4480 Kester Avenue building was originally constructed in 1948 and the 14800 Ventura Boulevard building was constructed in two phases in 1967 and 1971. The site and its parking areas have controlled

access, containing 344 total parking stalls across the surface parking areas and within the parking structure.

The property is zoned C2-1L (along the Ventura Boulevard frontage), [Q]P-1 and P-1 (the majority of the parking areas, fronting Dickens Street). Adjacent properties along Ventura Boulevard to the north, east, and west are zoned C2-1L and contain commercial uses. Along Dickens Street to the south, east, and west include properties zoned RD1.5-1 and are developed with multi-family residences.



DEVELOPMENT HISTORY

The 4480 Kester Avenue building was originally constructed as a three-story telephone equipment building in 1948. It has since been altered and added onto, resulting in the four-story building existing today. All Certificates of Occupancy are attached hereto for reference. **No parking requirements have been identified throughout the building's history.**

The 14800 Ventura Boulevard building was originally constructed as a one-story building prior to AT&T's ownership. AT&T (Pacific Telephone and Telegraph Company at the time) constructed a four-story addition to the existing building in 1967 and then another four-story addition, resulting in the existing eight-story condition, in 1971. The only Certificate of Occupancy issued for the 14800 Ventura Boulevard building was in 1970 for the initial four-story addition, indicating a parking requirement of 267 spaces (attached).

The existing parking structure, located at the westernmost portion of the subject property, was constructed in 1972, originally configured with 175 spaces. The Certificate of Occupancy is attached.

The balance of the property is improved with surface parking and circulation areas. Controlled access is provided via driveways and keycard-accessed security gates from Ventura Boulevard and Dickens Street.

Throughout the project site’s history, three (3) Covenant and Agreements regarding maintenance of off-street parking spaces were executed and recorded against the subject property. Until the recording of a parcel map in 1987 (attached), the site was comprised of several independent legal lots. As such, the City of Los Angeles required the parking affidavits to accommodate parking for the above-described buildings on “off-site” parking lots. The details of each Covenant and Agreement are as follows:

Covenants Summary					
Agreement Number	Recording Instrument Number	Recording Date	Site Affected	Allocation	Beneficiary
P2304	4654	05.23.63	Surface Lot	70 Stalls	4480 Kester
P5326	85-560732	02.13.85	Structure	107 Stalls	14800 Ventura
P5325	85-560733	02.13.85	Structure	63 Stalls	4480 Kester

BASIS FOR THE ZONE VARIANCE REQUEST

As mentioned, the subject property is a large existing telecommunication switching facility consisting of two buildings, surface parking, and a parking structure. The buildings are primarily occupied with switching equipment (racks, panels, routers, switching systems) and ancillary support equipment (backup power, HVAC systems, backup batteries). There is some existing office space located within each building. The parking garage is not utilized or required for the number of employees that operate the facility. Only eleven employees are assigned to the facility, spread over multiple shifts daily between the two buildings. It is very rare for all eleven to be on site at one time. The required parking for the property, based on the 1970 Certificate of Occupancy for the 14800 Ventura Boulevard building (the only such record of required parking for the entire site) is two hundred sixty-seven (267) spaces. This parking determination was based on previous (original) occupancy type and operational history, prior to digital conversion, when the facility was a mechanical system and was very labor intensive (three 8 hour shifts).

The City of Los Angeles has routinely modified the parking counts at these types of facilities, from a requirement based on square footage or building type, to a requirement based on employee count (a summary of such cases can be found later in this document).

This situation, and this property in particular, offers a valuable opportunity not only for AT&T but for the City of Los Angeles as well. As has been the case at multiple other, similar switching facilities, AT&T is requesting that the parking requirement be reduced, in accord with the employee count. Upon modifying the parking requirement, along with the resultant termination of the related parking covenants, the parking structure and associated surface parking on Parcel C of the subject property can be separated from the balance, as AT&T will be in compliance with the new parking requirement by way of the remaining surface parking lot.

As a result, Parcel C would be classified as surplus, allowing it to be sold to a third party, and reused or redeveloped in a more efficient manner that benefits the general public, either by providing additional public parking or recycling it into a new commercial use.

ZONE VARIANCE REQUEST

AT&T is seeking a Variance to allow a parking reduction in order to reduce the required number of parking spaces on the property to one hundred twenty-seven (127) on-site spaces in lieu of the current requirement of two hundred sixty-seven (267) on-site parking spaces. The site contains two (2) telephone equipment buildings totaling 316,763 square feet of floor area that have been in operation since the 1940's (4800 Kester) and 1970's (14800 Ventura). The buildings are almost entirely dedicated and utilized for equipment related to telecommunication services (see floor plans). A summary of the spacial breakdown is as follows:

Floor Area Breakdown

14800 Ventura Boulevard

	Telephone and Ancillary Equipment	Office	Storage	Circulation/Misc	
Basement	12,576	0	4,115	710	17,401
1st Floor	22,131	0	246	1,743	24,120
2nd Floor	19,814	1,916	502	1,888	24,120
3rd Floor	21,022	1,046	385	1,667	24,120
4th Floor	19,814	2,302	231	1,773	24,120
5th Floor	16,293	4,889	1,327	1,611	24,120
6th Floor	18,705	2,758	923	1,734	24,120
7th Floor	17,504	3,994	877	1,745	24,120
8th Floor	21,296	815	241	1,768	24,120
TOTAL	169,155	17,720	8,847	14,639	210,361
Share	80.4%	8.4%	4.2%	7.0%	100.0%

4480 Kester Avenue

	Telephone and Ancillary Equipment	Office	Storage	Circulation/Misc	
Basement	14,357	0	0	473	14,830
1st Floor	12,658	8,578	42	1,615	22,893
2nd Floor	20,096	652	1,124	1,021	22,893
3rd Floor	12,515	8,958	379	1,041	22,893
4th Floor	9,857	11,472	340	1,224	22,893
TOTAL	69,483	29,660	1,885	5,374	106,402
Share	65.3%	27.9%	1.8%	5.1%	100.0%

Combined Floor Area - Both buildings

	Telephone and Ancillary Equipment	Office	Storage	Circulation/Misc	
TOTAL	238,638	47,380	10,732	20,013	316,763
Share	75.3%	15.0%	3.4%	6.3%	100.0%

There is no specific parking requirement for a telecommunications switching facility in the Zoning Ordinance, however, city records indicate that the parking requirement for the site is two hundred sixty-seven (267) spaces. As telecommunications technology has evolved from mechanical to highly automated systems, the need for on-site personnel has drastically decreased along with the related parking demand. For the subject facility, the current operational and parking needs are for the 11 employees and occasional visitors and vendors (up to 1 to 2 additional visitors daily). Additionally, in order to accommodate the office and storage space contained within the existing buildings, by applying the parking calculation provided for in LAMC Chapter I, Article 2, Sec 12.21.A.4(c) – requiring 1 stall/500 square feet of combined floor area for commercial buildings – an additional one hundred sixteen (116) stalls shall be provided. In summary, combining the employee count with the parking requirement related to the other uses within the buildings, as allowed by LAMC Chapter I, Article 2, Sec. 12.21.A.4(j), the total parking requirement for both buildings totals **one hundred twenty-seven (127) stalls**. Please see the attached parking exhibit for further illustration.

The intent of the Zoning Ordinance is to provide sufficient parking to meet the demand of the subject facility. A reduction to one hundred twenty-seven (127) parking spaces on the site is sufficient to accommodate the current and foreseeable parking demand for the facility. Requiring the maintenance of additional parking spaces, which are not utilized or needed results in a burden placed on the subject property that is not placed upon other properties in the area and results in further practical difficulties when the unique nature of this use is taken into consideration. Furthermore, requests of this nature have been approved at similar facilities in the City of Los Angeles, including:

Site Address	Case Number	Building Floor Area	Employee Count*	Prev. Existing Stall Count	Approved Stall Count	Reduction Share	Stalls/SF
420 S Grand Avenue	ZA 2009-3639(ZV)	715,000	130	320	150	46.9%	1/4,766.67
1810 S Parnell Avenue	ZA 2006-8685(ZV)	44,000	4	19	4	21.1%	1/11,000
1255 N Vermont Avenue	ZA 2005-6183(ZV)	76,000	8	58	16	27.6%	1/1,798
3233 W Vernon Avenue	ZA 2005-3043(ZV)	64,000	8	52	15	28.8%	1/4,266.67
16208 S Vermont Avenue	ZA 2005-1893(ZV)	88,000	17	177	49	27.7%	1/1,796
8530 Airport Avenue	ZA 2005-0233(ZV)(PAD)	99,068	16	162	35	21.6%	1/2,830.5
425 W 5th Street	ZA 96-1063(ZV)	15,000	11	26	15	57.7%	1/1,000
13246 Fiji Way	CPC 1991-0005(CU)	32,772	25	84	25	29.8%	1/1,310

at the time of application processing* **average: 1/3,596

Therefore, the strict application of the requirement of two hundred sixty-seven (267) parking stalls, based on city records and operational requirements from over forty (40) years ago, results in practical difficulties and unnecessary hardships inconsistent with the general purpose and intent of the Zoning Ordinance, causing the encumbrance of land that is better suited for recycling/alternative uses.

RECORDS & ENTITLEMENTS

Building & Safety

The building permits and records for the subject property date back to the late 1940's when the first phase of the existing telephone equipment building at 4800 Kester Avenue was constructed. Since then several improvements, expansions, the 14800 Ventura Boulevard building, modifications and equipment upgrades have been completed. The majority of permits are for internal improvements, cellular installations and signage. The permits listed below are those which reflect major improvements (initial and major addition permits) that have been completed at said property (copies are attached).

- Certificates of Occupancy for the initial construction, expansion, and internal modifications of the 4480 Kester Avenue building, with permits.
- Certificate of Occupancy for the first four (4) stories of the 14800 Ventura Boulevard Building and permits for the original construction and the building's upward expansion
- Certificate of Occupancy and related permits for the existing parking structure.
- Certificate of Occupancy and related permits for the surface parking fronting Dickens Street

Planning

The Planning entitlements and approvals for the subject property date back to the mid 1990s, consisting of rooftop antenna and equipment installations and signage changes. Most pertinent to this application

were two Director approvals allowing zone boundary adjustments between the C2-1L, [Q]P-1 and P-1 zones to accommodate the ground-mounted construction of a backup power system and fuel cells:

- DIR-2003-1252-ZBA-SPP, approved June 24, 2013
- DIR-2013-3321-ZBA-SPP, approved December 6, 2013

REQUIRED ZONE VARIANCE FINDINGS

As discussed, the Zone Variance is requested to reduce the required number of on-site parking stalls from two hundred sixty-seven (267) spaces to one hundred twenty-seven (127) spaces. No additions to the equipment buildings or any changes of use are proposed. The existing surface parking area located at the rear of the subject property will accommodate the parking requirement, providing no less than 127 parking spaces, allowing the existing parking structure and Ventura Boulevard-fronting surface parking on Parcel C to be deemed surplus and a candidate for disposition and reuse/redevelopment.

Specific Findings pursuant to Los Angeles Municipal Code Section 12.27.D:

Granting a Zone Variance requires the Zoning Administrator making written findings of fact based upon evidence taken, written or oral statements and documents presented, which may include photographs, maps and plans, together with the results of any staff investigations. A Zone Variance may be granted pursuant to the Zoning Administrator concurring with or making the following findings:

1. *Explain why the strict application of the zone code would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.*

The subject property consists of two existing buildings with surface driveways and parking areas, as well as a bi-level parking structure. The two buildings are:

- i. **4480 Kester Avenue**, containing +/- 106,402 sf of floor area; and,
- ii. **14800 Ventura Boulevard**, containing +/- 210,361 sf of floor area

The buildings operate as telecommunication switching facilities with only +/- 19% of the floor area available for office or administrative activity. Due to changes in technology, fewer employees are now required to operate the switching facility. The facility is largely unmanned requiring only a total of 11 employees spread throughout variable shifts during a 24-hour period. Periodic visits are made by technicians and vendors. Considering these operational requirements, and allocating an appropriate amount of stalls to accommodate the office and administrative spaces within the buildings [see LAMC Chapter I, Article 2, Sec. 12.21.A.4(c), (j)], a maximum of **one hundred twenty-seven (127)** parking stalls are required for operation of the facility.

City records indicate that the site has been used as a communications facility since the 1940s, when building permits and certificates of occupancy granted approval for the construction, and subsequent expansions and alterations, of telephone equipment buildings. The subsequent alterations and improvements have occurred in order to meet the technical, safety, and manpower needs and constraints in the telecommunications industry. At this point, AT&T's proposal consists of maintaining the existing buildings and supporting parking areas, allowing

the disposition of Parcel C, containing the existing parking structure and abutting surface parking. A total of no less than one hundred twenty-seven (127) parking spaces will be provided based on the reduced employee numbers, operational needs and accommodation for the (currently vacant) floor area dedicated to office and administrative uses.

The Zoning Ordinance requires a particular number of parking spaces to be provided based on a number of factors including square footage and use of the premises. Parking is typically determined by square footage for traditional and standardized uses (commercial, residential, etc.). While this approach is appropriate for the floor area identified for office and storage uses in the existing buildings, in this case, as it relates to the balance of the floor area within the telephone equipment buildings, it is appropriate to incorporate employee counts, in that the telecommunication switching use is unique in nature warranting special consideration not currently considered by the city's existing Zoning Ordinance. In order to preclude practical difficulties and unnecessary hardships for the site and use, this consideration is critical. This facility, unlike any others in the area, houses telecommunications equipment and operates with minimal human interaction. The proposed parking lot will provide sufficient parking.

While two hundred sixty-seven (267) parking spaces were required for the switching station at one time (1970), that number of parking spaces is far in excess of the number required for today's operation. Requiring the facility to maintain an unused parking structure imposes inappropriate costs on the owner. The parking structure is not in an operable condition and is not used. Not approving the variance will not only impose hardship on the owner, but will prevent an important opportunity for more efficient, effective. And compatible land use to the City of Los Angeles. Approving the variance will remove the owner hardship, create an opportunity for an otherwise unavailable asset accessible within the Ventura Boulevard Specific Plan, and all parking at the facility will be accommodated by the remaining surface parking lot.

- 2. Describe the special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.*

The telecommunications switching facility has undergone changes in technology that have altered the way in which that its systems operate. This is a result of advancements that have resulted in the reduced the labor intensity of the facility. With fewer employees on site, circumstances have changed that allow for a decreased need for on-site parking. This places an unfair and unnecessary burden on the property to provide parking that is above and beyond its actual need given the nature of the telecommunications switching use. This subjects the property and site to regulations that no other property in the vicinity must comply with by requiring the property to provide for excessive property that is completely unnecessary given its unique nature of the operation and the low number of employees that are required to be onsite. Furthermore, the excessive parking space requirement unnecessarily encumbers and restricts an asset within the Ventura Boulevard Specific Plan Area from more appropriate and effective land use alternatives.

With the change in the number of employees on any one shift, the number of parking spaces once required for the use has changed so that one hundred twenty-seven (127) parking spaces will more than adequately park the site where previously (over forty years ago) two hundred sixty-seven (267) parking spaces were provided to satisfy code and operational requirements.

These special circumstances are applicable to the subject property and do not apply to any other property in the same zone in the vicinity.

An additional unique or special circumstances in this instance is that the owner is a regulated entity and must operate in a manner that is conducive to the benefit of its ratepayers. AT&T cannot justify the cost to improve, nor does it have the ability to use, the surplus parking areas, including the existing parking structure. These particular circumstances are extremely unique and exclusive to the subject property and applicable situation.

- 3. Explain why the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships is denied to the property in question.*

The subject property is developed with the aforementioned equipment buildings and an unused parking structure and surface parking areas. Based on technological changes to the switching facilities, the current parking requirement of two hundred sixty-seven (267) stalls is not relevant to the current operational need and office space accommodation of one hundred twenty-seven (127) parking stalls and imposes a severe burden on the property by requiring the owner to retain an unused parking structure and surface parking. The parking structure is accessible to vandals, imposing additional security and maintenance burdens upon the owner.

Parking requirements are determined by numerous methods outlined in the Municipal Code depending on the particular use of the property. The code mandates parking in numbers so as to provide sufficient parking for each use. Other nearby properties enjoy the ability to provide required parking in a manner that is reasonably suited to each particular use. Most provide the required number of parking spaces. However, it is unusual to find occasions where excess parking is provided in far greater numbers than is required by the code for the given use on a property.

The zoning ordinance also does not specifically define parking requirements for telecommunications switching facilities and it is unclear how the original parking requirement of two hundred sixty-seven (267) parking spaces was calculated and determined. Notwithstanding, the current use of the property does not generate a parking demand that is commensurate with the required parking stalls. The continuation of this requirement inadvertently causes retention of the dilapidated structure, precluding the owner from improving the property.

Granting the Zone Variance will recognize the change in circumstances that have resulted in the much lower demand for parking required for the present and future use of the property. It will permit the property and site to retain parking that is appropriately suited to the existing number of employees and floor area uses, permitting the owner to enjoy the use of the property in a manner that is consistent with other properties in the same zone in the vicinity. It will also recognize the special circumstances associated with the current use of the property.

- 4. Explain why the granting of the variance would not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the subject property is located.*

The subject telecommunications switching facility is a critical land use in that it helps to serve the communication needs of the businesses and residents in the area, providing crucial connectivity to emergency services, as well. The subject facility is a building that houses sophisticated electronic communications systems that route and manage telecommunications traffic. The state of the art equipment has evolved so that it is able to operate with limited human interaction. As a result, the facility operates with a total of eleven (11) employees spread out in shifts over twenty-four (24) hours. Occasionally, other support or supervisory personnel also visit the site on an intermittent basis. As a result, there is very little need to provide or retain excess parking on site. The building is a secured, climate controlled facility that is not open to the public, further precluding the need for any additional parking. Granting the Zone Variance will reduce the parking requirement to a level that is consistent with the use, and that is appropriate, considering that the current code does not contain a parking requirement for this type of a use. The site will continue to provide sufficient parking for all employees and its occasional visitors. As a result, it is reasonable to conclude that granting the Zone Variance will not be materially detrimental to the public nor will it result in injury to any persons or property in the surrounding area.

5. *Explain why the granting of the variance would not adversely affect any element of the General Plan.*

The General Plan Land Use designation is Community Commercial and the site is located within the Ventura Boulevard Specific Plan Area. The telecommunications switching facility is a commercial use that has existed at the property for over forty years. This request will not change or intensify the use on-site. This application is simply requesting that a parking reduction be approved considering the unique nature and reduced number of employees that are on the site on a day-to-day basis, applying site and use-specific methods to determine an appropriate parking requirement. The change in the parking demand is a direct result of the change and evolution in the technology, which has greatly reduced the number of employees required to monitor and maintain this switching facility. More than sufficient parking will be retained to provide for employee and guest parking. The underlying use of the property will remain unchanged and in conformance with the General Plan.

CONCLUSION

This project, located in the heart of the Sherman Oaks community, has been studied extensively by the applicant and the City Planning Department prior to the submittal of this application in order to create a proposal that best serves the property, its neighborhood, and the City of Los Angeles in general as it strives to promote growth in a sound, logical, and planned manner. Approval of the proposed Zone Variance will allow the subject property to operate in a more effective and efficient manner while freeing up otherwise underutilized property situated in a prime location for recycling and reuse. AT&T looks forward to working with the City in processing this application.

Respectfully Submitted,

AT&T Services, Inc.