

Speaking points against Loyola violations of the LAMC at the City Neighborhood Council 5/20/13

Greetings and introductions - My name is Robert Sawyer, I reside at 8116 Gonzaga Avenue near ground zero and have standing to address the Council. I am also the owner of RSAC, an architectural practice with 17 yrs of service to the community and familiar with city codes. I have personally designed much of Los Angeles' infrastructure including LAX airport terminal 4 - Preconditioned Air Terminal as well as the Parking lot design at nearby Visitation School. I maintain a substantial track record of zoning, conditional-use and permit-related approvals, and possess working knowledge of interpretive code analysis. I am also the owner and publisher of Architectural Business Magazine and have served as an advisor on code requirements and architectural issues to the likes of US President Ronald Reagan, among others.

This evening I'd simply like to talk about the law and the L.A. Municipal Code which addresses the existing parking issue very clearly:

1. Parking requirements for all structures. Los Angeles Municipal Code 12.21.A.4. Off-Street Automobile Parking Requirements. (Amended by Ord. No. 182,386, Eff. 3/13/13) "A garage or an off-street automobile parking area shall be provided in connection with and at the time of the erection of each of the buildings or structures." This means LMU was and continues to be required to provide parking for its students. **LMU does not have any permit-related APPROVALS to utilize off-street parking whether need-based or fee-based.** LMU's "needs-based approach" to fee-generated parking do not constitute any legal permission to deviate from the applicable L.A.M.C. code.

Each student, faculty member, every employee not residing in the area who parks on the street is in violation of LAMC 12.21.A.4 and to-date there is no specific exemption created for LMU by its particular use. Please read subsection 4. LMU's disregard of the law warrants action by this board. It has failed to create or secure the Code-required parking areas LMU must provide under the code.

2. Occupancy subject to conformity - Los Angeles Municipal Code 12.26 (b) states: "Whenever the automobile parking spaces which are required for a building are provided, the certificate of occupancy for said building shall be valid only while such parking spaces are being so maintained and shall bear a notation to that effect." LMU is out-of-compliance, knows it is out of compliance, has been out of compliance for quite awhile now, and shows no intention of complying. Indeed, it appears to be "slow-walking" its compliance through periodic "community meetings" and promises it has never fulfilled.

3. Westchester citizens and businesses contribute approximately \$6 million annually to the City of Los Angeles in revenue. Loyola contributes exactly "0." Nothing. They are tax-exempt, yet they attempt to control and distort facts regarding what constitutes "public use." The overload of traffic [evidenced by the DOT traffic study] proves LMU contributes significantly to the cost of road work and yearly maintenance. LMU has contributed nothing to those costs ever.

3. The Land-use provisions of the ZONING Code already prohibit the use of the R-1 zone for commercial use. As documented by the DOT study, LMU's use of public streets on an on-going basis illustrate how 86% of street parking is occupied by non-resident students, employees and faculty. The Zoning code does not allow for LMU or any University or School to utilize the public street for parking. These issues have been acted upon before in the nearby neighborhood surrounding Notre Dame Academy: there the school was warned to comply or risk losing their Occupancy Permit, and the school (however reluctantly) complied.

4. Granted the City streets are public. However, once a repeated pattern of non-conforming use is documented (See KTLA News footage dated 5/11/13.) then a violation exists and an Order To Comply along with fees and fines may be issued. I hope you'll agree that evidence of 5 or more years of documented abuse of the code is sufficient. LMU is a free-loader in our community and enough is enough.