

## **APPENDIX H**

### **LAND USE**

Appendix H  
Land Use Appendix

Table App. H-1	Specific Plan Amendments - Proposed Text Changes
Table App. H-2	Density Calculation-R4 Zone Density in C4 Zone
Figure App. H-1	Westwood Community Plan Population and Dwelling Unit Capacity
Figure App. H-2	Westwood Village Specific Plan Cultural Resource and Receiver Sites Map
Figure App. H-3	Westwood Village Specific Plan List of Locally Historic Resources
Table App. H-3	Lot Area
Table App. H-4	Buildable Area
Table App. H-5	Maximum Commercial Floor Area Permitted Under the Existing Specific Plan
Table App. H-6	Mixed-Use Residential/Commercial Project Permitted Under the Specific Plan
Westwood Village Hotel and Mixed-Use Development Final EIR Response to Comments Excerpts Addressing the Director of Planning's Interpretation of Building Heights	
Figure App. H-4	Building Elevations-Westwood Village Specific Plan Determination Height
Figure App. H-5	Building Elevations-Zoning Code Determination of Height
Los Angeles Planning Department Director of Planning Interpretations of the Westwood Village Specific Plan	
Definition of "Ground Floor"	
Method of Measuring Height & Location	
Permitted Uses Within "Unoccupied Towers"	
Zoning Engineer Interpretations	
Area of Lots in C Zones with Proposed Street Dedication for F.A.R. Purposes Story Determination on Sloping Lots	
Developments Combining Residential and Commercial Uses-Determination of Buildable Area	
Information Bulletins	
Determination of the Zoning Code "Height of a Building or Structure"	
Allowable Projections and Improvements in Required Yards	

**Table App.H-1**  
**Proposed Specific Plan Amendment Text Changes and**  
**Summary Discussion of Proposed Specific Plan Amendments**

Text Changes <sup>(1)</sup>	Discussion
<b>1. Exempt projects within the Specific Plan area from the Commercial Corner Ordinance</b>	
<p>Section 3 of the Westwood Village Specific Plan shall be amended to add subsection (E):</p> <p><u>E. The regulations of this Specific Plan shall supercede the Mini-Shopping Centers and Commercial Corner Development requirements of the Los Angeles Municipal Code sections 12.22 A 23 and 12.24 W.</u></p>	<p>The Westwood Village Specific Plan regulates development in Westwood Village and contains numerous provisions that define, among other things, permissible height, design and parking requirements of a project. Every project in the Specific Plan area is subject to review by the Westwood Design Review Board. During this process all design aspects of the project are reviewed including, signage, window treatment, landscaping and street trees. The Westwood Village Specific Plan should supercede the requirements imposed by the Commercial Corner Ordinance because the Specific Plan and the Ordinance are, in many instances, inconsistent and duplicative. Because the areas regulated by the Ordinance are already regulated by provisions in the Specific Plan that have been designed and created specifically for Westwood Village, the Ordinance is unnecessary. If an applicant desires to deviate from the Specific Plan requirements, the applicant would be permitted to request a Specific Plan amendment or exception, rather than additionally requesting a Conditional Use Permit to deviate from the Commercial Corner Ordinance requirements as is currently required.</p>
<b>2. Add Definitions of "Mixed Use" and "Unified Development" to Section 4, Definitions</b>	
<p>Section 4 of the Westwood Village Specific Plan shall be amended to include the following definitions:</p> <p><u>Mixed Use Project – A project which combines one or more commercial uses and multiple dwelling units in a single building or in a Unified Development and which provides the following: (1) a separate, ground floor entrance to the residential component, or a lobby that serves both the residential and commercial components; and (2) a pedestrian entrance to the commercial component that is directly accessible from a public street, and that is open during the normal business hours posted by the business.</u></p> <p><u>Unified Development – A development of two or more buildings which have functional linkages such as pedestrian or vehicular connections, with common architectural and landscape features which constitute distinctive design elements of the development, and which appears to be a consolidated whole when viewed from adjoining streets. Unified Developments may include two or more contiguous parcels or lots of record separated only by a street or alley.</u></p>	<p>While the Specific Plan encourages residential uses above the ground floor (Section 2. C.3.), the plan lacks guidelines that would define the type of mixed-use project that would be appropriate for Westwood Village. One of the development standards of a mixed-use project is that it be a "unified development." The proposed definitions are intended to ensure that future mixed-use projects in Westwood Village are generally in conformance with the Mixed Use provisions of the L.A.M.C. (Section 13.09).</p>

3. Amend Figure 1 in the Westwood Village Specific Plan to include the west side of Glendon Avenue in Subarea 2	
<p>No text changes are required for this amendment.</p>	<p>The Project is comprised of two sites: (1) one is on the east side of Glendon Avenue between Weyburn and Kinross Avenues, known as the Eastside, and (2) one is on the west side of Glendon Avenue between Weyburn and Kinross Avenues, known as the Westside. The Specific Plan is comprised of the following areas: the Specific Plan area, the Village Center and Subareas 1, 2, and 3 (See Figure LU-3). The Eastside is located within Subarea 2. the Westside is located within the Specific Plan area, but is not located within any specific Subarea.</p> <p>Because the Project is designed as one fully integrated, unified development, the Applicant requests that the Westside be incorporated into Subarea 2 to provide consistency and continuity to the land use regulations applicable to the Project.</p>
4. Reduce the required lot area per unit in Subarea 2 from 800 to 400 square feet	
<p>Section 5(B)(13) of the Westwood Village Specific Plan shall be amended to read as follows:</p> <p>13. <i>Residential dwelling units, provided that density shall be limited to:</i></p> <p>a. <i>800 square feet of lot area per dwelling unit; or</i></p> <p>b. <u>400 square feet of lot area per dwelling unit in Subarea 2 as part of a Mixed Use Project so long as the number of residential units in the subarea does not exceed 350.</u></p>	<p>The Palazzo Westwood Project proposes a 528,490 square foot mixed-use commercial and residential development. The Project will contain 350 residential units and 115,000 square feet of ground floor retail/commercial space. The Eastside will consist of 234 residential units, and the Westside will consist of 116 residential units.</p> <p>The Specific Plan permits 800 square feet of lot area per unit. The proposed density for the Eastside is 791 square feet of lot area per unit and on the Westside 431 square feet of lot area per unit. However, the Project has an average lot area per residential unit of 530 square feet.</p> <p>At the permitted ratio of one residential unit per 800 square feet of lot area, the Project would be allowed 231 units. Under this scenario, approximately 255,680 square feet could be developed with commercial uses pursuant to the Specific Plan, which is more than twice that proposed.</p> <p>The permissible FAR between both the Eastside and Westside is 2.5:1. The proposed amendment does not increase the allowable floor area of development on the site. Instead, it allows for a greater proportion of the allowable FAR to be used for residential rather than commercial uses. This amendment provides development regulations that are applicable to mixed use developments located in Subarea 2 only.</p>

**5. Allow Mixed Use projects in Subarea 2 to have commercial uses on lots fronting on Tiverton Avenue**

Section 5 (B) (14) of the Westwood Village Specific plan shall be amended to read as follows:

14. The following restrictions apply in Subareas 1 and 2 on Figure 1:

*a. Only residential or hotel uses are permitted in Subarea 1, except that if Subarea 2 is developed as a hotel, retail uses are allowed as part of that hotel, up to a maximum floor area ratio of 0.75:1*

*b. If Subarea 2 is not developed with a hotel, commercial development shall be permitted on lots fronting Glendon Avenue provided the uses are permitted in this section, and the lots fronting on Tiverton Avenue shall be limited to residential uses only.*

*b. Only residential, hotel uses or Mixed Use Projects are permitted in Subarea 2.*

*c. If Subarea 2 is developed as a hotel, retail uses are allowed as part of that hotel, up to a maximum floor area ratio of 0.75:1.*

*d. If Subarea 2 is developed with a Mixed Use Project, only residential uses shall be permitted above the ground floor on lots fronting on Tiverton Avenue.*

*e. In connection with a hotel or Mixed Use Project no hotel or commercial vehicular ingress or egress shall be located either (1) along Le Conte Avenue within 300 feet of the westerly edge of Tiverton Avenue, or (2) along Tiverton Avenue; however, service vehicle ingress or egress may be located along Tiverton Avenue if the hours of access are limited to between 8 a.m. through 7 p.m. daily and are so restricted by covenant.*

*f. In connection with a hotel or Mixed Use Project, no pedestrian access for hotel or commercial uses shall be located along Tiverton Avenue, except emergency ingress and egress as may be required by the Fire Department.*

*g. No signs or retail display windows may be located along Tiverton Avenue.*

*h. The combined occupancy of all restaurants on a hotel site may not exceed 350 persons. One dance floor, not to exceed 500 square feet, shall be permitted ancillary to only one restaurant on the hotel site.*

The Specific Plan currently permits commercial uses along Tiverton Avenue in conjunction with a hotel. This amendment would permit commercial uses along Tiverton in conjunction with a mixed use project as well. The proposed amendment would limit commercial uses to the ground floor, while residential uses would be permitted above the ground floor. In addition, as the Specific Plan currently stipulates, commercial ingress and egress, pedestrian access, and retail windows or signs would not be permitted along Tiverton Avenue. Service access would be permitted along Tiverton Avenue between 8 A.M. and 7 P.M as currently permitted in the Specific Plan.

#### 6. Allow Floor Area Ratio averaging/reallocation in Subarea 2

Section 7 (B) of the Westwood Village Specific Plan shall be amended by adding the following subsection:

9. Floor area ratio averaging/reallocation may be permitted in Subarea 2 for Unified Developments so long as the maximum floor area does not exceed the total amount permitted on the subject properties.

The applicant shall file a covenant running with the land with the Department of Building and Safety prior to the issuance of any building permits guaranteeing the operation of the development as a Unified Development, indicating the floor area used on each parcel, and the floor area potential that would remain.

The proposed building on the Eastside has less square footage than the Specific Plan permits and the Westside has slightly more. Following is a breakdown of the Project in terms of square footage and floor area ratio (FAR):

#### LOT SIZE AND PERMITTED FAR

Eastside	131,384.8 SQ.FT.	FAR	3:1
Westside	53,734.4 SQ.FT.	FAR	2.5:1
<b>TOTAL</b>	<b>185,119.2 SQ.FT.</b>	<b>FAR</b>	<b>2.85:1</b>

#### SPECIFIC PLAN PERMITTED DENSITY/FAR

Eastside	384,154.4 SQ.FT.	FAR	3:1
Westside	134,335.0 SQ.FT.	FAR	2.5:1
<b>TOTAL</b>	<b>528,490.4 SQ.FT.</b>	<b>FAR</b>	<b>2.85:1</b>

#### PROPOSED DENSITY/FAR

Eastside	349,998.0 SQ.FT.	FAR	2.66:1
Westside	178,492.0 SQ.FT.	FAR	3.32:1
<b>TOTAL</b>	<b>528,490.0 SQ.FT.</b>	<b>FAR</b>	<b>2.85:1</b>

The Project meets the total permissible buildable area of 528,490 square feet, with an average FAR of 2.85:1. The City of Los Angeles LAMC has a provision that permits FAR averaging in unified developments (Section 12.24 W19). (See Amendment 1 above for a definition of unified development).

Palazzo Westwood meets all the provisions of Section 12.24 W19 of the LAMC and embodies the spirit and intent of this code subsection in the following ways:

- a) All vehicular egress and ingress are interconnected. The residential parking for both building is accessed off Tiverton Avenue and commercial parking for both buildings is accessed off Glendon Avenue. Decorative concrete pavers are used across Glendon Avenue for pedestrian crosswalks in order to link the two buildings;

**6. Allow Floor Area Ratio averaging in Subarea 2 (Cont.)**

b) Both buildings are designed in the same Spanish Colonial Revival Style and the facade resembles a series of smaller buildings. The design also incorporates substantial architectural detail such as decorative metal railings, tile work, etc. The Project is enhanced with a comprehensive landscape plan that includes street trees.

c) The Eastside and the Westside face each other and are separated by Glendon Avenue.

d) When viewed from any corner – Weyburn and Glendon, Tiverton and Glendon, or Kinross and Glendon- the development appears as a consolidated whole. Certain architectural features such as towers, domes and bay windows, emphasize this attribute.

The Specific Plan is currently silent on the issue of FAR averaging. The provision in the Zoning Code was created to encourage unified developments and address the unique circumstances that exist with projects such as Palazzo Westwood.

Although there are two buildings, one on each side of Glendon, Palazzo Westwood has been designed as one, fully integrated unified development that will function and be viewed as a single unified development. As specified in Section 8.A.4(b), the Project will contain a facade which resembles a series of smaller buildings, and both buildings will be designed in the same Spanish Colonial Revival style with substantial architectural detail, compatible with the architectural character of the surrounding area (Section 8.A.4.c).

## 7. Modify height limit for projects on one or more acres in Subarea 2

Section 8 (B) (1) of the Westwood Village Specific Plan shall be amended to add subsection (b):

### B. Exceptions to Height Requirements

#### 1. The height of buildings shall be measured as follows:

- a. *When the elevation of the highest adjoining public sidewalk within a five foot horizontal distance of an exterior wall of a building exceeds grade by more than five feet, a building or structure may exceed the height permitted under Subsection A of this section in number of feet by not more than the difference between the elevation of the highest adjoining public sidewalk and grade. However, no such additional height shall cause any portion of the building or structure to exceed a height of 45 feet, as measured from the highest point of the roof structure or parapet wall to the elevation of the ground surface which is vertically below that point of measurement.*
- b. For projects in Subarea 2 located on sites which total one acre or more, the height of the building or structure, excluding unoccupied towers, shall be no more than 65 feet, as measured from the highest point of the roof or parapet wall to the elevation of the ground surface which is vertically below that point of measurement. Roof structures may be located on the building's perimeter. The height of the building to the ceiling of the tallest habitable room shall not exceed 55 feet.

The property on which the Project is situated has several unique characteristics. The Eastside, which is primarily developed as a surface parking lot, is the single largest undeveloped property in Westwood Village. Together with the Westside, the subject site is the largest area designated for redevelopment in the Village. Additionally, there is a significant difference in the grade between the highest point and the lowest point (approximately 19 feet between Weyburn Avenue on the north and Kinross Avenue on the south). As a result, the Applicant requests an amended height measurement for this parcel due to its size and grade differential.

Furthermore, since Palazzo Westwood is designed in the Spanish Colonial style, the roofline has numerous towers and tile pitched roofs that add to the height. This gives the building more character and makes it compatible with the architectural style of the surrounding area. A number of buildings surrounding the Project are significantly higher than the proposed Project – Westwood Horizons on Tiverton is 154 feet and the Westwood Center office building is 232 feet. At 61 feet, the Verizon building is compatible to the Project's proposed height of 65 feet.

The height of the proposed building is 65 feet when measured from the highest point of the roof structure or parapet wall to the elevation of the ground surface below that point of measurement. The height of the building varies from this maximum of 65 feet to as low as 45 feet since the entire roofline is designed in a modulating manner. The height of the proposed building to the ceiling of the tallest habitable room will be 55 feet.

The proposed height is consistent with the varied height and scale of the surrounding buildings in the area.



**8. Allow Unified Developments in Subarea 2 to be 65 feet without a building setback at 40 feet.**

Section 8 (C)1 of the Westwood Village Specific Plan shall be amended to read as follows:

1. Except as provided in Subdivision 5 of this subsection, the height of a building, including roofs, roof structures, but excluding unoccupied towers, shall not exceed 40 feet within a five foot horizontal distance of any building line or any lot line parallel to a public street if there is no building line. Above 40 feet, the building, roof and roof structures shall be set back from the building line or lot line at a 45 degree angle.

And amended to add the following:

5. In Subarea 2, a building setback of 45 degrees at 40 feet shall not be required for buildings within a Unified Development, so long as the height of the buildings do not exceed 65 feet to the highest point of the roof structure or parapet wall.

Setbacks for mixed-use projects on infill sites located on established retail streets are typically added at the prevailing building height along the street frontage. This treatment allows density increases for the residential uses above the ground floor, while preserving the physical character of the prevailing retail storefronts below. Glendon Avenue has no prevailing street frontage height because it is mostly vacant, and therefore, the proposed site has no contextual height to preserve. The opportunity exists to create a site-specific façade treatment and street environment. The Proposed Project will employ articulated roof lines and building massing consistent with the Mediterranean/Spanish Colonial Revival style, in lieu of setbacks above 40 feet.

**9. Reduce the number of required bicycle parking spaces**

Section 9 (F) of the Westwood Village Specific Plan shall be amended to read as follows:

*F. Bicycle Parking*

*Bicycle parking shall be provided at a ratio of one bicycle parking space for each ~~five~~ twenty required vehicle parking spaces. Bicycle parking shall be located in the vehicular parking facility or as close to the entrance of that facility as is feasible.*

Although this amendment will reduce the total number of required spaces, the required number of spaces and provisions will be more compatible with the provisions of the LAMC. Subsequent to the adoption of the Westwood Village Specific Plan, the City Council adopted a comprehensive bicycle ordinance in 1991 (167,409). This ordinance requires commercial and industrial projects to provide bicycle parking at a ratio of 2% of the number of automobile parking spaces. The 2% ratio was based on a study that found that 1% of all commuters use bicycles as their preferred mode of transportation.

Given Palazzo Westwood's proximity to UCLA, the proposed amendment will be 5%, or one for **every** automobile parking space. This is significantly higher than the LAMC. Specifically, the Specific Plan would require 292 bicycle parking spaces, while the Zoning Code – which requires bicycle parking only for non-residential uses – would require 28 bicycle parking spaces. Using the methodology as amended, the Project would provide a total of 73 bicycle parking spaces.

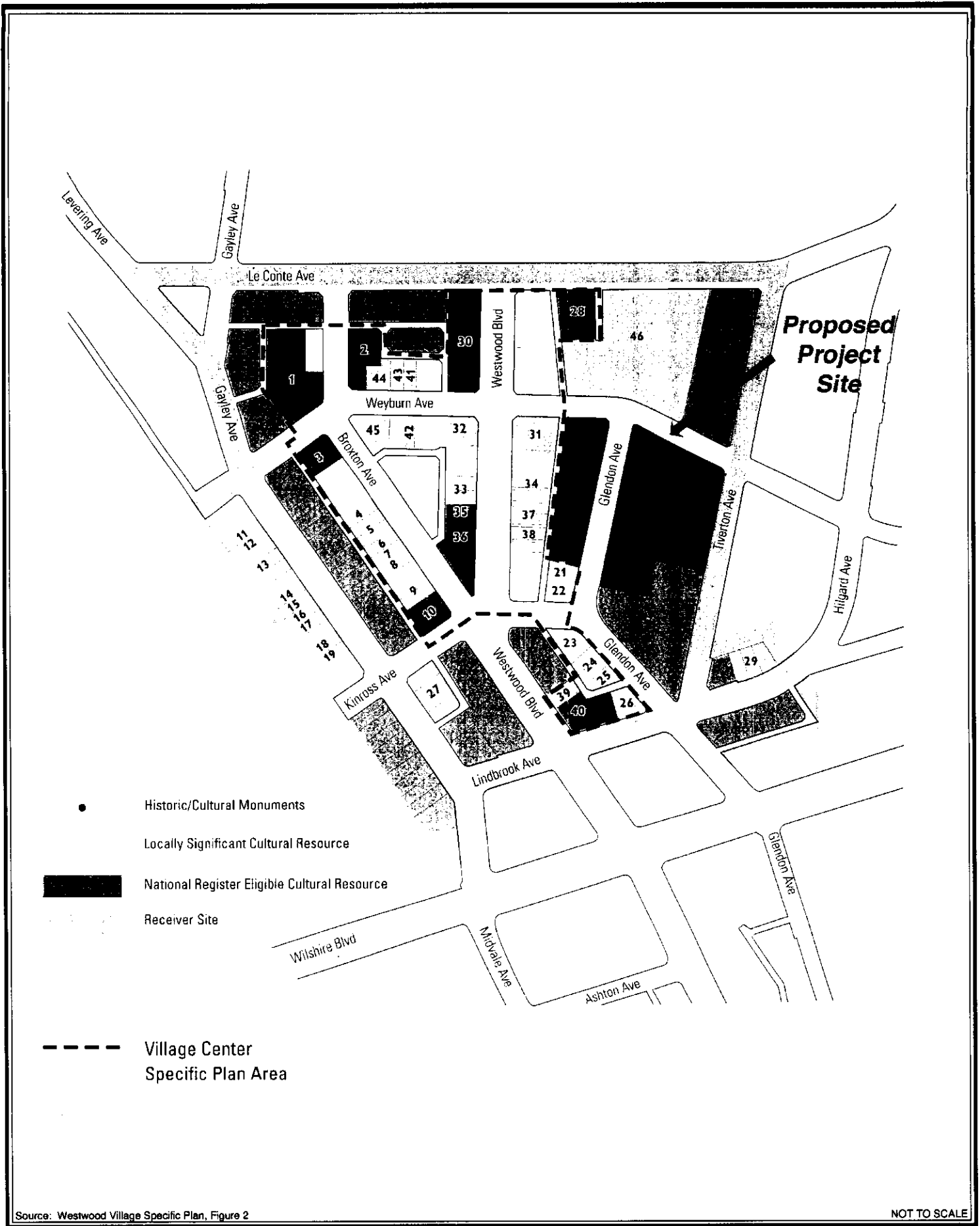
- (1) *Italicized* text indicates existing Specific Plan text; underline text indicates proposed Specific Plan text; strike through text indicates existing Specific Plan text proposed for deletion.

## PLAN POPULATION AND DWELLING UNIT CAPACITY

Residential Land Use Category	Dwelling Units Per Net Acre Midpoint	Number of Dwelling Units	Net Acres	Persons Per Dwelling Unit (2010)	Reasonable Exp. Population (2010)
Minimum	0.5 (0 - 1)	49	97	2.57	125
Very Low I	2.0 (1 - 4)	28	14	2.57	72
Low	6.5 (4 - 9)	3,822	588	2.74	10,472
Low Medium I	13.5 (9 - 8)	108	8	1.93	208
Low Medium II	23.5 (18 - 29)	1,363	58	1.93	2,631
Medium	42.0 (29 - 55)	4,662	111	1.93	8,998
High Medium	82.0 (55 - 109)	9,102	111	1.92	17,476
High	163.5 (109 - 218) (100)*	4,800	48	1.92	9,216
<b>TOTALS</b>		<b>23,934</b>	<b>1,035</b>		<b>49,198**</b>

\* Restricted to 100 u/ac by Wilshire-Westwood Blvd. Scenic Corridor Specific Plan

\*\* Does not include UCLA on-campus population, projected for 2010 at 10,400 persons.



# WESTWOOD VILLAGE SPECIFIC PLAN - LOCALLY SIGNIFICANT HISTORIC RESOURCES

## TABLE 1

(based on HPOZ Criteria)

No.	Address	Street	Tract/Bk/Lot No.	Common Name or Current Use	Architectural Style	Date
1	926-40	Broxton Ave	8650-1-8	Bruin Theatre	Moderne	1937
2	945	Broxton Ave	10600-2-10, 11, 12	Fox Theatre	Spanish Colonial Revival	1931
3	1001-8	Broxton Ave	10600-6-16, 17	Marjols	Spanish Colonial Revival	1931
4	1037	Broxton Ave	10600-6-11	Strattonis Grill	Spanish Colonial Revival	1940
5	1043-51	Broxton Ave	10600-6-9, 10	Regent Theatre	Period Revival	1946
6	1055-59	Broxton Ave	10600-6-8	Taco Bell	Moderne	1937
7	1061	Broxton Ave	10600-6-7	Shanel's Jewelry / Bon Appetit Café	New Orleans Revival	1937
8	1069-71	Broxton Ave	10600-6-6	Winchells Donuts / Jazzid / Dino	Classical Revival with Moderne Influences	1936
9	1083-87	Broxton Ave	10600-6-3,4	Aahis	Post-War Modern	1945
10	1091-93	Broxton Ave	10600-6-1,2	University Professional Building	Spanish Colonial Revival	1929
11	1015	Gayley Ave	10600-7-15	Westwood Village Medical Arts Building	American Colonial Revival	1946
12	1019	Gayley Ave	10600-7-14	Computer Expo / International College	American Colonial Revival	1948
13	1033	Gayley Ave	10600-7-11, 12, 13	Westwood Professional Building	American Colonial Revival	1938
14	1049-51	Gayley Ave	10600-7-9	Chase	Moderne	1946
15	1057	Gayley Ave	10600-7-8	Sportshaus	Moderne with Classical Revival Influences	1935
16	1059-63	Gayley Ave	10600-7-7	Oakley's Hair Styling	Moderne	1937
17	1065-73	Gayley Ave	10600-7-6	Helen's Cycles / Lumbleau School / Westwood Sporting Goods	Moderne with Classical Revival Influences	1940
18	1081	Gayley Ave	10600-7-4	Dillons Nightclub	Mediterranean	1930
19	1085-91	Gayley Ave	10600-7-3	Exotic / La Fondue Restaurant	Spanish Colonial Revival	1930
there is no Cultural Resource Number 20						
21	1071-73	Glendon Ave	10600-4-1	Moustache Café (Jurgensen Groceries)	Mediterranean	1929
22	1097	Glendon Ave	10600-4-1	Charthouse Restaurant	Mediterranean	1938
23	1101-09	Glendon Ave	10600-10-4	Haagen Daz / The Wurst / Acapulco	Mediterranean	1931
24	1111-21	Glendon Ave	10600-10-2, 3	Unknown	Mediterranean	1936
25	1129-37	Glendon Ave	10600-10-1	Morgan Company Jewelers (Talk of the Town)	Mediterranean	1933
26	1139-51	Glendon Ave	10600-10-13	Hamlet Gardens	Mediterranean	1933
27	10910-22	Kinross Ave	25678-9-6, 7, 8, 9	Pottery Barn / Baskin Robbins / Popcom Shop (Shepard Mitchell Building)	Spanish Colonial Revival	1930
28	10886	Le Conte Ave	14932-17-2	Contempo Center	Mediterranean	1929
29	10845-55	Lindbrook Ave	9768-11-1, 2, 3	Chanis Garden / Paul Bhalla	Mediterranean	1938
30	901-51	Westwood Blvd	10600-17-1	Holmby Building	Mediterranean	1929
31	1000-10	Westwood Blvd	10600-4-12, 13	Brite / Hunter's Books (original Bullock's Department Store)	Mediterranean	1932
32	1001	Westwood Blvd	12108-2	At Ease (Desmonds)	Mediterranean	1931
33	1029	Westwood Blvd	10600-5-3, 4	Ann Taylor / Le Petit Jeans / Jess	Mediterranean	1938
34	1030	Westwood Blvd	10600-4-15, 16	Tower Records / Chaninis / Burtonis	Mediterranean	1931
35	1043	Westwood Blvd	10600-5-2	Alicia's Restaurant	Mediterranean	1029
36	1045-99	Westwood Blvd	10600-5-1	Glendale Federal Savings	Spanish Colonial Revival w/ Classical Revival Infl.	1929
37	1046	Westwood Blvd	10600-4-17, 18	The Limited, Jay's Jeweler	French Regency	1940
38	1056	Westwood Blvd	10600-4-18, 19	Yesterday's	French	1936
39	1136-40	Westwood Blvd	10600-10-10	Rezzo Building	Mediterranean	1939
40	1142-54	Westwood Blvd	10600-10-11, 12	Josephine's / Egyptian Theatre	Mediterranean	1929
41	10923	Weyburn Ave	10600-2-14	Jerry's Famous Deli	French	1949
42	10924	Weyburn Ave	10600-5-10	Wilger Company (Myer Seigel & Co.)	Neo-Mediterranean	1937
43	10931	Weyburn Ave	10600-2-13	Chapman Building	Mediterranean with Classical Revival Influence	1936
44	10935	Weyburn Ave	10600-2-12	Hamburger Hamlet	Classical Revival with Moderne Influences	1938
45	10948	Weyburn Ave	10600-5-12	Stanis Donut	Mediterranean	Unkn
46	10861	Weyburn Ave	14932-1	Old Mac's (Bullock's Department Store)	Post-War Modern	1951

Source: Westwood Village Specific Plan, Table 1

*Palazzo Westwood*

Westwood Village Specific Plan List of  
Locally Historic Resources

ENVICOM  
CORPORATION

APPENDIX  
H-3

**Table App. H-3**  
**Lot Area**

West of Glendon Ave.				East of Glendon Ave.			
11*	4363-020-005	1015 Glendon	11,710 sf	1	4363-021-001	1000 Glendon	28,959 sf
10*	4363-020-005	1017 Glendon	5,201 sf	2	4363-021-002	1040 Glendon	12,169 sf
9*	4363-020-005	1023 Glendon	5,068 sf	3	4363-021-003	1050 Glendon	12,169 sf
8*	4363-020-005	1027 Glendon	4,935 sf	4	4363-021-004	1060 Glendon	12,202 sf
7*	4363-020-004	1035 Glendon	4,802 sf	5	4363-021-005	1070 Glendon	12,719 sf
6*	4363-020-003	1041 Glendon	4,669 sf	Total		78,219	sf
5*	4363-020-003	1047 Glendon	4,537 sf	18	4363-021-016	1001 Tiverton	12,320 sf
4*	4363-020-003	1053 Glendon	4,404 sf	17	4363-021-015	1009 Tiverton	10,182 sf
3*	4363-020-003	1059 Glendon	4,271 sf	16	4363-021-014	1017 Tiverton	10,202 sf
2*	4363-020-003	1065 Glendon	4,138 sf	15	4363-021-013	1021 Tiverton	10,221 sf
Total			53,734 sf	14	4363-021-012	1029 Tiverton	10,241 sf
* Lots 2-11 shall be held as one parcel, Instrument No. 4426, 6/18/1972				Total		53,166	sf
LOT AREA WEST OF GLENDON			53,734.4 sf	LOT AREA EAST OF GLENDON			131,384.8 sf
TOTAL LOT AREA = 185,119.2 sf (4.25 acres)							

**Table App. H-4**  
**Buildable Area**

Location	Buildable Area	Total Area
Lots West of Glendon Ave.	53,734.4sf	53,734.4sf
Lots East of Glendon Ave.	78,218.6sf	78,218.6sf
Lots Fronting Tiverton Ave.	53,166.3sf	53,166.3sf
<b>TOTAL</b>	<b>185,119.2sf</b>	<b>185,119.2sf</b>

**Table App. H-5**  
**Maximum Commercial Floor Area Permitted Under the Existing Specific Plan**

COMMERCIAL (C4 ZONE)								
WEST of GLENDON	11	11,710 sf	2.0	23,420 sf	0.5	5,855 sf	2.5	29,275 sf
	10	5,201 sf	2.0	10,401 sf	0.5	2,600 sf	2.5	13,002 sf
	9	5,068 sf	2.0	10,136 sf	0.5	2,534 sf	2.5	12,670 sf
	8	4,935 sf	2.0	9,870 sf	0.5	2,468 sf	2.5	12,338 sf
	7	4,802 sf	2.0	9,604 sf	0.5	2,401 sf	2.5	12,005 sf
	6	4,669 sf	2.0	9,338 sf	0.5	2,335 sf	2.5	11,673 sf
	5	4,537 sf	2.0	9,074 sf	0.5	2,268 sf	2.5	11,342 sf
	4	4,404 sf	2.0	8,808 sf	0.5	2,202 sf	2.5	11,010 sf
	3	4,271 sf	2.0	8,542 sf	0.5	2,136 sf	2.5	10,678 sf
	2	4,138 sf	2.0	8,276 sf	0.5	2,069 sf	2.5	10,345 sf
		53,734 sf		107,469 sf		26,867 sf		134,336 sf
EAST of GLENDON	1	28,959 sf	2.0	57,917 sf	1.0	28,959 sf	3.0	86,876 sf
	2	12,169 sf	2.0	24,338 sf	1.0	12,169 sf	3.0	36,508 sf
	3	12,169 sf	2.0	24,338 sf	1.0	12,169 sf	3.0	36,508 sf
	4	12,202 sf	2.0	24,405 sf	1.0	12,202 sf	3.0	36,607 sf
	5	12,719 sf	2.0	25,438 sf	1.0	12,719 sf	3.0	38,157 sf
		78,219 sf		156,437 sf		78,219 sf		234,656 sf
COMMERCIAL			BASE FAR	263,906 sf	BONUS FAR	105,086 sf	TOTAL FAR	368,992 sf
RESIDENTIAL (R4 IN C4 ZONE)								
TIVERTON AVE	18	12,320 sf	2.0	24,640 sf	1.0	12,320 sf	3.0	36,960 sf
	17	10,182 sf	2.0	20,365 sf	1.0	10,182 sf	3.0	30,547 sf
	16	10,202 sf	2.0	20,404 sf	1.0	10,202 sf	3.0	30,606 sf
	15	10,221 sf	2.0	20,443 sf	1.0	10,221 sf	3.0	30,664 sf
	14	10,241 sf	2.0	20,482 sf	1.0	10,241 sf	3.0	30,722 sf
		53,166 sf		106,333 sf		53,166 sf	3.0	159,499 sf
RESIDENTIAL			BASE FAR	106,333 sf	BONUS FAR	53,166 sf	TOTAL FAR	159,499 sf
COMMERCIAL								368,992 sf
RESIDENTIAL								159,499 sf
TOTAL FLOOR AREA								528,490 sf

The proposed site is zoned for commercial development, subject to the residential use restriction on the lots fronting Tiverton Avenue. Thus, the maximum permitted commercial floor area is calculated by multiplying the applicable floor area ratio by the lot area of the Glendon Avenue fronting lots. Permitted commercial development is 368,992 square feet. The maximum commercial floor area assumes that additional density is granted for providing one or a combination of the bonus density provisions set forth in the Specific Plan.

**Table App. H-6**  
**Mixed-Use Residential/Commercial Project Permitted Under the Specific Plan**

COMMERCIAL (C4 ZONE)									
WEST of GLENDON	11	11,710 sf	2.0	23,420 sf	-	2.0	23,420 sf		
	10	5,201 sf	2.0	10,401 sf	-	2.0	10,401 sf		
	9	5,068 sf	2.0	10,136 sf	-	2.0	10,136 sf		
	8	4,935 sf	2.0	9,870 sf	-	2.0	9,870 sf		
	7	4,802 sf	2.0	9,604 sf	-	2.0	9,604 sf		
	6	4,669 sf	2.0	9,338 sf	-	2.0	9,338 sf		
	5	4,537 sf	2.0	9,074 sf	-	2.0	9,074 sf		
	4	4,404 sf	2.0	8,808 sf	-	2.0	8,808 sf		
	3	4,271 sf	2.0	8,542 sf	-	2.0	8,542 sf		
	2	4,138 sf	2.0	8,276 sf	-	2.0	8,276 sf		
		<u>53,734 sf</u>		<u>107,469 sf</u>	-		<u>107,469 sf</u>		
EAST of GLENDON	1	28,959 sf	2.0	57,917 sf	-	2.0	57,917 sf		
	2	12,169 sf	2.0	24,338 sf	-	2.0	24,338 sf		
	3	12,169 sf	2.0	24,338 sf	-	2.0	24,338 sf		
	4	12,202 sf	2.0	24,405 sf	-	2.0	24,405 sf		
	5	12,719 sf	2.0	25,438 sf	-	2.0	25,438 sf		
		<u>78,219 sf</u>		<u>156,437 sf</u>	-		<u>156,437 sf</u>		
COMMERCIAL		BASE FAR	263,906 sf	-	BASE FAR	263,906 sf			
RESIDENTIAL (R4 IN C4 ZONE)									
WEST of GLENDON	11	11,710 sf	-	0.5	5,855 sf	0.5	5,855 sf		
	10	5,201 sf	-	0.5	2,600 sf	0.5	2,600 sf		
	9	5,068 sf	-	0.5	2,534 sf	0.5	2,534 sf		
	8	4,935 sf	-	0.5	2,468 sf	0.5	2,468 sf		
	7	4,802 sf	-	0.5	2,401 sf	0.5	2,401 sf		
	6	4,669 sf	-	0.5	2,335 sf	0.5	2,335 sf		
	5	4,537 sf	-	0.5	2,268 sf	0.5	2,268 sf		
	4	4,404 sf	-	0.5	2,202 sf	0.5	2,202 sf		
	3	4,271 sf	-	0.5	2,136 sf	0.5	2,136 sf		
	2	4,138 sf	-	0.5	2,069 sf	0.5	2,069 sf		
		<u>53,734 sf</u>	-		<u>26,867 sf</u>		<u>26,867 sf</u>		
EAST of GLENDON	1	28,959 sf	-	1.0	28,959 sf	1.0	28,959 sf		
	2	12,169 sf	-	1.0	12,169 sf	1.0	12,169 sf		
	3	12,169 sf	-	1.0	12,169 sf	1.0	12,169 sf		
	4	12,202 sf	-	1.0	12,202 sf	1.0	12,202 sf		
	5	12,719 sf	-	1.0	12,719 sf	1.0	12,719 sf		
		<u>78,219 sf</u>	-		<u>78,219 sf</u>		<u>78,219 sf</u>		
TIVERTON AVE	18	12,320 sf	2.0	24,640 sf	1.0	12,320 sf	3.0	36,960 sf	
	17	10,182 sf	2.0	20,365 sf	1.0	10,182 sf	3.0	30,547 sf	
	16	10,202 sf	2.0	20,404 sf	1.0	10,202 sf	3.0	30,606 sf	
	15	10,221 sf	2.0	20,443 sf	1.0	10,221 sf	3.0	30,664 sf	
	14	10,241 sf	2.0	20,482 sf	1.0	10,241 sf	3.0	30,722 sf	
		<u>53,166 sf</u>		<u>106,333 sf</u>		<u>53,166 sf</u>	3.0	<u>159,499 sf</u>	
RESIDENTIAL		BASE FAR	106,333 sf	BONUS FAR	158,252 sf	TOTAL FAR	264,585 sf		
COMMERCIAL							263,906 sf		
RESIDENTIAL							<u>264,585 sf</u>		
TOTAL FLOOR AREA							<u>528,490 sf</u>		
RESIDENTIAL DENSITY				800 SF LOT AREA PER DWELLING UNIT			236 du		
AVERAGE DWELLING UNIT SIZE							1,121 sf		

The Specific Plan grants a density bonus for providing residential over a commercial building, which may be used for additional residential floor area. The Specific Plan permits a maximum residential density of 236 dwelling units, and limits the lots fronting Tiverton Avenue to residential only. Thus, a project encouraged under the Specific Plan would provide 263,906 square feet of commercial floor area on the lots fronting Glendon Avenue, with 105,088 square feet of residential floor area. The lots fronting Tiverton Avenue would provide 159,499 square feet of residential floor area. The total permitted residential floor area would be 264,585 square feet, or approximately 1,121 square feet per unit.

**Westwood Village Hotel and Mixed-Use Development, EIR No. 89-825-SUB(CUB)(VAC)  
Response to Comments Excerpts Addressing the Director of Planning's Interpretation of  
Building Height Regulations**

Permitted height:

Comment 15.98 - What is the height of the hotel building on Tiverton INCLUDING the roof? GTE 31' (Holmby Westwood Property Owners – Sandy Brown, Vice-President)

Response 15.98 - See Corrections and Additions to the Draft EIR Nos. 11.m, 11.o, 11.p, and 11.q. The height of the hotel on Tiverton Avenue and the GTE were incorrectly identified. The portion of the hotel along Tiverton Avenue would measure 48 feet (excluding roof and unoccupied towers), and 58 feet to the highest point of the roof structure. The maximum permitted height per the Westwood Village Specific Plan is 55 feet plus 10 feet for roofs and roof structures. Project building heights are defined in accordance with section 12.03 of the City of Los Angeles Municipal Code, as specified in the Westwood Village Specific Plan. Height is defined by the Code as "the vertical distance above grade measured to the highest point of the roof, structure or the parapet wall, whichever is highest". The correct estimated height of the GTE building fronting on Tiverton Avenue is approximately 50 feet.

Additional height for sloping sites:

Comment 15.28 - What is the difference in feet between the highest and lowest adjoining sidewalk? Is it correct that there will be a hotel corner tower of 91 feet, a cinema tower at 81 feet a 70 ft. tower at the southwest corner of Weyburn and Glendon and another 71 ft. tower at the southeast corner of Weyburn and Glendon? What is the building height limit? (Holmby Westwood Property Owners – Sandy Brown, Vice-President)

Response 15.28 - The elevation difference between the highest and lowest adjoining sidewalk is approximately 20 feet. The commentor is correct in restating the building heights of the hotel corner tower and the cinema tower. The tower at the southwest corner of Weyburn and Glendon Avenues would measure 70 feet, and not 71 feet as the commentor states. All building heights are defined in accordance with section 12.03 of the City of Los Angeles Municipal Code, as specified in the Westwood Village Specific Plan. The Westwood Village Specific Plan limits building heights on both sides of Glendon Avenue to 55 feet, with portions of the hotel permitted to reach a height of 70 feet, with the approval of the Director of Planning (sections 8.A.2 and 3). Additional restrictions apply along the building frontage and adjacent to designated Cultural Resources (section 8.B.2). In addition, roofs and roof structures may extend up to 10 feet above the prescribed height limit (section 8.B.2). The prescribed height limit for towers is 40 feet above the permitted building height for a corner tower, or 20 feet above the permitted building height if located elsewhere (section 8.B.3). Therefore, the height limit for the hotel tower is 100 feet (70 feet plus 20 feet plus 10 feet), for the cinema tower is 85 feet (55 feet plus 20 feet plus 10 feet) and for the corner tower at the southwestern corner of Glendon and Weyburn Avenues is 105 feet (55 feet plus 40 feet plus 10 feet). The heights for all towers in the project are within the height limits determined by the Specific Plan.

Exceptions from building height for roofs and roof structures:

Comment 12.28 - 28. Pg. 96 - Is the additional 10 feet above the permitted 70 feet for the roof structures? If so how many square feet or percentage of the 25 % above 40 feet is calculated? (Friends of Westwood – Jackie Freedman, Director)

Response 12.28 - As stated in Footnote 47 on page 96 of the Draft EIR, "Additional height up to 10 feet above the permitted height is provided for roof structures pursuant to WVSP, section



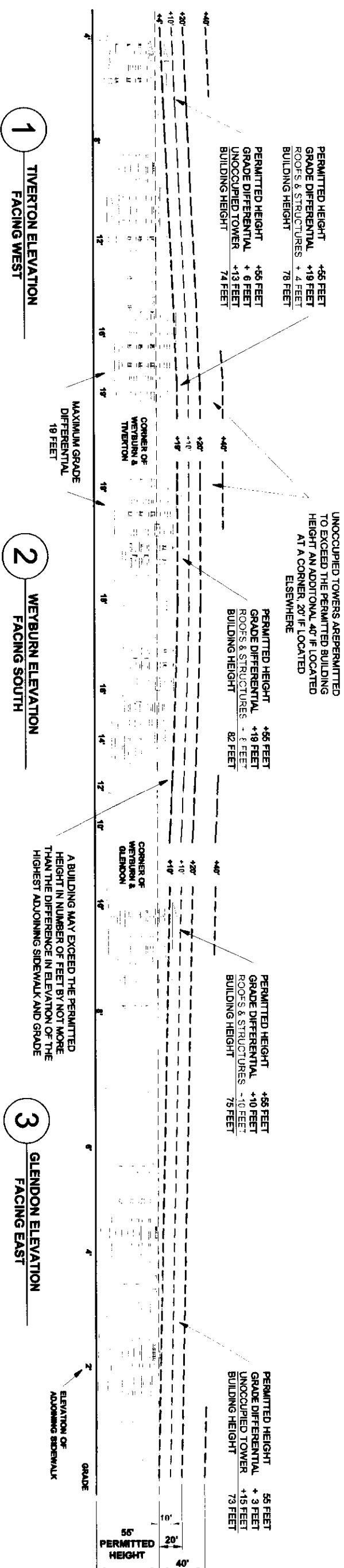
8.B.2." Section 8.A.2 of the Westwood Village Specific Plan permits the maximum height of any building on the project site to be 55 feet, with the approval of the Director of Planning. Section 8.A.3 then permits a 70-foot height limit for the hotel use only, "on no more than 25 percent of the buildable lot area," with the approval of the Director of Planning. The portion of the hotel in excess of the 55-foot height limit contains 25,577 square feet, or 22.9 percent of the buildable lot area. Also, see Response to Comment No. 15.106.

**Exceptions from building height for unoccupied towers:**

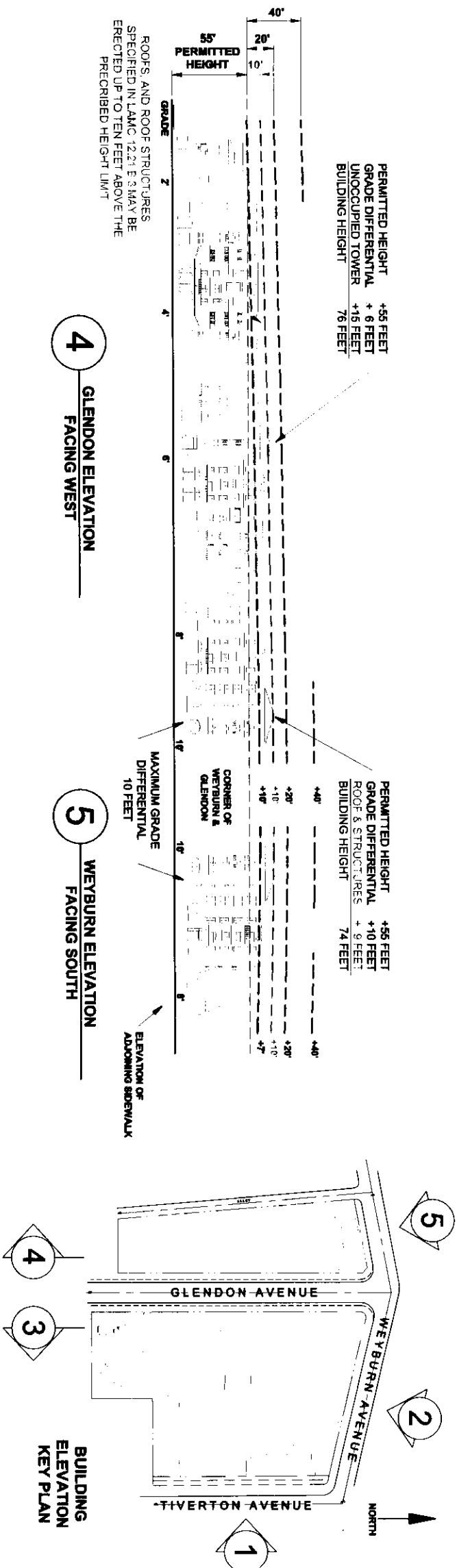
Comment 15.8 - Figure 6, pg. 12 According to the WVSP, towers are to be unoccupied. Why does this figure show "unoccupied portion of tower"?

Response 15.8 - According to the City of Los Angeles Planning Department, a tower is comprised of an occupied and unoccupied portion.... The Department defines an unoccupied tower in the context of the Westwood Village Specific Plan as ". . . that part of a tower that is not occupied by individuals, goods or equipment and is not used for warehousing or office purposes. "but which may contain building operating equipment, including elevators. The portion of a tower that is occupied complies with the height and floor area provisions of the Plan and that portion of a tower which is unoccupied complies with the height provisions of the Plan.

NOT TO SCALE



### BUILDING ELEVATIONS EAST OF GLENDON AVENUE



ROOFS, AND ROOF STRUCTURES SPECIFIED IN LAMC 12.21 E.3 MAY BE ERECTED UP TO TEN FEET ABOVE THE PRESCRIBED HEIGHT LIMIT

#### WESTWOOD VILLAGE SPECIFIC PLAN SECTION 8 HEIGHT & SETBACK

**Permitted Height:** Projects on sites which are located in the shaded or stippled areas of Figure 3 may be built to a maximum height of 55 feet, if such height is approved by the Director of Planning pursuant to subdivision 4.

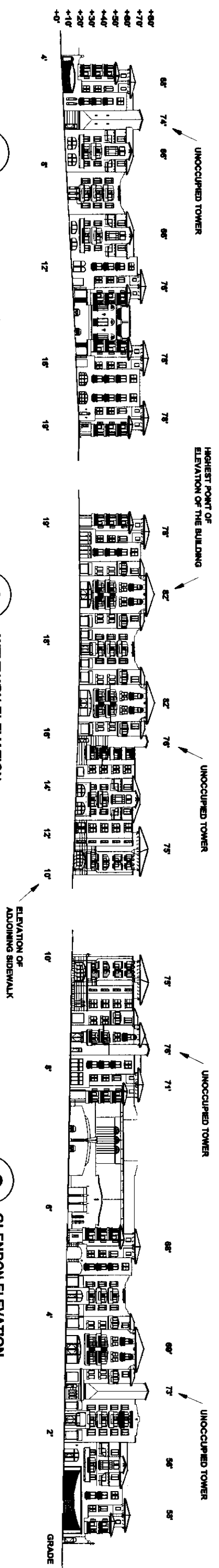
**Exceptions:** When the elevation of the highest adjoining public sidewalk within a five foot horizontal distance of an exterior wall of a building exceeds grade by more than five feet, a building or structure may exceed the height permitted in number of feet by not more than the difference between the elevation of the highest adjoining public sidewalk and grade.

Roofs, and roof structures for the purposes specified in Section 12.21.1 B 3 of the Los Angeles Municipal Code may be erected up to ten feet above the prescribed height limit, provided that any roof structures are screened from view at street level.

Unoccupied towers shall be permitted as follows:

- If located at a corner on the frontage of the building, the tower may not exceed an additional 40 feet above the permitted building height.
- If located elsewhere on a lot, the tower may not exceed an additional 20 feet above the permitted building height.

### BUILDING ELEVATIONS WEST OF GLENDON AVENUE



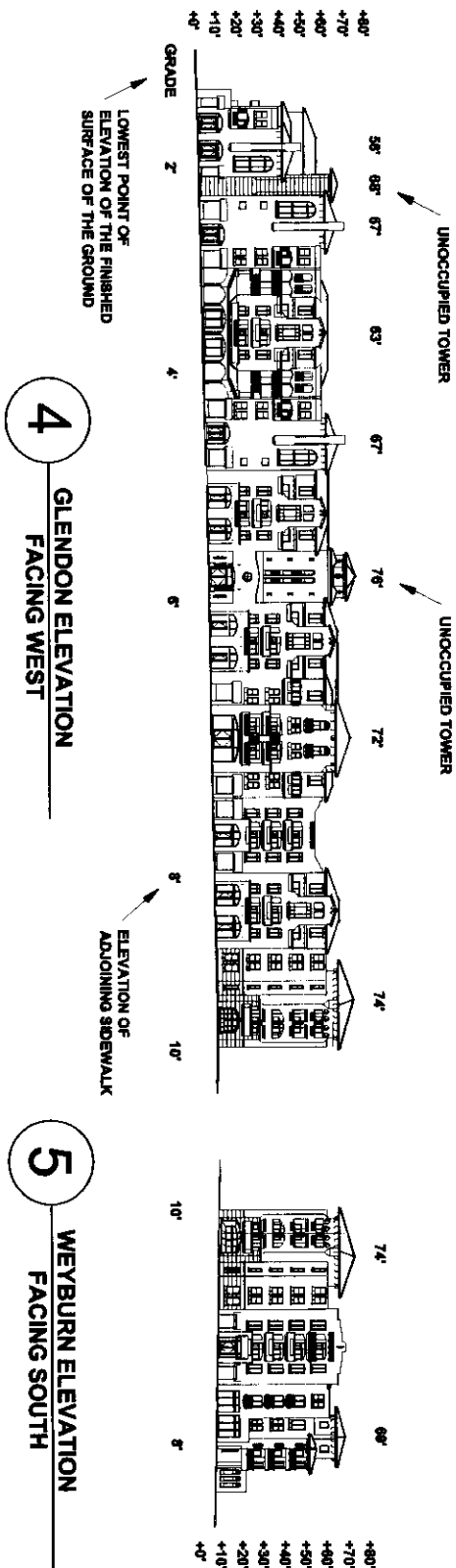
1 TIVERTON ELEVATION  
FACING WEST

2 WEYBURN ELEVATION  
FACING SOUTH

3 GLENDON ELEVATION  
FACING EAST

BUILDING ELEVATIONS EAST OF GLENDON AVENUE

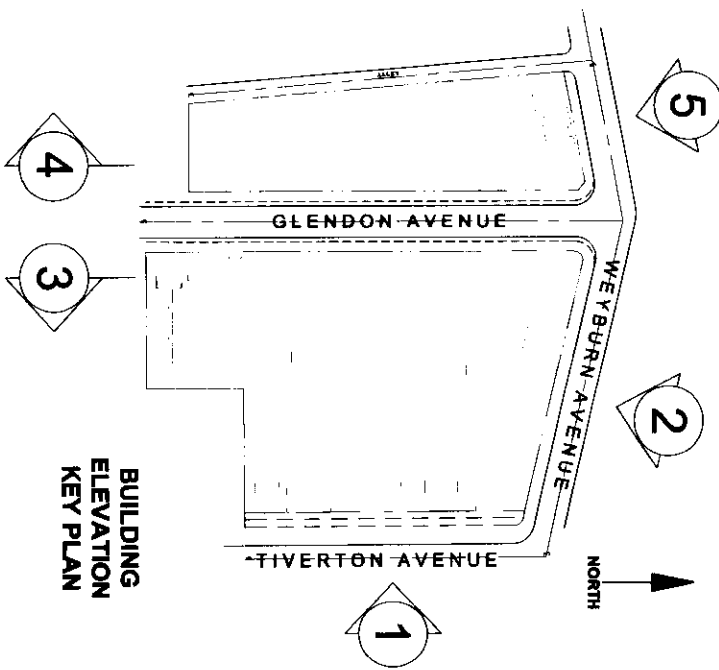
The proposed site is zoned CA-2D-O. The "D" Development Limitation Classification limits the building height permitted by zoning, subject to the Westwood Village Specific Plan. The Specific Plan includes building height and setback regulations, which modify and/or prevail over the permissible building heights under the Zoning Code. The Height District "2" zoning designation would otherwise permit unlimited building height, which is not applicable within the Specific Plan area. Notwithstanding, the Zoning Code Height District procedure for measuring building height relative to "grade" is provided herein for reference.



4 GLENDON ELEVATION  
FACING WEST

5 WEYBURN ELEVATION  
FACING SOUTH

BUILDING ELEVATIONS WEST OF GLENDON AVENUE



BUILDING  
ELEVATION  
KEY PLAN

Procedure for Measuring Building Height:

- Obtain a topographic map (not a cross-section or building elevation), signed by a Civil Engineer or Licensed Surveyor, licensed in the State of California, with the building or structure outlined.
- Determine the "Grade" or "Adjacent Ground Elevation," which is defined in 12.03 of the Municipal Code, as follows:  
Grade (Adjacent Ground Elevation) -- is the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line, or when the property line is more than 5 feet from the building, between the building and a line 5 feet from the building.
- Locate the highest point of elevation of the building or structure (including all roof structures such as chimneys, stairway towers, etc.). Allowable projections need not be included in the height calculation.
- The vertical distance between the "Grade" and the "highest point of elevation," as described in steps b. and c. above is the "height of the building or structure." Note that the Zoning Code definition differs from the Building Code definition and each must be applied independently for the corresponding code section under consideration.

NOT TO SCALE

# **Crain & Associates**

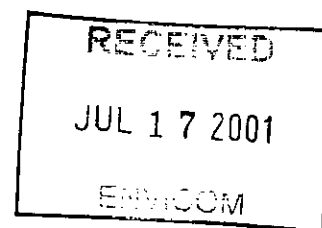
## **Of Southern California**

2007 Sawtelle Boulevard, Suite 4  
Los Angeles, California 90025  
Telephone (310) 473-6508  
Facsimile (310) 444-9771

### FEDERAL EXPRESS

July 16, 2001

Mr. Scott Weinstock  
Envicom Corporation  
28328 Agoura Road  
Agoura Hills, California 91301



RE: Westwood Palazzo Construction Impacts

Dear Scott,

This letter summarizes our traffic review of the construction related traffic impacts for the Westwood Palazzo project. This review has been completed based on information provided by the applicant, Casden Properties regarding anticipated construction related activities and work schedules. The construction phases and the associated traffic impacts of each phase of construction are described below.

In summary the traffic impacts associated with the construction activities and the closure of Glendon Avenue are short-term adverse impacts, therefore less than significant. Nevertheless, it will be necessary to develop and implement a construction traffic control plan, including a designated haul route and staging area, traffic control procedures, emergency access provisions, and construction crew parking to mitigate the traffic impact during construction.

Traffic generated during construction activities would include the operation of construction equipment, crew vehicular traffic, truck traffic exporting demolition material and dirt, and truck deliveries of building materials. It is also assumed that Glendon Avenue would be closed from Weyburn Avenue to the southerly project boundary during construction. Glendon Avenue would be re-opened upon project completion. This closure would temporarily cause through traffic to use other Westwood streets. However, traffic volume on Glendon Avenue is low (less than 3,000 vehicles per day) with most traffic using the street to access land uses adjacent to the street. Most of these uses will be removed as part of the project.

### Short Term Construction Impacts

Haul Route Trucks will travel south on Glendon Avenue to Wilshire Boulevard, turn right to the San Diego Freeway, travel either north to Lopez Canyon landfill, or south to either the Terminal Island dump site or the Playa Vista development site. Return trips will follow the same route. No truck staging or travel is planned to occur on the adjacent Weyburn or Tiverton Avenues.

Staging Area (prior to 7 AM) The truck staging area is located on Sepulveda Boulevard north of Constitution Avenue to Montana Avenue. All staged trucks will be called to the site by radio. The trucks proceed south to Wilshire Boulevard to Glendon Avenue. This staging area has been used for haul trucks for the construction of various UCLA projects. After 9 AM the trucks will proceed directly to Glendon Avenue.

Demolition Phase The amount of building material to be removed from the site is estimated at 9,500 cubic yards with the removal to take 30 working days (45 calendar days). The demolition of the site will generate approximately 20 truckloads per day or 40 directional daily trips (arrivals and departures). It is also estimated that 15 daily construction workers will be traveling to and from the site. Work hours are anticipated to be from 7 AM to 5:30 PM Monday through Friday and 10 AM to 6 PM on Saturday. This amount of traffic spread over a typical workday will not be significant.

Excavation Phase The amount of export material to be removed from the site for the construction of a 3-level garage is estimated at 326,000 cubic yards with the removal to take 7 to 8 months. The early stages of the mass excavation of the site will generate up to 320 truckloads per day or 640 directional daily trips (arrivals and departures). This activity will commence 30 days into the project construction phase and continue for approximately 2 months. In later stages of excavation, the truckloads per day will reduce to 200 loads and further to 100 or less in the final stages of the excavation operation.

Mass excavation of the site takes approximately 2 months with 80 - 90 trucks removing dirt for 10 hours per day, six days a week. Once the depth of the excavation reaches the first row of the garage tie-backs, excavation will be reduced and continue with 30 - 40 trucks operating 10 hours per day six days per week. During the final month of excavation, 20 - 30 trucks per day will be exporting dirt.


It is therefore estimated that at peak construction, 320 truckloads of excavation would be hauled per day. This level of peak truck activity would generate approximately 32 trucks loads per hour

Letter to Mr. Scott Weinstock  
July 16, 2001  
Page Three

each hour during a 10-hour day. For comparison purposes, the truckloads have been converted to equivalent passenger car trips. Each truckload requires 2 truck trips (an arrival and a departure trip). Therefore, 32 truckloads are equivalent to 64 truck trips per hour. When considering the passenger car equivalent of trucks (one double bottom dump truck is approximately equivalent to three passenger vehicles), this level of truck activity is equivalent to 192 passenger car trips per hour. This volume of construction traffic does not create significant freeway impacts because it represents less than a two percent increase in lane capacity. Furthermore, this level of traffic is less than that analyzed for the project's build out condition. Therefore, construction period impacts will be less than those analyzed in the project traffic study.

If you have questions, please give me a call.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Overland", written in a cursive style.

Jerry Overland  
Senior Traffic Engineer

Cc: Greg Smith, Casden Properties

JO:sdk  
C10900

DIRECTOR OF PLANNING INTERPRETATION

DEFINITION OF "GROUND FLOOR"

CITY PLANNING  
COMMISSION

WILLIAM G. LUDDY  
PRESIDENT  
THEODORE STEIN, JR.  
VICE-PRESIDENT  
LYDIA H. KENNARD  
SUZETTE NEJMAN  
FERNANDO TORRES-GIL

RAMONA HARO  
SECRETARY

(213) 485-3071

CITY OF LOS ANGELES  
CALIFORNIA



TOM BRADLEY  
MAYOR

DEPARTMENT OF  
CITY PLANNING  
ROOM 561, CITY HALL  
200 N. SPRING ST.  
LOS ANGELES, CA 90012-4801

MELANIE S. FALLON  
DIRECTOR  
FRANKLIN P. EBERHARD  
CHIEF DEPUTY DIRECTOR  
(213) 237-1986  
R. ANN SIRACUSA  
DEPUTY DIRECTOR  
ROBERT H. SUTTON  
DEPUTY DIRECTOR  
(213) 237-1818  
FAX (213) 237-0552

October 25, 1991

William L. Waterhouse, Esq.  
Manett, Phelps and Phillips  
Attorneys at Law  
11355 Olympic Boulevard  
Los Angeles, CA 90064

Dear Mr. Waterhouse:

WESTWOOD VILLAGE SPECIFIC PLAN INTERPRETATION OF BONUS PROVISIONS  
RELATING TO "FULL SERVICE GROCERY STORES"

In a letter of December 8, 1989, Claire Bronowski, then a member of your firm, requested on behalf of your client, Nansay USA Inc., an interpretation of the bonus provisions of the Westwood Village Specific Plan as they relate to "full service grocery stores." Specifically you asked whether the neighborhood retail bonus provided for in Section 7.B.2 of the Westwood Village Specific Plan can be utilized when the bonus providing for additional hotel guest rooms in Section 7.B.8 of the plan is not utilized in a qualifying hotel project. You also asked what constitutes "ground-floor" neighborhood retail or services in the plan.

I believe the answer to be yes to the first question. Specifically, I believe that Sections 7.B.2 and 7.B.8 of the plan should be interpreted to allow the utilization of either one or the other of the two bonuses, not both. That is:

1. The square foot bonus provided for in Section 7.B.2 of the plan of one additional square foot of floor area for each square foot of ground floor neighborhood retail or neighborhood services, as defined in the plan;

or

NEIGHBORHOOD PLANNING DIVISION  
221 S. FIGUEROA ST., 3RD FLOOR, LOS ANGELES, CA 90012  
(213) 617-0228 FAX: (213) 617-8378

AN EQUAL EMPLOYMENT OPPORTUNITY — AFFIRMATIVE ACTION EMPLOYER

Recycle and save with recycling paper





- d. An eave may project 30 inches into a five foot side yard at the front of the building for a distance of six feet from the front yard.
- e. Section 12.22 C 20 allows balconies, canopies, cornices, belt courses, sills and other similar architectural features (not including bay windows or vertical projections) to project into required yards, passageway or other open spaces.

To differentiate between these allowable projections and vertical projections which are prohibited, a four foot maximum height of allowable projection in any one story will be permitted. No two adjacent stories may be combined to form any one projection exceeding four feet in height.

- 7. Substructure Projections Into Required Yards and Passageways in any zone provided:
  - a. Portions of a basement which are located in the required yard do not extend more than 18 inches above existing or finished grade, whichever is lower. For Building Lines, the basement structure must be entirely below the existing or finished grade of a lot whichever is lower.
  - b. Basement portions located in the required yards, including their supporting members, are of Type I construction.
  - c. Section 12.21 C 2 (e) requires a passageway to be open and unobstructed from the ground to the sky. This section shall be interpreted to permit a basement to be located in the passageway, provided the full passageway width is maintained above the basement at the level of travel to the units served by the passageway.

The area above substructure projections in required yards may be utilized for raised planters, walkways, fences, etc provided the substructure complies with the requirements outlined above and the improvements above the substructure comply with all other municipal code requirements. The height of such improvements shall be measured from the natural ground level adjacent thereto.

3. Ventilation Ducts:

- a. Are not permitted in a front yard.
- b. Are not permitted in a side yard, except that vents located within a stuccoed enclosure may project 12 inches into a required side yard, provided such side yard is not reduced to less than three feet in width, and a minimum one-hour separation between duct and building is maintained.
- c. When connected to the main building, ducts may project 30 inches into a required rear yard, provided a minimum one-hour separation is maintained between duct and building (no enclosure required).

NOTE: All duct exhaust outlets must comply with Section 505.9 of the 1999 LA Mechanical Code.

4. Electrical Meter Boxes are:

- a. Not permitted in a front yard.
- b. Permitted to project 18 inches into a required side yard, provided side yard is not reduced to less than three feet in width.
- c. Permitted to project 18 inches into required rear yard.

5. Liquefied Petroleum Gas Tanks are:

- a. Permitted in a front yard.
- b. Not permitted in that portion of a side yard located between the front property line and the most rear portion of the main building on the lot.
- c. Permitted in a rear yard.

6. Architectural Projections.

- a. Suspended planter or flower boxes above the first floor level may project 30 inches into a required front yard of building line setback as allowed for Cornices and Balconies.
- b. Vertical fins may project a maximum of 12 inches into a required front yard, provided the fins are not more than six inches in thickness and not less than six feet apart.
- c. A bay window or garden type window of nominal size may project 8 inches into a required side yard, provided the width of the side yard is not reduced to less than three feet.

## **ALLOWABLE PROJECTIONS AND IMPROVEMENTS IN REQUIRED YARDS**

In order to establish a uniform policy for the regulation of mechanical and electrical equipment, the architectural and building projections into required yards, Section 12.22C20 shall be interpreted to permit or prohibit the location of basements, projections and equipment in yards as follows: (Section 14.02B permits these projections in the same manner in the space between an established building line and adjacent street line.)

1. Pool Filters, Pool Heaters, Air Coolers, Air Conditioning Units and Water Heaters:
  - a. Not permitted in a front yard.  
EXCEPTION: Individual air coolers or air conditioning units located in a window or wall opening may project 18 inches into a required front yard.
  - b. Not permitted in that portion of a required side yard located between the front lot line and the most rear portion of the main building, or to be installed under or enclosed by allowable projections, such as stairways, porches, etc.  
EXCEPTION: Individual portable air coolers or air conditioning units may project 18 inches into a required side yard, provided such side yard is not reduced to less than three feet in width.
  - c. Permitted in any location in a rear yard.  
EXCEPTION: 1. When equipment is enclosed by additions connected to the main buildings, such additions must be considered as part of the main building for rear yard determination.  
2. On a reversed corner lot, units must be five feet from the rear property line and in line with the required setback on key lot.
2. Water Softeners are:
  - a. Not permitted in a front yard.
  - b. Permitted to project 18 inches into a side yard, provided such side yard is not reduced to less than three feet in width.
  - c. Permitted in any location in a rear yard.  
EXCEPTION: When equipment is enclosed by additions connected to the main building, such additions must be considered as part of the main building for rear yard determination.

INFORMATION BULLETIN

ALLOWABLE PROJECTIONS AND IMPROVEMENTS  
IN REQUIRED YARDS

that where height is limited to seventy-five (75) feet, roof structures for the housing of elevators and stairways shall not exceed twenty (20) feet in height, and where height is limited to thirty (30) feet or forty-five (45) feet, such roof structures for the housing of elevators and stairways shall not exceed ten (10) feet in height. Other than stairways, chimneys or exhaust ducts, these structures shall not be located within five (5) feet of the perimeter of the roof.

Note: Refer to Sec. 12.21A17(c)3 of the Code for a different set of exceptions for projects subject to the Hillside Ordinance.

- h. Open rooftop guardrails on apartment buildings are not included in the height of a building when such guardrails are provided around the open space required by code.

### III. SPECIAL PROVISIONS / EXCEPTIONS

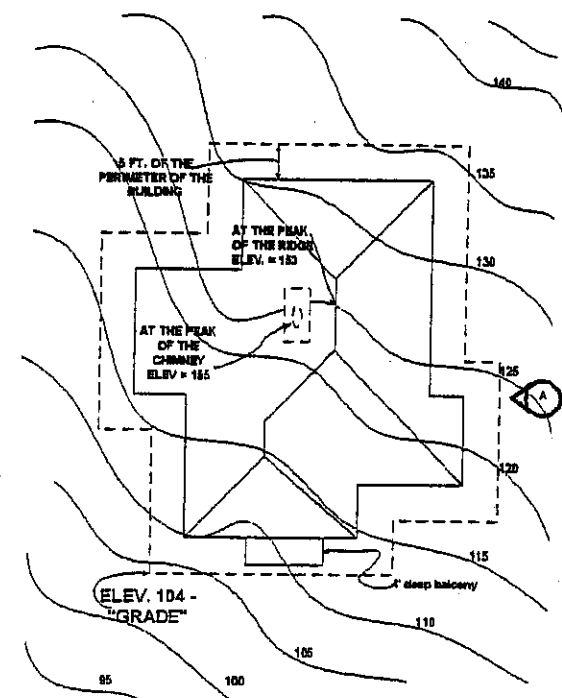
The following are some exceptions and special provisions that apply to commonly occurring situations. Since this is not a comprehensive list, consult with a plan check engineer at any of our public information counters for job specific applications.

- a. For projects subject to Hillside Ordinance, "Grade" is defined as lower of the natural or finished grade. When a project is located in any special area (e.g., Specific Plan, Pedestrian Overlay District, Community Design Overlay District, etc.), the "Grade" definition, the height limitation, exceptions, etc. (if different from the general Code) must be applied appropriately as required by its applicable ordinance. It is always advisable to review the Specific Plans. Some specific Plans establish height limits in reference to sea level, curb level, street level, or other points of reference.
- b. If grading is (was) done in conjunction with a Subdivision of five acres or more, then the resulting grade would be considered the "Natural Grade".
- c. Retaining walls cannot be used to raise the "Grade" and thereby increase the allowable height of the structure.
- d. If the difference between the highest and the lowest grade elevation around the perimeter of the building exceeds 20 vertical feet, then the allowable height may be increased by 12 feet provided the original height limit is not exceeded at any point of the building measured vertically. This is often referred to as a "plumb line" measurement. This exception may not be applicable to buildings in certain areas (e.g., buildings subject to the Hillside Ordinance regulation and not exempted per 12.21A17(i)).
- e. Depressed driveways intended for access from the street to a basement garage and secondary side or rear access stairwells are not used to establish the "Grade." This provision may not apply to buildings or structures located within the boundaries of Specific Plans which specifically address height measurement nor buildings regulated by the Hillside Ordinance.
- f. Architectural projections which cantilever 5 feet or less from an exterior wall of a building are not included as part of definition of the "perimeter of the building" when calculating height.
- g. Certain roof top features & structures (e.g., antennas, chimneys, stairway towers, elevator tower, etc.) are allowed to exceed the height limit as follows:

... may be erected above the height limit specified in the district in which the property is located if, for each foot such structure exceeds the height limit, an equal setback from the roof perimeter is provided, except that stairways, chimneys and ventilation shafts shall not be required to be set back from the roof perimeter. No portion of any roof structure as provided for above shall exceed the specified height limit by more than five feet, except

## HEIGHT DETERMINATION EXAMPLE

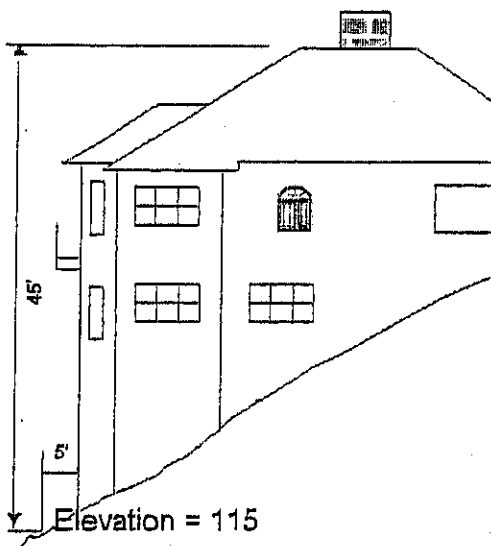
### CORRECT method (using a topographic map)



TOPOGRAPHIC MAP PREPARED BY A LICENSED LAND SURVEYOR OR CIVIL ENGINEER

- In order to correctly locate the "low point" or Grade, a topographic map prepared by a Land Surveyor or Civil Engineer licensed by the State of California, and not an elevation nor a section of the building, must be used.
- Determine Grade. In this example, the lowest elevation within 5' of the perimeter of the building is 104'. The balcony is an architectural projection that need not be considered since it projects less than 5' from the exterior wall.
- The highest elevation of the building is 155 measured to the top of the chimney. However, a chimney is allowed to project up to 5'. Therefore the highest point of elevation of the building to be used is 153.
- The height is calculated by subtracting 104 (the lowest grade within 5 feet of the perimeter of the building) from 153 (the elevation at the peak of roof ridge). The height is therefore 49 feet.

### INCORRECT method (using a section or elevation)



ELEVATION A

Looking only at a section or an elevation, for the same building, often results in an **INCORRECT** building height determination because the information contained on the drawings cannot be verified. In this same example, the elevation shows a height of 45 ft, which is not the correct height of the building. Depending on the location of the elevation or section taken, the true lowest "grade" is not reflected. Additionally, these architectural elevations only show an approximation of the true grade contour and should not be relied upon for an accurate determination of height. In this sample elevation, as in the majority of the actual drawings, neither the Grade nor the maximum building elevation are indicated. For example, a falsely assumed "low point" elevation of 115 is shown, although the true "low point" of the perimeter of the building is 104 (as shown in the topographic map above).

## II GENERAL APPROACH TO MEASURING THE HEIGHT OF A BUILDING OR STRUCTURE

- a. Obtain a topographic map (not a cross-section or building elevation), signed by a Civil Engineer or Licensed Surveyor, licensed in the State of California, with the building or structure outlined. The use of a topographic map will result in the most accurate determination of the height. An example showing a correct and an incorrect method of measuring height is on page four.
- b. Determine the "Grade" or "Adjacent Ground Elevation," which is defined in 12.03 of the Municipal Code, as follows:

**Grade (Adjacent Ground Elevation)** – is the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line, or when the property line is more than 5 feet from the building, between the building and a line 5 feet from the building. This definition may not apply to buildings or structures located within the Hillside Ordinance area or in Specific Plan areas such as Century City North, Century City South and others.

- c. Locate the highest point of elevation of the building or structure (including all roof structures such as chimneys, stairway towers, etc.). See item g. of Section III (Special Provisions) below regarding allowable projections for roof structures such as fireplaces, antennas, etc. Allowable projections need not be included in the height calculation.
- d. The vertical distance between the "Grade" and the "highest point of elevation," as described in steps b. and c. above is the "height of the building or structure." Note that the Zoning Code definition differs from the Building Code definition and each must be applied independently for the corresponding code section under consideration.



**CHART No. 1 HEIGHT DISTRICTS LIMITATIONS**

ZONE	1	1L	1VL	1XL	2	3	4
A1 A2, RE40 RZ, RMP RW2, RD & R3	45' <sup>(a)</sup>	45' <sup>(a)</sup>	45' <sup>(a)</sup>	30' <sup>(a)</sup>	75' for RD and R3; no limits for other zones	75' for RD and R3; no limits for other zones	75' for RD and R3; no limits for other zones
RE11 RE15 RE20, RA	36' (a)	36' (a)	36' (a)	30' (a)			
R1 R2 RS, RE9	33' (a)	33' (a)	33' (a)	30' (a)			
RU, RW1	30' (a)	30' (a)	30' (a)	30' (a)			
PB	NONE	75'	45'	30'	NONE	NONE	NONE
R4 R5	NONE	75'	45'	30'	NONE	NONE	NONE
C, M <sup>(b)</sup>	NONE	75'	45'	30'	75' for CR; no limits for other zones	75' for CR; no limits for other zones	75' for CR; no limits for other zones

Note: Height limits shown above are measured in feet. See code for other limitations (e.g., number of stories and/or floor area limits based on the buildable area of the lot, a.k.a. "floor area ratio").

(a) Requirements for Single Family Dwelling projects may be governed by the Hillside Ordinance.

(b) Portions of buildings on a C or M zoned lot shall not exceed the height limits set forth below when located within the distances specified from a lot classified in the RW1 Zone or more restrictive zone.

DISTANCE (ft)	HEIGHT (ft)
0 to 49	25
50 to 99	33
100 to 199	61

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. For efficient handling of information internally and in the internet, conversion to this new format of code related and administrative information bulletins including MGD and RGA that were previously issued will also allow flexibility and timely distribution of information to the public.

## **DETERMINATION OF THE ZONING CODE "HEIGHT OF A BUILDING OR STRUCTURE"**

The City of Los Angeles has various regulations related to the permissible height of buildings and structures. The regulations may depend on the location of a project, the type of project, slope of the lot or proximity to residential zones. This bulletin provides the general approach that should be used in measuring the permissible height of a building or structure as well as how to correctly measure the height of a building or structure on a set of plans. A complete set of all regulations on this subject is not feasible in one document due to the many variables involved. A careful review of the regulations must be done once the site and the type of project is known.

### **I. HEIGHT LIMITATIONS**

- a. Determine the allowable height limit according to the Height District or applicable regulation (e.g., Specific Plan, Hillside Ordinance, etc.). Chart No. 1, shown below, represents the general code limitations based only on the Height District and zone designation. This chart can be used to determine the height limit when the site is not subject to any Specific Plan nor any other Ordinance with a height limitation specific to the site.

Some projects are affected by more than one layer of regulation pertaining to allowable height. In addition, there are specific regulations depending on the type of development (e.g., Mini-Shopping Center Development), location (e.g., Hillside Ordinance, Specific Plan, etc.), and/or other site-specific limitations ("Q" or "D" conditions, transitional height, etc.). Due to all these variables, it is suggested that once a site is selected for development, assistance be sought from a plan check engineer at any of the Department of Building and Safety's public information counters.

Specific Plans are land use ordinances applicable in designated parts of the City. They frequently consist of regulations that prescribe permissible uses, parking requirements, setbacks, allowable height and many other requirements that are different from the general regulations of the Planning and Zoning Code. Construction projects in these areas frequently require a discretionary approval by the Director of Planning and may require a review by a Design Review Board. These ordinances, when applicable, need to be reviewed in detail prior to designing a project.

- b. If a project is subject to more than one height limitation, the most restrictive will be the governing height limit.  
e.g., A Mini-Shopping Center is limited to 40 feet by Sec. 12.22A23(a)3; however, if it is located in 1XL Height District, which has a limit of 30 feet, the governing height limit for the Mini-Shopping Center is 30 feet.

INFORMATION BULLETIN

DETERMINATION OF THE ZONING CODE  
"HEIGHT OF A BUILDING OR STRUCTURE"

Section 12.22A18      *Developments Combining Residential and Commercial Uses.*  
*Buildable Area.*

Q - What is the appropriate method of calculating the Buildable Area of a lot when determining the total permitted floor area of a building combining residential and commercial uses?

Q - The definition of "Buildable Area" in Section 12.03 states that "...for the purpose of computing the height district limitations on total floor area in buildings of any height, the buildable area that would apply to a one story building on the lot shall be used". In those cases where buildings combine residential and commercial uses and the first floor of such buildings at ground level (first story) is used for commercial purposes or access to the residential portions of such buildings, the Buildable Area calculation is the same as for a one story building used entirely for commercial purposes. Where the first story of the proposed development is used in whole or in part for residential uses, then the Buildable Area is computed excluding the area of the yards.

(Chief ZA letter 10-19-82)

Source: City of Los Angeles, Zoning Manual

ZONING ENGINEER INTERPRETATION

DEVELOPMENTS COMBINING RESIDENTIAL AND  
COMMERCIAL USES – DETERMINATION OF  
BUILDABLE AREA

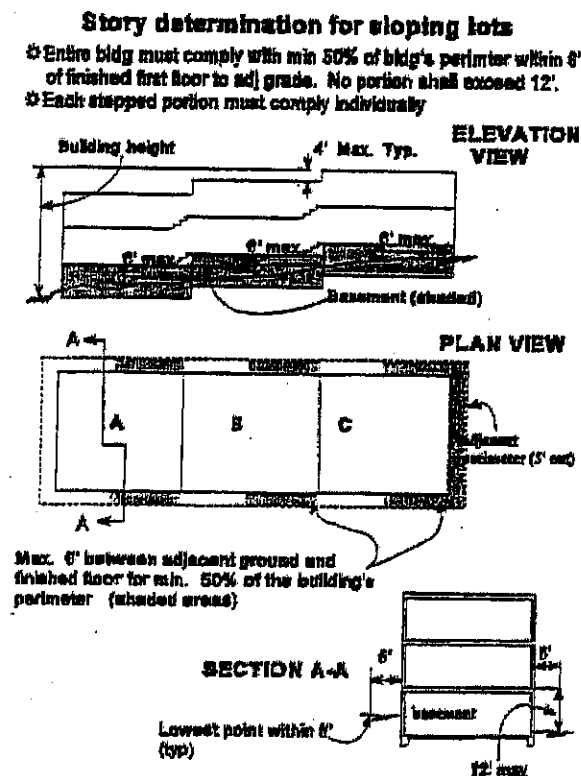


BUREAU: Engineering  
 CODE SECTION: Zoning Manual 12.03  
 CATEGORY: Zoning Manual

## SUBJECT: STORY DETERMINATION ON SLOPING LOTS

**Q** - How is the number of stories determined for a stepped building on a sloping lot?

**A** - The figure included below indicates how the number of stories is determined in the case of a stepped building that essentially parallels the grade contour.



Note that in order to use this concept the maximum step permitted in building is 4 feet. In addition, per Section 12.21C1 and 12.21.1A8, in determining the required side and rear yards of a building as well as in determining the number of stories, any basements containing habitable rooms shall be considered a story.

(Z.E. memo 11/22/94)

ZONING ENGINEER INTERPRETATION

STORY DETERMINATION ON SLOPING LOTS

---

BUREAU: Engineering  
CODE SECTION:  
CATEGORY: Memo

---

DATE: 12/08/92  
TO: All Plan Check Engineers  
FROM: Hector Buitrago, Zoning Engineer  
SUBJECT: AREA OF LOTS IN C AND M ZONES WITH FUTURE STREET DEDICATION  
FOR F.A.R. PURPOSES

This is in response to your inquiry of November 30, 1992 regarding this Department's policy concerning future streets and their effect on Floor Area Ratio calculations for Commercial and Industrial lots.

By definition, in Section 17.02 of the Zoning Code in Future Street or Alley is: "Any real property which the owner thereof has offered for dedication to the City for street or alley purposes but which has been rejected by the City Council ...." This definition further specifies that the City may accept all or part of said property as a public street or alley at a later date. These offers to dedicate property for "future street or alley" do not themselves reduce the size of the lot area unless or until the City accepts the offer to dedicate.

Additionally, in Section 12.03 the code defines the Buildable Area as the area of a lot excluding yard spaces, building line setback spaces, or that space that may be used only for accessory buildings or uses. Space devoted to future street or alleys is not specified in this definition as one of the exclusions.

In conclusion, the Buildable area of a C or M zoned lot is calculated including the area of the future street or alley. Any required setbacks, however, are measured from the ultimate lot line. Also, per section 12.21H, required parking cannot be located within future street or alley.

RELATED TOPIC: "Highway Dedication"



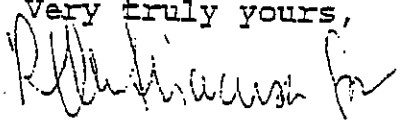
ZONING ENGINEER INTERPRETATION

AREA OF LOTS IN C ZONES WITH PROPOSED  
STREET DEDICATION FOR F.A.R. PURPOSES

Mr. William L. Waterhouse  
November 1, 1991  
Page 2

In answer to your question elevator equipment and other building operating equipment and machinery is permitted in the unoccupied portion of the tower.

Very truly yours,



MELANIE S. FALLON  
Director of Planning

GM:lm  
TDB-L253

cc: Councilman Yaroslavsky  
Department of Building and Safety

CITY PLANNING  
COMMISSION

WILLIAM G. LUDDY  
PRESIDENT

THEODORE STEIN, JR.  
VICE-PRESIDENT

LYDIA H. KENNARD

SUZETTE NEIMAN

FERNANDO TORRES-GIL

RAMONA HARO  
SECRETARY

(213) 485-5071

CITY OF LOS ANGELES  
CALIFORNIA



TOM BRADLEY  
MAYOR

DEPARTMENT OF  
CITY PLANNING

ROOM 561, CITY HALL  
200 N. SPRING ST.  
LOS ANGELES, CA 90012-4801

MELANIE S. FALLON  
DIRECTOR

FRANKLIN P. EBERHARD  
CHIEF DEPUTY DIRECTOR

(213) 237-1986

R. ANN SIRACUSA  
DEPUTY DIRECTOR

ROBERT H. SUTTON  
DEPUTY DIRECTOR

(213) 237-1818

FAX (213) 237-0552

November 1, 1991

William L. Waterhouse  
Manatt, Phelps and Phillips  
11355 West Olympic Boulevard  
Los Angeles, CA

Dear Mr. Waterhouse:

**MACHINERY IN UNOCCUPIED TOWERS**

In your July 1, 1991 letter regarding the Nansay project, you requested a clarification of the February 15, 1991 interpretation by the Director of Planning as it pertains to machinery in unoccupied towers within the Westwood Village Specific Plan area.

The February 15, 1991 interpretation stated that "... elevator equipment is permitted in the unoccupied portion of the tower." It was not intended, however, to prohibit other types of building operating equipment from being located in unoccupied towers. The paragraph immediately preceding the above-quoted passage, in fact, cites LAMC section 12.03 for guidance in this matter wherein "... rooms housing building-operating equipment or machinery..." are excluded from floor area calculations by the city.

In response to your request for a clarification of the February 15, 1991 Director's interpretation, the last paragraph of the response to Question 1 B of that letter is hereby revised to state:

NEIGHBORHOOD PLANNING DIVISION  
221 S. FIGUEROA ST. 3RD FLOOR, LOS ANGELES, CA 90012  
(213) 617-0228 FAX: (213) 617-8378



The specific plan ordinance makes no explicit mention of prohibiting mechanical equipment such as elevators from the unoccupied portion of a tower. The only reference made is to "materials or equipment" related to the use, not construction, of the building. This is inconsistent with the Los Angeles Municipal Code (LAMC) section 12.03 definition for floor area. The LAMC excludes "rooms housing building-operating equipment or machinery" from the floor area.

In answer to your question, elevator equipment is permitted in the unoccupied portion of the tower.

Question 2 - Is "change to a cultural resources" to be taken in the literal sense to prohibit negative and positive change?

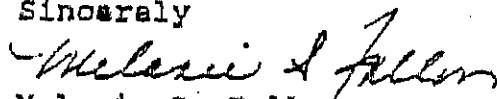
The specific plan ordinance states that a single mid-block public pedestrian connection may be allowed provided that "the connection is located at ground level and not closer than 200 feet from Weyburn or Kinross Avenue, does not result in a change to a cultural resource ..." The specific plan is not meant to prohibit exterior change or modification to a cultural resource. Moreover, it contains provisions for different levels of review depending on the significance of proposed changes.

Projects that "demolish, relocate, significantly alter" cultural resources require a certificate of appropriateness and City Planning Commission action upon the advice of the design review board. Less significant changes are acted upon by the Director of Planning on the advice of the design review board.

In light of the specific plan provisions relating to cultural resources, it does not make sense to interpret the language you quoted to prohibit any change to a cultural resource.

If you have any additional questions regarding the Westwood Village specific plan, please call Robert H. Sutton of my staff at (213) 617-3698

Sincerely



Melanie S. Fallon  
Director of Planning

cc: Robert H. Sutton

R. Nicolas Brown, AICP

For the file - to be incorporated into design review board  
project submittal package.

CITY PLANNING  
COMMISSION

WILLIAM G. LUDDY  
PRESIDENT

THEODORE STEIN, JR.  
VICE-PRESIDENT

WILLIAM R. CHRISTOPHER  
SUZETTE NEIMAN  
FERNANDO TORRES-OIL

RAMONA HARO  
SECRETARY

CITY OF LOS ANGELES  
CALIFORNIA



TOM BRADLEY  
MAYOR

DEPARTMENT OF  
CITY PLANNING

KENNETH C. TOPPING  
DIRECTOR

MELANIE FALLON  
CHIEF DEPUTY DIRECTOR

FRANKLIN P. EBERHARD  
DEPUTY DIRECTOR

ROBERT Q. JENKINS  
DEPUTY DIRECTOR

February 15, 1991

William L. Waterhouse  
Manatt, Phelps & Phillips  
11355 West Olympic Blvd.  
Los Angeles, CA 90064

RE: JANUARY 22, 1991 LETTER ON WESTWOOD VILLAGE MIXED-USE  
PROJECT

Dear Mr. Waterhouse:

In response to your letter dated January 22, 1991, regarding Westwood Village specific plan provisions related to "unoccupied tower" and "change to cultural resources", I had my staff research this matter. Your questions highlight the difficulty in drafting an ordinance that accounts for every nuance of development and design. It is therefore, as in your case, necessary to address specific questions to clarify ambiguities.

Question 1A - What does "unoccupied tower" mean?

The specific plan ordinance defines "unoccupied tower" as, a structure, attached to a building, which is solely an architectural feature, which is taller than its diameter and which is designed so that it may not be occupied by individuals, goods, materials or equipment and is not used for warehousing or office purposes. Any areas contained within the exterior walls of the unoccupied tower shall not be calculated as part of the floor area of the building to which the tower is attached." The added underline emphasize that the definition concerns two parts of a tower - occupied and unoccupied.

In answer to your question, an unoccupied tower is that part of a tower that is not used or occupied with the aforementioned items and is solely an architectural feature. The portion of the tower which is occupied shall comply with the height and floor area provisions in the specific plan. The portion of the tower which is unoccupied must comply with height provision of the specific plan.

Question 1B - Is mechanical equipment permitted in the unoccupied portion of a tower?

DIRECTOR OF PLANNING INTERPRETATION

PERMITTED USES WITHIN "UNOCCUPIED  
TOWERS"

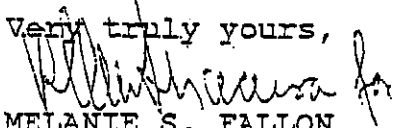
B. Spaces Which Serve Existing Buildings On Other Lots

Where a site is subject to covenants to provide spaces for an off-site building (as is the case with the Nansay Project), those covenanted spaces must be provided as part of the new development (in addition to the spaces required for the project itself and any replacement parking). Of course, since these spaces are replaced at 100% they are not also subject to the 50% calculation for replacement parking. These spaces, like the spaces serving an existing building, are subtracted from the total number of the on-site spaces to be removed before the 50% calculation is made.

C. Calculation of Replacement Parking Spaces

From the above, the proper methodology to determine the number of "replacement" parking spaces Nansay must provide is as follows: (1) Calculate the number of spaces serving the existing building; (2) to this number, add the number of spaces that serve off-site buildings (i.e., the number of covenanted spaces); (3) add (1) and (2), and subtract from the total number of on-site spaces now provided; and finally (4) take 50% of the remainder.

Very truly yours,

  
MELANIE S. FALLON  
Director of Planning

cc: T.C. Wang, Nansay  
Scott Wilson BTA  
Lee Ward, LL&G  
Robert Janovici, Chief Zoning Administrator  
Richard Holguin, Building & Safety  
Gurdon Miller, Senior City Planner  
Hala Guirguis, Zoning Engineer, B&S

a:childs.doc

MSF:FPE:ml  
TDB-L255

excess of this amount shall not be considered to be serving an existing building unless covenanted or otherwise dedicated to another lot. In instances where such off-street parking is not sufficient to meet current codes as set forth above, then all that off-street parking on the lot, plus that off-street parking on other lots set aside for that purpose also as described above, shall be considered as serving an existing building. Should the off-street parking available on the lot and covenanted on other properties be less than specified on the applicable building permit (except where varied from pursuant to an appropriate City action), existing parking shall be construed to mean the number of off-street parking spaces set forth on the building permit.

Based upon the language of WVSP Section 9.E, the methodology to be applied in determining the number of "replacement" parking spaces that must be provided is as follows (the following methodology is directly correlated to the subpart numbers added to the pertinent section quoted above): (1) take the total number of parking spaces on existing parking lots or structures which are to be removed (lost) as the result of the proposed project; (2) subtract from that total, the number of spaces that serve the existing building on the lot; (3) take 50% of the remainder; (4) that 50% must be provided in addition to the spaces required for the project itself; and (5) finally, if any on-site parking spaces were serving existing buildings that will remain after the project has been completed, the spaces that served those buildings must be maintained by the new project.

We find that Nansay's inability to determine the number of parking spaces which are serving the retail and restaurant uses in its retail/restaurant building, in order to determine the number of spaces on its parking lots that "do not serve an existing building or buildings," creates an impasse (at step 2 above) to the calculation of replacement parking.

However, we also find that where an applicant is unable to determine, from covenants or other available records, the number of parking spaces serving an existing building, it is appropriate to look to the Municipal Code to provide an alternative method to supply the missing numbers. The Municipal Code states that where parking is required for an existing building, and the parking is then removed, substitute spaces must be provided not to exceed the number of spaces that would be required "for a new building or structure identical to said building structure...." (L.A.M.C. 12.21.a.4(m).) Applying the principle of this subsection to the WVSP provisions: if a building was to remain, but the parking was removed, the number of spaces that would have to be substituted for the removed spaces would be at the rate specified in the current Code or the WVSP, whichever was greater for the uses of the building. Therefore, spaces "serving" an existing building should be calculated pursuant to current Municipal Code and WVSP requirements.



WVSP area must conform with the WVSP. Therefore, only the requirements of the WVSP apply to the Nansay Project, and it is not subject to any different parking standards under the ICO.<sup>3/</sup>

### III. REPLACEMENT PARKING

The WVSP requires, in pertinent part:

"[(1)] If a project results in the removal of parking spaces which existed at the time this Ordinance became effective and [(2)] which do not serve an existing building or buildings, [(3)] 50% of such parking spaces shall be replaced and shall be [(4)] in addition to any existing building or otherwise required for the project and [(5)] for any existing building or buildings on any other lot or lots." (WVSP 9.E (subpart numbers added).)

The above requirement is applicable to off-street parking spaces on existing parking lots or structures. Based on the legislative history of the replacement parking provision,<sup>4/</sup> we find that on-street parking lost because of a development project was not intended to be included in replacement parking.

#### A. "Serve An Existing Building"

Existing parking serving a building as contained in WVSP is defined as described below:

Off-street parking which serves an existing building or buildings on a lot, consistent with current practices in the City of Los Angeles, is all that off-street parking on the same lot as the building or buildings needed to satisfy current off-street parking codes (either that contained in the WVSP or the L.A.M.C.), whichever is the most restrictive, plus any off-street parking on an other lot or lots which has been set aside either by covenant or other instrument by action of the City of Los Angeles to serve that building or buildings. Parking on a lot in

---

<sup>3/</sup>Moreover, even if the WVSP did not govern, the Municipal Code requires 4 spaces per 1,000 square feet of retail use. Like the WVSP, the ICO does not state, pursuant to Ordinance 165,773, that it intends to supersede the L.A.M.C. where the ICO specifies a less restrictive requirement. Therefore, the ICO should not be interpreted as preempting the more restrictive of the L.A.M.C. parking requirements.

<sup>4/</sup>Particularly the calculation of replacement parking in Table "A" of the Gruen Background Report.

Section 3.C of the WVSP states: "Whenever this Specific Plan contains provisions which require greater setbacks, lower density, . . . greater parking requirements, or other greater restrictions or limitations on development than would be allowed pursuant to the provisions contained in Chapter I of the Los Angeles Municipal Code, the Specific Plan shall prevail and supersede the applicable provisions of that Code." (WVSP 3.C [emphasis added].)

However, the L.A.M.C., states:

"A specific plan may impose less restrictive parking requirements, if it expressly states that the specific plan's parking requirements are intended to supersede the standards set forth in this paragraph." (Ordinance 165,773. Section 1, amending L.A.M.C. 12.24.A.4.(c) (emphasis added).)

Thus, while the WVSP expressly states that it intends to supersede the Municipal Code when it imposes a greater parking requirement, it is silent with respect to superseding the Municipal Code in order to impose less restrictive parking requirements. Therefore, any parking rate specified in the WVSP that is lower than the rate specified for the same use in the L.A.M.C. does not supersede the L.A.M.C. As a result, the two ordinances must be read together, and require that a project applicant provide parking at the higher of the two rates for the same use.

For example, where the WVSP requires 3.25 parking spaces per 1,000 square feet of office use, and the L.A.M.C. requires 2 parking spaces per 1,000 square feet of office use (L.A.M.C.12.21.a.4.(c), the 3.25 rate should be used because the 3.25 rate specified by Section 9 is greater than the L.A.M.C. requirement. On the other hand, where the L.A.M.C. specifies the rate of 4 spaces per 1,000 square feet of retail use (see Ordinance 165,773), and the WVSP-required rate is 3.25 spaces per 1,000 square feet of retail use, the L.A.M.C. rate should be used because it is more restrictive (higher).

Another potential conflict exists with respect to the Westwood/West Los Angeles/Brentwood-Pacific Palisades Interim Control Ordinance (ICO; Ordinance 165,925). The ICO requires one parking space per 300 square feet (3.33 spaces per 1,000 square feet) of office or retail use, but states that projects located in the

## I. SHARED PARKING

The WVSP allows the use of shared parking.<sup>1/</sup> The City's off-street parking requirements are found in the Los Angeles Municipal Code (L.A.M.C.) at Section 12.21.A.4, as amended by ordinance 165,773. That same ordinance also permits the use of shared parking, upon approval by the Zoning Administrator, without any geographical limitations. (Ordinance 165,773 4.)

The WVSP states:

The regulations of this Specific Plan are in addition to those set forth in the planning and zoning provisions of Chapter I of the Los Angeles Municipal Code and any other relevant ordinance and do not convey any rights not otherwise granted under the provisions and procedures contained therein, except as provided herein." (WVSP & 3.A [emphasis added].)

Because the L.A.M.C. clearly allows shared parking (with Zoning Administrator approval), and the WVSP's regulations are simply in addition to the L.A.M.C., Nansay's project is allowed to utilize shared parking.

## II. THE WVSP DOES NOT ENTIRELY PREEMPT THE MUNICIPAL CODE

Section 9 of the WVSP sets forth special requirements for parking. The introductory paragraph of that section states:

"The following parking requirements are applicable to the uses listed below.<sup>2/</sup> Parking requirements for other uses are set forth in applicable provisions of the Los Angeles Municipal Code." (WVSP & 9.A [footnote added].)

---

<sup>1/</sup>Shared parking permits two or more land uses to share their off-street parking spaces such that the total number of spaces actually provided is less than the sum of the spaces that would have been required for each land use when considered alone. (Ordinance 165,773 4.)

<sup>2/</sup>The requirements (actually they are parking rates specified in terms of parking spaces per unit of land use) are for Hotel, Motion Picture Theater, Nightclub, Non-Medical Office, and Retail/Commercial uses.

CITY PLANNING  
COMMISSION

WILLIAM G. LUDDY  
PRESIDENT

THEODORE STEIN, JR.  
VICE-PRESIDENT

LYDIA H. KENNARD

SUZETTE NEIMAN

FERNANDO TORRES-GIL

RAMONA HARO  
SECRETARY

(213) 485-5071

CITY OF LOS ANGELES  
CALIFORNIA



TOM BRADLEY  
MAYOR

DEPARTMENT OF  
CITY PLANNING  
ROOM 561, CITY HALL  
200 N. SPRING ST.  
LOS ANGELES, CA 90012-4801

MELANIE S. FALLON  
DIRECTOR

FRANKLIN P. EBERHARD  
CHIEF DEPUTY DIRECTOR

(213) 237-1886

R. ANN SIRACUSA  
DEPUTY DIRECTOR

ROBERT H. SUTTON  
DEPUTY DIRECTOR

(213) 237-1818

FAX (213) 237-0552

October 25, 1991

William F. Childs  
Manatt, Phelps and Phillip  
Attorneys at Law  
11355 West Olympic Blvd.  
Los Angeles, CA 90064

Dear Mr. Childs:

Westwood Village - Interpretation/Application of Parking  
Requirements

In your letter of March 29, 1991, you raised a number of questions concerning the parking requirements of the City for the proposed project located at 1020-1060 Glendon. In response, I am setting forth the methodologies to be used for calculating parking requirements pursuant both to the Westwood Village Specific Plan (WVSP) and the Municipal Code (LAMC). Until all approvals have been secured from the City and the Department of Building and Safety has approved plans for the project, commitments as to the specific number of spaces to be required cannot be made.

You have raised several questions concerning the methodology related to the calculation of required parking for the Nansay USA, Inc. (Nansay) mixed-use project pursuant to the Westwood Village Specific Plan (WVSP; Ordinance No. 164, 305). They are:

1. Can the Nansay project utilize "shared parking?"
2. Do the parking requirements specified in the WVSP preempt the Municipal Code's parking requirements?
3. How is "replacement parking" calculated where the number of spaces serving an existing building cannot be readily determined?

This letter provides the Planning Department's interpretations of the WVSP with respect to those questions. However, the actual calculations, in terms of a finite number of spaces, is left to the Department of Building and Safety, which is responsible for calculations based on its review of the final building plans for the project.

NEIGHBORHOOD PLANNING DIVISION  
221 S. FIGUEROA ST., 3RD FLOOR, LOS ANGELES, CA 90012  
(213) 617-0228 FAX: (213) 617-8378

DIRECTOR OF PLANNING INTERPRETATION

CALCULATION OF "REPLACEMENT" PARKING

CITY PLANNING  
COMMISSION

WILLIAM G. LUDDY  
PRESIDENT  
THEODORE STEIN, JR.  
VICE-PRESIDENT  
LYDIA H. KENNARD  
SUZETTE NEIMAN  
FERNANDO TORRES-GIL

RAMONA HARO  
SECRETARY

(213) 485-5071

CC: L. Judd  
T.C. Wang  
Scott Wilson  
File



TOM BRADLEY  
MAYOR

DEPARTMENT OF  
CITY PLANNING  
ROOM 561, CITY HALL  
200 N. SPRING ST.  
LOS ANGELES, CA 90012-4801

MELANIE S. FALLON  
DIRECTOR

FRANKLIN P. EBERHARD  
CHIEF DEPUTY DIRECTOR  
(213) 237-1986

R. ANN SIRACUSA  
DEPUTY DIRECTOR

ROBERT H. SUTTON  
DEPUTY DIRECTOR  
(213) 237-1818

FAX (213) 237-0552

October 25, 1991

William Waterhouse  
Manatt, Phelps and Phillips  
11355 West Olympic Boulevard  
Los Angeles, CA 90064

Dear Mr. Waterhouse:

You have inquired about the Westwood Village Specific Plan as it pertains to the project of your client, Nansay USA, Inc. The concerns you have raised and our responses are as follows:

1. Build-to-line calculation. Nansay's architect has calculated the required build-to-line area correctly.
2. Height measurement method. Nansay's architect is measuring height correctly and in accordance with plan interpretations by the City Attorney.
3. Setback adjacent to cultural resources. Setbacks are required only on the street frontage as Nansay has proposed.
4. Bonus FAR for below-grade neighborhood retail grocery store. Nansay has provided a rendering and plans clearly showing that the below grade portion of the grocery store is functionally and visually integrated into the at-grade portion. This is addressed in detail by a separate letter of interpretation.
5. Replacement parking calculation method. The Planning Department and Nansay are in agreement on this issue. A separate letter discusses this matter in detail.

I hope this response is helpful.

Very truly yours,

MELANIE S. FALLON  
Director of Planning

TDB-L266  
MSF:GM:tp

NEIGHBORHOOD PLANNING DIVISION  
221 S. FIGUEROA ST., 3RD FLOOR, LOS ANGELES, CA 90012  
(213) 617-0228 FAX: (213) 617-8378

DIRECTOR OF PLANNING INTERPRETATION

METHOD OF MEASURING HEIGHT & LOCATION  
OF SETBACKS

Mr. William Waterhouse, Esq.  
October 25, 1991  
Page 4

use is located on a floor which is located within three vertical feet of the ground level as defined above, it also qualifies as "ground level neighborhood retail" as used in the plan. It seems from the description in your letter that the entire grocery store does not meet the technical three foot criterion. It would, however, be unrealistic and unfair to require it to do so, particularly on a sloping site and in a community which so desperately needs a neighborhood or community grocery store.

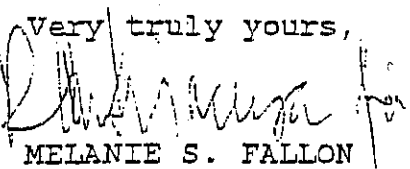
I believe that the project as described in your letter qualifies to be construed as ground floor neighborhood retail as a significant portion of the frontage does qualify as ground floor retail.

I have reviewed the renderings and plans submitted by Nansay and based upon that review determine that the design and location of the grocery store meet the intent of the specific plan. The design functionally and visually integrates the below-grade portions of the grocery store with those portions of it that are at grade and fronting on the sidewalk.

The grocery store by its design, orientation and location is clearly and primarily serving and attracting patrons from both the local university and residential community.

The design, orientation and location of the store complement the predominant character and pedestrian scale of the village. The store is truly accessible and oriented to the pedestrian and walking public rather than just to persons utilizing subterranean parking.

Very truly yours,

  
MELANIE S. FALLON  
Director of Planning

GM:lm

TDB-O380



project also qualified for the other bonus. It would be more logical to read that language as limiting only if the full grocery store was provided for the purpose of and utilization of the guest room bonus set forth in 7.B.8. The purpose of this limiting language, in my opinion, was to prevent the utilization of both bonuses but not preclude one or the other.

In the case of the proposed Nansay hotel, you state in your letter that is your intent to provide a full service grocery store which complies with the requirements of Section 7.B.8. However, you also state that the number of guest rooms in the hotel will be provided in accordance with standards contained in the first sentence of Section 7.B.8 allowing one guest room for each 325 square feet of buildable area on the lot. You further state that you do not intend to construct any additional hotel guest rooms in excess of that permitted pursuant to the aforementioned standard. It is my belief, in accordance with the above interpretation, that the hotel project then qualifies for the floor area bonus of one additional square foot of additional floor area for each square foot ground floor area in the neighborhood retail facility, i.e., the full service grocery store, provided all the other provisions and limitations of Section 7.B.2 are met.

The second question concerns what constitutes "ground floor neighborhood retail" as used in the WVSP. Section 7B.2 contains the following provision:

2. The provision of neighborhood retail or neighborhood services on the site. One square foot of floor area may be added for each square foot of ground floor neighborhood retail and neighborhood services, provided the continued use of that quantity of floor area for neighborhood retail or neighborhood services is guaranteed by covenant, except that neighborhood retail provided to qualify for a bonus pursuant to Section 7.B.8 of this Specific Plan is not also eligible for additional floor area. This bonus shall not exceed the densities shown of Figure 3. (Emphasis added)

The specific plan also defines ground floor. The following definitions contained in Section 4 of the plan area applicable to understanding the meaning "ground floor:"

"Ground level. The elevation of the closest portion of the public sidewalk to each portion of the building."

"Ground floor. That portion of a floor level of a building within three vertical feet of the ground level."

Using the above definitions it is clear that most grocery stores qualify as neighborhood retail or service uses. Further, if a

2. The bonus of one additional hotel guest room of 300 square feet for each 500 square feet of floor area devoted to a "full service grocery store" as provided in Section 7.B.8 of the plan

may be utilized, but not both.

Specifically, Section 4 of the plan defines neighborhood retail as the "Retail sale of goods needed by residents and students on a regular basis including: ...food/grocery store, including supermarket, produce, cheese and meat market and delicatessen; ...."

Section 7.B is entitled "Additional Permitted Floor Area." Section 7.B2 allows additional floor area for:

The provision of neighborhood retail or neighborhood services on the site. One square foot of floor area may be added for each square foot of ground floor neighborhood retail or neighborhood services, provided the continued use of that quantity of floor area for neighborhood retail or neighborhood services is guaranteed by covenant, except that neighborhood retail provided to qualify for a bonus pursuant to Section 7.B.8 of this Specific Plan is not also eligible for additional floor area. This bonus shall not exceed the densities shown on Figure 3.

Section 7.B.8 reads:

A hotel may contain one guest room for each 325 square feet of buildable area. Provided, however, if a full service grocery store is constructed by the developer of the hotel, the hotel may contain one guest room per 300 square feet of buildable area for each 500 square feet of floor area devoted to such full service grocery store; the remaining guest rooms shall be calculated at one guest room per 325 feet of buildable area. Such full service grocery store shall occupy at least 30 feet of ground floor building frontage and shall be located either on the site of the hotel development or on another lot within the Specific Plan area. The site at which the full service grocery store is located shall be restricted to such use by covenant.

The clear intent of the plan is to provide an incentive to developers to build a full service grocery store or neighborhood retail uses in Westwood Village whether or not they are located in a hotel. If this is the clear and indisputable goal of the plan, which I believe it is, then it would be contrary to the intent of the plan to read the limiting provision in Section 7.B.2 as excluding the additional floor area merely because the