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August 16, 2022

VIA ELECTRONIC MAIL

Los Angeles City Council
Honorable President Nury Martinez
Los Angeles City Hall
Los Angeles, CA 90012
Via Email and Online Portal

Re: Appeal of Conditional Use, Density Bonus and Site Plan Review at 2111-2139
S. Pacific Ave; CPC-2019-4884-CU-DB-SPR-RDP and ENV-2019-4885-CE;
Appeal Case No. CPC-2019-4884-CU-DB-SPR-1A

Honorable Councilmembers:

This firm represents Appellant Citizens Protecting San Pedro (“CPSP”) in its appeal of the City Planning Commission’s approval of the Conditional Use Permit, Density Bonus incentives and waiver, and Site Plan Review for the Project at 2111 South Pacific Avenue in the San Pedro Community. This letter supplements the August 1st objections and responds to the applicant’s reply dated August 2nd. Appellant respectfully requests that the Council grant the appeal and deny the Project.

I. INADEQUATE NOTICE MANDATES POSTPONEMENT OF THE HEARING

The LAMC establishes mandatory notice and posting procedures which must be satisfied prior to a hearing. LAMC Section 12.24-D.3 requires posting for ten days prior to the hearing consistent with rules adopted by the Director of Planning in Form CP-7762. The Applicant’s latter vaguely suggests, with no foundation whatsoever, that the Appellant has removed on-site notices to sabotage Project approval. Appellant takes strong exception to this accusation. Rather

than implausibly shift blame to the Appellant, the Applicant would be well advised to review Form CP-7762 which establishes that “it is always the responsibility of the applicant/owner to assure that the notice is firmly attached, legible, and remains in that condition throughout the entire posting period[.]”

The procedural requirements in Section 12.24-D.3 and Form CP-7762 operate irrespective of specific prejudice to members of the public because the plain language of the regulations allows the City to conduct a public hearing and act on the application only after proper notice has been provided. In unambiguous terms, Section 12.24-D.3 provides that the notice “shall be posted in a conspicuous place on the property involved at least ten days prior to the date of the meeting” with Form CP-7762 establishing that these terms require *continuously maintained posting throughout the notice period*. Here, the Applicant has not only failed to comply with these standards, it has not even made token efforts to properly maintain site posting as the Pacific Avenue frontage remained unposted through the public hearing as documented in photographs attached to Appellant’s August 1st letter. The City may not approve the Project without conducting a hearing in compliance with LAMC notice requirements.

II. THE PROJECT CONFLICTS WITH COASTAL ACT ACCESS POLICIES RESULTING IN SIGNIFICANT LAND USE IMPACTS

As established in the Appellant’s August 1st letter, the Project will exacerbate a lack of on-street parking usable by members of the public seeking to access Coastal Zone resources including businesses and recreational facilities, thereby violating core Coastal Act policies ensuring the preservation of public access by maintaining adequate parking in and around Coastal Zone resources. The Project is located just feet from the Coastal Zone and the Coastal Act requires that the City ensure that developments outside the Coastal Zone do not impact coastal resources. Appellants have submitted two letters from residents who have lived in the Project vicinity for nearly twenty years articulating the nature and severity of these impacts attached as **Exhibit 1**. In particular, the letters note the following observations:

- On weekdays, there are virtually no available on-street parking spaces, especially during street cleaning days and after 5 p.m.
- On weekends, the lack of parking is even more acute as members of the public visit Coastal Zone resources, becoming so severe that residents have witnessed threats of physical violence and damage to vehicles. In particular, vehicles have been observed driving around blocks searching for parking when trying to patronize Rex’s Café.
- The lack of adequate parking causes delivery vehicles and private vehicles to illegally double-park on side streets, alleys and in the center turn lane on Pacific Avenue, including within the Coastal Zone, during both day and night.
- Marina and public park users rely on parking near Pacific Avenue to access businesses in the Coastal Zone, including the only market near the Marina and the closest breakfast and lunch restaurant. A further deficiency of on-street parking, and

- the lack of off-street parking for these businesses, would prevent members of the public from utilizing these coastal resources.
- Work-from-home trends have continued since the Covid pandemic began in 2020, forcing more residents to rely on on-street parking.
 - The Project's lack of adequate parking spaces and its inefficient tandem configuration will result in scores of additional vehicles occupying on-street parking otherwise available to Coastal Zone visitors. Based on the reasonable assumptions in the August 14th letter from Danial Nord in **Exhibit 1**, the Project would result in the loss of 62 on-street parking spaces as residents would rely on on-street parking. Furthermore, because each parking space lost displaces multiple visitors to the Coastal Zone, the Project would deprive 124 persons of the ability to access Coastal Zone resources on a daily, continuing basis.

In addition to the testimony of long-time residents, Appellant prepared a survey of available parking in the Project vicinity on August 3rd attached as **Exhibit 2**. The survey analyzes the availability of on-street parking on streets in the Project vicinity, including in the Coastal Zone, and photographed the conditions to document the findings. The survey validates the testimony of Appellants, as the photographic evidence demonstrates that virtually no parking spaces are available either on Pacific Avenue itself or on residential side streets. Based on this uncontested testimony of residents writing on matters that are well within the proper scope of lay testimony, the Project would cause a permanent deprivation of on-street parking usable for Coastal Zone visitors in an area that is already highly impacted by a lack of parking in violation of Coastal Act Section 30200(a). Proper consideration of the Project's impacts on Coastal Zone resources would require the imposition of conditions or mitigation measures requiring additional parking spaces and limiting the use of tandem parking to ensure the Project does not displace publicly accessible parking and reduce Coastal Zone access.

The Project's further conflicts with the Coastal Act are detailed in Appellant's letter attached as **Exhibit 3**. Coastal Act Section 30250 provides that new development shall be located in areas with adequate public services to ensure the Project will not have a significant adverse effect, individually or cumulatively, on coastal resources. Section 30253 provides that new development shall minimize risks to life in areas subject to flood hazards. The Project is fundamentally incompatible with these policies by locating an oversized development with inadequate parking on a tsunami route, clogging streets and risking severe impacts by obstructing evacuation routes. Section 30251 provides that new development shall be visually compatible with the surrounding areas. In stark conflict with this policy, the Project develops a four-story monolith in an otherwise low-rise neighborhood. Even buildings associated with institutional uses, such as those on the Fort MacArthur, are modest scaled in comparison to the Project. Coastal Act Section 30252 provides that new development must provide adequate parking facilities, which the Project manifestly fails to do.

III. THE PROJECT REQUIRES A NEW EIR

Not only does the Project result in direct violations of the Coastal Act, but its approval would also result in significant environmental impacts due to conflicts with land use policies precluding CEQA streamlining. The Project improperly relies on CEQA Guidelines Sections 15168 and 15162 to tier CEQA review off the San Pedro Community Plan. However, the Project does not meet the criteria to allow such streamlining.

To begin, the impacts of inadequate parking on access to Coastal Zone resources were never analyzed in the Community Plan or its EIR. The only acknowledgement of reduced parking for Density Bonus or other cases is in the *Population, Housing and Employment* section but does not describe the potential impact of reduced parking on the Coastal Zone.¹ Because the EIR for the Community Plan did not address the impacts of developments such as the Project, which are located outside the Coastal Zone and not subject to the San Pedro Specific Plan, the Project is ineligible to tier analysis of these impacts off the Community Plan EIR pursuant to CEQA Guidelines Section 15168(c)(1) which requires a new initial study leading to a negative declaration or EIR. As demonstrated above, the impacts to Coastal Zone resources results in a significant land use impact due to its inconsistency with Coastal Act policies, requiring preparation of an EIR.

Furthermore, the Project may not tier off the Community Plan EIR because the conditions in CEQA Guidelines Section 15162(a) are satisfied, precluding reliance on the Community Plan EIR pursuant to CEQA Guidelines Section 15168(c)(2) which allows tiering only when the lead agency “finds that pursuant to Section 15162, no subsequent EIR would be required[.]” In violation of CEQA Guidelines Section 15162(a)(2), since approval of the Community Plan and adoption of its EIR, there have been substantial changes with respect to the circumstances under which the Project is undertaken which will require major revisions to the previous EIR due to new significant environmental impacts.

Specifically, since approval of the Community Plan EIR in 2017, the Covid-19 pandemic beginning in 2020 has caused a dramatic increase in remote work and employees working from home. As described in articles attached as **Exhibit 4**, this increase in remote work is permanent and will continue expanding as employers seek to reduce office overhead and improve employee retention:

- Forbes projects that up to 25 percent of professional jobs in the North America will be remote by the end of 2022 with remote work increasing across the workforce through 2023.

¹ Final EIR for San Pedro Community Plan, SCH. No. 2008021004, p. 10-92. Available at: <<https://planning.lacity.org/eir/SanPedro/feir/files/AdditionsandCorrections.pdf>>

- The World Economic Forum estimated that, while only 5 percent of jobs could have been performed remotely before the pandemic, up to 20 percent of all jobs could be remote even after the pandemic fully ends.
- According to the LA Times, the *average* worker in the Los Angeles metro area will work only 3.4 days per week on-site, down from 4.4 days per week before the pandemic and accounting for over a 20 percent decrease in days at the office.

The drastic increase in work-from-home has contributed to a parking crisis in communities within and adjacent to the Coastal Zone, as evidenced by Appellants' testimony. As a result, there has been a significant change in the circumstances under which the Community Plan is being undertaken which causes new significant environmental impacts as a result of conflicts with Coastal Act policies requiring preservation of public access to Coastal Zone resources. The circumstances arose after 2017 and exacerbate the impacts of parking-deficient developments such as the Project on Coastal Zone resources. Based on Appellant's analysis, the Project will result in tens of vehicles from Project tenants relying on on-street parking.

In addition, as argued in the August 1st letter, the West Harbor Modification Plan will cause significant changes in the circumstances under which the Project is being undertaken that will cause new significant and more intense environmental impacts. As documented in the Initial Study/Notice of Preparation attached as **Exhibit 5**, the West Harbor Modification Plan includes a radical transformation of publicly accessible parking lots to a 6,200-seat amphitheater while resulting in a reduction of parking. Given the orientation of the amphitheater, members of the public would be able to observe performances from several public parks and streets, resulting in a dramatic increase in "tailgating" and further obstructing public access to the Coastal Zone. Members of the public have identified several public parks and streets from which members of the public would likely congregate during performances, including San Pedro Plaza Park and Block Field Park. Public comments noting the likelihood of spillover parking and tailgating impacts are attached as **Exhibit 6**. The Amphitheater and both parks are located within 0.7 miles of the Project site, so it is inevitable that Project residents occupying on-street parking will displace members of the public from being able to access Coastal Zone resources during Amphitheater events.

In addition to the arguments above, the Soil/Water/Air Protection Enterprise ("SWAPE") letter attached as **Exhibit 7** presents further rationales why the Project may not rely on streamlining pursuant to CEQA Guidelines Section 15168 and 15162 and is not eligible for a Class 32 Categorical Exemption. Finally, a Noise Impact Review prepared by RK Engineering Group, Inc. is attached as **Exhibit 8** demonstrating that the Project will result in significant noise impacts and is not eligible for the Class 32 Categorical Exemption.

IV. CONCLUSION

Appellant respectfully requests that the Council postpone the hearing until notice can be provided in compliance with the mandatory procedures of the LAMC. The Project further violates core Coastal Act policies and requires a supplemental EIR to analyze and fully mitigate its environmental impacts.

I may be contacted at 310-982-1760 or at jamie.hall@channellawgroup.com if you have any questions, comments or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Jamie T. Hall".

Jamie T. Hall

EXHIBIT 1

Danial Nord
2130 South Pacific Avenue
San Pedro CA 90731

August 14, 2022

Los Angeles City Council 200 N. Spring Street
Los Angeles, CA 90012

RE: 2111–2139 South Pacific Avenue, San Pedro
CPC-2019-4884-CU-DB-SPR-RDP and ENV-2019-4885-CE

To Honorable City Council Members,

I am a resident in the coastal zone in San Pedro, directly across the street and within 500 feet of the site of the proposed project at 2111–2139 South Pacific Avenue. The construction of a four-story mixed-use residential building with 100 dwelling units and 1,800 square feet of ground floor retail, with inadequate parking that is noncompliant with applicable law (see expert report prepared by Infrastructure Group, Inc.) will have an extreme negative impact on the already insufficient parking resources in the coastal zone and on residents like me who live here.

The Project provides only 80 parking spaces for the 100 dwelling units, nearly half of which are tandem spaces, which renders 20 of the spaces dysfunctional. In addition, the project proposes to unbundle parking for 90% of the units, incentivizing residents to forego on-site parking and rely on street parking. The Project includes many two-bedroom units which will likely include households with more than one vehicle. Thus, the project is extremely deficient in parking spaces, as it provides approximately one half of a usable (individually accessible) parking space per dwelling unit. Residents will be forced to compete for nonexistent parking in the nearby streets, which include those in the coastal zone that begins in the middle of Pacific Avenue, just twenty feet from the project.

I have lived on the coastal zone side of Pacific Avenue between 21st and 22nd street for almost twenty years. Below are my personal observations, based on fact, about the current parking problems in the coastal zone near the proposed project (as of August 14, 2022):

- There are virtually NO street parking spaces throughout most of the day on weekdays, and parking to accommodate all existing residents in the evenings after 5pm is not available.
- Alternate side of the street parking requirements for street sweeping causes additional competition for any available parking spaces.
- On weekends, when more people come to the coastal zone, the situation is even more acute and the lack of parking is impossible to navigate. I have personally witnessed fights over parking spaces that include threats of violence and damage to vehicles.
- Delivery and private vehicles are frequently double parked on the side streets in the coastal zone because of the insufficient parking.

- Vehicles park day and night in the nearby alleys in the coastal zone due to insufficient parking. Access to my own on-site parking is often blocked by parked vehicles parked in the alley.
- There is often no available street parking for guests to my home or others nearby in the coastal zone. This is worse on weekends when more people visit the coastal zone.
- Delivery vehicles frequently park in the center (turn) lanes on Pacific Avenue because of insufficient parking.
- The only market serving the marina entrance and public park on 22nd street, as well as a popular breakfast + lunch restaurant, are at 22nd street and Pacific avenue - within 500 feet of the proposed project. Street parking for these small businesses serving visitors to the coastal zone will be even more impossible if the proposed project does not have adequate parking for its tenants.
- The parking problems in the coastal zone have become noticeably worse during the past five years, as new development has increased. Since 2020, when more people began to work from home due to the COVID pandemic, the lack of parking and the related negative impacts in the coastal zone have become even more pronounced. These new negative parking impacts have continued to date.

City of Los Angeles Ordinance 179681 Density Bonus Parking Option 1 requires parking spaces at the following ratios: 1 space per unit containing 0 to 1 bedroom, 2 spaces per unit containing 2 to 3 bedrooms, and 2.5 spaces per unit containing 4 or more bedrooms. The Project will provide 19 studio loft units, 24 studios, 36 one-bedroom units, and 21 two-bedroom units, so the minimal number of residential parking spaces required for the Project is 121.

However, as discussed, the Project Applicant requested an off-menu incentive to allow only 80 residential parking spaces in lieu of the 121 residential parking spaces that would otherwise be required.

It is normal in Los Angeles for working couples inhabiting 1 bedroom apartments to have two cars. But even if we use the unrealistic/underestimated number of 121 cars for the 100 unit project, and there are only 59 individually accessible parking spaces (21 are blocked by other cars because of tandem parking), it follows that a minimum of 62 additional cars will be parked on the streets near the project.

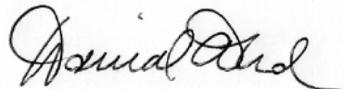
These 62 additional cars parked will likely displace 62 carloads of people who depend on free street parking to access the coastal zone. So if one car carries an average of two people, then it would follow that 124 people will be displaced from accessing the coastal zone and related activities due to the inadequate parking in the Project.

The addition of 100 insufficiently parked dwelling units and two new retail businesses (with a total of only four parking spaces for all retail) - combined with the cumulative negative impact on parking of the developer's nearby 102 unit project proposed for 1309-1331 Pacific, will have an extreme negative impact on residents like me in the coastal zone, and on those who visit the area.

Parking is already deficient here, and developments that seek waivers from compliance with applicable parking laws in lieu of providing adequate spaces for tenants will make the existing parking problems in San Pedro's coastal zone far worse.

Thank you for your consideration of this critical matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Danial Nord".

Danial Nord

Fran Siegel
2128-2130 South Pacific Avenue
San Pedro CA 90731

August 15, 2022

Los Angeles City Council
200 N. Spring Street
Los Angeles, CA 90012

RE: 2111–2139 South Pacific Avenue, San Pedro
CPC-2019-4884-CU-DB-SPR-RDP and ENV-2019-4885-CE

Honorable City Council Members,

I have been a resident at 2128-2130 South Pacific Avenue in San Pedro for almost twenty years. This is within 500 feet of the site of the proposed project at 2111–2139 South Pacific Avenue. I live in the coastal zone which is directly across the street from the proposed project. The conditions of the coastal zone would be extremely negatively impacted by this proposed project, but this has not yet been addressed.

Below are my personal observations, based on fact, about the current parking problems in the coastal zone, which begins at the center of Pacific Avenue just twenty feet from the proposed project:

- There are virtually no street parking spaces available in the evening, weekends and throughout most weekdays.
- There is often no available street parking for guests to my home or others nearby in the coastal zone. I have had visitors report that they have driven around for more than 30 minutes trying to find spaces.
- It is especially tight on weekends when people come to the coastal zone for recreation.
- Also, during weekend brunch hours at Rex's Café, people drive around in circles looking for spots.
- Delivery vehicles frequently park in the center lanes on Pacific Avenue because of insufficient parking.
- Delivery and private vehicles are frequently double parked on the side streets in the coastal zone because of insufficient parking.
- Vehicles park at all hours in the nearby alleys in the coastal zone due to the lack of parking. Access to my own on-site parking is often blocked by parked vehicles parked in the alley.
- Traffic moving westward on 22nd street is often so clogged at the intersection of Pacific that vehicles need to wait several traffic light cycles before being able to pass through. Not only is access IN to the coastal zone critical for the public but access OUT could be a life or death matter as Pacific Avenue is an official coastal Tsunami evacuation route.

- The parking problems have increased during the past few years as development has increased. Since COVID-19 began in 2020, the situation has become exponentially worse, and these recent negative impacts on coastal zone parking have not subsided because many residents continue to work from home.

The construction of a four-story mixed-use residential building with 100 dwelling units and 1,800 square feet of ground floor retail, with inadequate parking that is noncompliant with municipal codes + regulations will have an extreme negative impact on the already insufficient parking resources in the coastal zone, and on residents like me who live here.

The proposed project would only provide 80 parking spaces for the 100 dwelling units, nearly half of which are tandem spaces, which renders 20 of the spaces dysfunctional. In addition, the project proposes to unbundle parking for 90% of the units, which would encourage residents to forego on-site parking altogether and rely on street parking. Also the Project includes many two-bedroom units which will likely include households with more than one vehicle. Thus, the project is extremely deficient in parking spaces, as it provides approximately one half of a usable (individually accessible) parking space per dwelling unit. Residents will be forced to compete for nonexistent parking in the nearby streets which are already overburdened and would include those in the coastal zone that begins in the middle of Pacific Avenue, just twenty feet from the project.

The addition of 100 insufficiently parked dwelling units and two retail businesses (with a total of only four parking spaces for all retail) - combined with the cumulative negative impact on parking of the developer's nearby 102 unit project proposed for 1309-1331 Pacific, will have an extreme negative impact on residents like me in the coastal zone, and on those who visit the area.

Parking is already deficient here, and developments that seek waivers from compliance with applicable parking laws in lieu of providing adequate spaces for tenants will make the existing parking problems in San Pedro's coastal zone far worse.

Thank you for your consideration of this important matter.

Sincerely,



Fran Siegel

Fran Siegel

EXHIBIT 2

Twenty-Second, Twenty-First, Twentieth,
Nineteenth Streets, plus some Mesa and
Pacific Avenues.

Photos taken August 3, around 5:00 p.m.
before the evening scramble for parking
spaces.

19th & Pacific, NE



19th btwn Pacific & Mesa



20th btwn Pac & Mesa, double-parking



20th btwn Pacific & Mesa, trash barrels



21st & Pacific SE, Only 5 garages.



21st & Pacific, NE & SE, multiunits



21st & Pacific, NE, multiunit no parking



21st between Mesa & Pacific



21st between Mesa & Pacific



21st btwn Mesa & Pacific, trash barrels in
street



21st btwn Mesa & Pacific



423 19th St. multiunit with 1 garage



Alley parking



Alley parking btwn 22nd & 21st, so. of Pa



Bungalows 2, parking in red



Bungalows, Another View



Bungalows Three Deep from Street



Bungalows, Mesa btwn 19th & 20th, no
parking



Flats at 22nd and Mesa, SW, no parking



Fort Mac restrictions on parking, beginning on east side of Pacific at Hamilton Ave extending south to Steven M. White Dr., except for a few spots around post office. of Pacific limited because of Fort and red curbs that start about 100' before Hamilton Ave extending south to about 26th Street.



Ft. Mac - no parking on Pacific



20th btwn Mesa & Crescent



EXHIBIT 3

Noel Gould
728 W. Paseo del Mar
San Pedro, CA 90731

August 14, 2022

Los Angeles City Council
200 N. Spring Street
Los Angeles, CA 90012

RE: 211102139 South Pacific Avenue, San Pedro
CPA-2019-4884-CU-DB-SPR-RDP and ENV-2019-4885-CE

Honorable City Council Members,

I've been a resident of San Pedro since 1992 and have lived in the Coastal Zone the entire time. Not only is much of San Pedro located in the Coastal Zone, but San Pedro's Coastal Zone has the rare additional designation of being a Special Coastal Community, a designation reserved for places like Venice and Carmel, and while all communities located in the Coastal Zone receive the protection of the California Coastal Act, Special Coastal Communities require and receive protection above and beyond the normal protective measures because of their unique characteristics and visitor serving aspects.

There are no "by right" projects, for example, in the Coastal Zone as any project planned needs to go through the process of acquiring a Coastal Development Permit (CDP) from the City of LA and additionally from the Coastal Commission if a project is located in the Dual Jurisdiction Zone delineated in the San Pedro Specific Plan. The proposed project at 2111-2139 S. Pacific Ave is directly across the street from the Single Jurisdiction of the Coastal Zone and one block from the Dual Jurisdiction of the Coastal Zone.

Furthermore, Coastal Act section 30200 states in part that:

"All public agencies carrying out or supporting activities outside the coastal zone that could have a direct impact on resources within the coastal zone **shall** consider the effect of such actions on coastal zone resources in order to assure that these policies are achieved."

I have dedicated a good portion of my volunteer activities over the years to seeing that Coastal Act policies are preserved and protected when new projects are considered, and adequate parking to support either new businesses or businesses increasing the intensity of their use is always required by the Coastal Act, so much so, that the authors found it important enough to include section 30200 to make certain that even projects outside the Coastal Zone would have to consider their potential impacts within the Coastal Zone. Additionally, compatibility with Character, Mass, and Scale of the surrounding community is also required.

The following sections of Chapter 3 of the Coastal Act are also pertinent and applicable to this project:

Section 30250
Location; existing developed area

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas **able to accommodate it** or, where such areas are not able to accommodate it, in other areas **with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources**. In addition, land divisions, other than leases

for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

(b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.

(c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

(Amended by Ch. 1090, Stats. 1979.)

Section 30251 Scenic and visual qualities

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. ***Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to be visually compatible with the character of surrounding areas,*** and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Section 30252 Maintenance and enhancement of public access

The location and amount of new development should maintain and enhance public access to the coast by

(1) ***facilitating the provision or extension of transit service,***

(2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads,

(3) providing non-automobile circulation within the development,

(4) ***providing adequate parking facilities or providing substitute means of serving the development with public transportation,***

(5) ***assuring the potential for public transit for high intensity uses such as high-rise office buildings,*** and by

(6) ***assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.***

Section 30253 Minimization of adverse impacts

New development shall:

- (1) ***Minimize risks to life and property in areas of high geologic, flood, and fire hazard.***
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.
- (3) ***Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.***
- (4) Minimize energy consumption and vehicle miles traveled.
- (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

Section 30250 is clear that new development located in close proximity to existing developed areas, which this is, be able to accommodate it (the new development) and that adequate public services be available where it will not have significant adverse effects, either individually or cumulatively, on Coastal resources.

Section 30251 requires that:

Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas.

This project is a massive 45-foot 5-inch monolith that is completely out of character with the surrounding area and will block residents' views of the harbor, marina, and sunsets over the coastal hills. These adverse impacts will be endured not only by residents living in the Coastal Zone but also residents adjacent to the Coastal Zone who are currently able to view the coast from their homes but will no longer be able to if this project is built. This is clearly a violation of the Coastal Act.

Section 30252 requires:

- (1) ***facilitating the provision or extension of transit service,***
which this project does not.
- (4) ***providing adequate parking facilities or providing substitute means of serving the development with public transportation,***

This project does NOT provide adequate parking facilities! There are 100 units with 80 parking spaces, half of which are tandem without the required shuffling spaces making them unusable, and 90% of the parking is unbundled meaning that people who don't even live in the building will be able to rent parking spaces further reducing the parking available to the residents. I have

driven the area over ten blocks in all directions, both in the Coastal Zone section and the non-Coastal Zone section, and my personal observations based on fact conclude that parking is extremely scarce if available at all. There are at least five sit down restaurants in the immediate vicinity of the proposed projects in addition to a number of other businesses, all which require parking, and there are a number of Coastal visitor serving destinations close by, all of which will be impacted by a decisive lack of street parking which the applicant calls irrelevant.

Section 30252 further calls for:

(5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by

(6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

The developer has not assured the potential for public transit, but has instead relied on inaccurate Transit Oriented Community maps which suggest that there is adequate public transportation during peak transit times which the Council Office has admitted is not accurate, and which we have confirmed by timing the bus frequency.

In addition, this developer has done nothing to correlate the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

Section 30253 Minimization of adverse impacts

New development shall:

(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

The first requirement of Section 30253 to minimize risks to life and property in areas of high geologic, flood, and fire hazard is completely ignored by this developer as Pacific Avenue and 22nd Street are Tsunami evacuation routes, and this project will cause both of these streets to be regularly jammed with traffic due to people fighting over parking spaces, double parking of residents, and regular and consistent double parking by vehicles from Amazon, UPS, FedEx, USPS, and other delivery trucks. It is noted that the project does NOT provide an adequate loading zone and has, in fact, requested relief therefrom.

In addition, the project takes up the entire block of Pacific Avenue between 21st and 22nd streets up to the alley where the adjacent one-story homes begin. The required setback/step-back is NOT met, and the project adds to the hazard that already exists when busses turn from Pacific Avenue west onto 22nd street and are forced to drive into the lane of eastbound oncoming traffic. I was nearly hit by a bus making that exact turn. Furthermore, I was in a car accident at the corner of Pacific and 22nd street when a car darted left in front of me to turn from Pacific onto 22nd street, and I was unable to stop. These are common occurrence.

Section 30253 also requires that the project:

(3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.

Clearly this project, which is located a mere fifteen feet from the Coastal Zone will have direct impacts regarding pollution that will affect the Coastal Zone. There have been many arguments put forward by the applicant about how these density bonus projects pre-empt local zoning laws including the San Pedro Community Plan, the CPIO, and the Pacific Corridor Re-development Plan, however, the California Coastal Act trumps all the local laws and is required to be harmonized with the State Density Bonus Law, and the requirements of the Coastal Act ***shall*** be followed, which as seen in these numerous examples, this project does not but MUST!

Finally, on another but pertinent note, one of our appellants who lives on 21st street adjacent to the project site texted me the other day to say, "Hello Noel, sorry to bother you to think you can still help me with the problem I have about the parking. I just got into it with the neighbor, and he told me the next time something could happen to my truck. I'm just done if I call the cops. They don't do nothing. It's so sad."

I followed up with her today, and she replied:" It's ok, yesterday I got shot with a pellet gun in my neck and missed my main arteries. Had surgery and I just got out of the hospital. They made a report from LAPD and investigators are going to get ahold of me. I'll keep you updated. Thank you for getting back to me."

This entire situation has been over parking...someone parking their truck in her spot in front of her house. It's been going on for a few months, and now she's been shot.

I don't know how anyone in good conscience could call this street parking situation irrelevant.

Sincerely,
Noel Gould
310-625-1157
aquarianstudios@hotmail.com

EXHIBIT 4

CAREERS

Remote Work Is Here To Stay And Will Increase Into 2023, Experts Say

Bryan Robinson, Ph.D. Contributor 

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Feb 1, 2022, 06:24am EST

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Experts predict a remote work force is a permanent fixture in the coming years. GETTY

While some companies continue to thumb their noses at The Great Resignation and insist that employees come back into the office, data scientists at Ladders insist that the writing is on the wall.

Remote work is here to stay. According to their projections, 25% of all professional jobs in North America will be remote by the end of 2022, and remote opportunities will continue to increase through 2023. Researchers from Ladders have been carefully tracking remote work availability from North America's largest 50,000 employers since the pandemic began. Remote opportunities leapt from under 4% of all high paying jobs before the pandemic to about 9% at the end of 2020, and to more than 15% today. "This change in

working arrangements is impossible to overhype. As big as it is, it's even bigger than people think," said Ladders CEO Marc Cenedella, who says it's the largest societal change in America since the end of World War II. "Hiring practices typically move at a glacial pace, but the pandemic turned up the heat so we're seeing a rapid flood of change in this space. It's really rather amazing."

The Downstream Effects of Job Burnout

As the workplace headed into 2022—the third year of the pandemic—the rise of job burnout jumped to an all-time high. The American Psychological Association's Work and Well-Being survey found that 79% of the 1,501 employees experienced work-related stress in the month before the survey. Three in five workers said work-related stress caused them to have a lack of interest, motivation and energy at work. A total of 36% had cognitive weariness, 32% emotional exhaustion and 44% physical fatigue—a 38% jump from 2019.

According to the report, issues like the politicization of masks and vaccines and feelings of lack of support from the government and workplaces have caused workers—especially those in public-facing jobs—to become cynical about their jobs and about the public in general. "This kind of cynicism is powerful because it undermines the people's feelings about the value of their work, which can help motivate them during hard times," said organizational psychologist, Michael Leiter, honorary professor of organizational psychology at Melbourne's Deakin University. The report stated that because pandemic-related stressors won't stop anytime soon, stress-reducing measures should be top of mind for employers and legislators. And Christina Maslach, professor emerita of psychology at University of California, Berkeley added, "As demands increase, organizations need to focus on maintaining balance, taking things off the plate when they add something new. That's especially

important in health care settings where attrition rates are especially high."

Remote Work Is A Permanent Fixture

According to the 2021 State of Remote Work Report from Owl Labs, 2021 was the year the world stayed remote, and 90% of the 2,050 full-time remote workers surveyed said they were as productive or more productive working remotely, compared to when they toiled in the office. Another 74% said after the pandemic, working from home is better for their mental health, and 84% reported that working remotely after the pandemic would make them happier, with many even willing to take a pay cut.

A January 2022 survey of 1,000 full-time workers from Ergotron corroborates the Owl Labs study, revealing that as workers have become more acclimated to hybrid and remote office environments since the onset of the pandemic, they are experiencing benefits to their physical and mental well-being. Taken together these two findings indicate that American businesses listen up and look beyond today to build more progressive workplace policies that will help employees thrive. The report concluded that leaders must rethink their workplace culture to be more inclusive of remote and hybrid work—this is the new normal.

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Still, several big banks and tech companies have remained resistant to having a permanently remote workforce throughout the pandemic, with one firm referring to the idea as a "temporary

aberration." Companies like Goldman Sachs and Chase have now retreated, joining competitors in announcing flexible work from home policies as the number of Covid-19 cases rise. Ragu Bhargava, CEO at Global Upside, agrees with the latest research that employees will continue to resign in record numbers if companies don't evolve with the needs of their employees. Ragu suggests that those who still view remote work as temporary or unorthodox—instead of a complete transformation in how we work and continue the "old way of doing things"—risk losing staff and no longer being competitive as the workplace evolves around them.

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Ragu Bhargava, CEO at Global Upside ©BEN KRANTZ STUDIO



“There’s this clinging narrative of a ‘return to normalcy’ that many employers are holding onto, when in fact, the world of work will never truly return to the way it was before,” Ragu said. “The pandemic revolutionized the workplace and expedited an already growing need for remote workers. The pandemic served as a massive wake-up call, teaching us not only that work was more than capable of being completed from home, but showing the need for flexibility for employees to take control of their own schedules—a necessity for those with long commutes, pricey childcare arrangements and those who simply wanted to spend more time with their families.”

Ragu cites the mind-boggling statistic that 4.5 million people employees voluntarily quit their jobs in November, 2021 alone as evidence that the American workforce is waking up to their

collective bargaining power, and hard-nosed employers are getting left behind in the dust. “With The Great Resignation and Covid-19 still playing a role in our day-to-day lives, companies who choose to revert to the ‘old way of doing things’ will risk losing their staff and witness a changing job market that evolves around them, eventually moving on entirely,” Ragu concluded.

Everyone Will Be Affected By The Societal Shift

Cenedella foresees that the increases in remote working will make a huge societal shift and will impact everyone. It will free employees from being stuck to a large city so Cenedella expects we will continue to see smaller cities and towns grow. Cities that have appealing lifestyle elements but historically lacked access to great professional jobs will see significant growth. Cenedella notes, “Those cities will see an influx of high-earning, well-educated professionals, which will change their school boards, their planning commissions and even the services offered to residents. Remote work at this scale will transform some communities completely.”

Between April and September 2021, more than 24 million American workers quit their jobs according to the U.S. Bureau of Labor Statistics. As we enter the new year Workhuman’s January, 2022 Human Workplace Index insists the decisions employers make will be critical to their team, and 81.5% of workers feel more empowered to hold their leaders accountable for a better workplace in 2022. Over half (56%) said they would only wait 30 to 60 days for employers to make needed changes before they consider leaving.

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BUSINESS

More evidence that bosses want you back to work in the office despite COVID's endless grip

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Downtown offices, like these around L.A.'s Pershing Square, were particularly hard hit by the pandemic, as people across the country avoided high-rises and the public transportation they rode to work. One downtown L.A. landlord said about half of workers have returned to his office buildings at least a few days a week. But other buildings are emptier. (Gary Coronado / Los Angeles Times)

BY ROGER VINCENT | STAFF WRITER

JULY 20, 2022 5 AM PT



Most bosses remain steadfast in their desire to see their white-collar employees in the office despite many workers' desire to stay home most of the time.

About 85% of companies say they want employees to spend half or more of their work time there, according to a recent national real estate brokerage survey.

But rising and waning surges of COVID-19 keep injecting caution into employers' attitudes about enforcing in-person work, which are still evolving as leaders and

workers try to figure out how much time they want to spend in the office and how much room they'll need to do their jobs when they are together.

Office leasing patterns in Los Angeles County in the second quarter revealed uncertainties about how working from home will change office use in the years ahead.

L.A.-area office buildings remain less than half as populated as they were before the pandemic, real estate industry observers said.

Yet some businesses are making big commitments to their offices and signing long leases for large blocks of space, according to second-quarter leasing numbers from real estate brokerage CBRE. Amazon, for instance, said in May that it will rent 200,000 square feet at the Water Garden office complex in Santa Monica to add corporate and tech jobs.

ADVERTISING



Amazon plans to create more than 1,000 new corporate and tech jobs in Santa Monica over the coming years and has signed a lease for a 200,000-square-foot space at the Water Garden. (CBRE)

Many other employers keep paying the rent on their underused offices while pondering whether they'll need more or less space when their leases are up. Some companies — including [Netflix](#), Yahoo and Verizon — pay the rent but have put unneeded offices on the market for sublease, helping drive up overall vacancy to a high 25% in L.A. County, CBRE data show.

Netflix recently [laid off 300 workers](#) after reporting its first decline in subscribers in more than a decade but remains the world's largest streamer and the largest office tenant in Hollywood.

Although people have been adapting to it for more than two years, working from home is a long way from a settled practice for employers. Most of them plan to permanently

adopt some kind of hybrid model of working at home some days and in the office on others, but its form is still evolving.

“It’s really early in the ballgame,” CBRE real estate broker Jeff Pion said. “I think we’re in the second inning of this. Companies are still trying to figure out what’s best for them.”

So although 85% of companies responding to [a CBRE survey](#) said they want employees in the office at least half the time, there is little consensus about how to achieve this goal. Bosses are almost evenly split about whether the required number of days in the office should be decided by the company alone or in consultation with employees.

Economists at the brokerage predict that U.S. workers will spend an average of 3.4 days per workweek in the office, down from 4.4 days a week before the pandemic.

CALIFORNIA

Coronavirus cases soar at L.A. County workplaces, complicating back-to-office push

July 16, 2022

Employees may want fewer days in the office, even if it involves a salary reduction or a new job.

Just over half of U.S. workers want to work remotely more often than they currently do, a recent survey by human resources consulting firm OperationsInc found.

Nearly half said they would even be willing to take a pay cut to increase or retain their remote work arrangements. Others plan to be proactive — 40% said they will look for a new job in the next six months so that they can work remotely more often or every day.

The June [survey](#) revealed tension around employee desires and expectations, however, as 56% acknowledged they will probably have to go to the office more frequently in the next six months, perhaps every day. Three-fourths of workers said their direct supervisor has expressed a desire to see them in person more often.

But many bosses hope that being around other people will be appealing, the way it often is in recreational settings.

“I can make coffee in my house. I can watch a movie in my house. I can watch baseball, football and basketball,” Pion said, and yet people make an effort to do those things with others. “We’re social animals.”

Improvements in technology have been gradually liberating workers from the need to be at their desks for years, but remote work forced by the pandemic accelerated the push away from assigned seating. Technology may hold keys to making the office more appealing.

BUSINESS**Inside Frank Gehry’s latest Los Angeles mega-project**

June 30, 2022

Most employers expect to increase their use of alternatives such as activity-based seating, which might entail workers with laptops and cellphones using a private room or cubicle for focused work, or staffers gathering in “huddle rooms” for group projects or setting up a laptop in a lounge or coffee bar. Some work locations may be reserved electronically.

Such configurations may require ample space, which wouldn’t reduce companies’ office footprints and rent — a goal for many.

“Hotdesking,” the practice of having employees grab an open desk when they show up, can reduce space needs, and a majority of employers expect to use it more as they settle in post-pandemic.

CBRE said 52% of its survey respondents intend to reduce their office space over the next three years, mostly to eliminate space they expect to be freed up by remote work and more efficient use. That’s up from 44% in last year’s survey.

Other firms are growing, as 39% of companies say they plan to expand their office portfolios over the next three years, mostly because of hiring and business growth. That’s up from 29% that said last year that they expected expansion.

Examples of shifts in Los Angeles County last quarter include First Republic Bank, which expanded to occupy five floors in Century City when it renewed its lease at 1888 Century Park East.

Century City and the rest of the Westside “has continued to be a very popular place for people to be,” Pion said, led by companies in entertainment and technology.

In downtown Los Angeles, which has had an oversupply of offices for decades, asset manager TCW Group agreed to a new lease that will reduce its space by more than 20% when it moves its headquarters to another building in January 2025.

“Although the space we are taking is smaller in square footage than our current space, the greatly improved use of space and design will provide for a collaborative work environment and the ability to continue to grow our business and employee numbers,” Chief Operating Officer Liz Kraninger said in a memo to employees, according to real estate data provider CoStar.

BUSINESS

Look inside ‘League of Legends’ creator Riot Games’ L.A. home. It’s cooler than where you work

Downtown offices across the country were hit particularly hard by the pandemic, as people avoided high-rises and the public transportation they rode to work.

The pace of returning workers grew in June, according to the most recent pedestrian traffic report by tracking service Springboard. Cameras in big cities picked up more people walking around, which Springboard said appears to be a consequence of more people returning to the office.

Weekday pedestrian traffic in U.S. downtowns strengthened in June to 26% below the pre-pandemic level of 2019, compared with 42% below that mark in January, Springboard reported.

“The gap between now and 2019 has narrowed quite a lot,” said Diane Wehrle, Springboard’s director of marketing and insights.

The daytime bounce-back is most pronounced during breakfast and lunch hours, indicating that the shift back to the office has accelerated, Springboard said.

The company, which is based near London, does not publicly break out individual cities, but Los Angeles traffic follows U.S. norms, Wehrle said.

BUSINESS

Beverly Hills’ historic Saks Fifth Avenue complex set for development into offices and apartments

June 23, 2022

Downtown office landlord Christopher Rising of Rising Realty Partners said his

buildings on Bunker Hill are more than 50% populated Tuesday through Thursday, the most popular days for in-office labor.

Downtown “has been through a tough couple of years,” Rising said, but it stands to benefit from an influx of residents coming to billions of dollars’ worth of residential projects completed in recent years, including the \$1-billion Grand LA complex and the planned \$1.6-billion Angels Landing project.

According to Kastle Systems, which provides key-card entry systems used by many companies and tracks patterns of workers’ card swipes, the average U.S. office population hit a low of 14.6% in mid-April 2020. Last week it was at 44.1%, about the same as at the end of June. Los Angeles was below average at 41.8%.

Vacancy in Class A Los Angeles County office buildings (not including sublease space) was 17.5% in the second quarter, slightly lower than it was both a year earlier and in the first quarter. Landlords’ average monthly asking rents of \$3.88 per square foot also changed little from the previous periods.

Tenants have the upper hand in rent negotiations, real estate brokerage Savills said, even though the Los Angeles regional economy has fully reopened since the pandemic started and the labor market is historically tight.

“While these strong underlying fundamentals would normally result in higher leasing activity and decreasing availability,” Savills said, “the continued widespread adoption of hybrid workplace strategies and the return of uncertainty in the overall economy will keep the Los Angeles office market tenant-favorable for the foreseeable future.”



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WORKFORCE AND EMPLOYMENT

New study shows how much more productive a hybrid workforce can be

Jul 9, 2021

This article first appeared on

The NBER Digest.





Workers have invested time and money into their home office setups. Image: unsplash/Mikey Harris

Steve Maas

Contributing Writer, The National Bureau of Economic Research

- Just 5% of people worked from home in the US before the pandemic.
- It's expected that up to 20% of the US entire workforce will continue to work from home permanently.
- On average, workers invested 15 hours of time and \$560 to upgrade their home work spaces.
- Estimates say that a hybrid workforce will boost productivity by 4.6%, mainly due to the reduction in commuting.

After the COVID-19 pandemic ends, 20 percent of all labor in the United States may be satisfied by remote workers, up from 5 percent before the virus struck, according to Why Working from Home Will Stick (NBER Working Paper 28731) by Jose Maria Barrero, Nicholas Bloom, and Steven J. Davis. The researchers estimate that productivity will increase and that spending in city centers will decrease relative to pre-COVID levels.

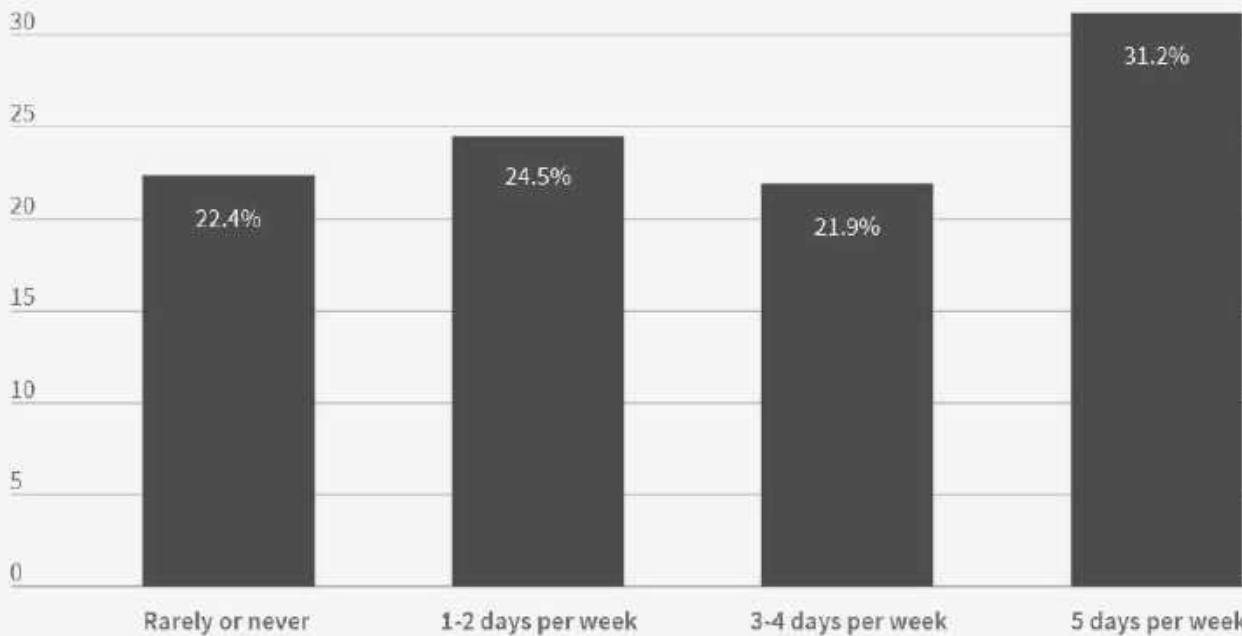
The findings are based on interviews with major employers and on monthly surveys from May 2020 to March 2021 of persons aged 20–64 who earned at least \$20,000 in 2019. Respondents report better-than-expected work-from-home experiences, along with higher productivity.

Workers invested an average of 15 hours of time and \$560 to upgrade their home work spaces, equivalent in aggregate terms to an estimated 0.7 percent of annual GDP, the researchers find. Added to that are investments made by employers in cloud computing and other technology to accommodate remote workers. The number of patents for technological innovations to accommodate a home-based workforce more than doubled from January to September 2020. Innovative

regulatory policies, such as those allowing a wide range of health workers to work remotely, will also change the post-COVID-19 workplace.

Individuals' Desire to Work from Home Post Pandemic

Share of respondents



Source: Researchers' calculations using data from the Survey of Working Arrangements and Attitudes

up to 20% of the US entire workforce will continue to work from home permanently. Image: NBER

Based on respondents' self-assessments, the researchers estimate that the hybrid workforce will boost productivity in the post-pandemic economy by 4.6 percent. Most of that gain will come from a reduction in commuting time.

Fewer than 30 percent of respondents say they will return fully to pre-COVID activities; the rest remain wary of mass transit, crowded elevators, and indoor dining. The researchers estimate that the drop in the number of commuters will result in a 5 to 10 percent drop in spending on meals, entertainment, and personal services in

major city centers. That spending will be redirected to business establishments

closer to workers' homes.

Have you read?

- **4 things we need to consider to make hybrid working a success**
 - **9 out of 10 organizations are switching to hybrid working, according to a McKinsey survey**
 - **Remote working: how can we enable employees to 'disconnect'?**
-

While workers across all demographic groups express a desire to continue working from home, the highly educated and high earners will have a much greater opportunity to do so. The share of survey respondents who worked from home ranged from 10 percent for those without high school degrees to 50 percent for those with graduate degrees. The share was more than twice as large among those who earned above \$150,000 than among those in the \$20,000–\$50,000 range. Respondents were more likely to work from home if they worked in the service sector, were raising children, and lived in Democratic-leaning states.

The study projects that overall, 20 percent of full workdays will be supplied from home after the pandemic ends. Remote work is feasible for half of the employees, and the typical business plan calls for that half to spend two days—40 percent—of the work week at home. Business leaders told the researchers that they wanted employees on site at least three days a week for reasons involving motivation, collaboration, and workplace culture.

“For most workers, the post-pandemic economy will entail more WFH [work from home] than in the pre-COVID economy but considerably less than they would like,” the researchers conclude. “The benefits of a persistent shift to WFH will be broadly felt but flow mainly to the better-educated and the highly paid.”

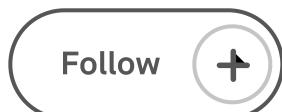
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