

**Public Comments Not Uploaded 1309 - 1331 South Pacific Avenue, Case No. CPC-2019-4908-DB-SPR,DIR-2020-5031-RDP, ENV-2019-4909-CE**

1 message

Jamie Hall <jamie.hall@channellawgroup.com>  
Reply-To: clerk.plumcommittee@lacity.org  
To: Armando Bencomo <clerk.plumcommittee@lacity.org>

Tue, Jun 1, 2021 at 9:10 AM

June 1, 2021

**VIA ELECTRONIC MAIL**

Members of the Planning Land Use Management (PLUM) Committee  
Los Angeles City Council  
Attn: Armando Bencomo, Deputy City Clerk, PLUM  
[200 North Spring Street](#)  
[Los Angeles, CA 90012](#)

**RE: 1309 - 1331 South Pacific Avenue, Case No. CPC-2019-4908-DB-SPR, DIR-2020-5031-RDP, ENV-2019-4909-CE**

Dear Members of the Planning Land Use Management (PLUM) Committee

This firm represents Citizens Protecting San Pedro. As we detailed in our appeal and our November 4, 2020 Comment Letter on the proposed project, the City is improperly processing the proposed project using an Exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, 15332, Article 19 (Class 32 Infill Development). Our appeal should be granted based on substantial evidence in the record of the project’s potential to result in significant environmental impacts.

As explained in the attached letter, we would also urge the Council to deny the project due to the project’s failure to provide an adequate level of affordable housing

**Jamie T. Hall**  
Channel Law Group, LLP  
[8383 Wilshire Blvd., Suite 750](#)  
[Beverly Hills, CA 90211](#)  
Main Number: (310) 347-0050  
Direct: (310) 982-1760  
Fax: (323) 723-3960  
Email:[jamie.hall@channellawgroup.com](mailto:jamie.hall@channellawgroup.com)  
Website: [www.channellawgroup.com](http://www.channellawgroup.com)

\*\*\*\*CONFIDENTIAL & PRIVILEGED TRANSMISSION\*\*\*\*

The information contained within this e-mail and any attached document(s) is confidential and/or privileged. It is intended solely for the use of the addressee(s) named above. Unauthorized disclosure, photocopying, distribution or use of the information contained herein is prohibited. If you believe that you have received this e-mail in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.



 **San Pedro - final redev comment letter 060121.pdf**  
312K

# Channel Law Group, LLP

---

8383 Wilshire Blvd.  
Suite 750  
Beverly Hills, CA 90211

Phone: (310) 347-0050  
Fax: (323) 723-3960  
www.channellawgroup.com

JULIAN K. QUATTLEBAUM, III  
JAMIE T. HALL\*  
CHARLES J. McLURKIN

Writer's Direct Line: (310) 982-1760  
jamie.hall@channellawgroup.com

---

\*ALSO Admitted in Texas

June 1, 2021

## VIA ELECTRONIC MAIL

Members of the Planning Land Use Management (PLUM) Committee  
Los Angeles City Council  
Attn: Armando Bencomo, Deputy City Clerk, PLUM  
200 North Spring Street  
Los Angeles, CA 90012

**RE: 1309 - 1331 South Pacific Avenue, Case No. CPC-2019-4908-DB-SPR, DIR-2020-5031-RDP, ENV-2019-4909-CE<sup>1</sup>**

Dear Members of the Planning Land Use Management (PLUM) Committee

This firm represents Citizens Protecting San Pedro. As we detailed in our appeal and our November 4, 2020 Comment Letter on the proposed project, the City is improperly processing the proposed project using an Exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, 15332, Article 19 (Class 32 Infill Development). Our appeal should be granted based on substantial evidence in the record of the project's potential to result in significant environmental impacts.

We would also urge the Council to deny the project due to the project's failure to provide an adequate level of affordable housing. The proposed project is located Pacific Corridor Redevelopment Project Area. The Redevelopment Plan for the Pacific Corridor Redevelopment Area (Plan) was adopted in 2002 and does not expire until May of 2033.<sup>2</sup> Community Redevelopment Law (CRL), specifically Section 33413 of the Health and Safety Code (HSC), requires:

(b) (1) Prior to the time limit on the effectiveness of the redevelopment plan established pursuant to Sections 33333.2, 33333.6, and 33333.10 at least 30 percent of all new and

---

<sup>1</sup> Council file for this project available at:

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=20-0680>

<sup>2</sup> <https://planning.lacity.org/plans-policies/overlays/pacific-corridors>

substantially rehabilitated dwelling units developed by an agency shall be available at affordable housing cost to, and occupied by, persons and families of low or moderate income. Not less than 50 percent of the dwelling units required to be available at affordable housing cost to, and occupied by, persons and families of low or moderate income shall be available at affordable housing cost to, and occupied by, very low income households.

(2) (A) (i) Prior to the time limit on the effectiveness of the redevelopment plan established pursuant to Sections 33333.2, 33333.6, and 33333.10 **at least 15 percent of all new and substantially rehabilitated dwelling units developed within a project area under the jurisdiction of an agency by public or private entities or persons other than the agency shall be available at affordable housing cost** to, and occupied by, persons and families of low or moderate income. Not less than 40 percent of the dwelling units required to be available at affordable housing cost to, and occupied by, persons and families of low or moderate income shall be available at affordable housing cost to, and occupied by, very low income households. (Emphasis added).

The project will result in the construction of 102 new dwelling units, only 12 of which will be affordable and reserved for Very Low-Income household occupancy for a period of 55 years. Twelve units represents only 11.7% of the project’s total units. The proposed project will thus work against the City’s fulfillment of its obligation under CRL to ensure that 15 percent of **all** new or substantially rehabilitated units constructed by a private entity are affordable units.

Unfortunately, the project’s level of affordable housing production is consistent with the under-production of affordable housing in Los Angeles. City-wide, Los Angeles has failed to demonstrate an ability to provide new housing at the 15% affordable rate, as shown in the following table:

CITY OF LOS ANGELES AFFORDABLE HOUSING PRODUCTION 2014-2019							
YEAR	VLI DEED RESTRICTED UNITS	LI DEED RESTRICTED UNITS	MOD UNITS	ABOVE MOD UNITS	TOTAL UNITS YEAR SUBMITTED	PERCENT VLI, LI, AND MOD	PERCENT DEED RESTRICT VLI AND LI
2014	856	867	47	13,047	14,817	11.95%	11.63%
2015	893	536	45	15,833	17,307	8.52%	8.26%
2016	718	604	143	12,231	13,696	10.70%	9.65%
2017	697	255	27	13,040	14,019	6.98%	6.79%
2018	1,101	326	168	19,236	20,831	7.66%	6.85%
2019	864	391	72	19,002	20,329	6.53%	6.17%
<b>TOTAL</b>	<b>5,129</b>	<b>2,979</b>	<b>502</b>	<b>92,389</b>	<b>100,999</b>	<b>8.52%</b>	<b>8.03%</b>

Source: <https://www.hcd.ca.gov/community-development/annual-progress-reports.shtml>

This appears to be true within the Redevelopment Project Area as well. A review of the City's Annual Housing Element Progress Reports for the years 2010-2017 indicates that only two housing developments within the Redevelopment Project Area included deed restricted affordable units.<sup>3</sup> Approval of the proposed project would work against the City's ability to comply with State Community Redevelopment Law, as less than 15% of the total units are deed restricted affordable units.

Although the Community Redevelopment Agency was dissolved by the Dissolution Act, community redevelopment plans, including the Pacific Corridor Redevelopment Plan, remain in effect until their expiration date (HSC Section 33333.6.), which in this case is May of 2033. The Dissolution Law requires the successors to the redevelopment agencies to prepare an annual report on their housing activities, including any outstanding affordable housing obligations pursuant to HSC Section 33413, their progress towards meeting those obligations, and their plans to meet the unmet obligations. (HSC Section 34176.1 subd. (f).) CRL provides that the City must meet obligations such as the requirement to ensure production of affordable housing. (HSC Section 34177 subd. (a) and 34177 subd. (c).) Thus, despite the dissolution of redevelopment agencies, the obligations of CRL regarding housing production in the Redevelopment Project Area in which the proposed project is located, remain in force.

---

<sup>3</sup> <https://planning.lacity.org/plans-policies/housing-element>  
[https://planning.lacity.org/odocument/a1908923-b8ec-491f-ace8-2377f49d4335/APR\\_2010\\_Final.pdf](https://planning.lacity.org/odocument/a1908923-b8ec-491f-ace8-2377f49d4335/APR_2010_Final.pdf)  
<https://planning.lacity.org/odocument/4b469561-e61c-4c53-b123-90c4a7cf4437/APR2011.pdf>  
<https://planning.lacity.org/odocument/cf704343-53f4-4eae-9017-d51e0b5006dd/APR2012.pdf>  
<https://planning.lacity.org/odocument/e8fe000c-0e9f-49a7-a105-8d2aa60e57f9/APR2013.pdf>  
<https://planning.lacity.org/odocument/9345fe44-3951-4afe-b845-8b63e86348f4/APR2014.pdf>  
[https://planning.lacity.org/odocument/145cd563-e874-4295-aac9-b0f550eab487/2015\\_AP.pdf](https://planning.lacity.org/odocument/145cd563-e874-4295-aac9-b0f550eab487/2015_AP.pdf)  
[https://planning.lacity.org/odocument/69f8944f-75aa-4c04-adda-a3cb875847d7/2016\\_AP.pdf](https://planning.lacity.org/odocument/69f8944f-75aa-4c04-adda-a3cb875847d7/2016_AP.pdf)  
[https://planning.lacity.org/odocument/a1944c0c-325e-45c0-a85f-0f6ce1552194/2017\\_AP.pdf](https://planning.lacity.org/odocument/a1944c0c-325e-45c0-a85f-0f6ce1552194/2017_AP.pdf)  
Starting in 2018, the report longer includes a listing of all projects which include affordable units.

We therefore encourage the City to deny the proposed project since less than 15% of the total units are affordable. Approval of the project would conflict with, and inhibit, the City's ability to meet its affordable housing obligations under the State's Community Redevelopment Law.

I may be contacted at 310-982-1760 or at [jamie.hall@channellawgroup.com](mailto: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". The signature is fluid and cursive, with the first name "Jamie" being more prominent and the last name "Hall" following in a similar style.

Jamie T. Hall