



December 6, 2024

VIA EMAIL: [ladot@lacity.org](mailto:ladot@lacity.org)  
Board of Transportation Commissioners  
City of Los Angeles  
Los Angeles City Hall  
200 North Spring Street  
Los Angeles, CA 90012

RE: Special Meeting December 10, 2024, Agenda Item #3  
Referencing CF#s: 15-1138-S9, 16-0600-S145, 22-0496  
Venice Dell Community

Dear Commissioners:

We represent LA Forward Institute, a nonprofit organization, and three individual taxpayers in a lawsuit against the City of Los Angeles over actions the City is taking to obstruct and delay development of the affordable and supportive housing development known as the Venice Dell Community (“Venice Dell,” “VDC,” or “the Project”).<sup>1</sup> We have learned that the Board of Transportation Commissioners (BOTC) will consider Venice Dell at a special meeting scheduled for December 10, 2024. Specifically, BOTC will consider Department of Transportation (LADOT) recommendations that the Board: 1) not authorize the use of Lot No. 731 for Venice Dell and the two parking structures within the housing development; and 2) recommend that the Los Angeles Housing Department (LAHD) determine the feasibility of relocating the proposed affordable housing project to Lot No. 701.

**First, be aware that these actions exceed the authority of the BOTC and conflict with the City Council’s final determination granting site approval and authorization to enter into a Disposition and Development Agreement (DDA) with the nonprofit developers chosen by the City to develop the Project.** LADOT staff state that Section 22.484(g)(2)(A)(7) of the Los Angeles Administrative Code grants BOTC “the express authority and responsibility to direct the acquisition and management of all [LADOT] public parking lots,” including Lot No. 731. This very issue was litigated by opponents of the Project who sued the City in *Coalition for*

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<sup>1</sup> *LA Forward Inst. et al. v. City of Los Angeles et al.*, LA Sup. Ct. Case No. 24STCV17156 (filed Jul. 11, 2024), available at <https://publiccounsel.org/wp-content/uploads/2024/07/240710-Complaint-for-Injunctive-and-Declaratory-Relief.pdf> and attached hereto.

*Safe Coastal Development v. City of Los Angeles* (L.A. Sup. Ct. Case No. 22STCP03359). Evaluating the BOTC's role vis-à-vis the City-owned parking lots, the Superior Court found:

“Section 22.484(g)(A)(7) only delegates the acquisition and management of the City's public off-street parking places to the Transportation Commission. The disposition of the City's real property, including parking places, intended to be for affordable housing development purposes is delegated to LAHD by section 22.606.1.” (Denial of Petition for Writ of Mandate, at 13.)

The BOTC has no authority to “not authorize” the use of Lot No. 731 for Venice Dell and the two parking structures within the housing development.

Venice Dell is a fully entitled, 100% affordable housing and permanent supportive housing development to be constructed on a City-owned site currently used as a surface parking lot located at 200 North Venice Boulevard, in City Council District 11. The Project has been in the works since 2016, when the City first identified the parking lot as a potential site for housing, as part of a commitment to prioritize the development of affordable housing on City-owned land. Once complete, the Project will provide 68 supportive units for individuals and families experiencing chronic homelessness and 39 affordable units for low-income households and artists, along with supportive services and ground floor commercial space. It will also replace all the parking spaces currently on the lot and include additional public parking spaces to accommodate public use of the commercial space. Venice Dell was considered at more than a dozen public meetings for nearly 6 years before the City Council granted approvals directing the Los Angeles Housing Department (LAHD) to enter into a Disposition and Development Agreement with the nonprofit affordable housing developers selected to develop the project.

At the beginning of 2023, unfortunately, progress on Venice Dell ground to a halt when City agencies suddenly stopped work on the Project. As the *LA Forward Institute* lawsuit describes, this is attributable to the Councilmember for Council District 11 and the City Attorney acting in concert and outside of public view to undemocratically and unlawfully undo the City Council's approvals by issuing directives to City staff, including LAHD and LADOT, to obstruct and delay this project. These actions have violated, and continue to violate, state laws that prohibit housing discrimination, including governmental discrimination in the development of housing intended for low-income households; equal protection rights under the state Constitution; the City's own City Charter and Administrative Code, and the City's duty to “take no action that is materially inconsistent with its obligation to affirmatively further fair housing.” Any action by the BOTC that further frustrates the development of the already-approved project would provide additional clear evidence of the City's intent to continue violating these laws.

Indeed, what LADOT is recommending the BOTC do is to consider a proposal that has already been deemed infeasible. Make no mistake. You are being asked to kill the Project. This special hearing is scheduled one day before the Coastal Commission evaluates the Project for its approval. As the Coastal Commission staff points out in its report to that body:

Under the 'New Location' alternative, the scope of the project would be reduced to eliminate the replacement of the public parking spaces, retail and restaurant space, and transitional services space and would solely construct the affordable housing on Lot 701, leaving Lot 731 available for potential future parking expansion. Lot 701 is approximately 1.67 acres, smaller than Lot 731 by roughly one acre. Lot 701 is also an unusual shape, with a stretch of 100-ft. wide lots transitioning into a narrower, roughly 60-ft. wide set of lots resembling a rectangle with a large wedge carved out. The applicants have stated that the smaller overall size, narrow width, and sharp corner in the middle of the wider lot portion would render development of a single multi-unit structure, or even two multi-unit structures, infeasible without a drastic reduction in the number of units.

Cal. Coastal Commission Staff Report filed 11/25/2024 rel to Application No. 5-22/0588, p. 72, available at <https://documents.coastal.ca.gov/reports/2024/12/W12a-W14a/W12a-W14a-12-2024-report.pdf>.

To the extent that the BOTC's special meeting is in furtherance of the City's unlawful actions to obstruct the Project, and the Commissioners vote to impede any part of the Project, the City will be exposed to additional liability. We therefore strongly urge the Commissioners to avoid taking any action to impede the Project or any of its component parts.

Sincerely,



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*Encl.*

Cc:

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