RAND|PASTER|NELSON

633 West Fifth Street
64th Floor
Los Angeles, CA 90071
213.557.7222
www.rpnllp.com

Dave Rand
213.557.7224
Dave@rpnllp.com

September 20, 2023

VIA ELECTRONIC SUBMISSION

Los Angeles City Council
201 N. Spring Street, 4th Floor
Los Angeles, CA 90012

Re: Appeal Pursuant to Government Code Section 65943(c)
Case No. ADM-2023-4428-DB-ED1-VHCA / 7745 Wilbur Ave

To the Los Angeles City Council:

Our firm represents 7749 Wilbur Avenue Real Estate LLC and Evolve Realty and Development, the property owner and applicant, respectively, (collectively referred to as the "Applicant"), of the proposed 190-unit 100 percent affordable housing development located at 7745-7751 N. Wilbur Avenue (the "Project") in the City of Los Angeles ("City"). The Project seeks to use the City's streamlined ministerial approval process for 100 percent affordable projects granted by the Mayor's Executive Directive No. 1 ("ED 1"), originally issued on December 16, 2022. Accordingly, pursuant to Government Code Section 65941.1 and ED 1's implementing guidelines published by the City ("ED 1 Guidelines"), the Applicant submitted a Housing Crisis Act ("HCA") preliminary application ("HCA Preliminary Application") for the Project on April 26, 2023, thereby vesting the Project against subsequent changes in City ordinances, policies, and standards, subject to a timely filing of the Project's application materials as required by ED 1. On June 28, 2023, the Applicant timely filed these application materials for the Project with the Department of City Planning ("DCP") and the Project was assigned case number ADM-2023-4428-DB-ED1-VHCA ("Case Filing").[1] On June 12, 2023, the Mayor issued a revised version of ED 1 ("Revised ED 1") that no longer permitted 100 percent affordable projects proposed to be located on single-family zoned properties with General Plan land use designations that permit multifamily development to be eligible for streamlined ministerial processing.

On July 6, 2023, DCP issued a letter to the Applicant that was not titled, but included language stating: "The proposed project located at 7749 N Wilbur Avenue is in the RA-1 zone and is not eligible for ED1 processing". The July 6, 2023 letter is herein referred to as the "Notice of Ineligibility" (attached as Exhibit A). The Notice of Ineligibility states that other entitlement options ***may be available*** to the Applicant to pursue the Project, but does not provide specific options or directions on how to proceed with processing and clearly states that the Project may no longer use ED 1. Curiously, the Notice of

[1] The case number ADM-2023-4428-DB-ED1-VHCA includes the following suffixes as defined by DCP's website: "DB" meaning Density Bonus, "VHCA" meaning Vesting Housing Crisis Act, and "ED1" meaning Executive Directive 1.

Ineligibility also makes no reference to the Applicant's previously filed HCA Preliminary Application and provides no explanation as to why the Project is not vested under the City's regulations in place at that time – including the original ED 1 which unquestionably applied to single family zoned properties with General Plan/Community Plan land use designations that permit multi family development such as the Project site.

On July 18, 2023, DCP issued a letter to the Applicant titled "Status of Project Review: Application Incomplete and Case Processing on Hold," which listed eighteen items that were required to be provided or revised to proceed with the processing of the case (attached as Exhibit B).

On August 4, 2023, the City issued a letter titled "Second Status of Project Review: Application Incomplete and Case Processing on Hold" ("Second Status of Project Review Letter") which is attached as Exhibit C. In this letter, the City references the Notice of Ineligibility to justify the conversion of the case to a "regular entitlement process" using case number CPC-2023-4428-DB-PHP-VHCA, along with an explanation that the case was considered converted as of July 6 (the date of the Notice of Ineligibility) to a discretionary City Planning Commission review process based on the procedures specified in LAMC Section 12.22.A.25 for off-menu density bonus incentives and waivers. The Second Status of Project Review Letter asks the Applicant to pay $35,256.86 of additional fees to continue the discretionary entitlement processing of the Project and to provide the materials referenced in the July 18, 2023 "Status of Project Review: Application Incomplete and Case Processing on Hold" letter in addition to "materials related to needed CEQA analysis." Importantly, the Second Status of Project Review Letter states that the "project remains vested in the LAMC provisions and land use plans in effect on the date of your complete Preliminary Application." Despite acknowledging the Preliminary Application vesting, the City cites the narrow vesting of the "LAMC provisions and land use plans" instead of the "ordinances, policies, and standards" which may be vested through a HCA Preliminary Application.[2] ED 1, a formally issued executive order, is a policy which may be vested such that the Project is still eligible for ED 1 ministerial processing based on the date of the HCA Preliminary Application prior to the revision of ED 1.

Based on the content of the Notice of Ineligibility, the discontinuation of ministerial case processing efforts by DCP, and the forced conversion of the case to a discretionary City Planning Commission case, the City has effectively denied this 100% affordable housing Project's ministerial Case Filing. However, as a matter of State law the HCA Preliminary Application filed for the Project grants vesting protections that require the City's continued ED 1 processing of the Case Filing, as the Project became vested prior to the issuance of the Revised ED 1. As such, this appeal is filed pursuant to Government Code Section 65943(c) to request that the City rescind the Notice of Ineligibility, rescind the Second Status of Project Review Letter, convert the entitlement case number back to an ED 1 case, acknowledge that the Project has State law vested rights to utilize ED 1 based on the filing of the HCA Preliminary Application, and reinstate processing of the Project's Case Filing under ED 1, consistent with the express provisions and intent of the HCA and the Housing Accountability Act ("HAA").

I. ED 1 AND PROJECT BACKGROUND

[2] Government Code Section 65589.5(o)(1). Refer to Section II.B of this letter for further discussion of the importance of this distinction.

A. Overview of ED 1's Provisions.

On December 12, 2022, pursuant to Los Angeles Administrative Code Section 8.29, the City's Mayor declared the existence of a local emergency in the City due to the City's ongoing homelessness crisis ("Emergency Declaration").[3] Shortly thereafter, on December 16, 2022, the Mayor issued ED 1 – a formal Executive Order – which authorized the expedited ministerial issuance of all necessary City approvals for the construction of temporary shelters and 100 percent affordable housing projects meeting certain criteria. Specifically, ED 1 established the following relevant provisions:

- Applications for 100 percent affordable housing projects or shelters are deemed exempt from discretionary review processes otherwise required by the Los Angeles Municipal Code ("LAMC"), as long as such plans do not require any zoning change, variance, or General Plan amendment.

- All City departments are directed to process all plans for such 100 percent affordable housing projects or shelters using the streamlined ministerial review process currently used for projects eligible under Government Code section 65913.4 (i.e., the ministerial review process created by Senate Bill 35).

- An application for the development of a 100 percent affordable housing project or shelter may use the density permitted for that site either by the applicable zoning or the General Plan Land Use Designation, consistent with state law. In addition, a project may utilize the State Density Bonus and LAMC bonuses, incentives, waivers and concessions if such are in compliance with the applicable requirements.

On February 9, 2023, the City's Planning, Building and Safety, and Housing Departments promulgated the ED 1 Guidelines, which provide guidance for applicants seeking to file an application for projects that are eligible for ED 1's ministerial approval process. Specifically, the ED 1 Guidelines established the following relevant guidance:

- A "100 percent affordable housing project" is defined as a housing project with five or more units, and with all units affordable either at 80 percent of Area Median Income ("AMI") or lower under U.S. Department of Housing and Urban Development ("HUD") rent levels, or at mixed income with up to 20 percent of units at 120 percent AMI (California Department of Housing and Community Development ["HCD"] rent levels) and the balance at 80 percent AMI or lower (HUD rent levels). (ED 1 Guidelines p. 2.)

- Projects requiring a legislative action (e.g., General Plan Amendment, Zone Change, Height District Change), seeking a deviation from development standards (e.g., adjustment, variance, specific plan exception, waiver of dedication/Improvement), or that require

[3] Los Angeles Administrative Code Section 8.29 authorizes the Mayor at times of emergencies to "promulgate, issue and enforce rules, regulations, orders and directives which the [Mayor] considers necessary for the protection of life and property." Such rules, regulations, orders and directives shall take effect immediately upon their issuance, and copies thereof shall be filed in the Office of the City Clerk.

consideration of a Coastal Development Permit or are subject to the Subdivision Map Act are ineligible for ED 1's ministerial approval process. (ED 1 Guidelines p. 2.)

- ED 1 projects ***shall utilize*** the maximum allowable base density under the zoning ordinance, specific plan or zoning overlay, or General Plan land use designation. (ED 1 Guidelines p. 10, emphasis added.)

- Through the ED 1 Ministerial Approval Process, City Planning will review only the objective development standards of the Zoning Code and of any applicable Specific Plans, Redevelopment Plan, Historic Preservation Overlay Zone, Community Plan Implementation Overlay or other Zoning Overlay areas. Any requested State Density Bonus and LAMC bonuses, incentives, waivers and concessions that are allowable through the incentive programs may be used to achieve compliance with applicable objective zoning standards. (ED 1 Guidelines p. 4.)

- ***An ED 1 project may qualify for vesting of City ordinances, policies, and standards through either the submittal of plans sufficient for a complete plan check to LADBS, consistent with LAMC §12.26-A.3 or the submittal of a complete HCA Vesting Preliminary Application prior to case filing***.[4] (ED 1 Guidelines p. 11.) (Emphasis added).

- Projects eligible for the ED 1 Ministerial Approval Process shall be exempt from California Environmental Quality Act (CEQA) as a ministerial project and from Site Plan Review procedures, pursuant to LAMC §16.05 (or Project Review, pursuant to LAMC §13 B.2.4, as the Site Plan Review process will be referred to after the July 2023 operative date of Chapter 1A of the new Zoning Code). In addition, no public hearings will be required, and the Administrative Compliance Letter will not be subject to appeals. (ED 1 Guidelines p. 4.)

- Pre-application referrals within the [Planning] department shall be reviewed concurrently for ED 1 projects, provided that the request for the referrals along with the applicable materials are submitted through the City Planning's Online Application System (OAS) (https://plncts.lacity.org/oas). City Planning ***affordable housing referral forms***, Redevelopment Project referral forms, Project Planning referral forms, Historic Preservation Overlay Zone referral forms, and ***Housing Crisis Act Vesting Preliminary Applications*** shall be assigned to staff for review within two (2) business days of receipt of all required documents and payment of fees (when applicable). Within ten (10) business days of receiving a complete set of information, staff will either issue the applicable referrals or provide the applicant with all information required in order to issue the referrals. (ED 1 Guidelines p. 3, emphasis added.)

[4] The ED 1 Guidelines provide the following additional direction to project applicants regarding HCA vesting protections: "***Most housing projects qualify to submit an optional HCA Vesting Preliminary Application, which 'locks in' local planning and zoning rules at the time the complete application is submitted.*** To initiate a request for HCA vesting rights, submit a Housing Crisis Act Vesting Preliminary Application (CP-4062) Form and the required materials through City Planning's Online Application Portal. Email Planning.HCA@lacity.org or visit City Planning's HCA implementation page (https://planning.lacity.org/development-services/housing-crisis-act) for more information." (ED 1 Guidelines p. 14, emphasis added.)

B. City's Revision of ED 1 and Determination of Ineligibility for Processing Under ED 1

On June 12, 2023, the Mayor issued the Revised ED 1, which altered the originally issued ED 1, in relevant part, as follows (new language is shown in underline):

- Applications for 100% affordable housing projects, or for Shelter as defined in Section 12.03 of the Los Angeles Municipal Code (LAMC) (hereinafter referred to as Shelter), shall be, and hereby are deemed exempt from discretionary review processes otherwise required by either the zoning provisions of Chapter 1 of the LAMC or other Project Review including Site Plan Review as described in LAMC Section 16.05 and LAMC Section 13B.2.4, as long as such plans do not require any zoning change, variance, or General Plan amendment, and in no instance shall the project be located in a single family or more restrictive zone. All City departments are directed to process all plans for such 100 percent affordable housing projects or Shelter using the streamlined ministerial review process currently used for projects eligible under Government Code section 65913.4, State Density Bonus law.

The Revised ED 1 was not accompanied by any explanation by the City of why these changes were being made, nor were the ED 1 Guidelines revised to reflect the changes. Moreover, the Revised ED 1 does not contain any new or revised language addressing vested rights.

C. Project Application Using ED 1 and Density Bonus

The Project involves the construction, use, and maintenance of a new seven-story residential building with 190 affordable multi-family apartment units with associated parking, open space and uses ancillary to the residential use. In conformance with ED 1's affordability requirements, of the 190 units, 37 units will be reserved for Moderate Income households, 152 units will be reserved for Low Income households, and one unit will be unrestricted for a manager. The Project site is located in the Reseda – West Van Nuys ("Community Plan") area and is comprised of two lots with a total area of approximately 32,974 square feet. The Community Plan designates the Project site for Low Residential land uses and the Project site is zoned RA-1 (Suburban Zone, Height District 1). According to the Community Plan's General Plan Land Use Map, the Low Residential land use designation corresponds to the RE9, RS, R1, RU, RD6, and RD5 zones, which accommodate a range of single and multi family residential densities ranging from one units per lot to one unit per 5,000 square feet of lot area.

As permitted by ED 1, the Project includes a request pursuant to State density bonus law ("DBL") codified at Government Code Section 65915 (as amended by Assembly Bill ["AB"] 1763, AB 2334, and AB 2345) and LAMC Section 12.22.A.25 for a Ministerial Density Bonus Compliance Review to permit unlimited density for a 100 percent affordable project with up to four development incentives/concessions and waivers. Consistent with DBL as amended by AB 2334 and the ED 1 Guidelines (p. 10), the Project may utilize the Project site's "maximum allowable residential density" to establish a base density calculation. Accordingly, pursuant to the Project site's Low Residential land use designation, the Project may utilize RD5 multi-family zoning density to establish a base density of 6.59 units, which rounds up to 7 units. Further pursuant to DBL as amended by AB 1763 and AB 2334 and the ED 1 Guidelines (pp. 4, 10, and 11), a 100 percent affordable housing development project located within one half mile of a major transit stop or located within a Very Low Vehicle Mile Travel Area ("Very Low VMT Area") may achieve unlimited density, as well as four development incentives/concessions and waivers. The Site is located in a designated Very Low VMT Area. Accordingly, the Applicant proposes to

utilize these DBL and State law provisions, alongside ED 1's streamlined ministerial review process, to authorize the Project's proposed density, height, floor area, reduced parking and other development characteristics.

D. Applicant Consultation with City and Project Submittals in Accordance with ED 1 and the HCA

Out of an abundance of caution and to confirm that the Project's proposed entitlement strategy would be eligible for ED 1 processing, the Applicant communicated extensively with City and DCP staff regarding the applicability of ED 1 and DBL to the Project. In the course of these communications, City and DCP staff repeatedly and consistently confirmed that these requests would be accepted for ED 1 processing. After receiving these confirmations, the Applicant made a substantial investment in the Project site and proceeded with various submittals to seek approval of the Project. However, following the Mayor's issuance of the Revised ED 1, the City abruptly informed the Applicant that the Project was no longer eligible for ED 1 processing, notwithstanding its clear State law vested rights pursuant to the HCA.

The following is a timeline of the pertinent dates:

- April 18, 2023: The Applicant completed a Case Management meeting with DCP staff, where DCP staff confirmed that the Project may utilize ED 1.

- April 26, 2023: The Applicant submitted and paid for a HCA Preliminary Application for the Project, in accordance with the City's guidance and established procedures. The HCA Preliminary Application reflects a proposed density of 220 units and a total square footage of construction of 137,578 square feet (included in Exhibit D). Pursuant to the HCA, the Applicant's submittal and payment of fees for the HCA Preliminary Application established vesting rights for the Project against future changes in City ordinances, policies, and standards. These vesting rights would terminate if the Project's full entitlement application was not submitted to the City within 180 days of the HCA Preliminary Application filing date, or if the Project's number of units or total square footage of construction was revised by 20 percent or more. The HCA Preliminary Application also includes reference to the ED 1 request in multiple locations, including a box checked off by Planning staff.

- July 6, 2023: The Applicant received DCP approval of an Affordable Housing Referral Form reflecting the Project's proposed entitlement strategy as well as its eligibility for ED 1 processing (included in Exhibit D). This is a critical pre application form solely designed to confirm the Project's consistency with the State DBL. The form includes detailed information regarding Project density, height and parking. This form also includes an eligibility check box indicating that the Project is eligible for ED 1.

- June 28, 2023: The Applicant submitted and paid all required application submittal fees for the Case Filing, which reflects a total density of 190 units and a total square footage of construction of 152,318 square feet. The Project's vesting HCA Preliminary Application was acknowledged by DCP as part of the Case Filing, as evidenced by the "VHCA" suffix in the Case Filing number. The filing plans are included in Exhibit D.

- June 12, 2023: As noted above, the Revised ED 1 was issued, prohibiting all projects located in single-family zones from utilizing ED 1's streamlined ministerial process (even if the site's land use designation permits multifamily use and density).

- July 6, 2023: DCP issued the Notice of Ineligibility (Exhibit A) to the Applicant, which states in part:

    - "Per the revised Executive Directive 1 (ED1) issued by Mayor Karen Bass on June 12, 2023, projects located in single-family or more restrictive zones cannot use the ED1 Ministerial Approval Process. This revision affects projects in the following zones: OS, A1, A2, RA, RE, RS, R1, RU, RZ, and RW1. The proposed project located at 7749 N Wilbur Avenue is in the RA-1 zone and is not eligible for ED1 processing."

    - The Notice of Ineligibility goes on to state: "To discuss other project review options or to revise the Affordable Housing Referral Form for the project, please contact the Affordable Housing Services Section at planning.priorityhousing@lacity.org, or schedule an appointment for a consultation via BuildLA. ***Please be aware that modification of entitlement requests will likely require updated and/or additional application materials including environmental clearance documentation***." (Emphasis added.)

- July 18, 2023: DCP issued a letter to the Applicant titled "Status of Project Review: Application Incomplete and Case Processing on Hold," which listed eighteen items required to be provided or revised to proceed with the processing of the case (attached as Exhibit B). After receiving this letter, the Applicant began working on compiling the requested items. Pursuant to the HCA, the Applicant has 90 days to submit the specific information needed to complete the application.

To summarize, the Project submitted an HCA Preliminary Application during the effective period of the original ED 1, timely filed a full entitlement application within 180 days, has not revised the Project's number of units or total square footage of construction by 20 percent or more, and therefore has satisfied all requirements to maintain vested rights as of the date of the HCA Preliminary Application (April 26, 2023). All this effort occurred after many discussions with City Planning Department staff, including Case Management meetings, iterative discussions related to the processing of the aforementioned pre-application referrals, and receipt of approved pre-application forms – all that confirmed and re-confirmed the Project's eligibility for ministerial processing under ED 1. Despite these facts, the City has ignored the Project's State law vesting protections afforded by the completed HCA Preliminary Application and now refuses to process the project under ED 1. Instead, the City informed the Applicant that a different entitlement strategy must be pursued and then automatically converted the case to a discretionary process and sent an invoice requiring additional fees and materials necessary to process a discretionary case. The discretionary City Planning Commission density bonus process and the "other project review options" alluded to in the Notice of Ineligibility would all subject this 100 percent affordable housing project to discretionary and California Environmental Quality Act ("CEQA") review – substantially increasing processing time, cost and risk. The Applicant's decision to purchase the Project site and proceed with this Project was largely predicated on the expectation of ministerial and expedited processing under ED 1 with no associated discretionary or CEQA risk. The City's decision to abruptly issue the Notice of Ineligibility has now gravely threatened the Project's feasibility and viability.

To ensure this outcome would not befall the Project, the Applicant intentionally filed an HCA Preliminary Application to lock in the rules and regulations in place at that time. As explained in detail below, the City cannot now conveniently choose to totally ignore State housing law's vesting protections and must grant this appeal and allow the Project's ministerial processing to continue.

II. BASIS FOR APPEAL

A. Government Code Section 65943(c)

As part of the HCA, Government Code Section 65943(c) provides an opportunity for appeal when an application for submittal has been determined not to be complete:

> *"(c) If the application together with the submitted materials are determined not to be complete pursuant to subdivision (b), the public agency shall provide a process for the applicant to appeal that decision in writing to the governing body of the agency or, if there is no governing body, to the director of the agency, as provided by that agency. A city or county shall provide that the right of appeal is to the governing body or, at their option, the planning commission, or both.*
>
> *There shall be a final written determination by the agency on the appeal not later than 60 calendar days after receipt of the applicant's written appeal. The fact that an appeal is permitted to both the planning commission and to the governing body does not extend the 60-day period. Notwithstanding a decision pursuant to subdivision (b) that the application and submitted materials are not complete, if the final written determination on the appeal is not made within that 60-day period, the application with the submitted materials shall be deemed complete for the purposes of this chapter."*

As described in detail above, the Project's completion of a HCA Preliminary Application and subsequent Case Filing established the Project's vested rights, including the use of ED 1 as it existed on the date of filing the HCA Preliminary Application. Notwithstanding, the City subsequently determined that no vesting protections applied to the Project, the Project was no longer eligible to utilize ED 1 due to its location within a single family zone, and the Case Filing application was therefore not complete and that updated and additional materials would be required to obtain entitlements to allow the Project.

As such, this appeal is filed in accordance with the procedure established by Government Code Section 65943(c) and must be routed to the City Council as the City's governing body for a determination within 60 days.

B. Appeal Justification

The City's Notice of Ineligibility cites the Revised ED 1 as the justification for disallowing the Project from utilizing ED 1's review process, but does not acknowledge nor address the Project's HCA Preliminary Application or associated vesting protections. This action by the City represents a clear violation of the vesting protections provided by the HCA Preliminary Application filed for the Project and directly conflicts with the provisions and intent of the HAA as amended by the Housing Crisis Act of 2019 (i.e., Cal Gov. Code Section 65941.1). The City's attempt to claim in the Second Status of Review Letter that the HCA Preliminary Application vesting only applies to the "LAMC provisions and land use plans" is

a selective, overly narrow and erroneous interpretation that completes ignores the plain language of the HAA.

Specifically, the submittal of a complete HCA Preliminary Application pursuant to Government Code Section 65941.1 vests the right to develop a housing development project in accordance with the "ordinances, policies, and standards" in effect when a HCA Preliminary Application is submitted.[5] The plain language of the statute makes it clear that not just ordinances or legislative actions may be vested against – other existing "policies" and "standards" promulgated by a jurisdiction may also be vested. To ensure there is no doubt regarding the breadth of those local regulations that may be vested against, the HAA specifically, intentionally and very broadly defines "ordinances, policies, and standards" to include "general plan, community plan, specific plan, zoning, design review standards and criteria, subdivision standards and criteria, ***and any other rules, regulations, requirements, and policies of a local agency***."[6] Given this statutory provision, any attempt by the City to claim that ED 1 – a formal regulation promulgated pursuant to the Mayor's authority under the City's Administrative Code – cannot be vested against because it is not an ordinance directly contradicts the plain statutory language and crystal clear intent of both the HCA and HAA.

To allow a jurisdiction to apply a different set of development standards to a qualified 100 percent affordable housing development project in the middle of the entitlement process would undermine the clear benefit of a HCA Preliminary Application. Further, the HAA explicitly requires that the vested right obtained through the preliminary application "shall not be construed in a manner that would lessen the restrictions imposed on a local agency, or lessen the protections afforded to a housing development project, that are established by any other law, including any other part of this section."[7]

Furthermore, HCD has previously considered the issue of whether the vesting protections of a HCA Preliminary Application apply to a temporary set of circumstances, and has determined that vesting shall be maintained even when those circumstances change. Specifically, in a letter of technical assistance to this firm dated October 5, 2022, HCD determined that the submittal of a complete HCA Preliminary Application at a time that a jurisdiction does not have a compliant housing element would have the effect of vesting that jurisdiction's noncompliant status throughout the proposed project's entitlement process, regardless of whether the jurisdiction subsequently achieved compliance with State Housing Element Law during the entitlement process (which all jurisdictions are required to achieve).[8] Under this same logic, the filing of a HCA Preliminary Application for a qualifying project during the effective term of ED 1 would vest ED 1's provisions for the entire duration of the project's entitlement process, regardless of ED 1's subsequent revision or termination, or any claim by the City that ED 1 was of no further force or effect due to the expiration of the Mayor's Emergency Declaration.

Given DCP's position that vesting HCA vesting protections do not apply to ED 1, this firm requested that HCD provide formal technical assistance on the very specific question of whether an executive directive granted under emergency authority constitutes one of the "ordinances, policies, and standards" that vest upon submission of a complete Preliminary Application. HCD responded with a Letter of Technical Assistance (attached as Exhibit E), which unequivocally states that such an executive

[5] Government Code Section 65589.5(o)(1).
[6] Government Code Section 65589.5(o)(4).
[7] Government Code Section 65589.5(o)(5).
[8] HCD, October 5, 2022, Letter of Technical Assistance re: 3030 Nebraska Avenue, Santa Monica.

directive falls within the scope of such "ordinances, policies, and standards." HCD's answer points to the statutory language of the HAA, which makes clear that "ordinances, policies, and standards" are not limited solely to planning and zoning regulations such as height and setback standards, but broadly includes "general plan, community plan, specific plan, zoning, design review standards and criteria, subdivision standards and criteria, ***and any other rules, regulations, requirements, and policies of a local agency***, as defined in Section 66000."[9] HCD's Letter of Technical Assistance also rejects DCP's claim that ED 1, as an emergency declaration, is something other than a "rule, requirement, or policy," and cites the specific language of the City's emergency authority provisions giving rise to ED 1, including Los Angeles Administrative Code Section 8.29, which authorizes the Mayor to "promulgate, issue and enforce rules, regulations, orders and directives," and Los Angeles Charter Section 231(j), which authorizes the Mayor to "establish procedures and implement policies" that "shall be binding on all departments, commissions, appointed officers and employees of the City." HCD's Letter of Technical Assistance explicitly states that an applicant that submitted a complete preliminary application at a time when ED 1 did not exclude single-family or more restrictive zones may proceed under the previous ED 1 regulations throughout the entitlement process.

The HAA is intended to encourage and protect housing development, and affordable housing in particular, to the greatest extent feasible, and thus it should not be construed to allow jurisdictions to weaken vested development rights for affordable housing development projects. The HAA identifies specific barriers to housing production, including ever-increasing costs of land and development fees, discrimination against low-income and minority households and shortsightedness of local agencies, among others. It has been stated that the core purpose of the HAA is to provide "reasonable certainty to all stakeholders."[10] The HAA even declares that "[i]t is the policy of the state that [the HAA] be interpreted and implemented in a manner to afford the fullest possible weight to the interest of, and the approval and provision of, housing."[11] In no case are these foundational HCA principles more critically important than with 100 percent affordable housing projects.

Prior to approval of any affordable housing development project, developers must invest significant costs to design and perfect project plans, analyze potential environmental impacts, and submit applications, all the while incurring hefty consultant and legal fees. To allow the City to change applicable development standards mid-way through an approval process or to claim that a previously available entitlement process was no longer valid, after the filing of a HCA Preliminary Application, would invite manipulation and inject immeasurable uncertainty into the housing development process that would be inconsistent with the clear intent of the HAA.

To be clear, we wholeheartedly applaud Mayor Bass' extraordinary efforts to address Los Angeles' affordability crisis since being recently elected to office. ED 1 has been a massive success story – streamlining and spurring the production of the most needed type of housing in the City. Our firm has seen it first hand as numerous clients have enthusiastically seized this benefit to deliver 100 percent affordable housing projects in record time. We also completely understand the reasons behind the Mayor's decision to formally amend ED 1 to *prospectively* prohibit the ministerial and streamlined processing benefits to apply to projects filed on single family zoned properties *in the future*,

[9] Gov. Code, § 65589.5, subd. (o)(4), emphasis added.
[10] *CaRLA v. City of San Mateo* (2021) 68 Cal App.5th 820, 842 [quoting Assem., 3d reading analysis of Assem. Bill No. 1515, as amended May 1, 2017, p. 2].
[11] Government Code Section 65589.5(f)(1).

notwithstanding the allowances and protections afforded by the State DBL. That is a rational and understandable policy decision, and unquestionably within the Mayor's authority. Our **only** issue and concern is ensuring that applicants who filed timely applications under the prior ED 1 (an official City regulatory order) and obtained a legal vested right under the HCA to proceed under the terms of that prior order do not have their investments completely upended and their projects substantially delayed and put at risk given the uncertainties and risks inherent in the discretionary review process.

Thus, as now clearly confirmed by HCD, ED 1 is precisely such a rule, regulation, requirement, or policy that is vested through the filing of a Preliminary Application. For the above reasons and given the HAA's clear purpose of maximizing the production of housing, including the affordable housing so desperately needed in the City, the City's move to terminate the processing of this Project represents a clear violation of the HAA. We respectfully request that the City grant the appeal, reinstate the processing of the Project's Case Filing, and grant approval of the Project pursuant to the streamlined review procedures of ED 1.

Sincerely,

Dave Rand

Dave Rand
Partner
of RAND PASTER & NELSON, LLP

Attachments
Exhibit A – Status of Project Review Letter
Exhibit B – Notice of Ineligibility
Exhibit C – Second Status of Project Review Letter
Exhibit D – Project Documents
Exhibit E – HCD Letter of Technical Assistance

Exhibit A – Notice of Ineligibility

DEPARTMENT OF CITY PLANNING

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN
PRESIDENT

CAROLINE CHOE
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KAREN MACK
JACOB NOONAN
ELIZABETH ZAMORA

CITY OF LOS ANGELES
CALIFORNIA

KAREN BASS
MAYOR

EXECUTIVE OFFICES
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
(213) 978-1271

VINCENT P. BERTONI, AICP
DIRECTOR

SHANA M.M. BONSTIN
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

July 6, 2023

Applicant/Owner
Stephen Samuel
9401 Wilshire Blvd
Beverly Hills, CA 90212

Representative
JZA
Jeff Zbikowski
4043 Irving Place
Culver City, ca 90232

Case No.	ADM-2023-4428-DB-ED1-VHCA
Related Case:	PAR-2023-2799-ED1-VHCA
CEQA:	NA
Location:	7749 N WILBUR AVE 91335
Council District:	3 - Blumenfield
Neighborhood Council:	Reseda
Community Plan Area:	Reseda – West Van Nuys
Overlay Plan:	NA
Land Use Designation:	Low Residential
Zone:	RA-1

Per the revised Executive Directive 1 (ED1) issued by Mayor Karen Bass on June 12, 2023, projects located in single-family or more restrictive zones cannot use the ED1 Ministerial Approval Process. This revision affects projects in the following zones: OS, A1, A2, RA, RE, RS, R1, RU, RZ, and RW1. The proposed project located at 7749 N Wilbur Avenue is in the RA-1 zone and is not eligible for ED1 processing. However, there are other entitlement options available for your project to be considered for approval, none of which require a legislative act (e.g. General Plan Amendment or Zone Change). To discuss other project review options or to revise the Affordable Housing Referral Form for the project, please contact the Affordable Housing Services Section at planning.priorityhousing@lacity.org, or schedule an appointment for a consultation via BuildLA. Please be aware that modification of entitlement requests will likely require updated and/or additional application materials including environmental clearance documentation. If you have questions related to the status of your case, please contact Principal City Planner Blake Lamb at (818) 374-9914 or blake.lamb@lacity.org for questions regarding this matter.

Lisa M. Webber, AICP
Deputy Director

Exhibit B – Status of Project Review Letter

DEPARTMENT OF CITY PLANNING

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN
PRESIDENT

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VICE-PRESIDENT

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HELEN LEUNG
KAREN MACK
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ELIZABETH ZAMORA

CITY OF LOS ANGELES
CALIFORNIA

KAREN BASS
MAYOR

EXECUTIVE OFFICES
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
(213) 978-1271

VINCENT P. BERTONI, AICP
DIRECTOR

SHANA M.M. BONSTIN
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

July 18, 2023 *sent via email*

Applicant
Stephen Samuel
Evolve Realty & Development
9401 Wilshire Blvd.
Suite 520
Beverly Hills, CA 90212

Owner
7749 Wilbur Avenue Real Estate LLC
9401 Wilshire Blvd.
Suite 520
Beverly Hills, CA 90212

Representative
Jeff Zbikowski
JZA
4043 Irving Place
Culver City, CA 90232

Case Number:	ADM-2023-4428-DB-ED1-VHCA
CEQA:	N/A
Application Type:	Density Bonus, ED1
Project Location:	7745-7751 N. Wilbur Avenue
Legal Description	Lot 42, Tract TR 8938
Planning Area:	Reseda-West Van Nuys
Specific Plan Overlay:	N/A
Council District:	3

Status of Project Review: Application Incomplete and Case Processing on Hold

The above referenced case was filed on June 28, 2023. I have determined that the case file materials are NOT complete and updated materials are required. Therefore, as provided for in Section 19.00 of the Los Angeles Municipal Code, your application has been placed on hold until the items in the table below are corrected or submitted.

On July 6, 2023 you were sent a letter stating that your project is no longer eligible as an ED1 project. However, there are other entitlement options available for your project to be considered for approval, none of which require a legislative act (e.g. General Plan Amendment or Zone Change). To discuss other project review options or to revise the Affordable Housing Referral Form for the project, please contact the Affordable Housing Services Section at planning.priorityhousing@lacity.org. Please be aware that modification of entitlement

requests will likely require updated and/or additional application materials including environmental clearance documentation depending on what entitlement path is selected.

No	Item for Correction	Correction Required	Date Corrected	Initials of Approval
1	Updated Department of City Planning Application Form No. CP-7771.1	A Department of City Planning Application Form No. 7771.1 was provided but needs to amplified, corrected, clarified, and supplemented as follows: • The Department of City Planning Application Form No. CP-7771.1 states that the project will seek on- and off-menu incentives and waivers per LAMC Section 12.22 A.25, AB2334, and AB2345. However, no on-menu incentives are requested on the Department of City Planning Application Form No. CP-7771.1 Please correct your application to disclose the on-menu incentives requested. • Department of City Planning Application Form No. CP-7771.1 discloses two existing single-family dwellings on the project site but other application forms (Affordable Housing Referral Form) disclose three single-family dwellings. Please provide the correct number of single-family dwellings on Form CP-7771.1 • Department of City Planning Application Form No. CP-7771.1 discloses a request for 7 waivers of development standards but other application forms (Affordable Housing Referral Form) disclose a request for 8 waivers of development standards. Please provide the correct number of waivers requested on Form CP-7771.1 and list all waivers requested. The requests on Form CP-7771.1 must be consistent with all other forms. • Your Department of City Planning Application states that 285 parking spaces are required but your Affordable Housing Referral Form states that 190 parking spaces are required. The correct number of required parking spaces needs to be provided on Form CP-7771.1 and needs to be consistent on all application forms. • You have requested a Waiver of Tree Requirement. Please state what is required and what is requested in lieu of the requirement. • The project description should be clarified to include one level of subterranean parking. • An electronic copy of this document was not provided and is required to be provided by you. See Department of City Planning Application Form (lacity.org)		

No	Item for Correction	Correction Required	Date Corrected	Initials of Approval
		City_Planning_Application_Filing_Instructions.pdf (lacity.org)		
2	"Project Description and Subject Property"	A narrative "Project Description and Subject Property" was provided but needs to be amplified, corrected, clarified, and supplemented as follows: • The narrative states that the project site is currently improved with two single-family dwellings which is inconsistent with other application forms (Affordable Housing Referral Form) which state there are three single-family dwellings currently on the site. This needs to be corrected to be made consistent. • On p. 1 of "Project Description and Subject Property" you have requested additional height as a base incentive but on p. 3 you have requested additional height as a waiver of development standard. Additionally, in other application materials additional height is requested as an off-menu incentive (AHRF) or a waiver (Department of City Planning Application). This must be corrected on all application materials for consistency. • You have requested the following as off-menu incentives: yard reductions, parking reductions, bicycle parking reductions, RFAR increase, building line reduction, open space reductions, tree planting reductions. However, in other materials you have requested these items as waivers and/or incentives. Please correct your requests for off-menu incentives and waivers on all forms and make them consistent on all forms. • You have stated that the project is required to provide 285 parking spaces but is requesting an off-menu reduction to provide 0.45 parking stalls per unit. However, your Affordable Housing Referral Form states that 190 parking spaces are required. Your Department of City Planning Application states that you are requesting a waiver to provide 0.68 parking stalls per unit. Please correct all materials for consistency. • You have stated that 134 bicycle parking spaces (120 long-term + 14 short-term) will be required. Please verify your calculations with LADBS pursuant to LAMC Section 12.21 A.16. • You are requesting a 40% side (north) yard setback to 6 feet, but other forms (Department of City Planning Application) show a 30% or 7 foot north side yard reduction. Please correct this for consistency on all materials.		

No	Item for Correction	Correction Required	Date Corrected	Initials of Approval
		• Please verify the amount of open space required per LAMC Section 12.21 G with LADBS plan check. • Page 6 of the "Project Description and Subject Property – Actions Requested" is not consistent with other forms provided and needs to be corrected for consistency. For example, height is listed as a waiver but elsewhere in this document you have listed it as a base incentive. Parking reductions are listed as a waiver on p. 6 but the AHRF signed on 7/6/23 indicates that reduced parking is provided under Parking Option 1. All actions requested need to be stated consistently on p. 6 and all other forms.		
3	Affordable Housing Referral Form No. CP-4043	An Affordable Housing Referral Form was provided but needs to amplified, corrected, clarified, and supplemented as follows: • The Affordable Housing Referral Form submitted by you with your application materials must be reviewed and signed by the City Planning DSC Affordable Housing Services Section (AHSS) staff. The form you submitted with your application materials on 6/28/23 does not provide a signature from the AHSS staff. A signed form is required to be provided with your application materials. The form that you provided contains the following inconsistencies with other application materials and you are required to provide corrections in addition to any other corrections that may be required by AHSS staff as follows: o The form states there are three existing single-family dwellings on the project site, but the Department of City Planning Application discloses two existing single-family dwellings; o An off-menu incentive is requested for a 40% reduction in side yard on the AHRF, but the Department of City Planning Application shows an off-menu incentive for a 30% side yard reduction; o There are 8 waivers requested including a waiver to allow 65% compact parking which is not requested on the Department of City Planning Application; o Section 6, Housing Development Type needs to be completed to show whether units are for rent, for sale, and market rate manager units are proposed;		

No	Item for Correction	Correction Required	Date Corrected	Initials of Approval
		o Section 8, Site Plan Review Calculation needs to show the correct number of existing units (either 2 or 3) o A 6 foot side north yard is a 40% reduction, but the Department of City Planning Application shows that a 30% reduction is requested; o The application needs to show both the percentage of height increase requested and the number of feet requested but only the number of feet (67 feet 9 inches) is shown; o Please check your RFAR calculation. Please verify with LADBS plan check that the permitted RFAR at this site is 6,594 square feet; also verify that 116,774 square feet is a 1,670% increase; o Please verify the amount of open space required per LAMC Section 12.21 with LADBS plan check. You are requesting an open space reduction to allow 4,100 square feet of open space in lieu of 19,050 square feet and this should be verified. (Note: plans show 19,000 square feet of open space required). Note that landscaping and open space could not be verified by Planning staff, because no landscaping and open space plans were provided. These plans are required. o An electronic copy of this form was not provided. You must provide an electronic copy of all forms. • ZIMAS records show that Case No. PAR-2023-2661-AHRF-ED1 was signed by Planning staff on 7/6/23 with an expiration date of 1/2/24. This was not submitted with your application materials. Please indicate if you wish to include this signed form with your application materials in lieu of the unsigned form that was submitted with your application materials. If so, this form contains the following inconsistencies with other application materials and you are required to provide corrections as follows: o The form states there are three existing single-family dwellings on the project site, but the Department of City Planning Application discloses two existing single-family dwellings;		

No	Item for Correction	Correction Required	Date Corrected	Initials of Approval
		o An off-menu incentive is requested for a building height of 67 feet 9 inches but on your Department of City Planning Application the height increase of 67 feet 9 inches is requested as a waiver; o There are 7 waivers requested including a waiver to allow 65% compact parking which is not requested on the Department of City Planning Application; o Section 6, Housing Development Type needs to be completed to show whether units are for rent, for sale, and market rate manager units are proposed; o Section 8, Site Plan Review Calculation needs to show the correct number of existing units (either 2 or 3) o A 6 foot side north yard is a 40% reduction, but the Department of City Planning Application shows that a 30% reduction is requested; o The application needs to show both the percentage of height increase requested and the number of feet requested but only the number of feet (67 feet 9 inches) is shown; o Please check your RFAR calculation. Please verify with LADBS plan check that the permitted RFAR at this site is 6,594 square feet and verify that 116,774 square feet is a 1,670% increase; o Please verify the amount of Open Space required with LADBS plan check and please verify your calculations. Please verify that 4,100 is a 78.5% reduction of required open space per LAMC Section 12.21 G. Note that landscaping and open space could not be verified by Planning staff because no landscape or open space plans are provided. Both landscape and open space plans are required. o This form shows that parking is provided under Parking Option 1, but other materials show that a parking reduction is requested as a waiver. This must be corrected for consistency. o An electronic copy of this form was not provided. You must provide electronic copies of all forms.		

No	Item for Correction	Correction Required	Date Corrected	Initials of Approval
		See Affordable Housing Referral (lacity.org)		
4	Preliminary Zoning Assessment (PZA) Form No. CP-4064	A Preliminary Zoning Assessment (PZA) Form was provided but this form needs to be amplified, corrected, clarified, and supplemented as follows: • The form needs to completed and stamped by LADBS and accompanied by architectural plans stamped by LADBS Plan Check. You must provide this form and stamped plans. • The stamped form and plans need to be corrected to be consistent with all other application materials. The PZA Form states that the applicant is providing 220 units, 114,347 square feet of floor area, and on-menu incentives but other application materials (Department of City Planning Application, AHRF) state that the applicant is proposing 190 units, 116,094 square feet of floor area, and no on-menu incentives are requested). You must correct all materials for consistency. • An electronic copy of this form was not provided. You must provide electronic copies of all forms. See Preliminary Zoning Assessment Form March 2023 (lacity.org) Density_Bonus,_Conditional_Use,_Public_Benefit_Project_Housing_Incentives.pdf (lacity.org)		
5	Replacement Unit Determination Letter	This letter has not been provided and is required. The Replacement Unit Determination (RUD) Letter must be obtained from LAHD for all Housing Development Projects subject to the Housing Crisis Act or projects using an affordable housing incentive program, such as Density Bonus or TOC, unless the project consists of a single residential unit on a site zoned locally for single-family uses (e.g., A, RA, RE, RS, R1) or is an ADU or JADU that does not remove units. In this instance, the applicant requests a multi-family project and is subject to the HCA. The RUD will determine whether any replacement units are required, their affordability levels, and any applicable occupant protections. For assistance, please contact lahd- landuse@lacity.org. Density_Bonus,_Conditional_Use,_Public_Benefit_Project_Housing_Incentives.pdf (lacity.org)		
6	Operating Agreement	An electronic copy of your grant deeds was not provided. You must provide an electronic copy. City_Planning_Application_Filing_Instructions.pdf (lacity.org)		

No	Item for Correction	Correction Required	Date Corrected	Initials of Approval
7	Certificate of Occupancy and Application for Building Permit	Electronic copies of these documents were not provided. You must provide electronic copies. City_Planning_Application_Filing_Instructions.pdf (lacity.org)		
8	Photographs and Index Map	Photographs were provided but the Index Map was not provided. The applicant is required to provide a map with arrows and numbers keyed to the photographs indicating from where each photo was taken and toward which direction. An electronic copy also needs to be provided. City_Planning_Application_Filing_Instructions.pdf (lacity.org)		
9	Plans – All Plans	Plans were provided but must be amplified, corrected, clarified, and supplemented as follows: • All plans must be stamped and signed by LADBS Staff and provided with PZA Form CP-4064 in compliance with the Housing Crisis Act. Stamped plans and Form CP-4064 stamped by LADBS was not provided and must be provided to deem the application complete. • Sheet G001 states that the project site is located within an area governed by ZI-2438, Equinekeeping in the City of Los Angeles. Plans must address compliance with ZI-2438. • Sheet G002 Site Photos and Existing Conditions is blank. You should either provide site photos and show existing conditions or delete this page. • No electronic copies of your plans were provided, and electronic copies are required. Please provide electronic copies of all plans. See City_Planning_Application_Filing_Instructions.pdf (lacity.org) Preliminary Zoning Assessment Form March 2023 (lacity.org) LAMC Section 12.21 G		
10	Site/Plot Plan	A site plan was provided but must be amplified, corrected, clarified, and supplemented as follows: • The cover sheet G001 provides open space and landscape calculations, but Planning staff needs landscape and open space plans to verify compliance with LAMC Sections 12.21 G and 12.40-43. Please provide landscape and open space plans.		

No	Item for Correction	Correction Required	Date Corrected	Initials of Approval
		• Please verify floor area calculations shown on Sheet G001 with LADBS plan check • Please verify automobile and bicycle parking calculations shown on Sheet G001 with LADBS plan check. • Please list entitlements requested on Sheet G001. • The project description should be clarified to include one level of subterranean parking. • Sheet G001 discloses a 30% side yard reduction. Please check for consistency with other application materials. • Sheet G001 lists 8 waivers. Please check for consistency with other application materials that request 7 waivers. • Sheet G001 shows the provided building height at 68'9" and requests a waiver to allow a building height of 67'9". These figures need to be corrected for consistency. • The plot plan Sheet G001 or Sheet A000 needs to show the number of existing units to be demolished and this is not shown. Please provide this on your cover sheet or plot plan. • Sheet A000 needs to be corrected to include the minimum distances between the structure and other key features (driveways, property lines). • Sheet A000 needs to be corrected show driveway access and on-site circulation. • What is being shown at the southern portion of the site on Sheet A000? If these are parking or loading areas show dimensions. • The northerly 6 foot side yard setbacks on Sheet A000 is not consistent with other application materials and must be corrected for consistency. • The front yard should be corrected to 8 feet if that is what is being requested. • Show the approximate location and footprint of structures on adjacent properties. See Plot_Plan_Instructions.pdf (lacity.org) See City_Planning_Application_Filing_Instructions.pdf (lacity.org)		
11	Floor Plans (see Form No. CP-7751)	Floor Plans were provided but must be amplified, corrected, clarified, and supplemented as follows: • Sheet Notes on Sheets A100-A103 state: "Small Lot Single Family Subdivision in the R3-1XL Zone Pursuant to Ordinance 176354" which does not		

No	Item for Correction	Correction Required	Date Corrected	Initials of Approval
		accurately describe the project and zone and should be removed. • A north arrow is not shown and is required for all floor plans. Please add a north arrow. • All dimensions of the premises are not shown and are required. Please add dimensions. • Front and side yards (3.5 feet, 6 feet) should be corrected to be consistent with your Department of City Planning Application, AHRF, and PZA. • You have provided two sets of floor plans (Sheets A100-A103 and A105-A161). Please provide only one set of floor plans showing all required information listed on Floor Plan Form CP-7751 linked below. If possible, show each level on one page (for example, rather than 3nd floor plan west on p. A130 and 3rd floor plan east on p. A131). See Form No. CP-7751 linked here: Microsoft Word - Floor Plan Instructions.docx (lacity.org) See City_Planning_Application_Filing_Instructions.pdf (lacity.org)		
12	Elevations	Elevations were provided but must be amplified, corrected, clarified, and supplemented as follows: • If possible, provide one elevation for each view rather than two elevations for south and north. • The scale shown is 3/32" = 1" but the scale shall be no less than 1/8 = 1". Please correct the scale. • The height must be shown on all elevations but no height is shown o the north elevation – west. Please show the height. • Front and side yards are not consistent with your request and must be corrected for consistency. • The elevations need to be corrected to show the approximate location and height of trees and structures on adjacent properties. City_Planning_Application_Filing_Instructions.pdf (lacity.org) Elevation_Instructions.pdf (lacity.org)		
13	Sections	Sections were provided but must be amplified, corrected, clarified, and supplemented as follows: • The scale shown is 1/16" = 1" but needs to be corrected to be no less than 1/8 = 1". See City_Planning_Application_Filing_Instructions.pdf (lacity.org)		

No	Item for Correction	Correction Required	Date Corrected	Initials of Approval
14	Roof Plan	A Roof Plan was provided but must be amplified, corrected, clarified, and supplemented as follows: • Will solar panels be provided on the roof? If so, solar panels should be shown. See City_Planning_Application_Filing_Instructions.pdf (lacity.org)		
15	Landscape Plan	Landscape plans were not provided and are required. Please provide a landscape plan. See Landscape_Plan_Instructions.pdf (lacity.org) See City_Planning_Application_Filing_Instructions.pdf (lacity.org)		
16	Open Space Plans	An open space plan is required for projects proposing six or more dwelling units but was not provided. Please provide an open space plan. See Landscape_Plan_Instructions.pdf (lacity.org) See City_Planning_Application_Filing_Instructions.pdf (lacity.org)		
17	Citywide Design Guidelines Form No. 4056	Citywide Design Guidelines Form No. 4056 was provided but must be amplified, corrected, clarified, and supplemented as follows: • The project site is located within an area governed by ZI-2438, Equinekeeping in the City of Los Angeles. The design guideline checklist must address compliance with ZI-2438. • Guideline 1 – Your responses on Form No. 4056 state that Sheet A110 references residential entrances, sidewalks, and elevator but entrances, sidewalks, and elevator are not shown on Sheet A110. Your responses also reference wood cladding on Sheet G000 but wood cladding is not labeled on this sheet. Your responses need to be corrected to reference the correct plan sheets that label entrances, sidewalks, elevators, and wood cladding. • Guideline 2 – Your responses on Form No. 4056 state references the parking entry on Sheet G001 but the parking entry is not shown on Sheet G001. Your responses reference parking access and wood tone parking gate on Sheet G000 but Sheet G000 does not clearly show parking access or a parking gate. Your responses need to be corrected		

No	Item for Correction	Correction Required	Date Corrected	Initials of Approval
		to reference the correct plan sheets that clearly shows parking access and the parking gate. • Guideline 3 – Your responses state that residential entrances and short-term bicycle parking are located along N. Wilbur Avenue as shown on Sheet A110, but Wilbur Avenue is not shown on Sheet A110. Your responses need to be corrected to reference the correct plan sheets. • Guideline 4 – Your response references pedestrian entrances along N. Wilbur Avenue as shown on Sheet A110 but Wilbur Avenue is not shown on Sheet A110. • Guideline 5 – Your response states that windows along the S/N elevations protrude out as shown on Sheet A200, but Sheet A200 shows south elevations only (not north). Your response needs to be corrected to reference the correct plan sheets. • Guideline 6 – Your response states that a planted area at the rear for residents and dogs is shown on Sheet A101 but this is not shown. Your response needs to be corrected to reference the correct plan sheets. • Guideline 7 – Your response references a trash room on Sheet A110, but no trash room is shown on Sheet A110. Additionally, your response references parking at the rear of the site on Sheet A000, but this is not shown. Your responses need to be corrected to reference the correct plan sheets. • Guideline 8 – Your responses reference the site's unique and natural resources and features on Sheet A000, but Sheet A000 is a site plan and resources you have referenced (such as trees, drainage courses, protected species, habitat) are not addressed on Sheet A000. Your response needs to be corrected to reference the correct plan sheets. • Guideline 9 – Your responses reference landscaping and pervious concrete on p. A000/A110, but no landscaping plan is provided and no pervious concrete is shown. You need to provide a landscape plan that shows where pervious concrete is located and correct your response to reference your landscape plan. Your response references an elevator on Sheets A110/A120 but no elevator is shown. Your response needs to be corrected to reference the correct plan sheets.		

No	Item for Correction	Correction Required	Date Corrected	Initials of Approval
		• Guideline 10 – Your responses reference landscaping but you did not provide a landscape plan. You need to provide a landscape plan. See Landscape Plan Instructions.pdf (lacity.org) Citywide_Design_Guidelines_Compliance_Review_Form.pdf (lacity.org) Citywide_Design_Guidelines_Compliance_Review_Form.pdf (lacity.org)		
18	Tree Disclosure Statement Form No. CP-4067	A Tree Disclosure Statement Form No. CP-4067 is required and was not provided. If there are any protected trees or protected shrubs on the project site and/or any trees within the adjacent public right-of-way that may be impacted or removed as a result of the project, a Tree Report (CP-4068) will be required, and the field visit must be conducted by a qualified Tree Expert, prepared and conducted within the last 12 months. Tree_Disclosure_Statement.pdf (lacity.org)		

Provision of the uncompleted documentation is necessary in order to continue processing of your case. Department Forms and Instructions are available on line on the Department's Web page at www.planning4la.com. If you have any questions, I am happy to set up a meeting with you.

The Case file is located at my office location noted below, and arrangements to review the case file can be made.

It is the intent of the Department to carry out the entitlement request in a timely manner and therefore request that you provide the corrections within 30 days of the date of this letter. Please provide all materials to Valley Project Planning (Planner name and contact information below). In the event that all of the requested materials are not provided at that point, the Department may initiate termination of the case file after subsequent outreach to you.

Thank you.

Laura Frazin-Steele

Laura Frazin Steele, City Planner
Department of City Planning
Valley Project Planning
6262 Van Nuys Boulevard, Room 430
Van Nuys, CA 91401
Phone: 818.374.9919
Email: laura.frazinsteele@lacity.org

cc: Council District 3

Exhibit C – Second Status of Project Review Letter

DEPARTMENT OF CITY PLANNING

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN
PRESIDENT

CAROLINE CHOE
VICE-PRESIDENT

MARIA CABILDO
ILISSA GOLD
MONIQUE LAWSHE
HELEN LEUNG
KAREN MACK
JACOB NOONAN
ELIZABETH ZAMORA

CITY OF LOS ANGELES
CALIFORNIA

KAREN BASS
MAYOR

EXECUTIVE OFFICES
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
(213) 978-1271

VINCENT P. BERTONI, AICP
DIRECTOR

SHANA M.M. BONSTIN
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

August 4, 2023

sent via email

Applicant
Stephen Samuel
Evolve Realty & Development
9401 Wilshire Blvd.
Suite 520
Beverly Hills, CA 90212

Owner
7749 Wilbur Avenue Real Estate LLC
9401 Wilshire Blvd.
Suite 520
Beverly Hills, CA 90212

Representative
Jeff Zbikowski
JZA
4043 Irving Place
Culver City, CA 90232

Upated Case No.:	CPC-2023-4428-DB-PHP-VHCA
Previous Case No.:	ADM-2023-4428-DB-ED1-VHCA
CEQA:	ENV-2023-5360-EAF
Project Location:	7745-7751 N. Wilbur Avenue
Legal Description	Lot 42, Tract TR 8938
Planning Area:	Reseda-West Van Nuys
Specific Plan Overlay:	N/A
Council District:	3

Second Status of Project Review: Application Incomplete and Case Processing on Hold

This letter is to let you know that since the project does not qualify for ED1 processing as stated in our letter dated July 6, 2023, the project application will be considered converted as of July 6, 2023, to a regular entitlement process that will proceed according to the entitlement paths and procedures specified by the LAMC provisions and land use plans in effect on the date of your complete Preliminary Application submission. As a result, the existing case number ADM-2023-4428-DB-ED1-VHCA is being converted to CPC-2023-4428-DB-PHP-VHCA. The new case number reflects: 1) the project does not qualify for ED1 processing by removal of the ED1 suffix; 2) a change from an administrative review process originally indicated by the "ADM" prefix, to a City Planning Commission review process based on the procedures specified in LAMC 12.22.A.25 for off-menu density bonus incentives and waivers, as specified by the new "CPC" prefix; 3) a density bonus under State law was pursued under the ADM case number and is also being pursued under the CPC case number by the suffix "DB"; 4) a new Priority Housing Program (PHP) suffix to denote that the project qualifies for PHP by providing at least 10 units and for

setting aside at least 20 percent of rental units for Low Income households.; and 5) the project remains vested in the LAMC provisions and land use plans in effect on the date of your complete Preliminary Application by carrying over the "VHCA" suffix to the CPC case number. We have invoiced for the entitlement path associated with the CPC case number (invoice attached) and will need your further assistance in order to apply the ADM case number application filing fees toward the CPC application case number filing fees. Please contact your assigned project planner who can refer you to planning staff at the Development Services Center to assist with any additional fees due and/or the submittal of additional required documents.

We will treat your existing application materials associated with the ADM case number, as now associated with the CPC case number, but need your assistance in formally converting those application materials. Please contact Laura Frazin Steele, who is your assigned project planner to resolve this issue.

This letter also serves as written notice under G.C. 65943 that the application materials for the CPC case number are incomplete for the reasons stated in the written determination of incompleteness dated July 18, 2023 associated with the ADM case number, and those incompleteness issues are raised in this letter by reference, without repeating them again here. Please contact your assigned project planner in this regard, and to submit further materials.

Please also provide materials related to needed CEQA analysis as follows:

> Please review and complete an Environmental Assessment Form (EAF) per CP-1204, including any required supplemental documents as illustrated on page 17 of the EAF.
>
> Please work with the Los Angeles City Planning Development Services Center in order to process the EAF, including any subject fees, and any other required materials or studies needed to supplement your case.

The above is necessary to continue the processing of your case. It is the intent of the Department to carry out the project review process in a timely manner and therefore request that you provide the information within **30 days** of the date of this letter. If <u>all</u> the requested materials are not provided at that date, the Department may initiate termination of the case file after subsequent outreach to you. Please note, additional requests for information or material may be made subsequent to this letter.

Thank you.

Claudia Rodriguez for

Laura Frazin Steele, City Planner
Department of City Planning
Valley Project Planning
6262 Van Nuys Boulevard, Room 430
Van Nuys, CA 91401
Phone: 818.374.9919
Email: laura.frazinsteele@lacity.org

cc: Council District 3

Applicant Copy
Office: Downtown
Application Invoice No: 89965

6800189965

City of Los Angeles
Department of City Planning

City Planning Request

NOTICE: The staff of the Planning Department will analyze your request and accord the same full and impartial consideration to your application, regardless of whether or not you obtain the services of anyone to represent you.

This filing fee is required by Chapter 1, Article 9, L.A.M.C.

If you have questions about this invoice, please contact the planner assigned to this case. To identify the assigned planner, please the assigned planner, please visit https://planning.lacity.org/pdiscaseinfo/ and enter the Case Number.

Invoice is valid for 5 days, payment must be received by 08/09/2023. For appeal cases, your appeal is not valid unless the payment is received prior to 4:30PM on the last day of the appeal period.

Applicant: Stephen Samuel (7749 Wilbur Avenue Real Estate LLC)
Representative: Jeff Zbikowski (JZA)
Project Address: 7749 N WILBUR AVE, 91335

NOTES: Not ED1 eligible; Conversion from the prior case number ADM-2023-4428-DB-VHCA-ED1 to CPC-2023-4428-DB-PHP-VHCA

CPC-2023-4428-DB-PHP-VHCA			
Item	Fee	%	Charged Fee
Application for Density Bonus including a request for an Incentive not included in the Menu of Incentives	$24,349.00	100 %	$24,349.00
		Case Total	**$24,349.00**

ENV-2023-5360-EAF			
Item	Fee	%	Charged Fee
EAF-Initial Study to ND/MND	$6,911.00	100 %	$6,911.00
Publication Fee for ND/MND	$1,700.00	100 %	$1,700.00
		Case Total	**$8,611.00**
		* Fees Subject to Surcharges	$31,260.00
		Fees Not Subject to Surcharges	$1,700.00
		Plan & Land Use Fees Total	$0.00
		Expediting Fee	$0.00
		Development Services Center Surcharge (3%)	$937.80
		City Planning Systems Development Surcharge (6%)	$1,875.60
		Operating Surcharge (7%)	$2,188.20
		General Plan Maintenance Surcharge (7%)	$2,188.20

CREDIT INFORMATION			
INVOICE 89133 – ADM-2023-4428-DB-ED1-VHCA			
Item	Fee	%	Charged Fee
Administrative Review - Major	$(3,978.00)	100 %	$(3,978.00)
		Case Total	**$(3,978.00)**
		Development Services Center Surcharge (3%)	$(119.34)
		City Planning Systems Development Surcharge (6%)	$(238.68)
		Operating Surcharge (7%)	$(278.46)
		General Plan Maintenance Surcharge (7%)	$(278.46)

* Fees Subject to Surcharges	$27,282.00
Fees Not Subject to Surcharges	$1,700.00
Plan & Land Use Fees Total	$0.00
Expediting Fee	$0.00
Development Services Center Surcharge (3%)	$818.46
City Planning Systems Dev. Surcharge (6%)	$1,636.92
Operating Surcharge (7%)	$1,909.74
General Plan Maintenance Surcharge (7%)	$1,909.74
Grand Total	$40,149.80
Total to be Credited	$(4,892.94)
Total Overpayment Amount	$0.00
Total to be Paid (amount must equal sum of all checks)	$35,256.86

Council District: 3
Plan Area: Reseda - West Van Nuys
Processed by NOAH MCCOY on 8/4/2023

Signature:

Exhibit D – Project Documents

REFERRAL FORM

HOUSING CRISIS ACT
Vesting Preliminary Application

This form serves as the optional Housing Crisis Act Vesting Preliminary Application for projects creating one or more units seeking vesting rights pursuant to the Housing Crisis Act of 2019 (HCA). This form also serves as a referral to the Los Angeles City Planning (City Planning) Development Services Center (DSC) and to the Los Angeles Department of Building and Safety (LADBS) Plan Check for HCA vesting purposes. The HCA Vesting Preliminary Application (Preliminary Application) allows the applicant to vest to City ordinances, policies, and standards adopted and in effect on the day that a complete Preliminary Application is submitted. Please be advised that these vesting rights do not apply to changes in State law or to changes in building code.

The following project types are eligible to submit a Preliminary Application:

- Housing Development Projects requiring an application to City Planning; or
- Housing Development Projects not requiring a City Planning application and submitting for building permit Plan Check to LADBS on or after January 1, 2022.

For Submittal Instructions, refer to Section E of this form. Section G ("Retention of Vesting Rights") of this form may be referenced for additional guidance on HCA vesting rights. The "Housing Development Project Applicability Matrix" may also be used to identify whether the HCA applies to specified development types, and when a Preliminary Application applies.

THIS SECTION TO BE COMPLETED BY PLANNING STAFF ONLY

Case Number PAR- 2023 - 2799 - ED1 - VHCA

Proposed No. of Dwelling Units[1]: 220

Proposed Building Area[1,2]: 137,578 SF

Submittal Completion Date[3]: 4/26/2023

Last Day to file City Planning Application/Submit to LADBS Plan Check[1]: 10/23/2023

Invoice No.: 87755 **Payment Date:** 4/26/2023

City Planning Staff Name and Title: Maritza Lee. City Planner

City Planning Staff Signature: Maritza Lee Digitally signed by Maritza Lee Date: 2023.05.04 09:39:03 -07'00'

[1] For information on retention of vesting rights, refer to Section F of this form.

[2] Building Area, as defined by the California Building Standards Code (Title 24 of the California Code of Regulations) – California Government Code Section 65941.1(c). Refer to Appendix 2 for Building Area calculation instructions.

[3] As part of the process to deem complete the submittal of this optional Preliminary Application, City Planning staff have affirmed neither the feasibility nor the entitlement review path of the proposed project.

This form shall be completed by the applicant and reviewed and signed by City Planning staff prior to filing the City Planning application, or the LADBS Plan Check application for projects that do not require a City Planning application. The signed Preliminary Application shall be submitted during the City Planning application filing, or the submission of an application for building permit and Plan Check. Any modifications to the content(s) of this form after its authorization by City Planning staff is prohibited. Further, any change to the proposed number of dwelling units or the proposed building area must be verified by City staff.

THIS SECTION TO BE COMPLETED BY THE APPLICANT

A. SITE INFORMATION

PROJECT LOCATION

Street Address[4]: 7745-7751 N WILBUR AVE

Legal Description[5] (Lot, Block, Tract): LOT: 42 ARB 1, 42 ARB 2 TRACT: TR 8938

Assessor Parcel Number(s): 2104-009-003, 2104-00 **Site Area (sf):** 32,974

EXISTING USE(S)

Describe in detail the existing uses on the project site, including any major physical alterations or soil disturbance that may have previously occurred.

THREE EXISTING SINGLE-FAMILY DWELLINGS TO BE DEMOLISHED

B. PROPOSED PROJECT

☒ **ED 1 Eligible[6]**

PROPOSED USE(S)

Describe in detail the characteristics, scope and/or operation of the proposed project.

PURSUANT TO ED-1, 6-STORY, 220-UNIT, 100% AFFORDABLE HOUSING DEVELOPMENT SEEKING ON/OFF MENU INCENTIVES AND WAIVERS PER LAMC 12.22.A.25, AB2345, AB1763, AB2334

4 Street Address must include all addresses on the subject/application site (as identified in ZIMAS http://zimas.lacity.org).
5 Legal Description must include all contiguously owned properties (even if they are not a part of the proposed project site).
6 Refer to Executive Directive 1 Implementation Guidelines for qualifying criteria. If the project is determined to be ineligible for ED 1, a new Referral Form will need to be obtained.

AFFORDABLE HOUSING INCENTIVES, WAIVERS, CONCESSIONS, AND PARKING REDUCTIONS

Will the project proponent seek incentives, waivers, concessions, or parking reductions pursuant to California Government Code Section 65915 (i.e., Density Bonus), the Transit-Oriented Communities (TOC) program, or any other affordable housing incentive program[7]?

☒ **YES** ☐ **NO**

If "YES", please describe:

UNLIMITED DENSITY, REDUCED PARKING, REDUCED YARDS, INCREASED HEIGHT, INCREASED FLOOR AREA, REDUCED OPEN SPACE, REDUCED BICYCLE PARKING

RESIDENTIAL DWELLING UNIT COUNT

Please indicate the total number of dwelling units proposed as well as a breakdown by levels of affordability.

Affordability Levels	Total
Market Rate	1
No. of Affordable Units Proposed	219
Extremely Low Income	
Very Low Income	
Low Income	175
Moderate Income	44
TOTAL No. of Units Proposed	220

Total Units	Total
No. of Units Allowed by Right (per LAMC)	7
No. of Bonus Units Proposed	213
TOTAL No. of Units Proposed	220

Other Notes on Units:

[7] Projects proposing Density Bonus "On-Menu" incentives through a ministerial process or "Off-Menu" incentives, waivers, concessions and parking reductions through a discretionary process must be reviewed by the Los Angeles City Planning Affordable Housing Services Section and obtain a signed Affordable Housing Referral Form (CP-4043) prior to filing a City Planning application.

FLOOR AREA

Provide the proposed floor area and square footage of residential and non-residential development:

Floor Area[8] 114,348 **Building Area**[9] 137,578

PARKING

Provide the proposed number of automobile and bicycle parking spaces:

Automobile Parking	**Total**
Residential	104
Non-Residential	

Bicycle Parking	**Total**
Residential Long Term	44
Residential Short Term	17
Non-Residential Long Term	
Non-Residential Short Term	

SUBDIVISION

Will the proposed project include a request for an approval pursuant to the Subdivision Map Act, including a Vesting or Tentative Tract Map, Preliminary Parcel Map, Condominium Map, Lot Line Adjustment, or Certificate of Compliance?

☐ **YES** ☒ **NO**

ADDITIONAL INFORMATION

Does the project propose any point sources of air or water pollutants[10]?

☐ **YES** ☒ **NO**

If "YES", please describe:

8 As defined by the LAMC.

9 As defined by the California Building Standards Code (Title 24 of the California Code of Regulations) – California Government Code Section 65941.1(c). Refer to Appendix 1 for Building Area calculation instructions.

10 A project that proposes point sources of air or water pollutants may trigger review and permitting by, but not limited to, the South Coast Air Quality Management District, the Los Angeles Regional Water Quality Control Board, or the Los Angeles Bureau of Sanitation.

C. EXISTING SITE CONDITIONS

HOUSING[11]

Provide the number of existing residential units on the project site that will be demolished and whether each existing unit is occupied or unoccupied:

	Existing Residential Units	Demolished or To Be Demolished
Occupied Units		
Unoccupied Units	3	3
TOTAL Units	3	3

ADDITIONAL SITE CONDITIONS

1. Is the project site located wholly or partially within:

a. A Very High Fire Hazard Severity Zone (VHFHSZ)[12]? ☐ **YES** ☒ **NO**

b. Wetlands, as defined in United States Fish and Wildlife (USFW) Service Manual, Part 660 FW 2 (June 21, 1993)? ☐ **YES** ☒ **NO**

c. A special flood hazard area subject to inundation by the one percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA? ☐ **YES** ☒ **NO**

d. Delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist? ☐ **YES** ☒ **NO**

e. Hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control (DTSC) pursuant to Section 25356 of the Health and Safety Code[13]? ☐ **YES** ☒ **NO**

[11] A Housing Development Project, as defined in California Government Code Section 65905.5(b)(3), is subject to the provisions of Government Code Section 66300, as amended by SB 8, and will require an SB 8 Replacement Unit Determination letter from the Los Angeles Housing Department or a No-Net-Loss Property Owner Declaration.

[12] Housing Development Projects located in a VHFHSZ are eligible to seek vesting rights pursuant to the HCA.

[13] The development shall not be located on a legal parcel that is a hazardous waste site except for sites the DTSC has cleared for residential use or residential mixed use.

2. Does the project site contain a designated or potentially historic and/or cultural resource[14]? ☐ **YES** ☒ **NO**

   If "YES", please describe:

   a. Does the project site contain any species of special concern such as special status flora or fauna, protected trees, or wildlife[15]? ☐ **YES** ☒ **NO**

      If "YES", please describe and/or depict on the site plan:

   b. Does the project site contain any recorded easement, such as easements for conservation, storm drains, water lines, and other public rights of way? ☐ **YES** ☒ **NO**

      If "YES", please describe and/or depict on the site plan:

   c. Does the project site contain a stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the California Fish and Wildlife Code, including creeks and wetlands? ☐ **YES** ☒ **NO**

      If "YES", please describe and/or depict on the site plan:

[14] Information regarding historic resources that have been identified by the City or another public agency can be found in SurveyLA, HistoricPlacesLA, or ZIMAS.

[15] An Arborist Report or a Biological Survey and Impact Assessment may be required following the filing of an application requesting approval of a discretionary action if the project site is on or adjacent to open space or previously undisturbed land in order to demonstrate whether the site provides habitat for any special status flora or fauna, including those identified in a Specific Plan or Zoning Overlay.

D. COASTAL

1. Is the project site located wholly or partially within the Coastal Zone, as defined in Division 20 (commencing with Section 3000) of the Public Resources Code (PRC). If marked "NO", skip to section E. ☐ **YES** ☒ **NO**

2. Does the project site contain a/an:

   a. Wetlands, as defined in subdivision (b) of Section 13577 of Title 14 of the California Code of Regulations[16]? ☐ **YES** ☐ **NO**

   b. Environmentally Sensitive Habitat Area (ESHAs), as defined in Section 30240 or the California PRC[17]? ☐ **YES** ☐ **NO**

   c. Tsunami run-up zone? ☐ **YES** ☐ **NO**

   d. Area used for public access to or along the coast? ☐ **YES** ☐ **NO**

E. ADDITIONAL REQUIRED MATERIALS

In order to initiate a request for HCA vesting rights, an applicant must submit a Preliminary Application and the following materials and information through City Planning's Online Application Portal. An appointment is not required.

1. **HCA Vesting Preliminary Application** (CP-4062)

2. **Plot/Site Plan.** A legible plot plan drawn to scale is required. The plot plan must include all contiguous parcels under the applicants' ownership and any contiguous parcels proposed to be part of the project site. The plot plan should identify which parcels are/are not a part of the proposed project. The plot plan should include a summary of information table indicating the following:

   - Building area of each building that is to be occupied
   - Proposed land uses
   - Proposed number of dwelling units
   - Height of buildings
   - All measurements that establish the proposed location of the proposed buildings and structures, including property lines, yards, setbacks, space between buildings and structures, and building footprint dimensions.
   - Trees and Shrubs. Plans must clearly show all existing trees and shrubs on the project site and within the right-of-way adjacent to the property. Identify and label (by name and trunk diameter) the following protected trees and shrubs as identified on the Plot Plan Instructions (CP-7752).

[16] Wetlands may include a watercourse or a storm drain. A Wetlands Delineation Report may be required following the filing of an application requesting approval of a discretionary action in the Coastal Zone if the site contains a watercourse or a storm drain.

[17] ESHAs are mapped areas in the certified Venice Land Use Plan and the San Pedro Coastal Land Use Plan.

- Watercourses, storm drains, creeks streams, wetlands (as defined in the USFW Service Manual, Part 660 FW 2 (June 21, 1993) or as defined in subdivision (b) of Section 13577 of Title 14 of the California Code of Regulations), or other resources that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Wildlife Code.
- Aerial Site Photograph showing existing site conditions of environmental site features that would be subject to regulations by a public agency, including creeks and wetlands. It may be provided on any relevant plan sheet, including a project information sheet.

Refer to the Plot Plan Instructions (CP-7752) for additional guidance.

3. **Elevation Plans.** Elevations must show the design, materials, color, textures, patterns, massing and height of each building under the project scope. Refer to the Housing Crisis Act Vesting Preliminary Application Elevations Instructions (Appendix 1 of this form, page 15) for additional guidance. The elevations plans shall be included as part of the set of plans.
4. **Building Area Analysis.** Refer to the Housing Crisis Act Vesting Preliminary Application Building Area Analysis Instructions (Appendix 2 of this form, page 16) for additional guidance. The building area plans shall be included as part of the set of plans.
5. **Sections** for projects located on multiple levels or subterranean floors (e.g., basements, subterranean parking, etc.) showing depth (linear feet) and amount (cubic yards) of proposed cut, fill, import, and export related to grading, excavation of earthwork. The sections shall be included in the set of plans.
6. **Filing Fee.** Fees must be paid online after the electronic invoice is received.

F. ADDITIONAL RESOURCES

1. **Appendix 1:** Elevations Instructions for Vesting Pursuant to the Housing Crisis Act (page 15).
2. **Appendix 2:** Building Area Analysis for Vesting Pursuant to the Housing Crisis Act (page 16).

G. RETENTION OF VESTING RIGHTS

A Preliminary Application must be deemed complete by City Planning in order to obtain vesting rights. A Preliminary Application is deemed complete at the time that all required forms, documents, and materials are submitted, and the final invoice has been issued and proof of payment is presented to City Planning. A Preliminary Application completed before January 1, 2030 is valid until January 1, 2034, provided that HCA vesting rights are maintained and have not otherwise lapsed or terminated.

To retain HCA vesting rights, the applicant must adhere to certain time limits and limitations on project scope changes. **If the time limits are not met or if the changes in the project scope exceed specified thresholds, the Preliminary Application shall expire and have no further force or effect.** During City Planning application filing or the submission of an application for building permit and Plan Check, as well as through the development process, City staff will verify whether a project has been able to maintain vesting rights. Refer to the “Housing Crisis Act Vesting Log” on page 11 for additional instructions.

TIME LIMITS TO RETAIN VESTING RIGHTS

Once the Preliminary Application is complete, the City Planning application or the application for building permits and Plan Check must be submitted within 180 days of the date on which the Preliminary Application is deemed complete, in order to retain vesting rights.

If a City Planning application is required, the applicant must submit all outstanding information needed in order to deem the City Planning application complete within 90 days of receiving a hold or "deemed incomplete" letter from City Planning staff. The 90-day period does not apply to projects eligible to submit a building permit Plan Check application to LADBS without a City Planning application on or after January 1, 2022.

For all vested projects (ministerial or discretionary), construction of the Housing Development Project must commence within 2.5 years. For vested projects that are 100 percent affordable, the Housing Development Project must commence within 3.5 years.

If the project is discovered to require a City Planning application during the permitting process, the project may still use the Preliminary Application issued as long as the City Planning application is submitted within 180 days of the date a complete Vesting Preliminary Application was submitted. The submittal of the building permit application to LADBS would not be held against the project.

PROJECT SCOPE THRESHOLDS TO RETAIN VESTING RIGHTS

In order to maintain vesting rights, any change in the residential unit count or in the Building Area is limited to *less than* 20 percent of the total proposed on the completed Preliminary Application, exclusive of any increase resulting from the receipt of a density bonus, concession, waiver, or similar provision.

H. PROJECT TEAM INFORMATION (Complete all applicable fields)

Applicant[18] Name: JEFF ZBIKOWSKI

Company/Firm: JZA

Address: 4043 IRVING PL **Unit/Space Number:** SUITE B

City: CULVER CITY **State:** CA **Zip Code:** 90232

Telephone: 310.853.5004 **E-mail:** JEFF@JZARCH.LA

Are you in escrow to purchase the subject property? ☒ **YES** ☐ **NO**

(Optional) Agent/Representative Name:

Company/Firm:

Address: **Unit/Space Number:**

City: **State:** **Zip Code:**

Telephone: **E-mail:**

Primary Contact for Project Information[19]
(select only one)

☐ Agent/Representative ☒ Applicant

[18] An applicant is a person with a lasting interest in the completed project such as the property owner or a lessee/user of a project. An applicant is not someone filing the case on behalf of a client (i.e., usually not the agent/representative).

[19] As of June 8, 2022, the Primary Contact for Project is required to have an Angeleno Account and register with the Ethics Commission for Significant Project Entitlements, as defined in LAMC Section 49.7.37(A)(6). An email address and phone number shall be required on the DCP Application Form, and the email address provided shall match the email address used to create the Angeleno Account.

THIS SECTION SHALL BE ADDED ONTO THE FINAL PLAN SET PERMITTED BY LADBS

HOUSING CRISIS ACT VESTING LOG

This log is intended to be used by City staff to track compliance with the time limits and project scope changes (unit count), in order to retain vesting rights through the development process. If a vested Housing Development Project is associated with a City Planning application for its development, this page and the log shall be completed by the City Planning Case Processing Unit. Any modifications to the content(s) of this log by anyone other than City staff is prohibited. A copy of this page and the completed log must be included on the final set of plans for construction.

CITY STAFF USE ONLY

Case Number PAR- _____

Date Vested (Date Preliminary Application Submittal Complete): _____

Proposed No. of Dwelling Units[20]: _____

City Planning Staff Name and Title: _____

[20] The proposed number of dwelling units should match the number of proposed dwelling units identified on page 1.

TABLE A - HOUSING CRISIS ACT VESTING LOG
THIS SECTION TO BE COMPLETED BY CITY PLANNING CASE PROCESSING UNIT ONLY

Milestone	Date Due	Date Complete	Dwelling Units[21]	Determination[22]	Staff Name
City Planning Application Filing Project submitted within 180 days of the HCA Vesting Preliminary Application being deemed complete.[23] Project meets the time limits: ☐ **YES** ☐ **NO**			☐ Project meets 20% threshold ☐ Project exceeds 20% threshold Proposed Units: _____ Plan Sheet No.: _____	☐ The project meets the time limits (180 days) and limitations on project scope (unit count). ☐ The HCA Vesting Preliminary Application is expired and has no further force or effect.	
Applicant Response to Deemed Incomplete Letter If a City Planning Application is Deemed Incomplete, the applicant must submit all information needed within 90 days of receiving the Deemed Incomplete Letter (applies ONLY to projects that are required to file a City Planning application) Project meets the time limits: ☐ **YES** ☐ **NO**			☐ Project meets 20% threshold ☐ Project exceeds 20% threshold Proposed Units: _____ Plan Sheet No.: _____	☐ The project meets the time limits (90 days) and limitations on project scope (unit count). ☐ The HCA Vesting Preliminary Application is expired and has no further force or effect.	

[21] Any change in the residential unit count is limited to less than 20 percent of what is indicated on the completed Preliminary Application, exclusive of any increase resulting from the receipt of a density bonus, concession, waiver, or similar provision.

[22] If the time limits are not met or if the changes in the project scope exceed specified thresholds, then the Preliminary Application shall expire and have no further force or effect.

[23] Once the Preliminary Application is complete, the City Planning application must be submitted within 180 days of the Preliminary Application completion date.

Milestone	Date Due	Date Complete	Dwelling Units	Determination	Staff Name
Date City Planning Application Deemed Complete	N/A		☐ Project meets 20% threshold ☐ Project exceeds 20% threshold Proposed Units: _____ Plan Sheet No.: _____	☐ The project meets the limitations on project scope (unit count). ☐ The HCA Vesting Preliminary Application is expired and has no further force or effect.	
Date of Hearing	N/A		☐ Project meets 20% threshold ☐ Project exceeds 20% threshold Proposed Units: _____ Plan Sheet No.: _____	☐ The project meets the limitations on project scope (unit count). ☐ The HCA Vesting Preliminary Application is expired and has no further force or effect.	
Date of Final Approval of City Planning Application[24]	N/A		☐ Project meets 20% threshold ☐ Project exceeds 20% threshold Proposed Units: _____ Plan Sheet No.: _____	☐ The project meets the limitations on project scope (unit count). ☐ The HCA Vesting Preliminary Application is expired and has no further force or effect.	

[24] Final approval means that a project has obtained all necessary approvals to be eligible to apply for, and obtain, a building permit or permits, and all appeal periods or statutes of limitations have been exhausted or resolved in favor of the Housing Development Project (G.C. Sec. 65589.5(o)(2)(D)(ii)).

Milestone	Date Due	Date Complete	Dwelling Units	Determination	Staff Name
Date Construction Commenced (within 2.5 years or 3.5 years of Final Decision)[25] Project meets the time limits: ☐ **YES** ☐ **NO**			☐ Project meets 20% threshold ☐ Project exceeds 20% threshold Proposed Units: _____ Plan Sheet No.: _____	☐ The project meets the time limits (2.5 or 3.5 years) and limitations on project scope (unit count). ☐ The HCA Vesting Preliminary Application is expired and has no further force or effect.	

Notes:

[25] Vested Housing Development Projects must commerce construction within two and one-half years, or three and one-half years for one hundred percent affordable Housing Development Projects.

Appendix 1
Elevations Instructions for Vesting Pursuant to the Housing Crisis Act

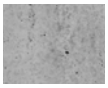
123 Example Blvd, Los Angeles, CA

Materials, Textures and Colors

Exterior Cement Plaster, Smooth, Cream

Balcony Door, Vinyl, White

Board Formed Concrete, Wood Grain, Misty Blue


Exterior Cement Plaster, Smooth, Pewter

Aluminum, Brushed Metal, Dark Grey

Elevations shall show the design, materials, color, massing, facade and height of each building under the project scope:

- **Scale:** The scale shall be no less than ⅛" = 1'-0" or a scale that produces a readable illustration.
- **Building Materials and Colors:** Elevations must identify all building materials types and colors. Include any sustainable features of the project as well as the material texture or pattern.
- **Location:** The elevations page must include the site address.
- **Labeling:** All views and major features shall be labeled, including which side of the project is being illustrated.
- **Dimensions:** Elevations shall be dimensioned in a manner that all relevant measurements can be read. Accessory structures shall have the same dimension requirements as the main structure. Include the dimensions for all heights. Required dimensions must include the following items:
  - The lowest elevation within 5 feet of the perimeter of the building;
  - The highest elevation for purposes of determining maximum building height as measured per Department of Building and Safety requirements and as defined by LAMC Section 12.03;
  - Height to the highest point of the roof and all roof structures;
  - Wireless facilities and transformers;
  - Projections proposed to be attached to a building facade;
  - Poles or signs including those attached to the facade or roof. Roof signs, pole signs and billboards must show both sides;
  - Facade texture, pattern, color and material changes to determine compliance with building articulation and design standards; and
  - Fences, walls, beams, barriers, including lighting fixtures, pillars, and gates on all sides.

Most City Planning processes involve a review of the project design. Applicants are encouraged to consult with the **LACP Urban Design Studio** regarding the design of the project early in the application process, ideally prior to filing. You may schedule a design review meeting online: planning.lacity.org/plans-policies/urban-design-studio/schedule-appointment.
Refer to Elevation Instructions (CP-7817) for additional guidance.

Appendix 2
Building Area Analysis for Vesting Pursuant to the Housing Crisis Act

The purpose of this Building Area analysis sample and instructions is to provide guidance with determining the total Building Area or "square footage of construction" of a Housing Development Project in order to vest pursuant to the Housing Crisis Act. The sample below broadly applies to all types of Housing Development Projects.

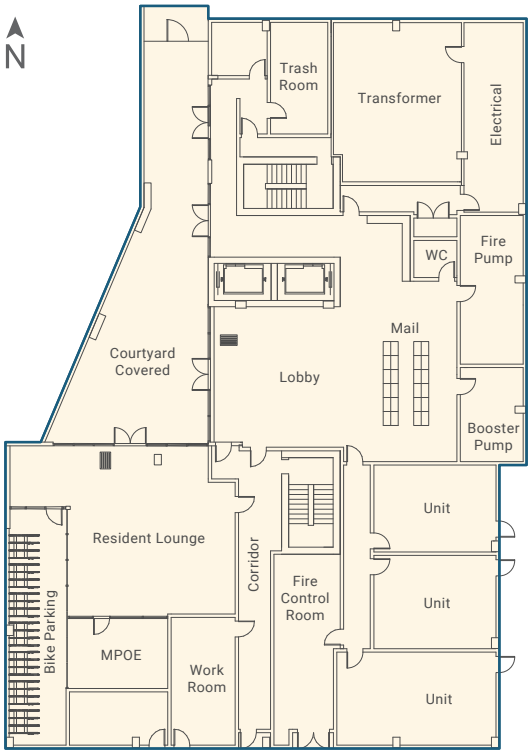
Building Area Calculation Table – Example

Level	Proposed
L2–L5	30,704 sf
L1	9,426 sf
Total	40,130 sf

Building Area Definition

The area included within surrounding exterior walls (or exterior walls and fire walls) exclusive of vent shafts and courts. Areas of the building not provided with surrounding walls shall be included in the building area if such areas are included within the horizontal projection of the roof or floor above.
– California Government Code Section 65941.1(C)

Building Area Diagram – Example



Level 1 Building Area 9,426 sf

Levels 2-5 Building Area 7,676 sf (per level)

Instructions

- **Shaded and Dimensioned Diagram:** Set of plans shall include a shaded and dimensioned diagram indicating the total Building Area for each level, including any covered parking areas, elevator shafts and stairwells at each level.
- **Quantities Referenced Diagram:** Each area analysis must include a label or reference to its Building Area, expressed as square-footage.
- **Calculation Table:** The Building Area page should include a corresponding calculation table indicating the Building Area for each level, as well as the grand total.

REFERRAL FORM PAR-2023-2661-AHRF-ED1

AFFORDABLE HOUSING REFERRAL FORM

This form is to serve as a referral to the Los Angeles City Planning's Development Services Center (DSC) for Affordable Housing case filing purposes (in addition to the required Department of City Planning Application and any other necessary documentation); and to the City of Los Angeles Housing Department (LAHD), Department of Building and Safety (LADBS), or other City agency for project status and entitlement need purposes. All Applicants are required to provide a complete set of architectural plans at the time that this form is submitted for review. Any application submitted that is missing any required materials will be considered incomplete and will not be reviewed until all materials are submitted.

This form shall be completed by the Applicant and reviewed and signed by City Planning DSC Afforable Housing Services Section (AHSS) Staff prior to filing an application for an entitlement, administrative review, or building permit. Any modifications to the content(s) of this form after its authorization by AHSS Staff is prohibited. City Planning reserves the right to require an updated Referral Form for the project if more than 180 days have transpired since the referral date, or as necessary, to reflect project modifications, policy changes, bus route changes, bus schedule changes, and/or amendments to the Los Angeles Municipal Code (LAMC), local laws, and State laws.

THIS SECTION TO BE COMPLETED BY AHSS STAFF ONLY

Planning Staff Name & Title: Hamza Khan, Planning Assistant

Planning Staff Signature: Hamza Khan

Referral Date: 7/6/2023 **Expiration Date:** 1/2/2024

TRANSPORTATION QUALIFIERS (if applicable)

☐ **Major Transit Stop** ☐ **Paratransit / Fixed Bus Route**

☐ **Other:** Parcel is not within 0.5 miles from a Major Transit Stop.

Location of Transit: N/A

Qualifier #1: N/A

Service Interval #1: N/A **Service Interval #2:** N/A

Qualifier #2: N/A

Service Interval #1: N/A **Service Interval #2:** N/A

Service Intervals are calculated by dividing 420 (the total number of minutes during the peak hours of 6 am to 9 am and 3 pm to 7 pm by the number of eligible trips.

Referral To:

☐ **Planning DSC - Filing** ☒ **100% Affordable per AB 2345[1]** ☐ **SB 35**

☐ **AB 2162** ☐ **Measure JJJ**

☐ **Other:** _____

Notes:

Project Planner to verify open space and height.

THIS SECTION TO BE COMPLETED BY THE APPLICANT

APPLICANT INFORMATION

Applicant Name: JEFF ZBIKOWSKI

Phone Number: 310.853.5004

Email: JEFF@JZARCH.LA

I. PROPOSED PROJECT

1. PROJECT LOCATION/ZONING

Project Address(es): 7745-7751 N WILBUR AVE

Reseda, CA 91335

Assessor Parcel Number(s): 2104-009-003, 2104-009-004

Community Plan: RESEDA - WEST VAN NUYS

Existing Zone: RA-1

Land Use Designation: LOW RESIDENTIAL

Number of Parcels: 2

Site Size (sf): 32,974 SF

☒ **ED1 Eligible[2]** ☐ **Specific Plan** ☐ **DRB/CDO** ☐ **HPOZ** ☐ **Enterprise Zone**

☐ **Redevelopment Project Area** ☐ **Q Condition/D Limitation (Ordinance No.):** _____

☐ **Other Pertinent Zoning Information (specify):** _____

[1] *AB 1763 incentives were amended by AB 2345.*

[2] *Refer to Executive Directive 1 for qualifying criteria. If the project is determined to be ineligible for ED 1, a new Referral Form will need to be obtained.*

2. DETAILED DESCRIPTION OF PROPOSED PROJECT

PURSUANT TO ED-1, 6-STORY, 190-UNIT, 100% AFFORDABLE HOUSING DEVELOPMENT

SEEKING ON/OFF MENU INCENTIVES AND WAIVERS PER LAMC 12.22.A.25, AB2345, AB1763, AB2334

3. DETAILED DESCRIPTION OF EXISTING SITE AND DEVELOPMENT

EXISTING THREE SINGLE-FAMILY DWELLINGS

Existing Uses Dwelling Unit (DU) Square Footage (SF)	Existing No. of DUs or Non-Residential SF	Existing No. of DUs or Non-Residential SF to be Demolished	Proposed[3] No. of DUs or Non-Residential SF
Guest Rooms			
Studios			35
One Bedrooms	2	2	155
Two Bedrooms	1	1	0
Three Bedrooms			
_____ Bedrooms			
Non-Residential SF			
Other			

[3] *Per AB 2556, replacement units shall be equivalent to the number of units and number of bedrooms of the existing development.*

4. APPLICATION TYPE

☐ Density Bonus (per LAMC Section 12.22 A.25 or Government Code Section 65915) with only **Base Incentives** filed in conjunction with another discretionary approval.

☐ Density Bonus with **On-Menu Incentives** (specify):

1) _____

2) _____

3) _____

4) _____

☒ Density Bonus with **Off-Menu Incentives** (specify):

1) Allow Building Height of 67'-9"

2) 40% Reduction in Rear Yard

3) 50% Reduction in Side Yard

4) 40% Reduction in Side Yard

☒ Density Bonus with **Waivers of Development Standards** (specify):

1) Waiver to allow 0.68 parking per unit, 5. Waiver to allow 78.5% reduction in OS

2) Waiver to allow 0 Bicycle Parking, 6. Waiver of tree requirement

3) Waiver of Building Line 7. Waiver to allow 65% compact parking

4) Waiver to allow 1,760% in FAR ,

☐ Greater Downtown Housing Incentive Area per LAMC Section 12.22 A.29

☐ Affordable Housing per LAMC Section 11.5.11 (Measure JJJ)

☐ Public Benefit Project per LAMC Section 14.00 A.2

☐ General Plan Amendment per LAMC Section 11.5.6

Request: _____

☐ Zone/Height District Change per LAMC Section 12.32

Request: _____

☐ Conditional Use per LAMC Section 12.24 U.26

☐ Site Plan Review per LAMC Section 16.05

☐ Specific Plan Project Permit Compliance per LAMC Section 11.5.7 C

☐ Community Design Overlay per LAMC Section 13.08

☐ Coastal Development Permit per LAMC Section 12.20.2 or 12.20.2.1

☐ Tract or Parcel Map per LAMC Section 17.00 or 17.50

☐ Other (specify): _____

5. ENVIRONMENTAL REVIEW

☒ Project is Exempt[4]

☐ Not Yet Filed

☐ Filed (Case No.): _____

6. HOUSING DEVELOPMENT PROJECT TYPE

CHECK ALL THAT APPLY:

☐ For Rent	☐ For Sale	☐ Mixed-Use Project	☐ Residential Hotel
☐ Extremely Low Income	☐ Very Low Income	☒ Low Income	☒ Moderate Income
☐ Market Rate	☐ Supportive Housing	☐ Senior	

☐ Special Needs (describe): _____

☐ Other Category (describe): _____

7. DENSITY CALCULATION

A. Base Density: Maximum density allowable per zoning

RD5 DENSITY ALLOWED BY COMMUNITY PLAN

Lot size (including any ½ of alleys)[5] 32974 SF (a)

Density allowed by Zone 5000 SF of lot area per DU (b)

No. of DUs allowed by right (per LAMC) 6 DUs (c) [c = a/b, round down to whole number]

Base Density 7 DUs (d) [d = a/b, round up to whole number]

B. Maximum Allowable Density Bonus[6] UNLIM DUs (e) [e = dx1.35, round up to whole number]

*per AB2334

[4] *Project may be exempt from CEQA review if it qualifies for a CEQA Exemption or is a Ministerial Project (aka, "By Right").*

[5] *If there is a related subdivision case, the lot area shall be calculated based on the site area after a dedication of land has been provided.*

[6] *Per AB 2345, 100% affordable housing developments may request an 80% density increase or unlimited density if the project site is within 0.5 miles of a Major Transit Stop.*

C. Proposed Project: Please indicate total number of DUs requested and break down by levels of affordability set by each category (California Department of Housing and Community Development [HCD] or United States Department of Housing and Urban Development [HUD]). For information on HCD and HUD levels of affordability please contact LAHD at lahd-landuse@lacity.org.

	Total	HCD (State)	HUD (TCAC)
Market Rate	N/A	N/A	N/A
Managers Unit(s) - Market Rate	1	N/A	N/A
Extremely Low Income (ELI)			
Very Low Income (VLI)			
Low Income (LI)	~~152~~ 151		~~152~~ 151
Moderate Income	~~37~~ 38	~~37~~ 38	N/A
Permanent Supportive Housing — ELI			
Permanent Supportive Housing — VLI			
Permanent Supportive Housing — LI			
Seniors — Market Rate		N/A	N/A
Other			
Other			
Other			
Other			

TOTAL No. of DUs Proposed: 190 (f) *LAHD to determine and confirm final rent schedules.

TOTAL No. of Affordable Housing DUs: 189 (g)

No. of Density Bonus DUs: 184 (h) [If f>c, then h=f-c; if f<c, then h= 0]

Percent of Density Bonus Requested: 2,614% (i) {i = 100 x [(f/d) – 1]} (round down)

Percent of Affordable Set Aside: 100% (j) [g/d, round down to a whole number]

8. SITE PLAN REVIEW CALCULATION

An application for Site Plan Review (SPR) may be required for projects that meet any of the SPR thresholds as outlined in LAMC Section 16.05 C, unless otherwise exempted per LAMC Section 16.05 D. For Density Bonus projects involving bonus units, please use the formula provided below to determine if the project meets the SPR threshold for unit count. If the project meets the threshold(s) but qualifies under the exemption criteria per Section 16.05 D, please confirm the exemption with City Planning's DSC AHSS.

6 units allowed by right (permitted by LAMC) – 3 existing units = 3 units

☐ **YES, SPR is required.**
Proposed by-right units minus existing units is equal to or greater than 50[7]

☒ **NO, SPR is not required.**
Base Density units minus existing units is less than 50

☐ **Exempt.**
Specify reason: _____

II. DENSITY BONUS (LAMC SECTION 12.22 A.25, ORDINANCE NO. 179,681)

9. PARKING OPTIONS

CHECK ALL THAT APPLY:

☒ **Automobile Parking Reductions via Bicycle Parking for Residential Uses[8]. Choose only one of the options, if applicable:**

- ☐ 10%
- ☐ 15% (*Only for residential projects or buildings located within 1,500 feet of a Major Transit Stop*)
- ☐ 30% (*If selecting the 30% parking reduction, the project will be ineligible for any of the Parking Options listed below*)

If selecting the 30% parking reduction, provide the following information:

Required Parking per LAMC: _____

Required Parking after the 30% reduction: _____

[7] *Site Plan Review may also be required if other characteristics of the project exceeds the thresholds listed in LAMC Section 16.05.*

[8] *Any project utilizing Parking Option 3 may not further reduce automobile parking via bicycle parking.*

☒ **Automobile Parking for Residential Uses (choose only one of the following options):**

Note: Any fractional numbers are rounded up.

☒ **Parking Option 1.** Based on # of bedrooms, inclusive of Handicapped and Guest parking.

190 spaces required

Applicant requesting a waiver to reduce parking.

	# of DUs	Spaces/DU	Parking Required	Parking Provided
0-1 Bedroom	190	1	190 ~~285~~	130
2-3 Bedrooms		1.5		
4 or more Bedrooms		2.5		
Stalls Reduced via Bike Parking				Subtract:
TOTALS	190		190	130

☐ **Parking Option 2.** Reduced only for Restricted Affordable Units and up to 40% of required parking for Restricted Affordable Units may be compact stalls.

	# of DUs	Spaces/DU	Parking Required	Parking Provided
Market Rate (Including Senior Market Rate)		Per Code		
Restricted Affordable		1		
VLI/LI Senior or Disabled		0.5		
Restricted Affordable in Residential Hotel		2.5		
Stalls Reduced via Bike Parking				Subtract:
TOTALS				

☐ **Parking Option 3 [AB 2345 (2020)].** Applies to two types of projects:

- 100% affordable housing developments consisting solely of affordable units, exclusive of a manager's unit(s), with an affordable housing cost to lower income families; or
- Mixed-income developments consisting of 11% VLI or 20% LI units.

☐ **100% Affordable Housing Developments.** There is no minimum parking requirement for any of the following 100% affordable housing developments described below. Check all that apply:

☐ A housing development located within 0.5 miles of a Major Transit Stop.

☐ A housing development for individuals who are 62 years of age or older with either paratransit service or unobstructed access, within 0.5 miles to a fixed bus route that operates at least eight times per day.

☐ **Special Needs Housing Development**, as defined in Section 51312 of the Health and Safety Code (H&SC), with either paratransit service or unobstructed access, within 0.5 miles to a fixed bus route that operates at least eight times per day.

☐ **Supportive Housing Development,** as defined in Section 50675.14 of the H&SC.

☐ **Mixed-Income Developments** consisting of 11% VLI or 20% LI units.

	Spaces/Unit	Parking Required	Parking Provided
Located within 0.5 miles of Major Transit Stop with unobstructed access to project	0.5		

Major Transit Stop *is defined as a site containing an existing rail or bus rapid transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. It also includes major transit stops that are included in the applicable regional transportation plan.*

Bus Rapid Transit *is defined as public mass transit service provided by a public agency or by a public-private partnership that includes all of the following features:*

1) Full-time dedicated bus lanes or operation in a separate right-of-way dedicated for public transportation with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

2) Transit signal priority.

3) All-door boarding.

4) Fare collection system that promotes efficiency.

5) Defined stations.

10. INCENTIVES

A. Qualification for Incentives

Below is the minimum Required Restricted Affordable Housing Units, calculated as a percentage of the base density allowed on the date of the application. Check only one:

Incentives	% Very Low Income	% Low Income	% Moderate Income
One	☐ 5% to <10%	☐ 10% to <20%	☐ 10% to <20%
Two	☐ 10% to <15%	☐ 20% to <30%	☐ 20% to <30%
Three	☐ 15% or greater	☒ 30% or greater	☐ 30% or greater

☒ **100% Affordable Housing Developments may request up to four (4) incentives and one (1) Waiver of Development Standard.** Check this box if this applies to the project.

B. Project Zoning Compliance & Incentives (Only for projects requesting a Density Bonus with Incentives/Waivers)

	Permitted w/o Incentives	Proposed per Incentives	On-Menu	Off-Menu
☒ Yard/Setback (each yard counts as one incentive)				
☒ Front (1)	25'-0"	8'-0"	☐	☒ waiver
☐ Front (2)			☐	☐
☒ Side (1)	10'-0"	5'-0"	☐	☒
☒ Side (2)	10'-0"	~~6'-0"~~ 7'-0"	☐	☒
☒ Rear	25'-0"	15'-0"	☐	☒
☐ Lot Coverage			☐	☐
☐ Lot Width			☐	☐
☒ Floor Area Ratio[9]	6,594 SF	116,774 SF	☐	☒ waiver
☒ Height/Stories[10]	30'-0"	67'-9"	☐	☒
☐ Overall Height			☐	☐
☐ Transitional Height(s)			☐	☐
☒ Open Space	19,000	4,100	☐	☒ waiver
☐ Density Calculation			☐	☐

☐ Averaging (all count as one incentive — check all that are needed)

- ☐ FAR
- ☐ Density
- ☐ Parking
- ☐ Open Space
- ☐ Vehicular Access

☐ Other Off-Menu Incentives (specify): _____

☒ Waiver of Development Standards (specify): See attached sheet for additional waivers

See attached sheet for additional waivers

☐ 100% Affordable Housing Development shall receive a height increase of three additional stories up to 33 additional feet. Check the box if this applies to your project.

TOTAL No. of Incentives Requested: **On-Menu** 0 **Off-Menu** 4

TOTAL No. of Waivers Requested: 7

[9] *See LAMC Section 12.22 A.25(f)(4) for additional requirements.*

[10] *See LAMC Section 12.22 A.25(f)(5) for additional requirements.*

11. COVENANT

All Density Bonus projects are required to prepare and record an Affordability Covenant to the satisfaction of the LAHD's Occupancy Monitoring Unit **before** a building permit can be issued. For more information, please contact the LAHD at lahd-landuse@lacity.org.

III. GREATER DOWNTOWN HOUSING INCENTIVE AREA (LAMC SEC. 12.22 A.29, ORDINANCE NO. 179,076)

12. GREATER DOWNTOWN HOUSING INCENTIVE AREA (GDHIA)

A. Eligibility for Floor Area Bonus

NOTE: The affordability levels required are set by the HUD/TCAC. For information on HCD and HUD levels of affordability please contact the LAHD at lahd-landuse@lacity.org.

- ☐ 5% of the total number of DUs provided for VLI households; and
- ☐ One of the following shall be provided:
  - ☐ 10% of the total number of DUs for LI households; or
  - ☐ 15% of the total number of DUs for Moderate Income households; or
  - ☐ 20% of the total number of DUs for Workforce Income households, and
- ☐ Any DU or Guest Room occupied by a household earning less than 50% of the Area Median Income (AMI) that is demolished or otherwise eliminated shall be replaced on a one-for-one basis within the Community Plan area in which it is located

B. Incentives

NOTE: Must meet all three (3) eligibility requirements from 12.A above and provide a Covenant & Agreement (See #11).

CHECK ALL THAT APPLY:

- ☐ A 35% increase in total floor area
- ☐ Open Space requirement pursuant to LAMC Section 12.21 G reduced by one-half, provided that a fee equivalent to amount of the relevant park fee, pursuant to LAMC Section 19.17, shall be paid for all dwelling units. See LAMC Section 12.29 A.29(c) for exceptions
- ☐ No parking required for units for households earning less than 50% AMI
- ☐ No more than one parking space required for each dwelling unit

C. Additional Incentives to Produce Housing in the GDHIA

- ☐ No yard requirements except as required by the Urban Design Standards and Guidelines
- ☐ Buildable area shall be the same as the lot area (for the purpose of calculating buildable area for residential and mixed-use)

☐ Maximum number of dwelling units or guest rooms permitted shall not be limited by the lot area provisions, as long as the total floor area utilized by guest rooms does not exceed the total floor area utilized by dwelling units

☐ No prescribed percentage of the required open space that must be provided as either common open space or private open space

IV. MEASURE JJJ[11] (LAMC Sec. 11.5.11, Ordinance No. 184, 745)

13. AFFORDABLE REQUIREMENTS

A certain percentage of affordable units is required based on the total number of units in the project. **Fill out either A or B below:**

A. Rental Projects

☐ No less than the affordability percentage corresponding to the level of density increase requested or allowed:

☐ _____ % VLI **OR** ☐ _____ % LI

☐ For projects requesting a General Plan Amendment, Zone Change, and/or Height District Change that results in an increased allowable density greater than 35%:

☐ 5% ELI **AND** ☐ 6% VLI **OR** ☐ 15% LI

☐ For projects requesting a General Plan Amendment, Zone Change, and/or Height District Change that results in an increased allowable density greater than 35%:

☐ 5% ELI **AND** ☐ 11% VLI **OR** ☐ 20% LI

Required Number of Affordable Units

ELI _____ VLI _____ LI _____

B. For Sale Projects

☐ No less than the affordability percentage corresponding to the level of density increase requested or allowed:

☐ _____% VLI **OR** ☐ _____% LI **OR** ☐ _____% Moderate Income

☐ For projects requesting a General Plan Amendment, Zone Change, and/or Height District Change that results in an increased allowable density greater than 35% or allows a residential use where not previously allowed:

☐ 11% VLI **OR** ☐ 20% LI **OR** ☐ 40% Moderate Income

Required Number of Affordable Units

VLI _____ LI _____ Moderate Income _____

[11] *All fractional amounts in Sections 13 and 14 shall be rounded up to the next whole number.*

14. ALTERNATIVE COMPLIANCE OPTIONS

In lieu of providing the affordable units on site, there are three (3) other options available to comply with Measure JJJ Affordable Requirements. Select one, if applicable; otherwise leave this section blank.

A. Off-Site Construction – Construction of affordable units at the following rate:

- ☐ Within 0.5 miles of the outer edge of the Project, Affordable Units in Section 13 x 1.0
- ☐ Within 2 miles of the outer edge of the Project, Affordable Units in Section 13 x 1.25
- ☐ Within 3 miles of the outer edge of the Project, Affordable Units in Section 13 x 1.5

Updated Required Number of Affordable Units

ELI _____ VLI _____ LI _____ Moderate Income _____

B. Off-Site Acquisition – Acquisition of property that will provide affordable units at the following rate:

- ☐ Within 0.5 miles of the outer edge of the Project, Affordable Units in Section 13 x 1.0
- ☐ Within 1 mile of the outer edge of the Project, Affordable Units in Section 13 x 1.25
- ☐ Within 2 miles of the outer edge of the Project, Affordable Units in Section 13 x 1.5

Updated Required Number of Affordable Units

ELI _____ VLI _____ LI _____ Moderate Income _____

C. In-Lieu Fee – From the Affordability Gaps Study published by the Los Angeles City Planning

Total In-Lieu Fee _____ (Note: Final fee TBD if/when the project is approved)

15. DEVELOPER INCENTIVES

Please describe up to a maximum of three (3) incentives:

1) _____

_____

2) _____

_____

3) _____

_____

Disclaimer: This review is based on the information and plans provided by the applicant at the time of submittal of this form. Applicants are advised to verify any zoning issues such as height, parking, setback, and any other applicable zoning requirements with LADBS.

7745 N. Wilbur Ave

RA-1 (Suburban)

RD5 DENSITY per GPLU

Waivers:

- Waiver to allow 0.68 parking per unit.
- Waiver to allow 0 Bicycle Parking.
- Waiver to allow 1,760% in FAR.
- Waiver of Building Line.
- Waiver to allow 78.5% reduction in Open Space.
- Waiver of tree requirement.
- Waiver to allow 65% compact parking.

WILBUR APARTMENTS

ENTITLEMENT SET // 6.27.2023

GENERAL

G000	COVER SHEET
G001	PROJECT INFORMATION
G002	SITE PHOTOS & EXISTING CONDITIONS
G010	ZONING CODE AREA DIAGRAMS
G011	BUILDING CODE AREA DIAGRAMS
G012	OPEN SPACE CALCULATIONS
G080	SURVEY

ARCHITECTURAL

A000	SITE PLAN
A100	P1 LEVEL & 1ST FLOOR PLAN OVERALL
A101	2ND & 3RD FLOOR PLAN OVERALL
A102	4TH & 5TH FLOOR OVERALL
A103	6TH FLOOR & ROOF PLAN OVERALL
A105	P1 LEVEL PLAN - WEST
A106	P1 LEVEL PLAN - EAST
A110	1ST FLOOR PLAN - WEST
A111	1ST FLOOR PLAN - EAST
A120	2ND FLOOR PLAN - WEST
A121	2ND FLOOR PLAN - EAST
A130	3RD FLOOR PLAN - WEST
A131	3RD FLOOR PLAN - EAST
A140	4TH FLOOR PLAN - WEST
A141	4TH FLOOR PLAN - EAST
A150	5TH FLOOR PLAN - WEST
A151	5TH FLOOR PLAN - EAST
A160	6TH FLOOR PLAN WEST
A161	6TH FLOOR PLAN - EAST
A170	ROOF PLAN -WEST
A171	ROOF PLAN -EAST
A200	SOUTH ELEVATION
A201	NORTH ELEVATION
A202	ELEVATIONS

OWNER // 7749 WILBUR AVENUE REAL ESTATE LLC	
9401 WILSHIRE BLVD, SUITE 520	STEPHEN SAMUEL
BEVERLY HILLS, CA 90212	
ARCHITECT // JEFF ZBIKOWSKI ARCHITECTURE	
4043 IRVING PL, SUITE B	JEFF ZBIKOWSKI, AIA
CULVER CITY, CA 90232	310.853.5004 // JEFF@JZARCH.LA
LANDSCAPE ARCHITECT //	

JZA
ARCHITECTURE

ARCHITECT
JEFF ZBIKOWSKI ARCHITECTURE
4043 IRVING PL, SUITE B
CULVER CITY, CA 90232
WWW.JZARCH.LA // 310.853.5004
INFO@JZARCH.LA

SEAL:

LICENSED ARCHITECT
JEFFREY ZBIKOWSKI
C-35389
6.27.2023
STATE OF CALIFORNIA

REVISIONS:

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CLIENT NAME:
EVOLVE REALTY & DEV.
410 CLOVERLEAF DR
BALDWIN PARK, CA 91706

PROJECT NAME:
WILBUR APARTMENTS

NOT FOR CONSTRUCTION

PROJECT ADDRESS:
7745-7751 N WILBUR AVE
LOS ANGELES, CA

JOB NUMBER:
2313

DATE:
6.27.2023

SHEET TITLE:
COVER SHEET

SHEET NUMBER:
G000

DRAWING SET TITLE:
ENTITLEMENT SET

6/27/2023 5:49:21 PM

ARCHITECTURAL ABBREVIATIONS

@	AT	FLR	FLOOR	P	PROPERTY LINE
Ø	DIAMETER	FMC	FLOOR MATERIAL CHANGE	PIP	PROTECT IN PLACE
		FOC	FACE OF CONCRETE	PLAM	PLASTIC LAMINATE
AB	ANCHOR BOLT	FOF	FACE OF FINISH	PT	PAINT
A/C	AIR CONDITIONING	FOM	FACE OF MASONRY	PTD	PAINTED
ACT	ACOUSTIC CEILING TILE	FOS	FACE OF STUD		
ADA	AMERICANS WITH DISABILITIES ACT	FR	FIRE RESISTIVE	QTY	QUANTITY
		FS	FINISH SURFACE		
ADJ	ADJACENT			R	RADIUS or RISER
AFF	ABOVE FINISH FLOOR	GA	GAGE	RCP	REFLECTED CEILING PLAN
ALT	ALTERNATE	GALV	GALVANIZED	RD	ROOF DRAIN
ALUM	ALUMINUM	GB	GRAB BAR	REF	REFRIGERATOR
APPROX	APPROXIMATELY	GC	GENERAL CONTRACTOR	REQ'D	REQUIRED
ARCH	ARCHITECT	GYP BD	GYPSUM BOARD	REV	REVISION or REVISED
				RM	ROOM
BD	BOARD	HB	HOSE BIBB	ROW	RIGHT OF WAY
BF	BRACE FRAME	HC	HOLLOW CORE	RRM	RESTROOM
BLK	BLOCK	HCW	HOLLOW CORE WOOD		
BM	BEAM	HDR	HEADER	SC	SOLID CORE
BTWN	BETWEEN	HM	HOLLOW METAL	SCW	SOLID CORE WOOD
		HR	HANDRAIL	SF	SQUARE FEET
Ç B	CABINET	HT	HEIGHT	SHT	SHEET
	CENTER LINE			SHTG	SHEATHING
CL	CLOSET	INS	INSULATION	SIM	SIMILAR
CLG	CEILING	INT	INTERIOR	SL	SLOPE
CLR	CLEAR			ST STL	STAINLESS STEEL
CMU	CONCRETE MASONRY UNIT	JST	JOIST	STL	STEEL
COL	COLUMN			STRUCT	STRUCTURAL
CONC	CONCRETE	LAM	LAMINATE		
CONT	CONTINUOUS	LAV	LAVATORY	T	TREAD
CONTR	CONTRACTOR	LIN	LINOLEUM	TBD	TO BE DETERMINED
CPT	CARPET			TH	THRESHOLD
CRS	COURSES	MAX	MAXIMUM	THK	THICK
CT	CERAMIC TILE	MECH	MECHANICAL	TJ	TRUSS JOIST
		MFR	MANUFACTURER	TO	TOP OF
(D)	DEMOLISH	MIN	MINIMUM	TOC	TOP OF CONCRETE
DAS	DISABLED ACCESS	MISC	MISCELLANEOUS	TOP	TOP OF PLATE
DBL	DOUBLE	MO	MASONRY OPENING	TOS	TOP OF SLAB
DIA	DIAMETER	MTD	MOUNTED	TOSHTG	TOP OF SHEATHING
DIM	DIMENSION	MTL	METAL	TOW	TOP OF WALL
DN	DOWN			TYP	TYPICAL
DS	DOWNSPOUT	N	NOTE		
DWG	DRAWING	(N)	NEW	UNO	UNLESS NOTED OTHERWISE
		NIC	NOT IN CONTRACT		
(E)	EXISTING	NTS	NOT TO SCALE	VCT	VINYL COMPOSITION TILE
ELECT	ELECTRICAL			VERT	VERTICAL
ELEV	ELEVATOR	OC	ON CENTER	VIF	VERIFY IN FIELD
EOS	EDGE OF SLAB	OFCI	OWNER FURNISHED-		
EQ	EQUAL		CONTRACTOR INSTALLED	W/	WITH
EXT	EXTERIOR	OFOI	OWNER FURNISHED-	WC	WATER CLOSET
			OWNER INSTALLED	WD	WOOD
FE	FIRE EXTINGUISHER	OFVI	OWNER FURNISHED-	WH	WATER HEATER
FF	FINISH FLOOR		VENDOR INSTALLED	WP	WATERPROOF
FIN	FINISH	OH	OVERHEAD	WPT	WORK POINT
FJ	FLOOR JOIST	OPNG	OPENING		

ARCHITECTURAL SYMBOLS

1 A101 — DETAIL

1 A101 — BUILDING SECTION

1 A101 — WALL SECTION

A / D A900 B / C — INTERIOR ELEVATION

1 A101 — EXTERIOR ELEVATION

ELEVATION MARK

WINDOW MARK

DOOR MARK

WALL TYPE

WP / T — WORK POINT

N13 — NOTE

ACCESSIBLE PATH OF TRAVEL

FENCE

EXIT SIGN

ALIGN — ALIGN FINISHES

SD — SMOKE DETECTOR

FE — FIRE EXTINGUISHER

AD — AREA DRAIN

FD — FLOOR DRAIN

FM — FLOOR MATERIAL TRANSITION

SECURITY OPENING

OPEN SPACE CALCULATIONS

TOTAL OPEN SPACE REQUIREMENTS PER LAMC 12.21.G:

<3 HABITABLE ROOMS = 100 SF / UNIT (STUDIOS & 1BR UNITS)

=3 HABITABLE ROOMS = 125 SF / UNIT (2BR UNITS)

>3 HABITABLE ROOMS = 175 SF / UNIT (3BR+ UNITS)

PROJECT SEEKS A WAIVER TO ALLOW A 78.5% REDUCTION IN REQUIRED OPEN SPACE

OPEN SPACE REQUIRED

UNIT TYPE	HABITABLE ROOMS	# OF UNITS	REQ'D OPEN SPACE
STUDIO	1	35	3,500 SF
1 BR	2	155	15,500 SF
GRAND TOTAL		190	19,000 SF

OPEN SPACE PROVIDED

TYPE	LEVEL	AREA
	1ST FL FFE	700 SF
	2ND FL FFE	3,400 SF
COMMON OPEN SPACE		4,100 SF
GRAND TOTAL		4,100 SF

OF WHICH 25% SHALL BE PLANTED = 1,104 SF

PLANTED AREA PROVIDED = 1,104 SF

OCCUPANCY AREA CALCULATIONS

SEPARATE PERMITS

MECHANICAL	FIRE SPRINKLER SYSTEM
ELECTRICAL	BLOCK WALL
PLUMBING	
FIRE ALARM SYSTEM	

BUILDING CODES USED

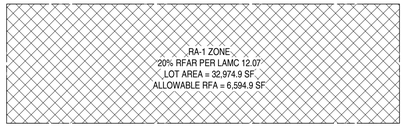
2022 LOS ANGELES MUNICIPAL CODE (LAMC)	2020 LOS ANGELES FIRE CODE (LAFC)
2020 LOS ANGELES BUILDING CODE (LABC)	2020 LOS ANGELES RESIDENTIAL CODE (LARC)
2020 LOS ANGELES ELECTRICAL CODE (LAEC)	2020 LOS ANGELES GREEN BUILDING CODE (LAGBC)
2020 LOS ANGELES MECHANICAL CODE (LAMC)	
2020 LOS ANGELES PLUMBING CODE (LAPC)	

DEFERRED SUBMITTALS

FIRE ALARM SYSTEM
FIRE-SPRINKLER SYSTEM
MECHANICAL
ELECTRICAL
PLUMBING

ZONING CODE AREA CALCULATIONS

FLOOR AREA RATIO, RESIDENTIAL (RFAR) DEFINITION PER LAMC 12.03:
A RATIO ESTABLISHING THE RELATIONSHIP BETWEEN A PROPERTY AND THE AMOUNT OF DEVELOPMENT PERMITTED FOR THAT PROPERTY, EXPRESSED AS A PERCENTAGE OR A RATIO OF THE LOT SIZE (EXAMPLE: "0.45 OF THE LOT SIZE").



RESIDENTIAL FLOOR AREA DEFINITION PER LAMC 12.03:
THE AREA IN SQUARE FEET CONFINED WITHIN THE EXTERIOR WALLS OF A RESIDENTIAL OR NON-RESIDENTIAL BUILDING ON A LOT IN AN RA, RE, RS, OR R1 ZONE. ANY FLOOR OR PORTION OF A FLOOR WITH A CEILING HEIGHT GREATER THAN 14 FEET SHALL COUNT AS TWICE THE SQUARE FOOTAGE OF THAT AREA. THE AREA OF STAIRWAYS AND ELEVATOR SHAFTS SHALL ONLY BE COUNTED ONCE REGARDLESS OF CEILING HEIGHT. AREA OF AN ATTIC OR PORTION OF AN ATTIC WITH A CEILING HEIGHT OF MORE THAN 7 FEET SHALL BE INCLUDED IN THE RESIDENTIAL FLOOR AREA CALCULATION.

AREA SCHEDULE (FLOOR AREA)

LEVEL	FAR	AREA
1ST FL FFE	RESIDENTIAL FLOOR AREA	21,078 SF
2ND FL FFE	RESIDENTIAL FLOOR AREA	19,149 SF
3RD FL FFE	RESIDENTIAL FLOOR AREA	19,149 SF
4TH FL FFE	RESIDENTIAL FLOOR AREA	19,149 SF
5TH FL FFE	RESIDENTIAL FLOOR AREA	19,149 SF
6TH FL FFE	RESIDENTIAL FLOOR AREA	19,101 SF
RESIDENTIAL FLOOR AREA		116,774 SF
GRAND TOTAL		116,774 SF

PROJECT SEEKS A 1.670% INCREASE IN ALLOWABLE RFA PURSUANT TO ED-1

UNIT SCHEDULE & AFFORDABILITY

UNIT SCHEDULE

NAME	NUMBER OF BEDROOMS	COUNT	REQUIRED OPEN SPACE	REQUIRED PARKING	AREA
1 BR	1	155	15,500 SF	232.5	67,536 SF
STUDIO	0	35	3,500 SF	52.5	11,230 SF
GRAND TOTAL: 190		190	19,000 SF	285	78,765 SF

AUTOMOBILE PARKING

PARKING SCHEDULE (STALL SIZE)

COMPACT	RESIDENTIAL	48
EV	RESIDENTIAL	24
P1 LEVEL FFE		72
ACCESSIBLE	RESIDENTIAL	3
COMPACT	RESIDENTIAL	36
EV	RESIDENTIAL	19
1ST FL FFE		58
Grand total		130

BICYCLE PARKING

BICYCLE PARKING REQUIRED PER LAMC 12.21.A.16:

LONG TERM PARKING:	UNITS 1-25: 1 STALL PER UNIT UNITS 26-100: 1 STALL PER 1.5 UNITS UNITS 101-190: 1 STALL PER 2 UNITS	25 STALLS 50 STALLS 45 STALLS **120 STALLS TOTAL**
SHORT TERM PERKING:	UNITS 1-25: 1 STALL PER 10 UNITS UNITS 26-100: 1 STALL PER 15 UNITS UNITS 101-220: 1 STALL PER 20 UNITS	2.5 STALLS 5 STALLS 6 STALLS **14 STALLS TOTAL**

BICYCLE PARKING PROVIDED:

LONG TERM PARKING:	0 STALLS - PROJECT SEEKS A WAIVER OF BIKE PARKING
SHORT TERM PARKING:	14 STALLS

VICINITY MAP

PROJECT INFORMATION

PROJECT NAME:	WILBUR APARTMENTS
ADDRESS:	7745-7751 N WILBUR AVE LOS ANGELES, CA 91335
ENTITLEMENTS:	NOT YET FILED
OWNER:	BENRIMON MANAGEMENT LLC
PROJECT DESCRIPTION:	NEW CONSTRUCTION, 220-UNIT, 100% AFFORDABLE HOUSING DEVELOPMENT SEEKING ON-MENU INCENTIVES PER LAMC 12.22.A25 & AB1763
PROJECT FUNDING:	100% PRIVATELY FUNDED THIS IS NOT A PUBLIC HOUSING FACILITY OWNED AND/OR OPERATED BY, FOR OR ON BEHALF OF A PUBLIC ENTITY AND NO TAX CREDIT SHALL BE RECEIVED FROM STATE OR FEDERAL GOVERNMENTS. NOT A TCAC FACILITY AND NOT A SOCIAL SERVICE CENTER.
CONSTRUCTION TYPE:	TYPE-IA (1ST FLOOR) TYPE-IIIA (2ND-5TH FLOORS) 1-HR EXT WALLS PER LABC TABLE 601
OCCUPANCY TYPE:	R-2, A-2, S-2, B
SPRINKLERED:	NFPA-13 PER LAFC 903.2
FIRE ALARM:	MANUAL ALARM
ACCESSIBILITY:	CBC 11A

ZONING INFORMATION

ZONE:	RA-1
ZONING INFORMATION:	ZI-2462 MODIFICATIONS TO SF ZONES AND SF ZONE HILLSIDE AREA REGULATIONS ZI-2438 EQUINE KEEPING IN THE CITY OF LOS ANGELES
GENERAL PLAN LAND USE:	LOW RESIDENTIAL (RD5 DENSITY PER GENERAL PLAN)
ASSESSOR PARCEL NUMBER:	2104-009-003, 2104-009-004
TRACT:	TR 8938
BLOCK:	NONE
LOT:	42 ARB 1, 42 ARB 2
FLOOD ZONE:	OUTSIDE FLOOD ZONE
METHANE ZONE:	NONE
SITE AREA:	32,974.9 SF PER ZIMAS
REQUIRED SETBACKS:	FRONT: 25'-0" SIDE: 10'-0" REAR: 25'-0"
PROVIDED SETBACKS	FRONT: 8'-0" (68% OFF-MENU REDUCTION PER LAMC 12.22.A.25) SIDE: 5'-0" (50% ON-MENU REDUCTION PER LAMC 12.22.A.25) SIDE: 7'-0" (30% OFF-MENU REDUCTION PER LAMC 12.22.A.25) REAR: 15'-0" (40% OFF-MENU REDUCTION PER LAMC 12.22.A.25)
ALLOWABLE HEIGHT PER LAMC:	30'-0" PER LAMC 12.21.1.A 63'-0" PER LAMC 12.22.A.25 & AB1763
PROVIDED HEIGHT PER LAMC:	68'-9", SEE ELEVATIONS & SURVEY FOR LOWEST ADJ. GRADE
ALLOWABLE HEIGHT PER LABC:	85'-0" PER LABC TABLE 504.3
PROVIDED HEIGHT PER LABC:	_____, SEE ELEVATIONS & SITE PLAN FOR GRADE PLANE CALCS.
ALLOWABLE FLOOR AREA:	6,594.9 SF (20% RFAR PER RA-1)
PROVIDED FLOOR AREA:	116,774 SF
ALLOWABLE DENSITY:	7 PER GENERAL PLAN (RD5), UNLIMITED PER AB2334
PROVIDED DENSITY:	190 UNITS, 152 LOW INCOME, 28 MODERATE INCOME
REQUIRED PARKING:	NONE WHEN WITHIN 1/2 MILE OF MAJOR TRANSIT STOP
PROVIDED PARKING:	130 PARKING STALLS

INCENTIVES REQUESTED

BASE INCENTIVES

UNLIMITED DENSITY PER AB2334

OFF-MENU INCENTIVES (4)

OFF-MENU REQUEST TO ALLOW 68% FRONT YARD REDUCTION

OFF-MENU REQUEST TO ALLOW 40% REAR YARD REDUCTION

OFF-MENU REQUEST TO ALLOW 50% (SOUTH) SIDE YARD REDUCTION

OFF-MENU REQUEST TO ALLOW 40% (NORTH) SIDE YARD REDUCTION

WAIVERS OF DEVELOPMENT STANDARDS

WAIVER TO ALLOW 0.68 PARKING STALL/UNIT PER AB2334

WAIVER TO ALLOW ZERO BICYCLE PARKING

WAIVER TO ALLOW TOTAL BUILDING HEIGHT OF 67'-9"

WAIVER TO ALLOW 1,670% INCREASE IN RFAR

WAIVER OF BUILDING LINE

WAIVER TO ALLOW 78.5% REDUCTION OF OPEN SPACE

WAIVER OF TREE REQUIREMENT

WAIVER TO ALLOW 65% COMPACT PARKING STALLS

JZA ARCHITECTURE

ARCHITECT
JEFF ZBIKOWSKI ARCHITECTURE
4043 IRVING PL, SUITE B
CULVER CITY, CA 90232
WWW.JZARCH.LA // 310.853.5004
INFO@JZARCH.LA

SEAL:

LICENSED ARCHITECT — JEFFREY ZBIKOWSKI — C-35389 — 6/27/2023 — STATE OF CALIFORNIA

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CLIENT NAME:
EVOLVE REALTY & DEV.
410 CLOVERLEAF DR
BALDWIN PARK, CA 91706

PROJECT NAME:
WILBUR APARTMENTS

NOT FOR CONSTRUCTION

PROJECT ADDRESS:
7745-7751 N WILBUR AVE
LOS ANGELES, CA

JOB NUMBER:
2313

DATE:
6.27.2023

SHEET TITLE:
PROJECT INFORMATION

SHEET NUMBER:
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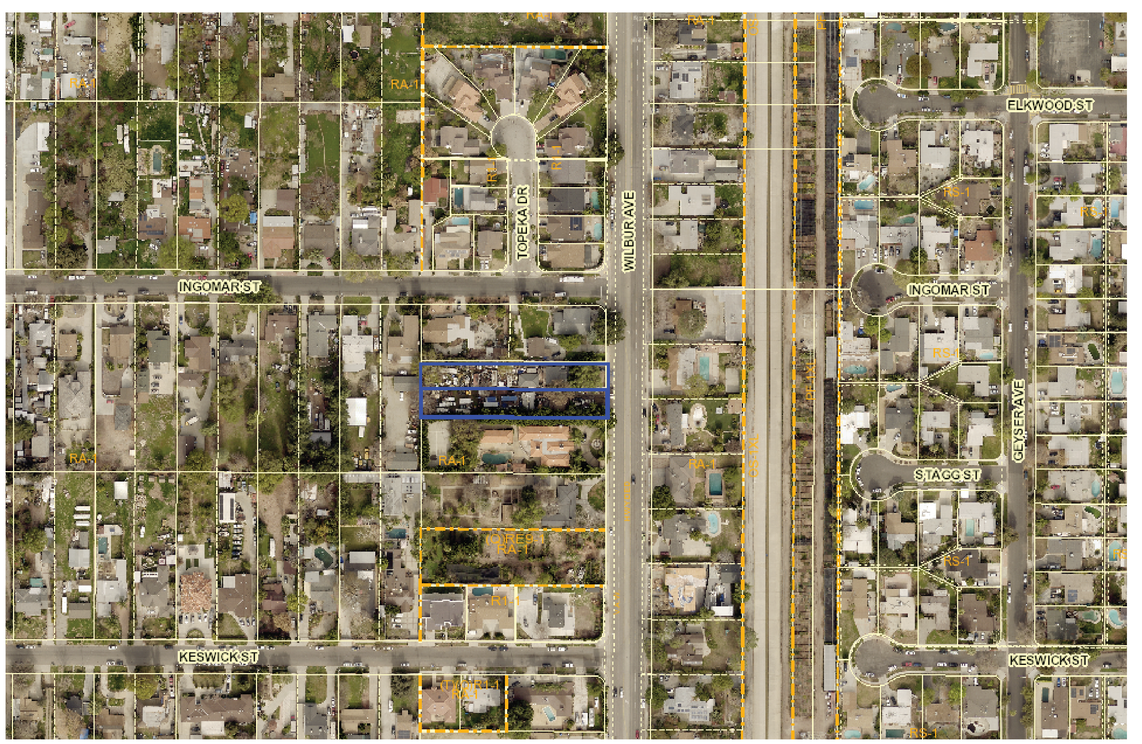

JZA
ARCHITECTURE

ARCHITECT
JEFF ZBIKOWSKI ARCHITECTURE
4043 IRVING PL, SUITE B
CULVER CITY, CA 90232
WWW.JZARCH.LA // 310.853.5004
INFO@JZARCH.LA

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JOB NUMBER:
2313

DATE:
6.27.2023

SHEET TITLE:
SITE PHOTOS & EXISTING CONDITIONS

SHEET NUMBER:
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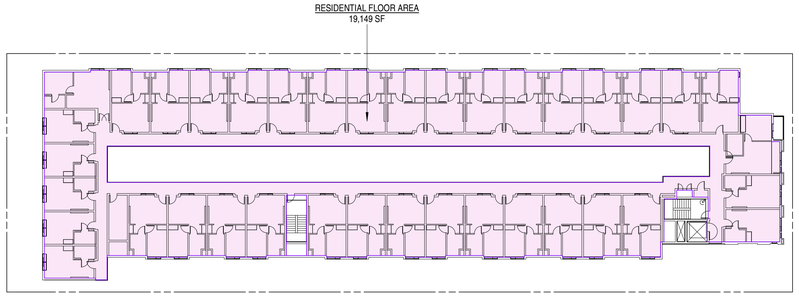
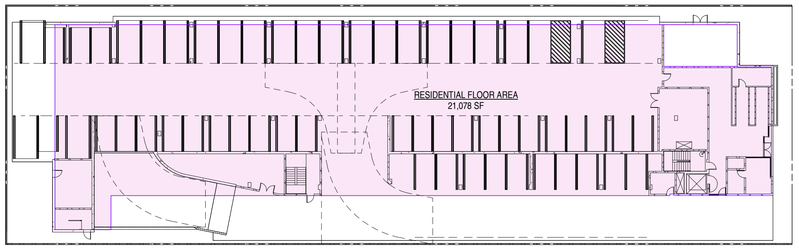
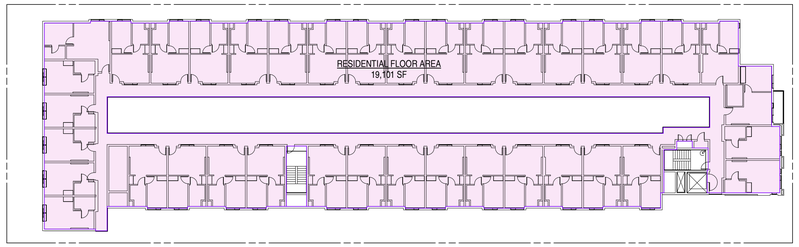


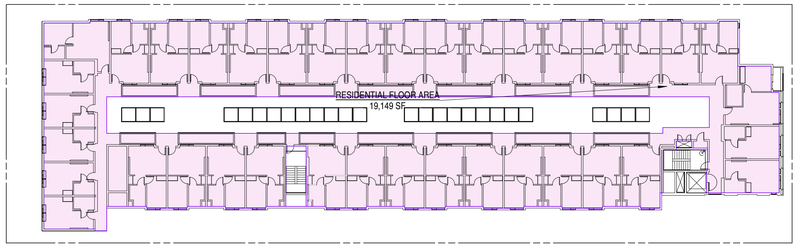
5TH FLOOOR FAR DIAGRAM | 1" = 30'-0" | 5



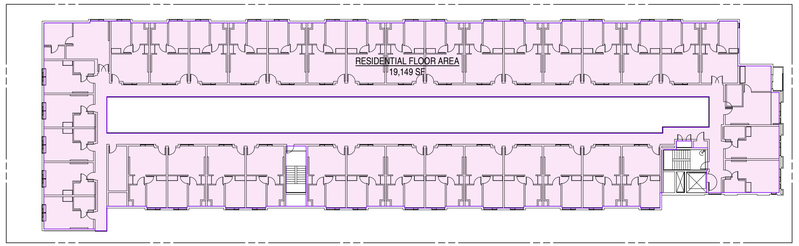
1ST FLOOOR FAR DIAGRAM | 1" = 30'-0" | 1



6TH STORY FAR DIAGRAM | 1" = 30'-0" | 6



2ND FLOOOR FAR DIAGRAM | 1" = 30'-0" | 2



3RD FLOOOR FAR DIAGRAM | 1" = 30'-0" | 3

AREA SCHEDULE (FLOOR AREA)		
LEVEL	FAR	AREA
1ST FL FFE	RESIDENTIAL FLOOR AREA	21,078 SF
2ND FL FFE	RESIDENTIAL FLOOR AREA	19,149 SF
3RD FL FFE	RESIDENTIAL FLOOR AREA	19,149 SF
4TH FL FFE	RESIDENTIAL FLOOR AREA	19,149 SF
5TH FL FFE	RESIDENTIAL FLOOR AREA	19,149 SF
6TH FL FFE	RESIDENTIAL FLOOR AREA	19,101 SF
RESIDENTIAL FLOOR AREA		116,774 SF
GRAND TOTAL		116,774 SF

4TH FLOOOR FAR DIAGRAM | 1" = 30'-0" | 4

JZA
ARCHITECTURE

ARCHITECT
JEFF ZBIKOWSKI ARCHITECTURE
4043 IRVING PL, SUITE B
CULVER CITY, CA 90232
WWW.JZARCH.LA // 310.853.5004
INFO@JZARCH.LA

SEAL:

LICENSED ARCHITECT
JEFFREY ZBIKOWSKI
C-35389
6.27.2023
STATE OF CALIFORNIA

REVISIONS:

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NOT FOR CONSTRUCTION

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7745-7751 N WILBUR AVE
LOS ANGELES, CA

JOB NUMBER:
2313

DATE:
6.27.2023

SHEET TITLE:
ZONING CODE AREA DIAGRAMS

SHEET NUMBER:
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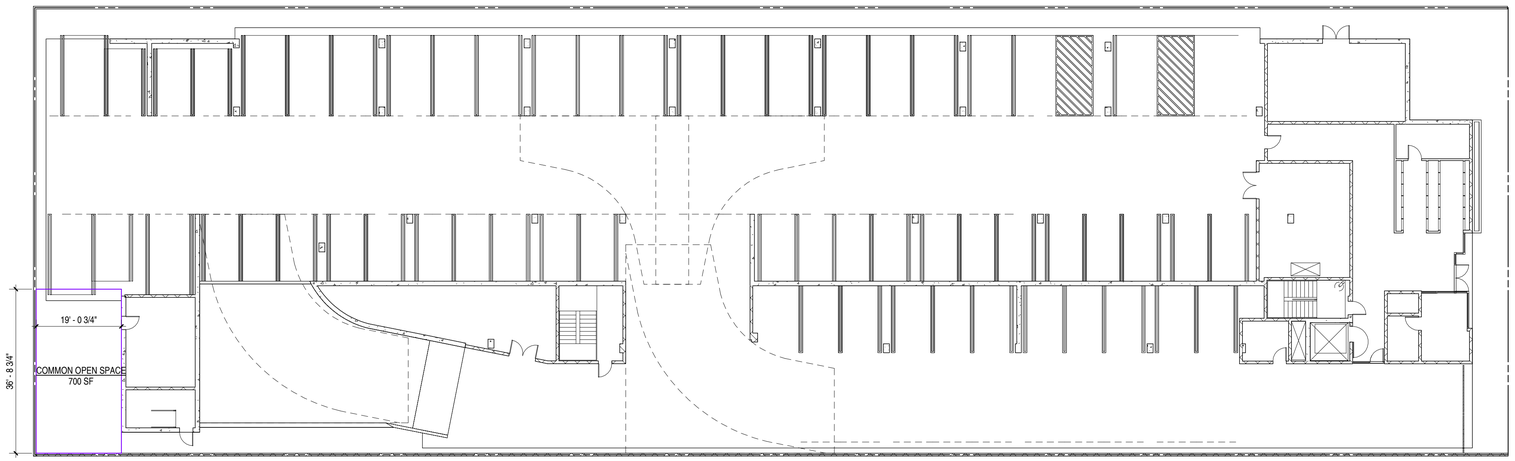

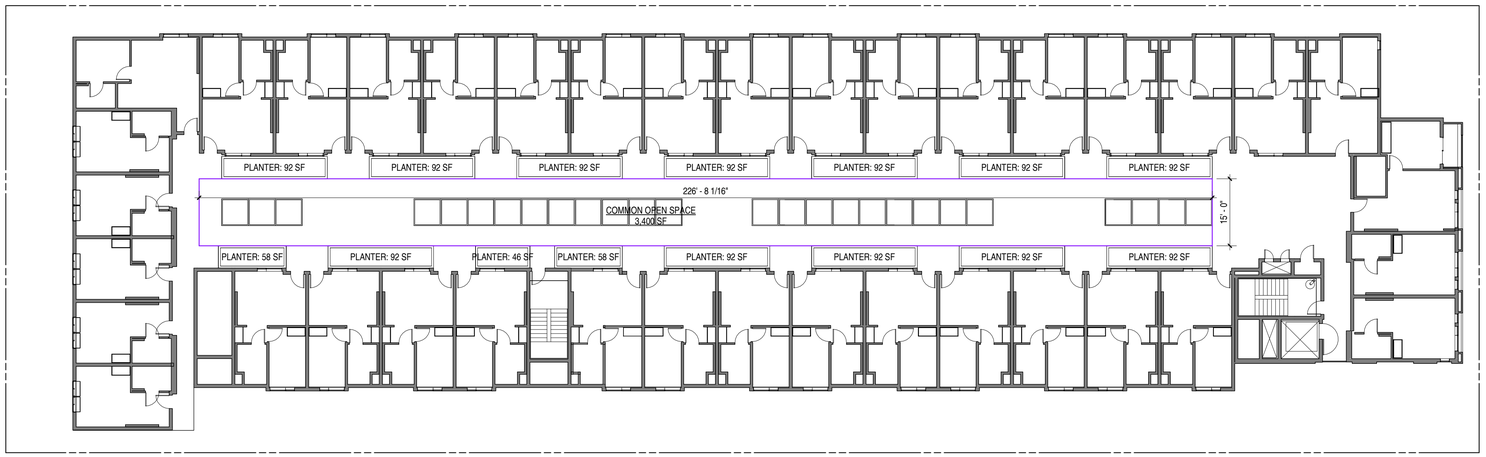

OPEN SPACE PROVIDED		
TYPE	LEVEL	AREA
	1ST FL FFE	700 SF
	2ND FL FFE	3,400 SF
COMMON OPEN SPACE		4,100 SF
GRAND TOTAL		4,100 SF

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ARCHITECTURE

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JEFF ZBIKOWSKI ARCHITECTURE
4043 IRVING PL, SUITE B
CULVER CITY, CA 90232
WWW.JZARCH.LA // 310.853.5004
INFO@JZARCH.LA

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JOB NUMBER:
2313

DATE:
6.27.2023

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OPEN SPACE CALCULATIONS

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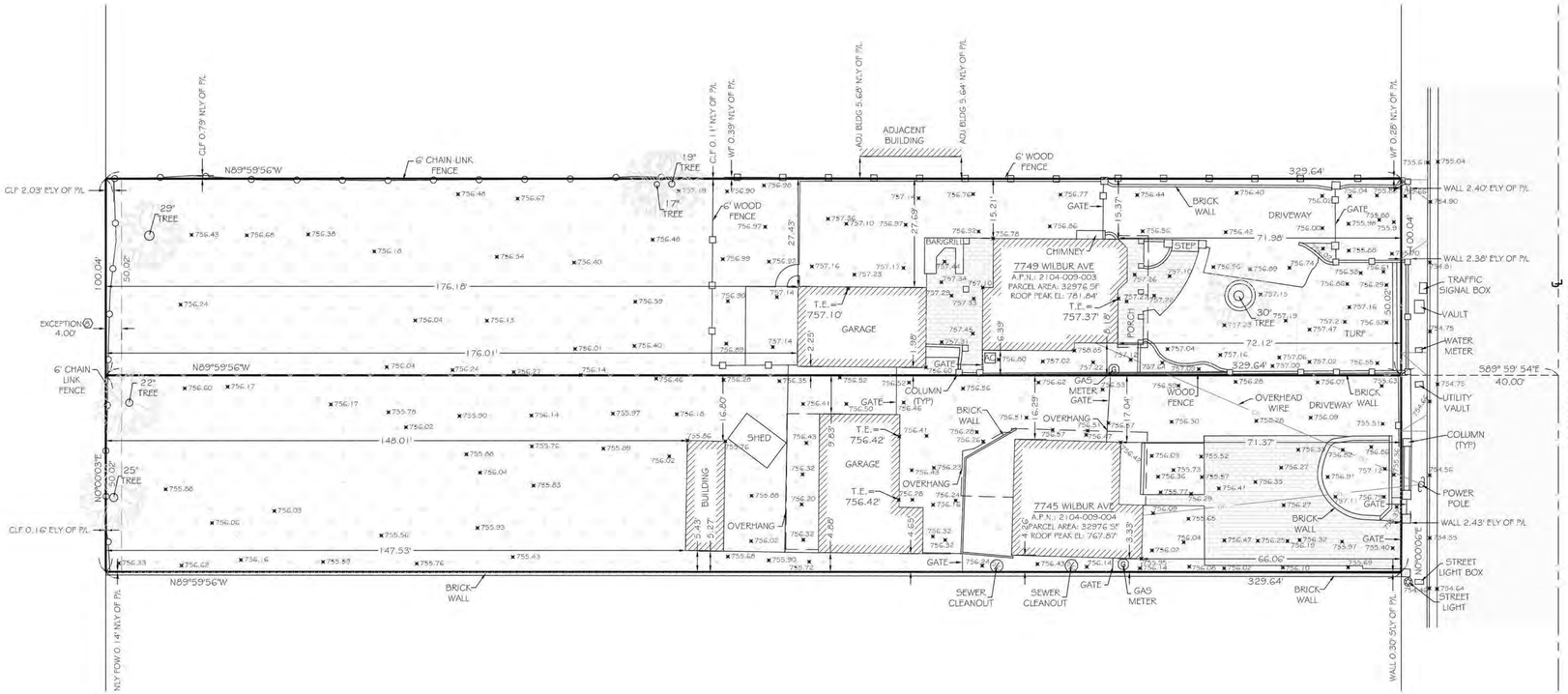

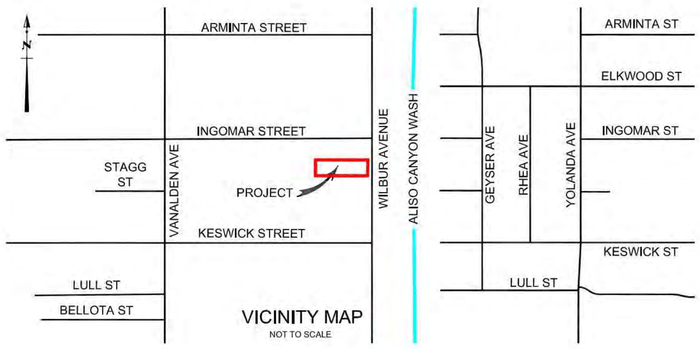

GRAPHIC SCALE

16 0 8 16 32 64

(IN FEET)

1 inch = 16 ft.

LEGEND:

- PROPERTY LINE
- WOOD FENCE
- CHAINLINK FENCE
- METAL/ WIRE FENCE
- OHWL OHWL OVERHEAD WIRES
- BUILDING
- WALL
- CONCRETE
- PAVEMENT
- BRICK
- SLATE / STONE/ ROCK
- GRASS/ TURF/ NATURAL GROUND
- WOOD
- +13.90 SPOT ELEVATION
- TREE TRUNK, APPROXIMATE DIAMETER IN INCHES
- TREE DRIPLINE

ABBREVIATIONS

ADJ.	ADJACENT
A/C	AIR CONDITIONING
BLDG	BUILDING
CA	CENTERLINE
CLF	CHAIN-LINK FENCE
ELY	EASTERLY
EL	ELEVATION
FOW	FACE OF WALL
NLY	NORTHERLY
P/L	PROPERTY LINE
SLY	SOUTHERLY
T.E.	THRESHOLD ELEVATION
TYP	TYPICAL
WLY	WESTERLY
W/F	WOOD FENCE

LEGAL DESCRIPTION

LOT 42 TRACT #8938 RECORDED IN BOOK 124 PAGES 31 & 32 OF LOS ANGELES COUNTY RECORDS

SURVEYOR'S NOTES

1. PROJECT BENCHMARK: CITY OF LOS ANGELES BM 07-24080: SPK; E. CURB WILBUR AVE., 24 FT. N/O CTR. LINE PROD. INGOMAR ST.
ELEVATION = 756.471'; NAVD 1988, ADJ. 2000

2. ONLY TREES 6" AND ABOVE WERE LOCATED ON THIS SURVEY. SMALLER TREES AND SHRUBS ARE NOT SHOWN.

3. DISTANCES SHOWN HEREON AREA EXPRESSED IN FEET AND DECIMALS THEREOF.

SURVEYOR'S CERTIFICATE

I, KACIE A. PLOUFF, CERTIFY THAT I AM LICENSED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF CALIFORNIA (REF. NO. 9013)
I FURTHER CERTIFY THAT THIS PLAT REPRESENTS THE RESULTS OF A TOPOGRAPHIC SURVEY CONDUCTED UNDER MY SUPERVISION AT THE REQUEST OF THE CLIENT.

PROFESSIONAL LAND SURVEYOR · KACIE A. PLOUFF · No. 9013 · STATE OF CALIFORNIA

KACIE A. PLOUFF, PLS 9013

CHRISTENSEN & PLOUFF
LAND SURVEYING
2209 PEY CANYON ROAD, SUITE A
VALENCIA, CA 91355
661-464-6010
www.cplandsurveying.com

DATE: 03/03/2023
DRAWING SCALE: 1"=16'
PREPARED BY: KACIE PLOUFF
APPROVED BY: KACIE PLOUFF
FILE NAME: SCA-23-061-TOP WILBUR AVE BASEFIL_ALTA

7745-7749 WILBUR AVENUE, RESEDA
COUNTY OF LOS ANGELES
STATE OF CALIFORNIA
APN: 2104-009-003 & -004

PROJECT: TOPOGRAPHIC SURVEY

PROJECT NO. SCA-23-061

SHEET NO. 1 OF 1

JZA ARCHITECTURE

ARCHITECT
JEFF ZBIKOWSKI ARCHITECTURE
4043 IRVING PL, SUITE B
CULVER CITY, CA 90232
WWW.JZARCH.LA // 310.853.5004
INFO@JZARCH.LA

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REVISIONS

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410 CLOVERLEAF DR
BALDWIN PARK, CA 91706

PROJECT NAME:
WILBUR APARTMENTS

NOT FOR CONSTRUCTION

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7745-7751 N WILBUR AVE
LOS ANGELES, CA

JOB NUMBER:
2313

DATE:
6.27.2023

SHEET TITLE:
SURVEY

SHEET NUMBER:
G080

DRAWING SET TITLE:
ENTITLEMENT SET

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TREE CALCULATIONS

(1) 24" BOX TREE PER 4 DWELLING UNITS
NUMBER OF DWELLING UNITS: 220 UNITS

TREES REQUIRED: 55 TREES
TREES PROVIDED: 11 TREES
GROUND LEVEL: 4 TREES
SECOND LEVEL: 7 TREES

COMMON OPEN SPACE CALCULATIONS

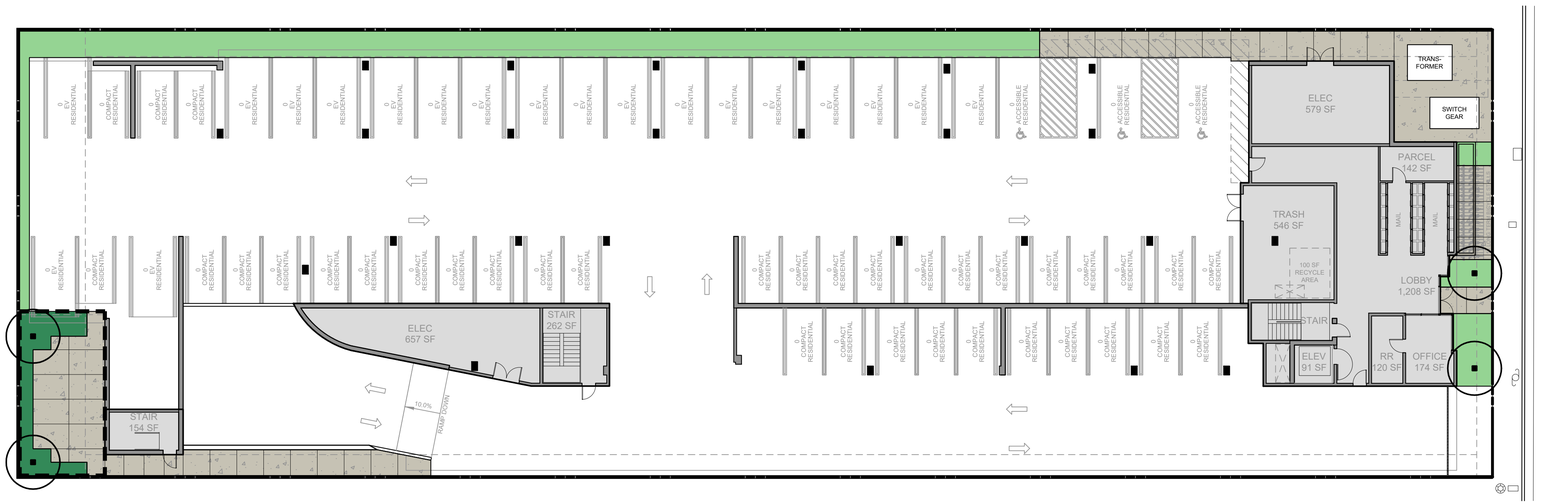
COMMON OPEN SPACE: 50% OF TOTAL USABLE OPEN SPACE
LANDSCAPE AREA: 25% OF COMMON OPEN SPACE

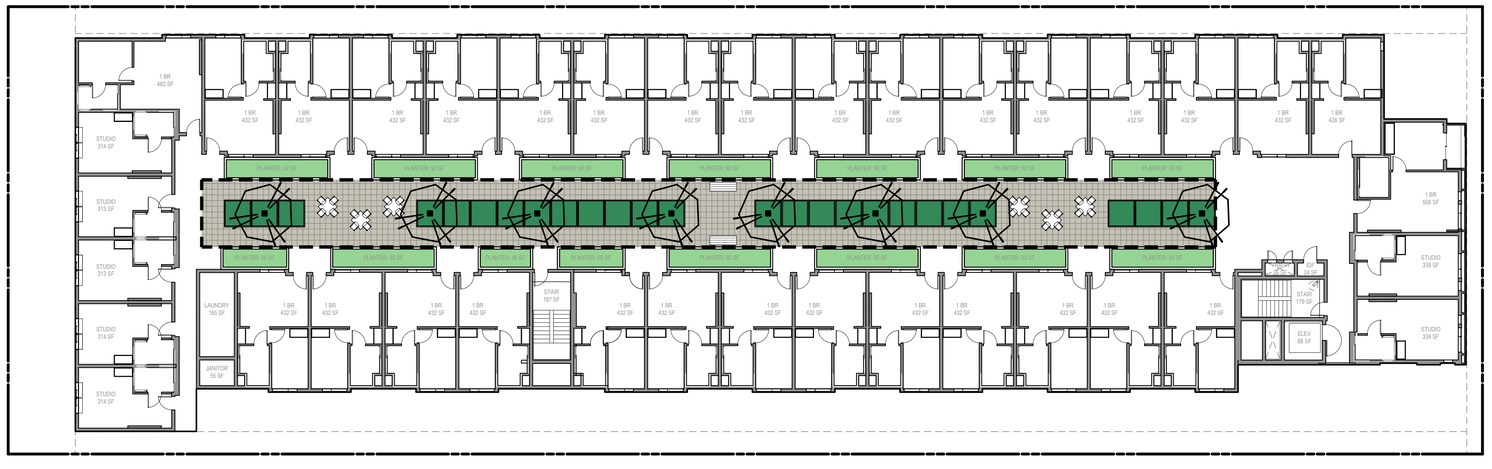
COMMON OPEN SPACE AREA: 4,100 SF
GROUND LEVEL OPEN SPACE AREA: 700 SF
SECOND LEVEL OPEN SPACE AREA: 3,400 SF

COMMON OPEN SPACE LANDSCAPE AREA REQUIRED: 1,025 SF
COMMON OPEN SPACE LANDSCAPE AREA PROVIDED: 1,048 SF
GROUND LEVEL LANDSCAPE AREA: 237.5 SF
SECOND LEVEL LANDSCAPE AREA: 810.5 SF

TREE LEGEND

SYMBOL	DESCRIPTION	DESCRIPTION	QTY
	RHAPHIOLEPIS 'MAJESTIC BEAUTY'	MAJESTIC BEAUTY INDIAN HAWTHORN	4
	HEPTAPLEURUM CALYPTRATUM	TUPIDANTHUS	8





NORTH

0 8' 16' 32'
SCALE: 1/16"=1'-0"

SAVAGE LAND DESIGN
Landscape Architecture • Land Planning • Design
680 Langsdorf Drive, Suite 202B, Fullerton, CA 92831
PHONE: 714-878-0335
EMAIL: michael@savagelanddesign.com

WILBUR APARTMENTS

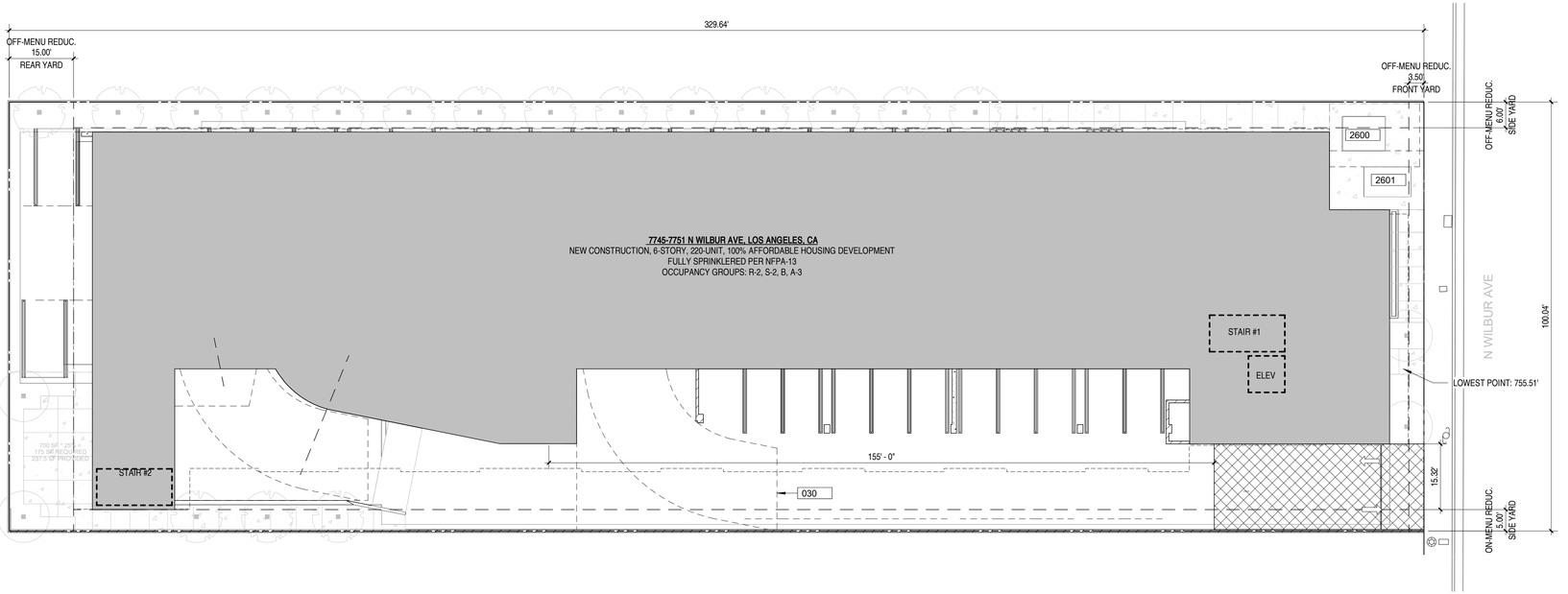
7745-7751 N WILBUR AVE
LOS ANGELES, CA 91335

No.	Revision / Issue	Date

LICENSED LANDSCAPE ARCHITECT
Michael Savage, Lic. No. 4397
Signature
06-27-23
Date
Exp. Date: 5/31/25
STATE OF CALIFORNIA

CONCEPTUAL LANDSCAPE PLAN

Date: 06-27-23
Scale: 1/16"=1'-0"
Sheet: 1 of 1
Sheet



KEYNOTES

030	TURNING RADIUS PER LADBS BULLETIN P/ZC 2002-001
2600	TRANSFORMER AND PAD PER LADWP REQUIREMENTS. SEE ELEC DWGS.
2601	SWITCH GEAR AND PAD PER LADWP REQUIREMENTS. SEE ELEC DWGS.

SHEET NOTES

A. ALL INTERIOR WALLS TO BE TYPE 1A, UNO

B. ALL DIMENSIONS ARE TO CLR UNO.

C. ALL DIMENSIONS INDICATED AS "CLR" ARE FROM FINISH TO FINISH.

D. WALL BASE TO BE 4" REVEAL BASE MOLDINGS AT ALL WALLS

E. GRADE AWAY FROM FOOTINGS, 1% MIN

F. THE MAIN ELECTRICAL SERVICE PANEL SHALL HAVE A RESERVED SPACE TO ALLOW FOR INSTALLATION OF A DOUBLE POLE CIRCUIT BREAKER FOR A FUTURE SOLAR ELECTRIC INSTALLATION. THE RESERVED SPACE SHALL BE POSITIONED AT THE OPPOSITE (LOAD) END FROM THE INPUT FEEDER LOCATION OR MAIN CIRCUIT LOCATION AND SHALL BE PERMANENTLY MARKED AS "FOR FUTURE SOLAR ELECTRIC." CAL GREEN 4.211.4, ENERGY CODE 110.10, LAFD REQUIREMENT NO. 96.

G. HEATER SHALL BE CAPABLE OF MAINTAINING A MINIMUM ROOM TEMPERATURE OF 68F AT A POINT 3 FEET ABOVE THE FLOOR AND 2 FEET FROM EXTERIOR WALLS IN ALL HABITABLE ROOMS AT THE DESIGN TEMPERATURE.

H. FIRE BLOCKING SHALL BE PROVIDED TO CUT OFF ALL CONCEALED DRAFT OPENINGS (BOTH VERTICAL AND HORIZONTAL) AND TO FORM AN EFFECTIVE FIRE BARRIER BETWEEN STORIES AND BETWEEN A TOP STORY AND THE ROOF SPACE PER R002.11

J. EDGE FLASHING TO BE 18 GA GALVANIZED SHEET METAL, PAINTED TO MATCH FASCIA

K. ROOFING MATERIAL TO BE MALARKEY ROOFING, ECOASIS 50L PREMIUM - MESQUITE, CLASS-A ROOF COVERING.

L. ROOF TO HAVE A 3-YEAR AGED SRI VALUE OF AT LEAST 16 OR BOTH A 3-YEAR AGED SOLAR REFLECTANCE OF AT LEAST 0.20 AND A THERMAL EMITTANCE OF AT LEAST 0.75. ESR #1475.

M. IN COMBUSTIBLE CONSTRUCTION, FIREBLOCKING SHALL BE PROVIDED TO CUT OFF ALL CONCEALED DRAFT OPENINGS (BOTH VERTICAL AND HORIZONTAL) AND TO FORM EFFECTIVE FIRE BARRIER BETWEEN STORIES, AND BETWEEN A TOP STORY AND THE ROOF SPACE PER R302.11.

N. IN COMBUSTIBLE CONSTRUCTION WHERE THERE IS USABLE SPACE OF A FLOOR/CEILING ASSEMBLY, DRAFTSTOPS SHALL BE INSTALLED SO THAT THE AREA OF THE CONCEALED SPACE DOES NOT EXCEED 1,000 SQUARE FEET. DRAFTSTOPPING SHALL DIVIDE THE CONCEALED SPACE INTO APPROXIMATELY EQUAL AREAS PER 302.12.

P. BUILDINGS SHALL HAVE APPROVED ADDRESS NUMBERS, BUILDING NUMBERS OR APPROVED BUILDING IDENTIFICATION PLACED IN A POSITION THAT IS PLAINLY LEGIBLE AND VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER R319.1.

Q. PROTECTION OF WEOOD AND WOOD AGED PRODUCTS SHALL BE PROVIDED IN THE LOCATIONS SPECIFIED PER SECTION R317.1 BY

R. THE USE OF NATURAL DURABLE WOOD OR WOOD THAT IS PRESERVATIVE-TREATED IN ACCORDANCE WITH AWPA U1 FOR THE SPECIES, PRODUCT, PRESERVATIVE AND END USE. PRESERVATIVES SHALL BE LISTED IN SECTION 4 OF AWPA U1.

S. PROVIDE ANTI-GRAFFITI FINISH WITHIN FIRST 9 FEET MEASURED FROM GRADE AT EXTERIOR WALLS AND DOORS.

T. BUILDINGS WITH RAISED FLOOR CONSTRUCTION. UNDERFLOOR VENTILATION OPENINGS IN THE UNDERFLOOR AREA SHALL COMPLY WITH THE FOLLOWING REQUIREMENTS:
A. THE TOP OF THE OPENING SHALL BE LOCATED NOT MORE THAN 12 INCHES BELOW THE BOTTOM OF THE FLOOR JOIST.
B. THE OPENINGS SHALL BE DISTRIBUTED APPROXIMATELY EQUALLY AND LOCATED TO PROVIDE CROSS VENTILATION, FOR EXAMPLE, BY LOCATING THE OPENING ALONG THE LENGTH OF AT LEAST TWO OPPOSITE SIDES OF THE BUILDING.
C. THE OPENINGS SHALL BE THE LARGER OF: 1.5 SQUARE FEET FOR EACH 25 LINEAR FEET OR FRACTION OF EXTERIOR WALL; OR OPENINGS SHALL BE EQUAL TO 1% OF UNDERFLOOR AREA
D. THE OPENINGS MAY BE COVERED WITH CORROSION RESISTANT WIRE MESH WITH MESH OPENINGS OF GREATER THAN 1/4 INCH AND LESS THAN 2 INCH IN DIMENSION. 91.7104.3.2

N

SITE PLAN | 1/16" = 1'-0" | 1

JZA ARCHITECTURE

ARCHITECT
JEFF ZBIKOWSKI ARCHITECTURE
4043 IRVING PL, SUITE B
CULVER CITY, CA 90232
WWW.JZARCH.LA // 310.853.5004
INFO@JZARCH.LA

SEAL:

LICENSED ARCHITECT
JEFFREY ZBIKOWSKI
C-35389
6.27.2023
STATE OF CALIFORNIA

REVISIONS:

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CLIENT NAME:
EVOLVE REALTY & DEV.
410 CLOVERLEAF DR
BALDWIN PARK, CA 91706

PROJECT NAME:
WILBUR APARTMENTS

NOT FOR CONSTRUCTION

PROJECT ADDRESS
7745-7751 N WILBUR AVE
LOS ANGELES, CA

JOB NUMBER
2313

DATE:
6.27.2023

SHEET TITLE:
SITE PLAN

SHEET NUMBER:
A000

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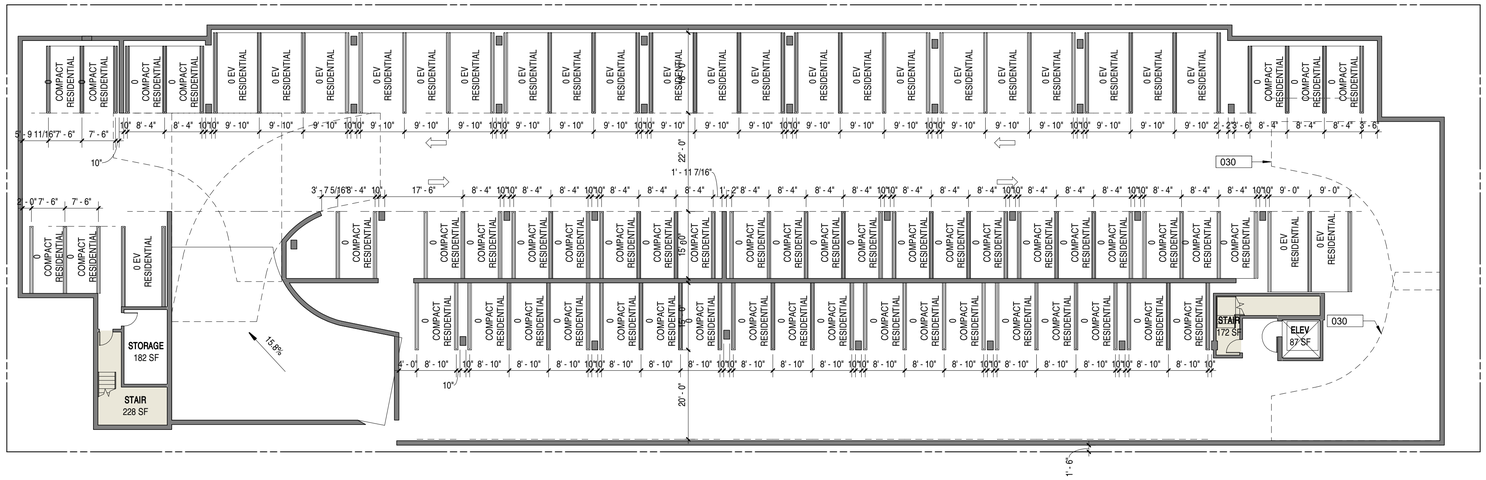
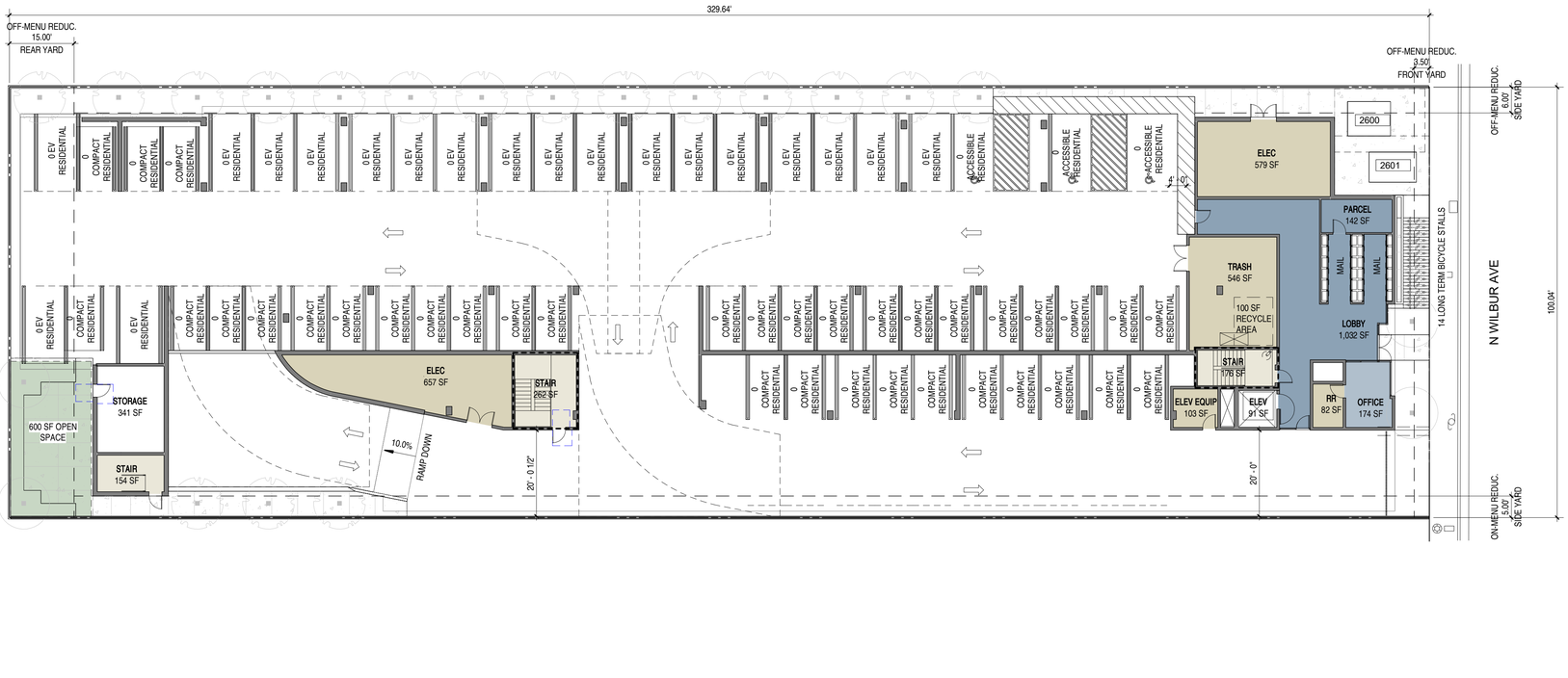


P1 LEVEL PLAN OVERALL | 1/16" = 1'-0" | 1



1ST FLOOR PLAN OVERALL | 1/16" = 1'-0" | 2

KEYNOTES

SHEET NOTES

A. SMALL LOT SINGLE FAMILY SUBDIVISION IN TEH R3-1XL ZONE PERSUANT TO ORDINANCE 176354

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D. SEE SHTS G032-G046 FOR TYP ACCESSIBILITY REQUIREMENTS

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JZA ARCHITECTURE

ARCHITECT
JEFF ZBIKOWSKI ARCHITECTURE
4043 IRVING PL, SUITE B
CULVER CITY, CA 90232
WWW.JZARCH.LA // 310.853.5004
INFO@JZARCH.LA

SEAL:

LICENSED ARCHITECT
JEFFREY ZBIKOWSKI
C-35389
12.27.2024
STATE OF CALIFORNIA

REVISIONS

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BALDWIN PARK, CA 91706

PROJECT NAME:
WILBUR APARTMENTS

NOT FOR CONSTRUCTION

PROJECT ADDRESS:
7745-7751 N WILBUR AVE
LOS ANGELES, CA

JOB NUMBER:
2313

DATE:
6.27.2023

SHEET TITLE:
P1 LEVEL & 1ST FLOOR PLAN OVERALL

SHEET NUMBER:
A100

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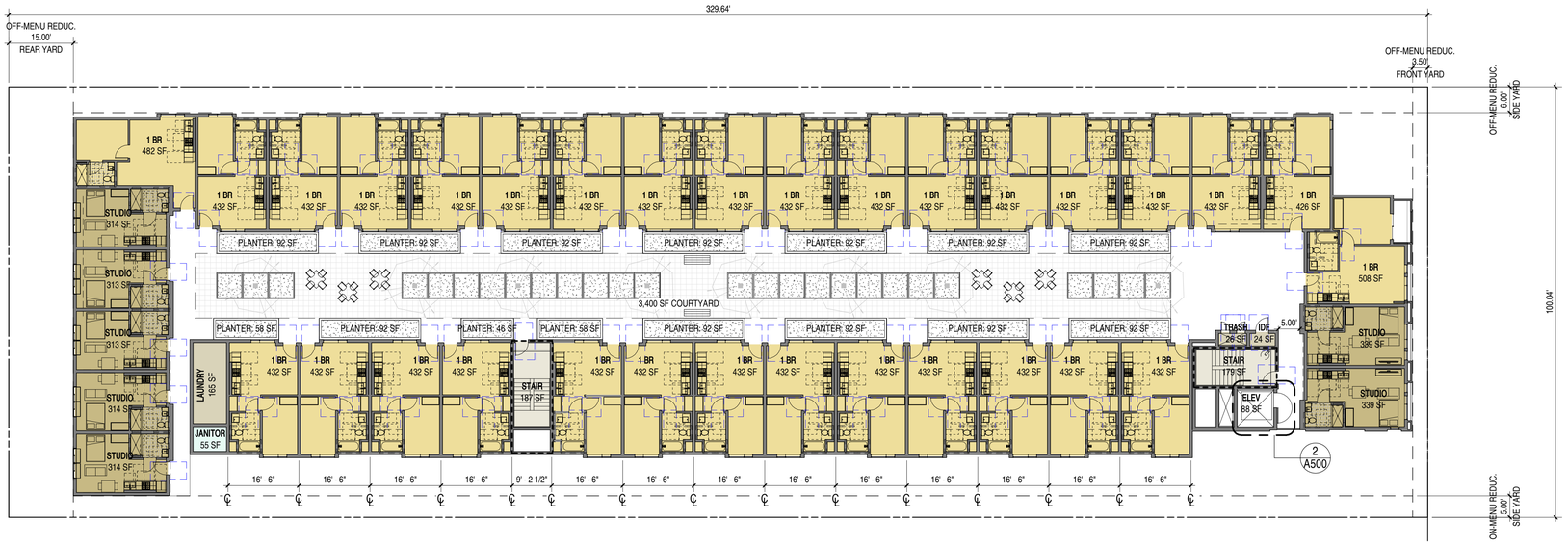
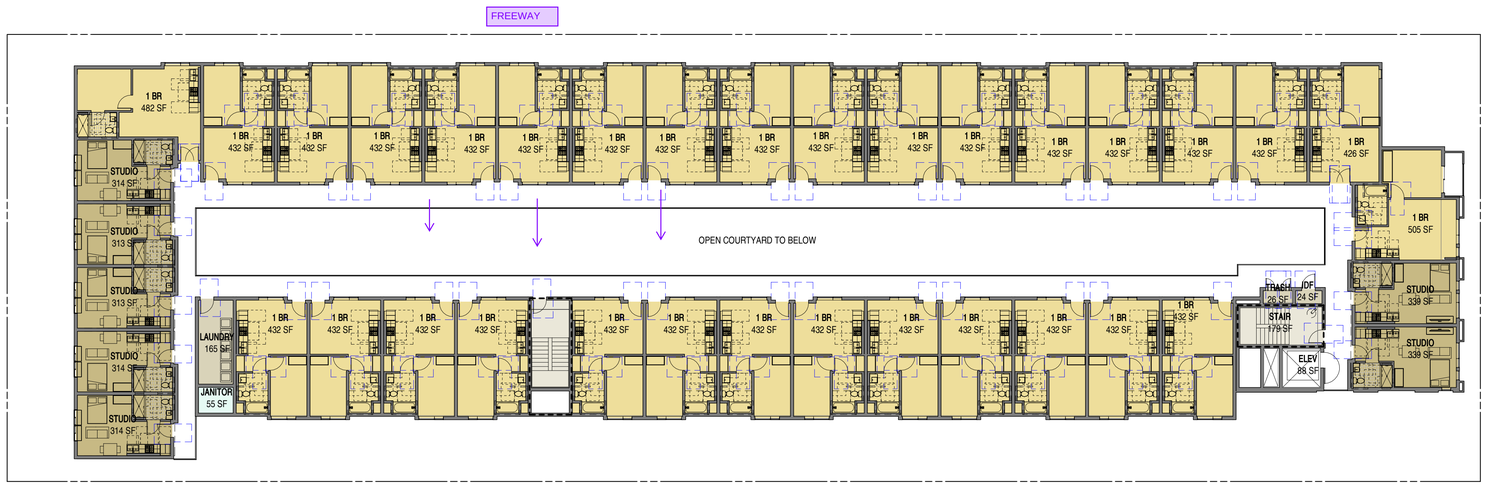


2ND FLOOR PLAN OVERALL | 1/16" = 1'-0" | 2



3RD FLOOR PLAN OVERALL | 1/16" = 1'-0" | 1

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JZA ARCHITECTURE

ARCHITECT
JEFF ZBIKOWSKI ARCHITECTURE
4043 IRVING PL, SUITE B
CULVER CITY, CA 90232
WWW.JZARCH.LA // 310.853.5004
INFO@JZARCH.LA

SEAL:

LICENSED ARCHITECT
JEFFREY ZBIKOWSKI
C-35389
6/27/2023
STATE OF CALIFORNIA

REVISIONS

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CLIENT NAME:
EVOLVE REALTY & DEV.
410 CLOVERLEAF DR
BALDWIN PARK, CA 91706

PROJECT NAME:
WILBUR APARTMENTS

NOT FOR CONSTRUCTION

PROJECT ADDRESS:
7745-7751 N WILBUR AVE
LOS ANGELES, CA

JOB NUMBER:
2313

DATE:
6.27.2023

SHEET TITLE:
2ND & 3RD FLOOR PLAN OVERALL

SHEET NUMBER:
A101

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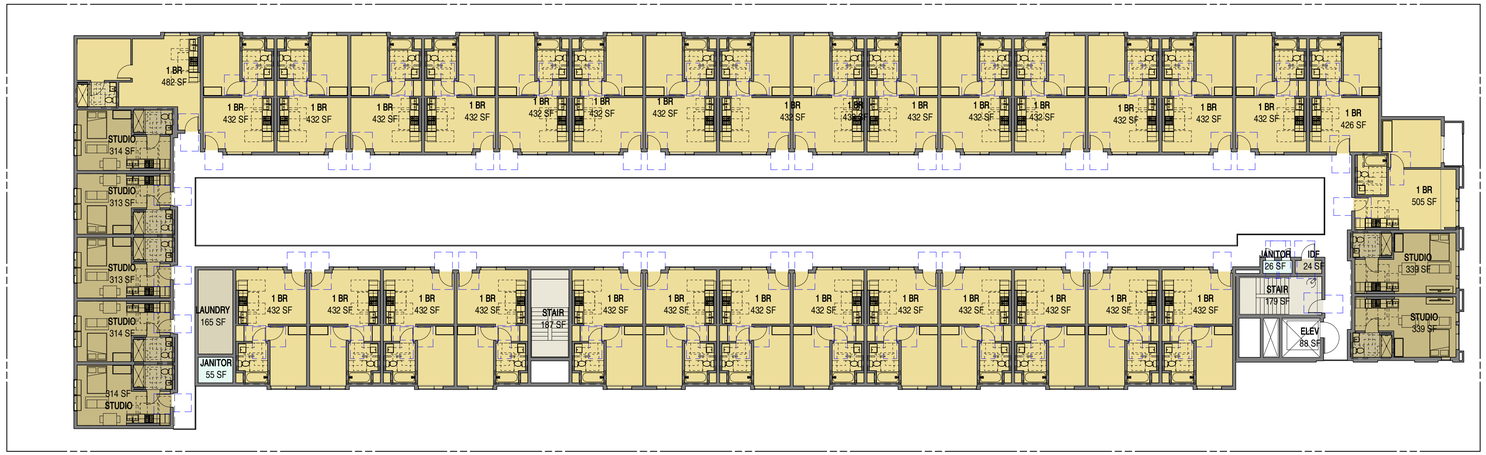
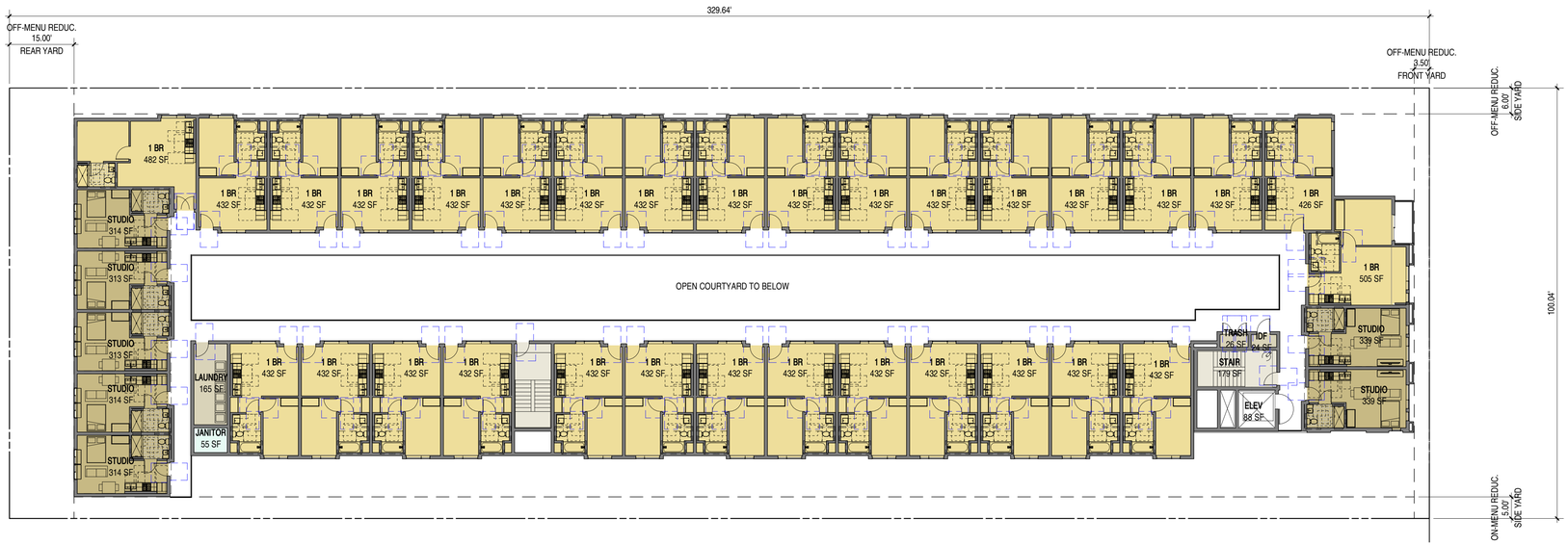


4TH FLOOR PLAN OVERALL | 1/16" = 1'-0" | 2



5TH FLOOR OVERALL PLAN | 1/16" = 1'-0" | 1

N WILBUR AVE

N

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JZA ARCHITECTURE

ARCHITECT
JEFF ZBIKOWSKI ARCHITECTURE
4043 IRVING PL, SUITE B
CULVER CITY, CA 90232
WWW.JZARCH.LA // 310.853.5004
INFO@JZARCH.LA

SEAL:

LICENSED ARCHITECT
JEFFREY ZBIKOWSKI
C-35389
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BALDWIN PARK, CA 91706

PROJECT NAME:
WILBUR APARTMENTS

NOT FOR CONSTRUCTION

PROJECT ADDRESS:
7745-7751 N WILBUR AVE
LOS ANGELES, CA

JOB NUMBER:
2313

DATE:
6.27.2023

SHEET TITLE:
4TH & 5TH FLOOR OVERALL

SHEET NUMBER:
A102

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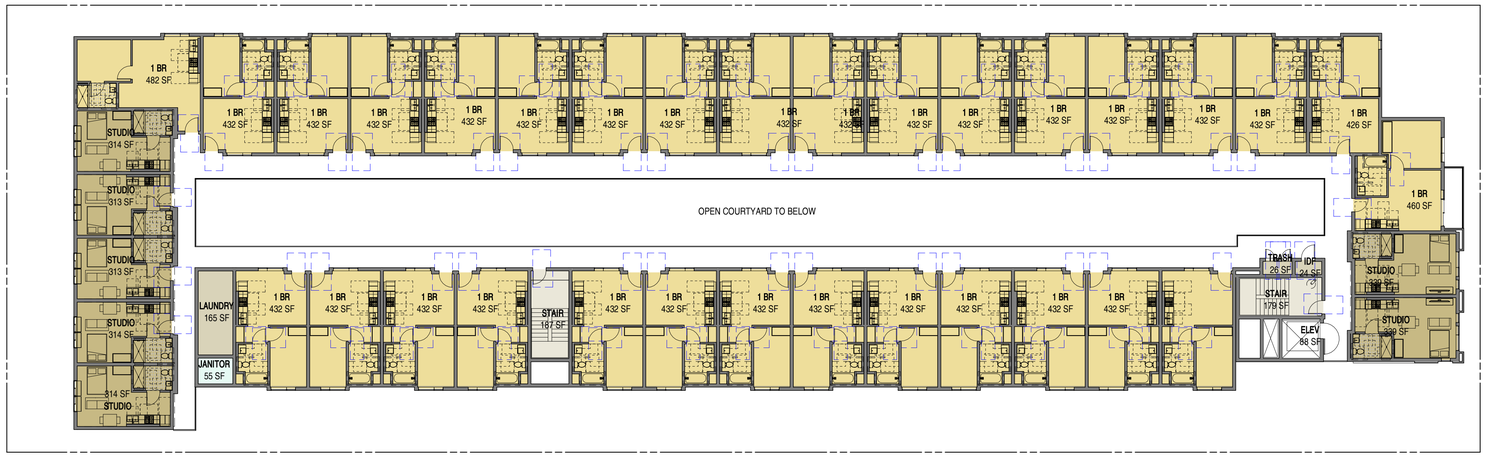

6TH FLOOR OVERALL PLAN | 1/16" = 1'-0" | 1

KEYNOTES

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ARCHITECT
JEFF ZBIKOWSKI ARCHITECTURE
4043 IRVING PL, SUITE B
CULVER CITY, CA 90232
WWW.JZARCH.LA // 310.853.5004
INFO@JZARCH.LA

SEAL:

LICENSED ARCHITECT
JEFFREY ZBIKOWSKI
C-35389
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PROJECT NAME:
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PROJECT ADDRESS:
7745-7751 N WILBUR AVE
LOS ANGELES, CA

JOB NUMBER:
2313

DATE:
6.27.2023

SHEET TITLE:
6TH FLOOR & ROOF PLAN OVERALL

SHEET NUMBER:
A103

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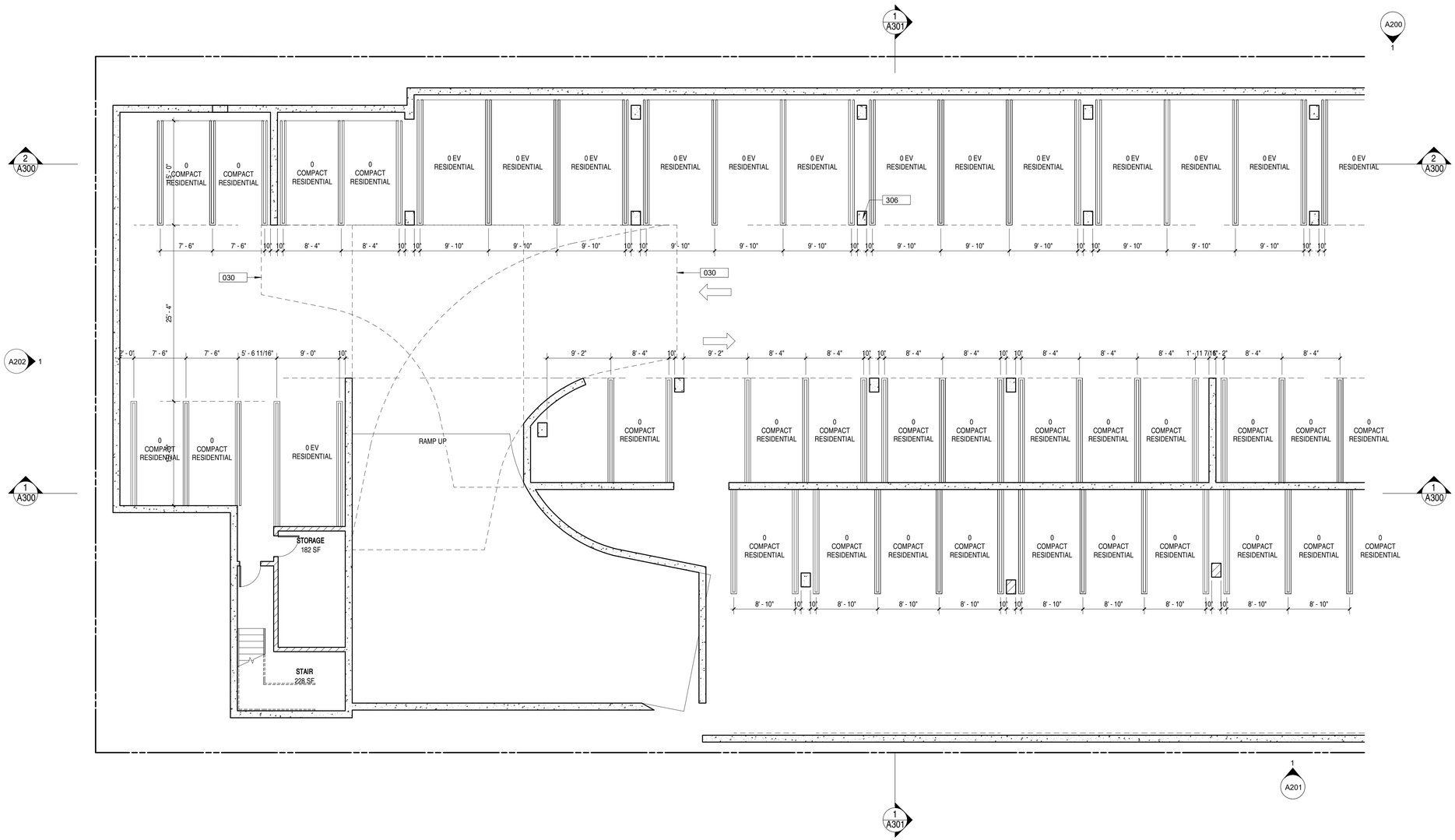

KEYNOTES

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ARCHITECT
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4043 IRVING PL, SUITE B
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WWW.JZARCH.LA // 310.853.5004
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SEAL:

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JOB NUMBER:
2313

DATE:
6.27.2023

SHEET TITLE:
P1 LEVEL PLAN - WEST

SHEET NUMBER:
A105

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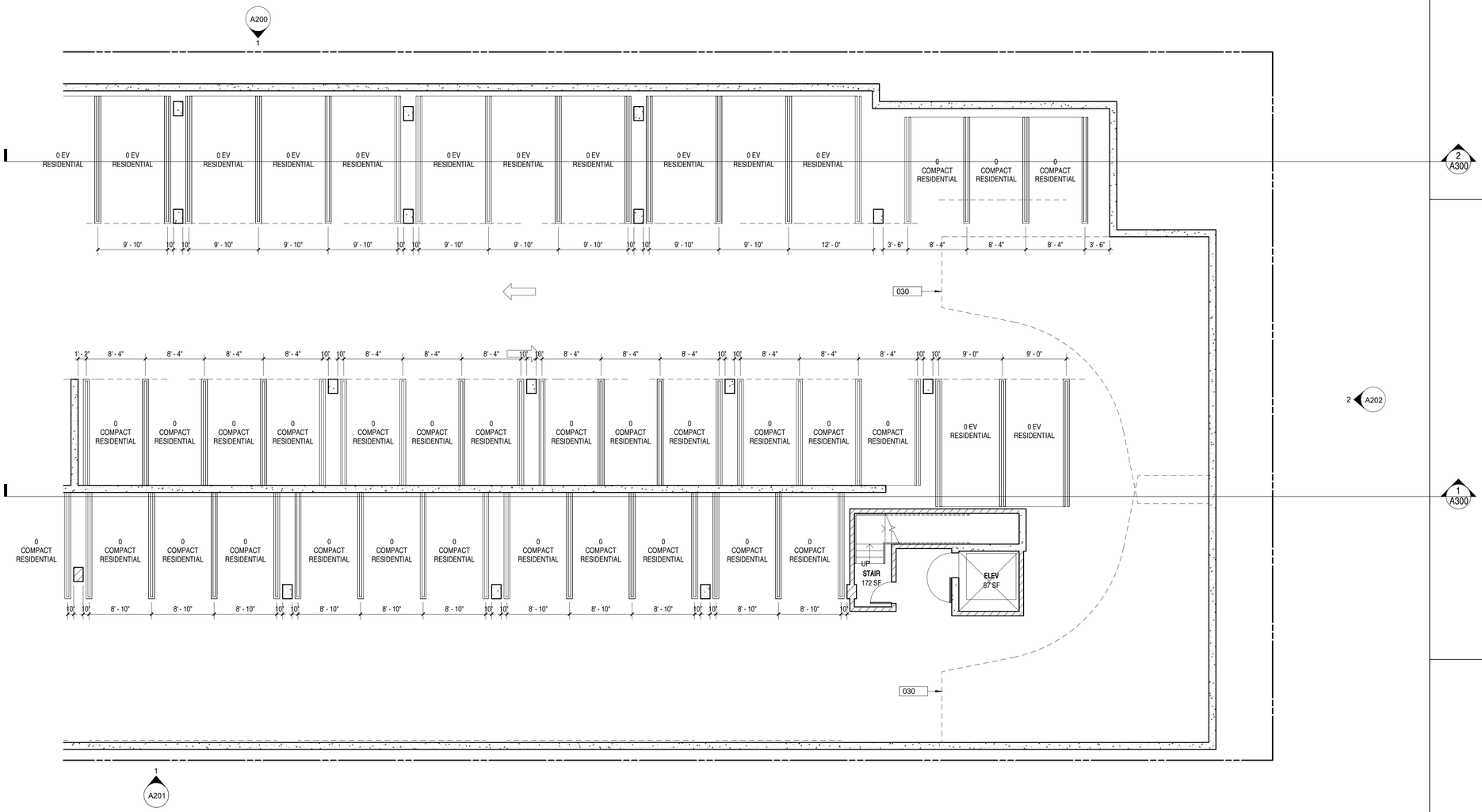
KEYNOTES



JZA
ARCHITECTURE

ARCHITECT
JEFF ZBIKOWSKI ARCHITECTURE
4043 IRVING PL, SUITE B
CULVER CITY, CA 90232
WWW.JZARCH.LA // 310.853.5004
INFO@JZARCH.LA

SEAL:

LICENSED ARCHITECT
JEFFREY ZBIKOWSKI
C-35389
6/27/2023
STATE OF CALIFORNIA

REVISIONS:

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CLIENT NAME:
EVOLVE REALTY & DEV.
410 CLOVERLEAF DR
BALDWIN PARK, CA 91706

PROJECT NAME:
WILBUR APARTMENTS

NOT FOR CONSTRUCTION

PROJECT ADDRESS:
7745-7751 N WILBUR AVE
LOS ANGELES, CA

JOB NUMBER:
2313

DATE:
6.27.2023

SHEET TITLE:
P1 LEVEL PLAN - EAST

SHEET NUMBER:
A106

DRAWING SET TITLE:
ENTITLEMENT SET

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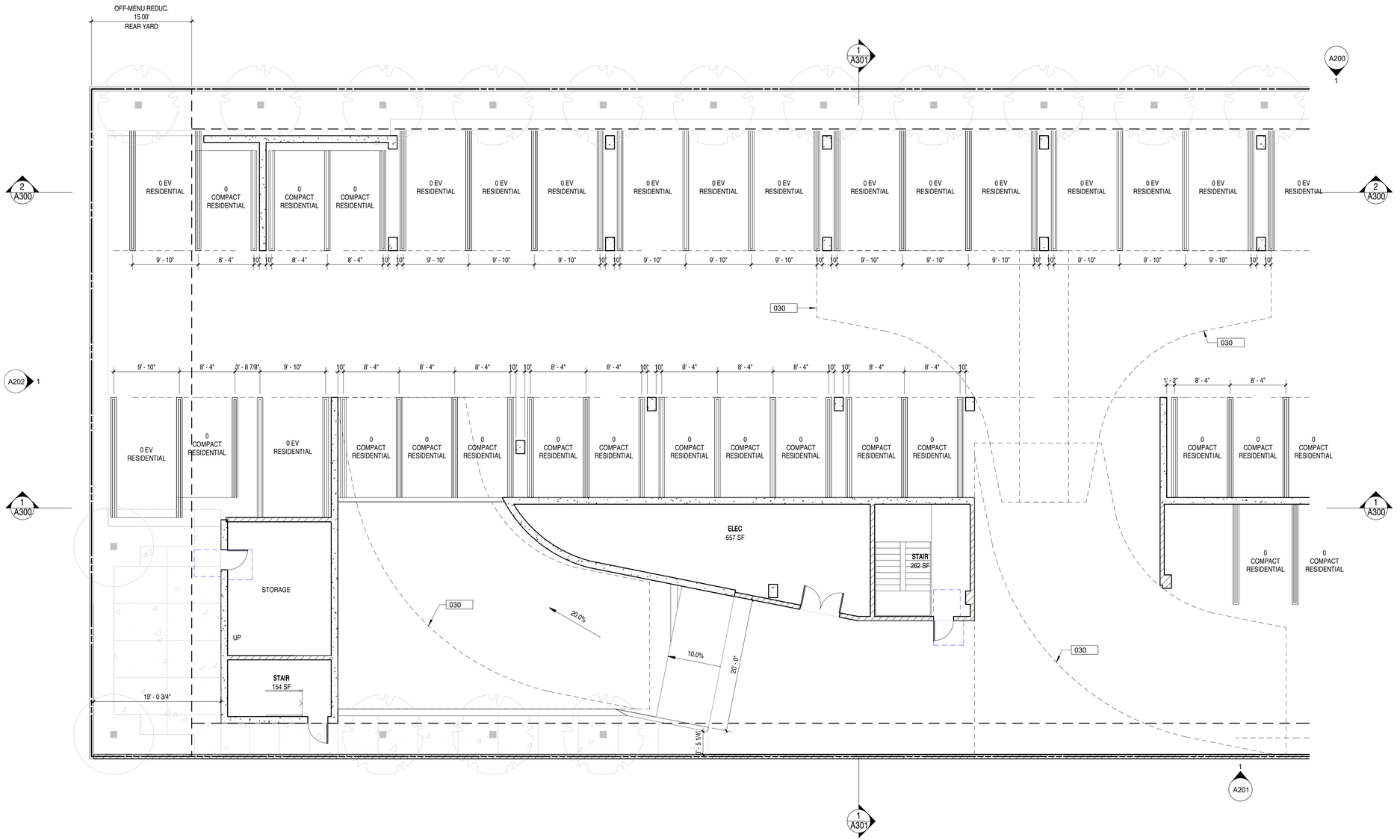

KEYNOTES

030 TURNING RADIUS PER LADBS BULLETIN P/ZC 2002-001

SHEET NOTES

A. SMALL LOT SINGLE FAMILY SUBDIVISION IN TEH R3-1XL ZONE PERSUANT TO ORDINANCE 176354

B. ALL DIMENSIONS ARE TO FOS, FOC, FOM OR CENTERLINE OF COLUMNO, UNO.

C. ALL DIMENSIONS INDICATED AS "CLR" ARE FROM FINISH TO FINISH.

D. SEE SHTS G032-G046 FOR TYP ACCESSIBILITY REQUIREMENTS

E. PROVIDE EXPANSION JOINTS AT ALL POINTS OF CONTACT BEWTEEN SLAB AND VERTICAL SURFACES

F. CONTROL JOINTS OR CONSTRUCTION JOINTS SHALL DIVIDE THE SLAB ON GRADE INTO SECTIONS WITH AREAS NOT EXCEEDING 400SF (20' X 20') WITHOUT RE-ENTRANT CORNERS AND LENGTH TO WIDTH RATIO NOT EXCEEDING 1 1/2:1. ADDITIONAL CONTROL OR CONSTRUCTION JOINTS SHALL BE PLACED AT RE-ENTRANT CORNERS.

G. SITE DEMOLITION SHALL BE PERFORMED UNDER SEPARATE PERMIT

H. OFF-SITE WORK TO BE DONE UNDER SEPARATE PERMIT

LEGEND

- CONCRETE BLOCK WALL
- CONCRETE WALL
- 1-HR RATED FIRE PARTITION
- 2-HR RATED FIRE BARRIER
- SHEAR WALL, SEE STRUCTURAL DWGS
- AREA TO HAVE 8'-2" VERTICAL CLEARANCE
- LID PLANTER, SEE CIVIL, LANDSCAPE DWGS
- PLANTER, SEE LANDSCAPE DWGS
- ACCESSIBLE PATH OF TRAVEL
- STANDPIPE
- FE — FIRE EXTINGUISHER
- EXIT SIGN
- AREA DRAIN: SLOPE TO DRAIN AT 1/4" PER FT MIN
- 777.7 — SEE A800 FOR DOOR TYPES
- KK — SEE A801 FOR WINDOW TYPES
- SF-X — SEE A802 FOR STOREFRONT TYPES
- 1A — SEE A900 FOR WALL TYPES

1ST FLOOR PLAN - WEST | 1/8" = 1'-0" | 1

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SHEET NUMBER:
A110

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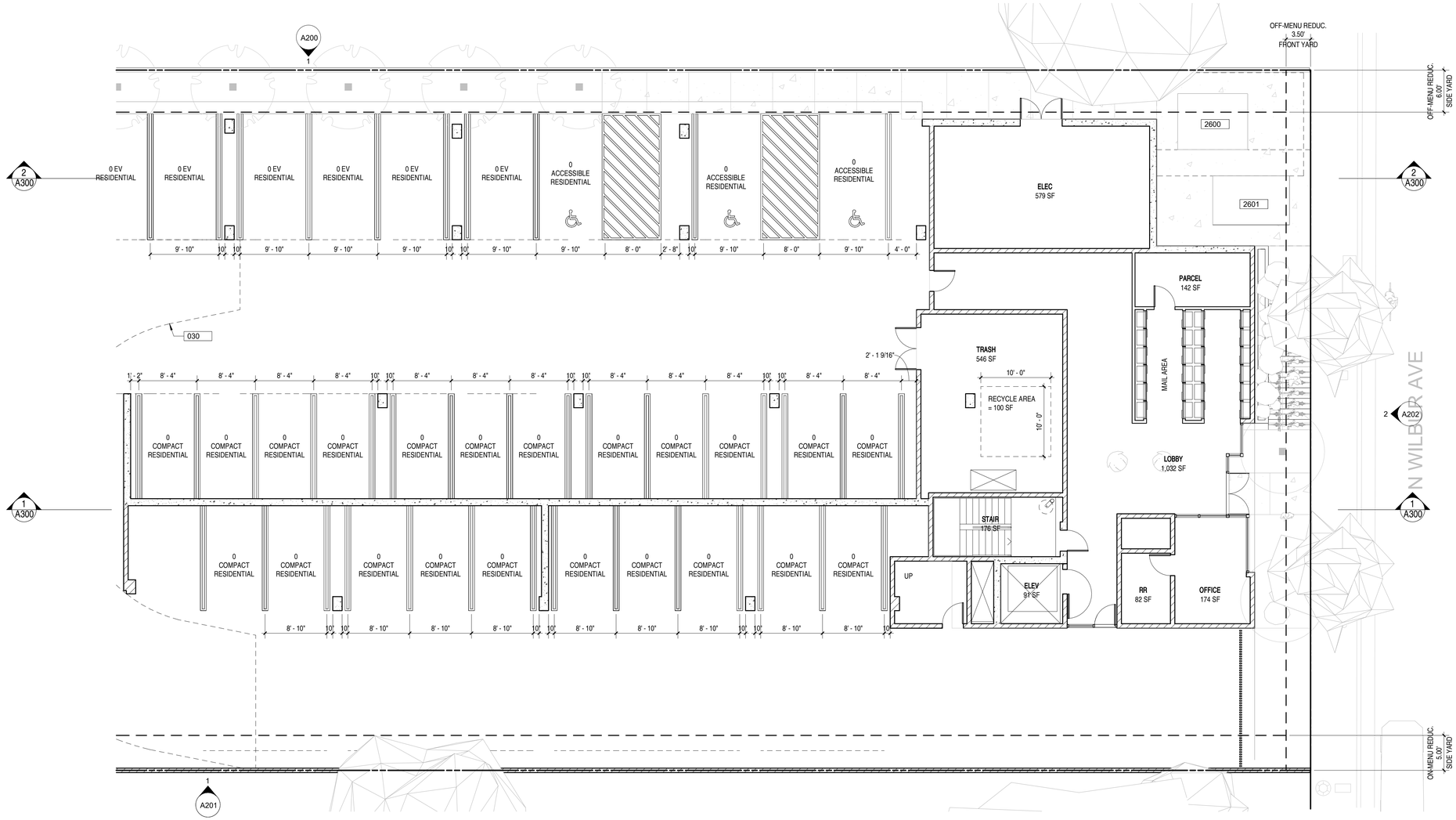

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B. ALL DIMENSIONS ARE TO CLR UNO.

C. ALL DIMENSIONS INDICATED AS "CLR" ARE FROM FINISH TO FINISH.

D. WALL BASE TO BE 4" REVEAL BASE MOLDINGS AT ALL WALLS

E. GRADE AWAY FROM FOOTINGS, 1% MIN

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P. BUILDINGS SHALL HAVE APPROVED ADDRESS NUMBERS, BUILDING NUMBERS OR APPROVED BUILDING IDENTIFICATION PLACED IN A POSITION THAT IS PLAINLY LEGIBLE AND VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER R319.1.

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DATE:
6.27.2023

SHEET TITLE:
1ST FLOOR PLAN - EAST

SHEET NUMBER:
A111

DRAWING SET TITLE:
ENTITLEMENT SET

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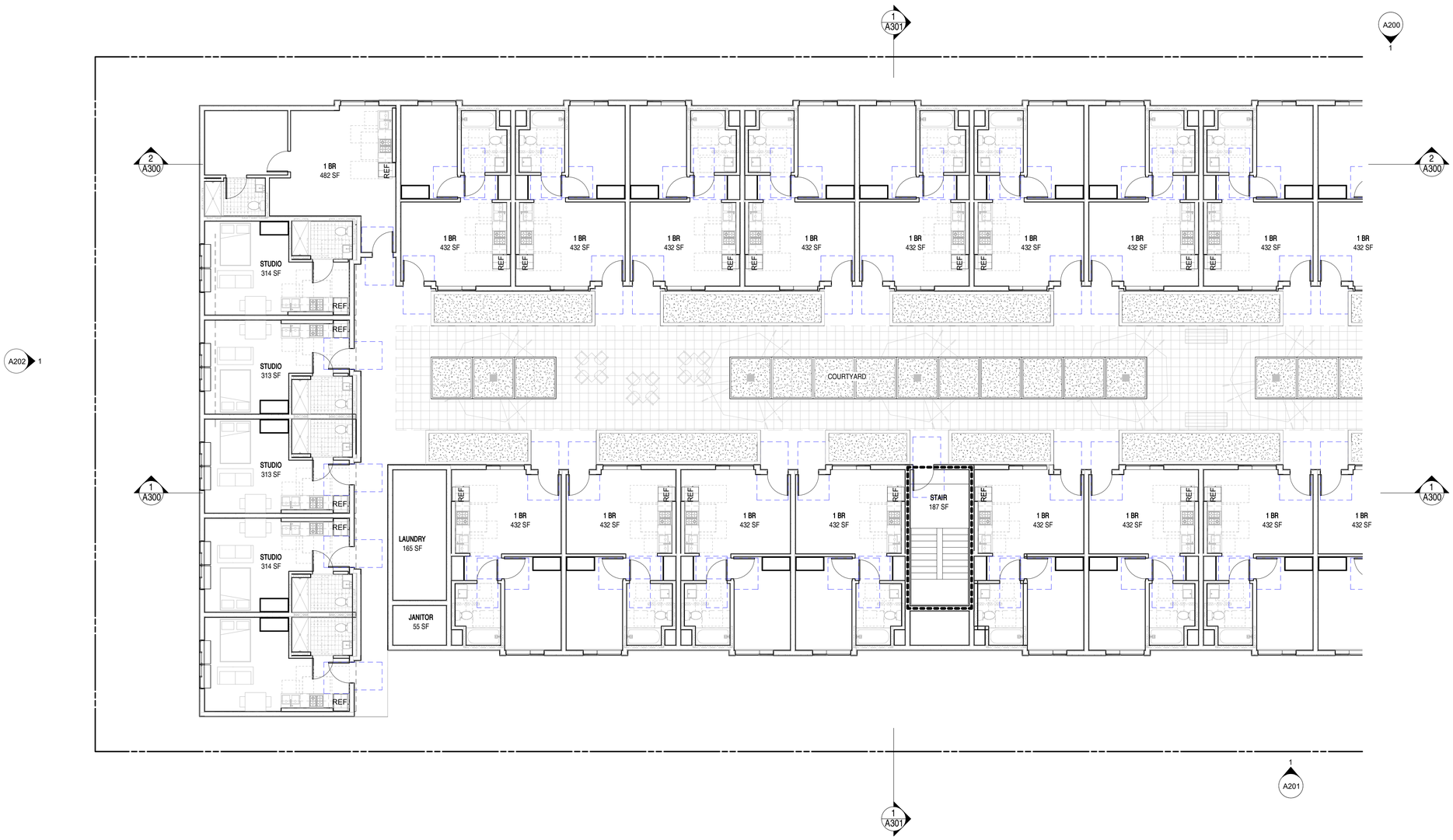

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- WOOD POST PER STRUCT DWGS
- WALL TAG. SEE A900 FOR WALL TYPE
- XXX DOOR TAG. SEE A900 FOR DOOR TYPE
- XXX WINDOW TAG. SEE A900 FOR WINDOW TYPE
- SD SMOKE DETECTOR
- CM CARBON MONOXIDE DETECTOR
- BATHROOM EXHAUST FAN

N

2ND FLOOR PLAN - WEST | 1/8" = 1'-0" | 1

JZA
ARCHITECTURE

ARCHITECT
JEFF ZBIKOWSKI ARCHITECTURE
4043 IRVING PL, SUITE B
CULVER CITY, CA 90232
WWW.JZARCH.LA // 310.853.5004
INFO@JZARCH.LA

SEAL:

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NOT FOR CONSTRUCTION

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7745-7751 N WILBUR AVE
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JOB NUMBER:
2313

DATE:
6.27.2023

SHEET TITLE:
2ND FLOOR PLAN - WEST

SHEET NUMBER:
A120

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ENTITLEMENT SET

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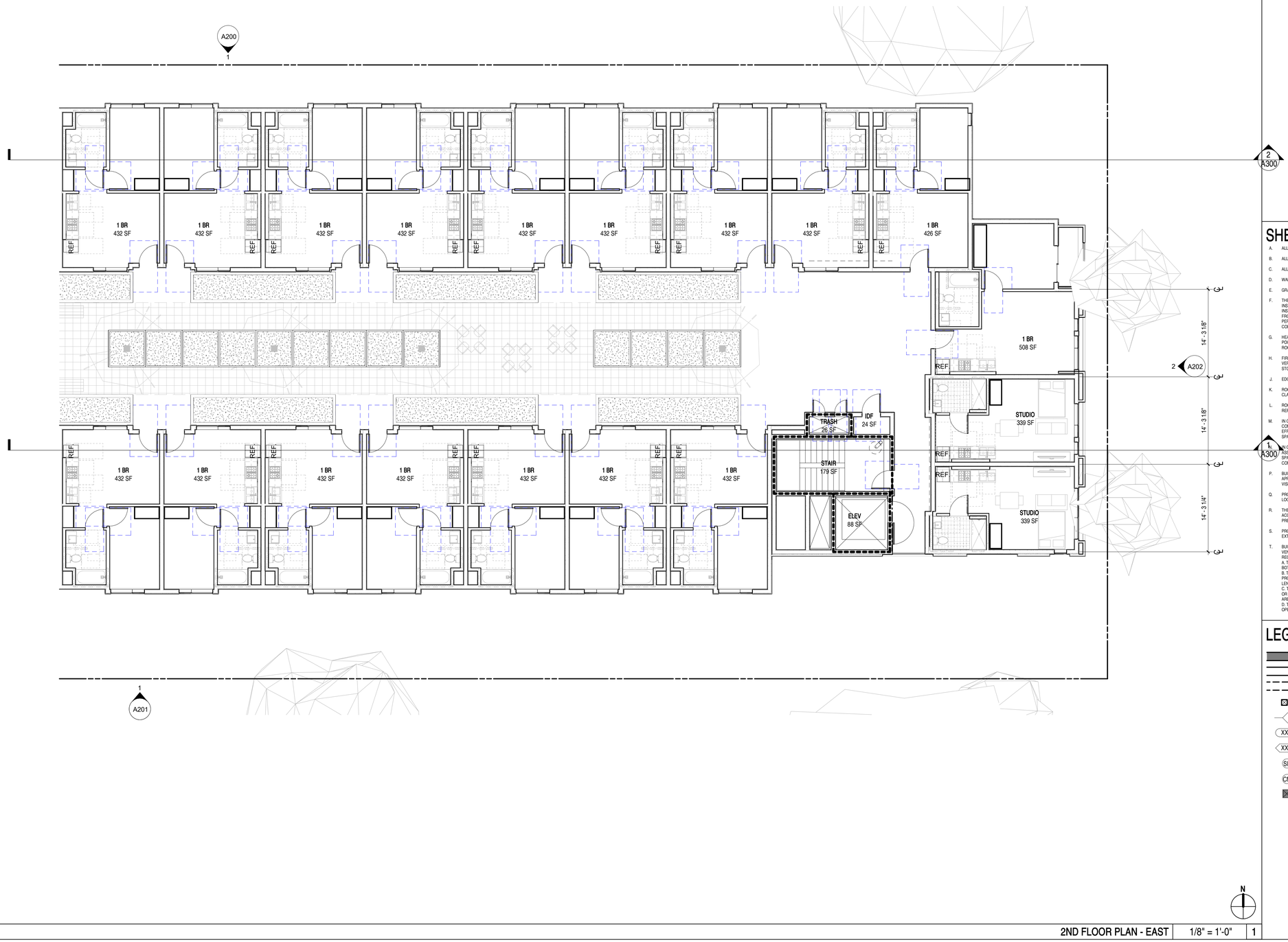

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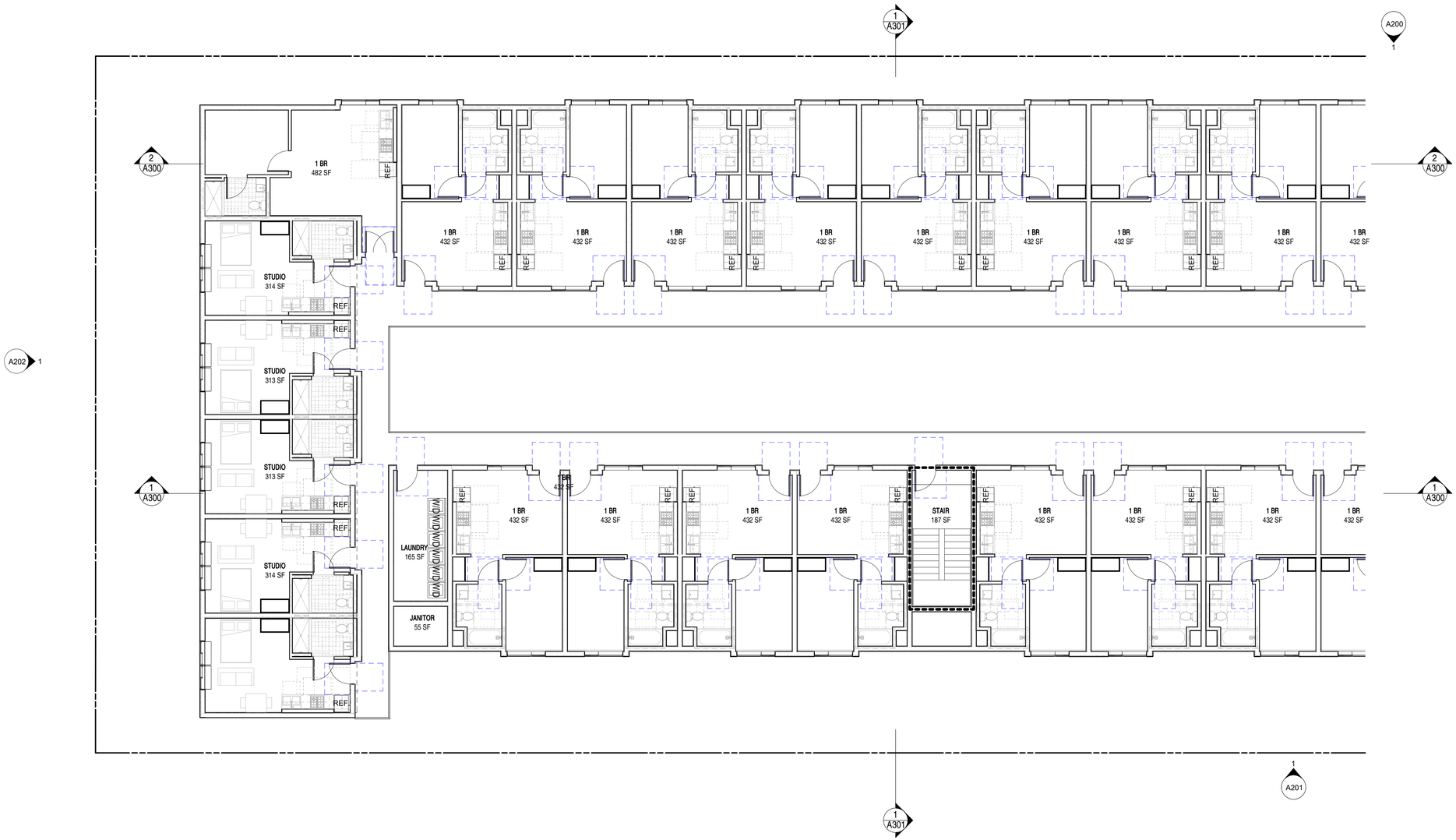

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N

3RD FLOOR PLAN - WEST | 1/8" = 1'-0" | 1

JZA ARCHITECTURE

ARCHITECT
JEFF ZBIKOWSKI ARCHITECTURE
4043 IRVING PL, SUITE B
CULVER CITY, CA 90232
WWW.JZARCH.LA // 310.853.5004
INFO@JZARCH.LA

SEAL:

LICENSED ARCHITECT
JEFFREY ZBIKOWSKI
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JOB NUMBER:
2313

DATE:
6.27.2023

SHEET TITLE:
3RD FLOOR PLAN - WEST

SHEET NUMBER:
A130

DRAWING SET TITLE:
ENTITLEMENT SET

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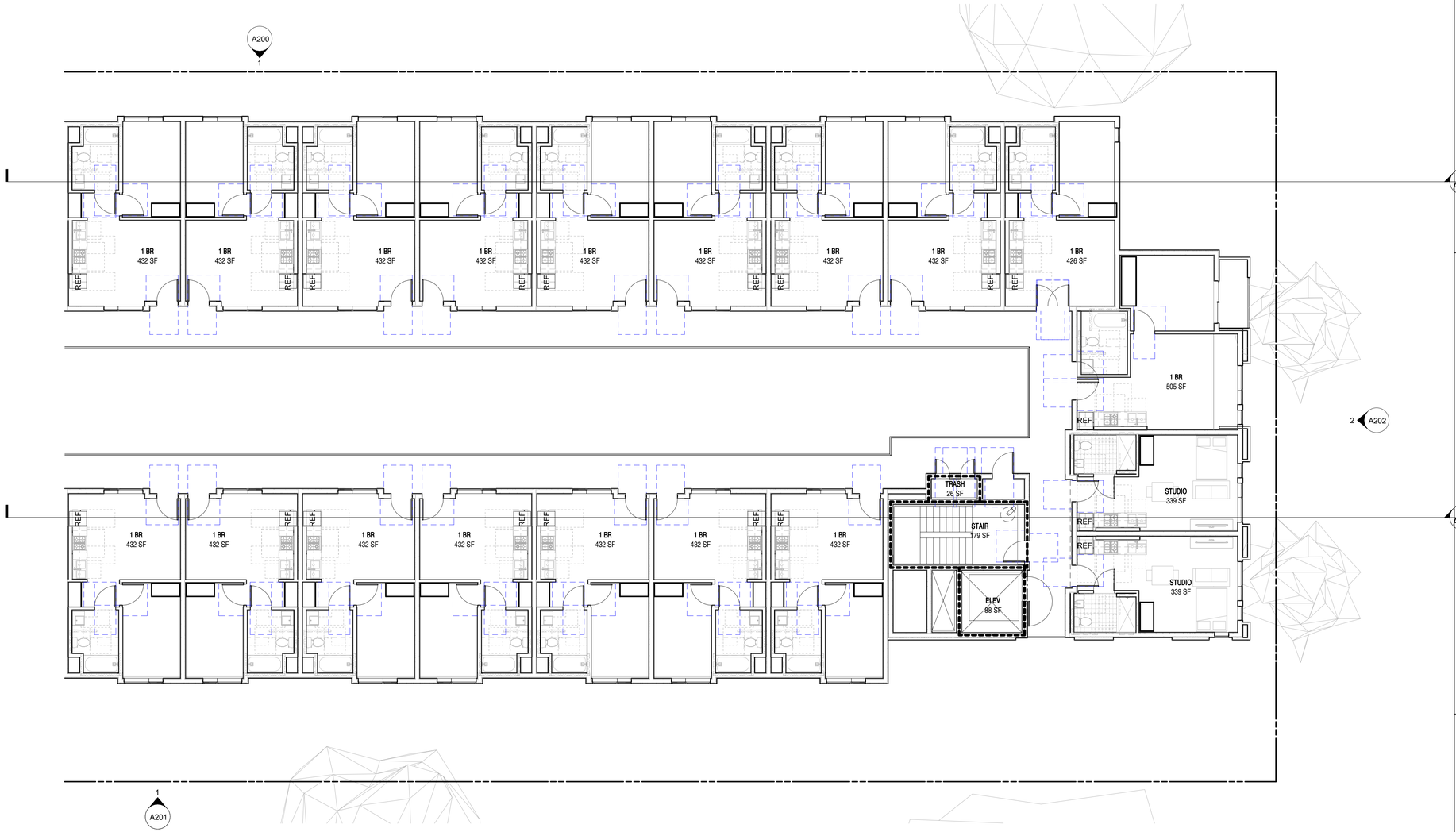

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SHEET TITLE:
3RD FLOOR PLAN - EAST

SHEET NUMBER:
A131

DRAWING SET TITLE:
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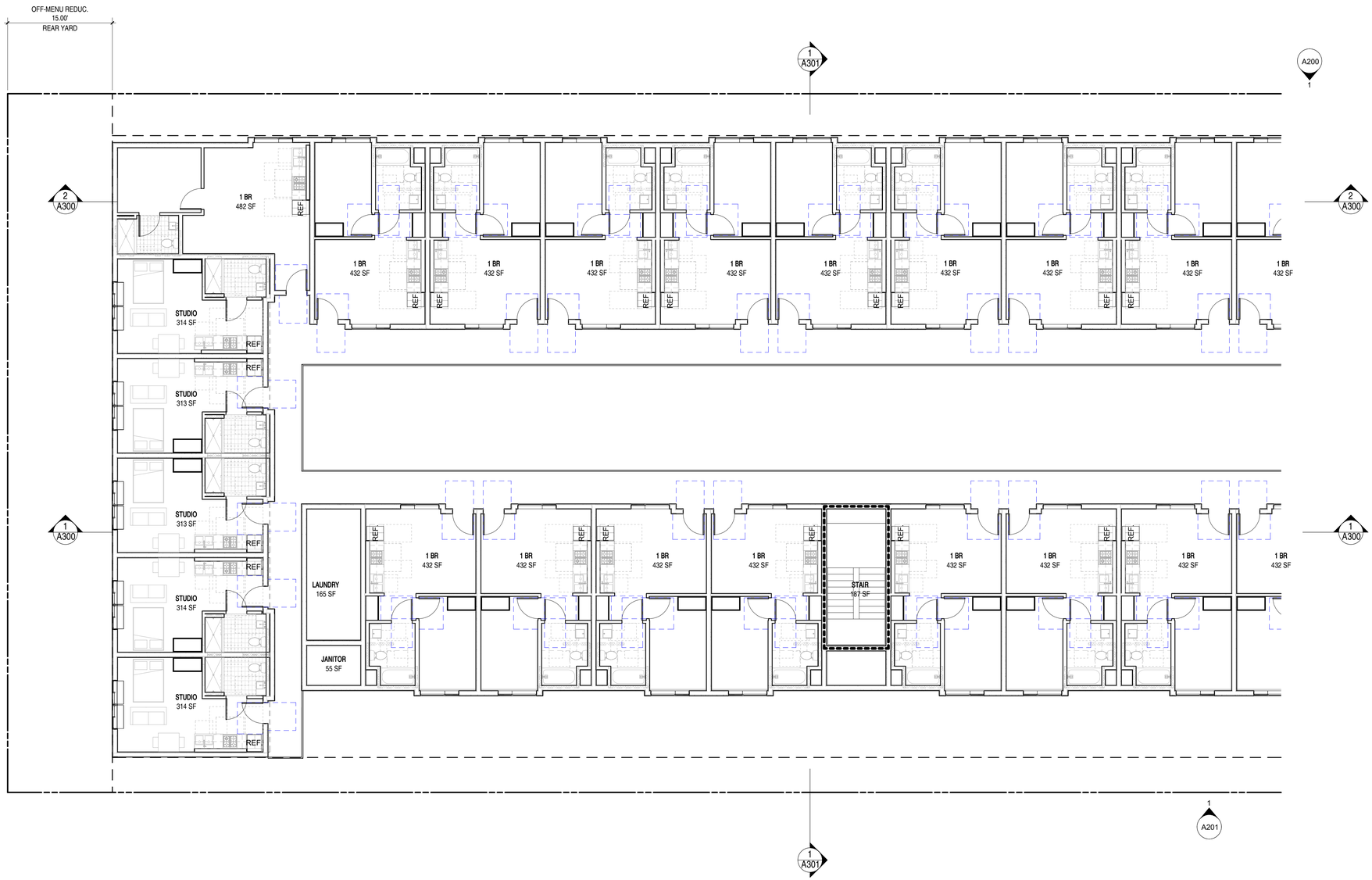

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4TH FLOOR PLAN - WEST | 1/8" = 1'-0" | 1

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ARCHITECT
JEFF ZBIKOWSKI ARCHITECTURE
4043 IRVING PL, SUITE B
CULVER CITY, CA 90232
WWW.JZARCH.LA // 310.853.5004
INFO@JZARCH.LA

SEAL:

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JEFFREY ZBIKOWSKI
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LOS ANGELES, CA

JOB NUMBER:
2313

DATE:
6.27.2023

SHEET TITLE:
4TH FLOOR PLAN - WEST

SHEET NUMBER:
A140

DRAWING SET TITLE:
ENTITLEMENT SET

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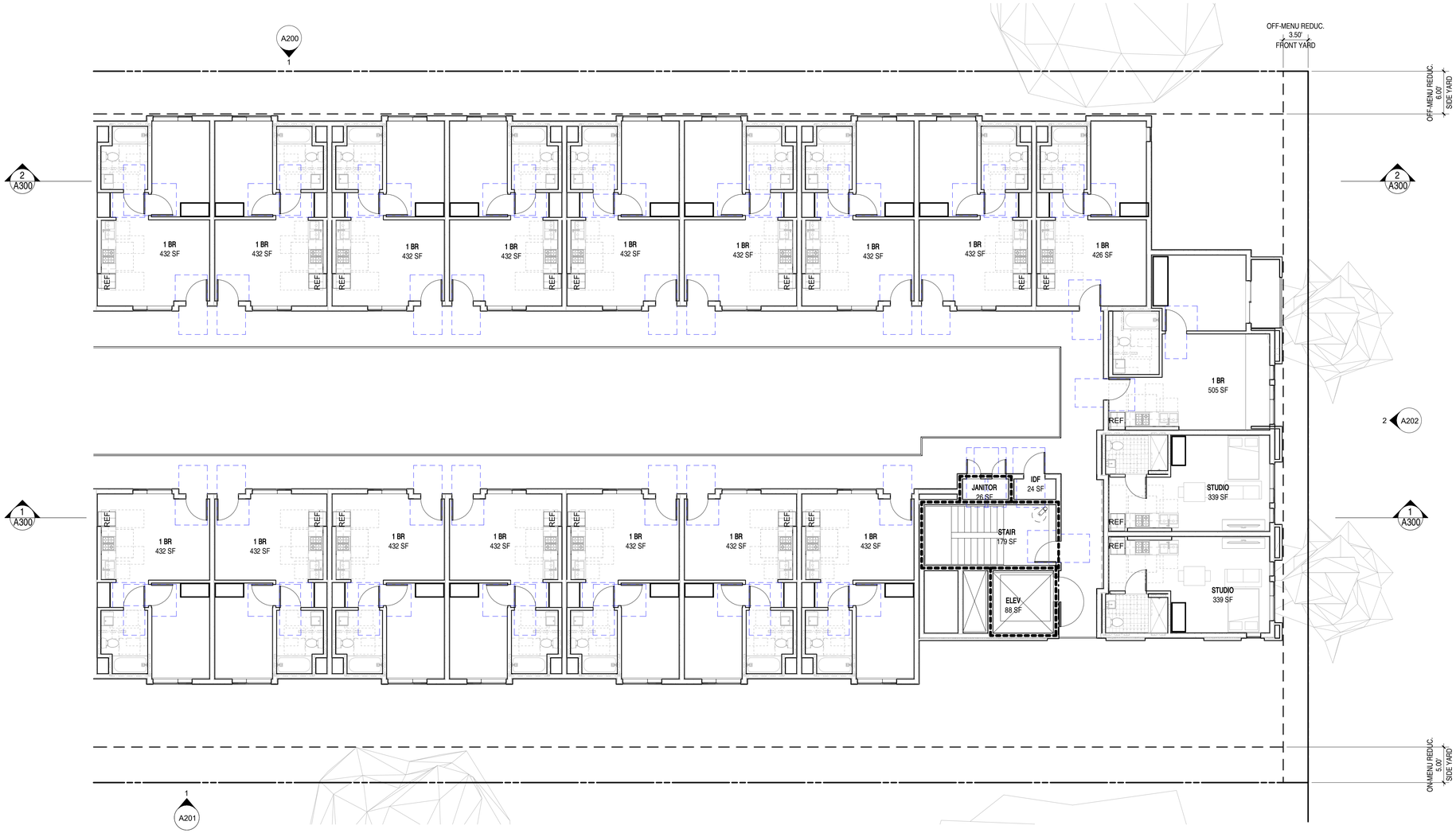

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SHEET NUMBER:
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DRAWING SET TITLE:
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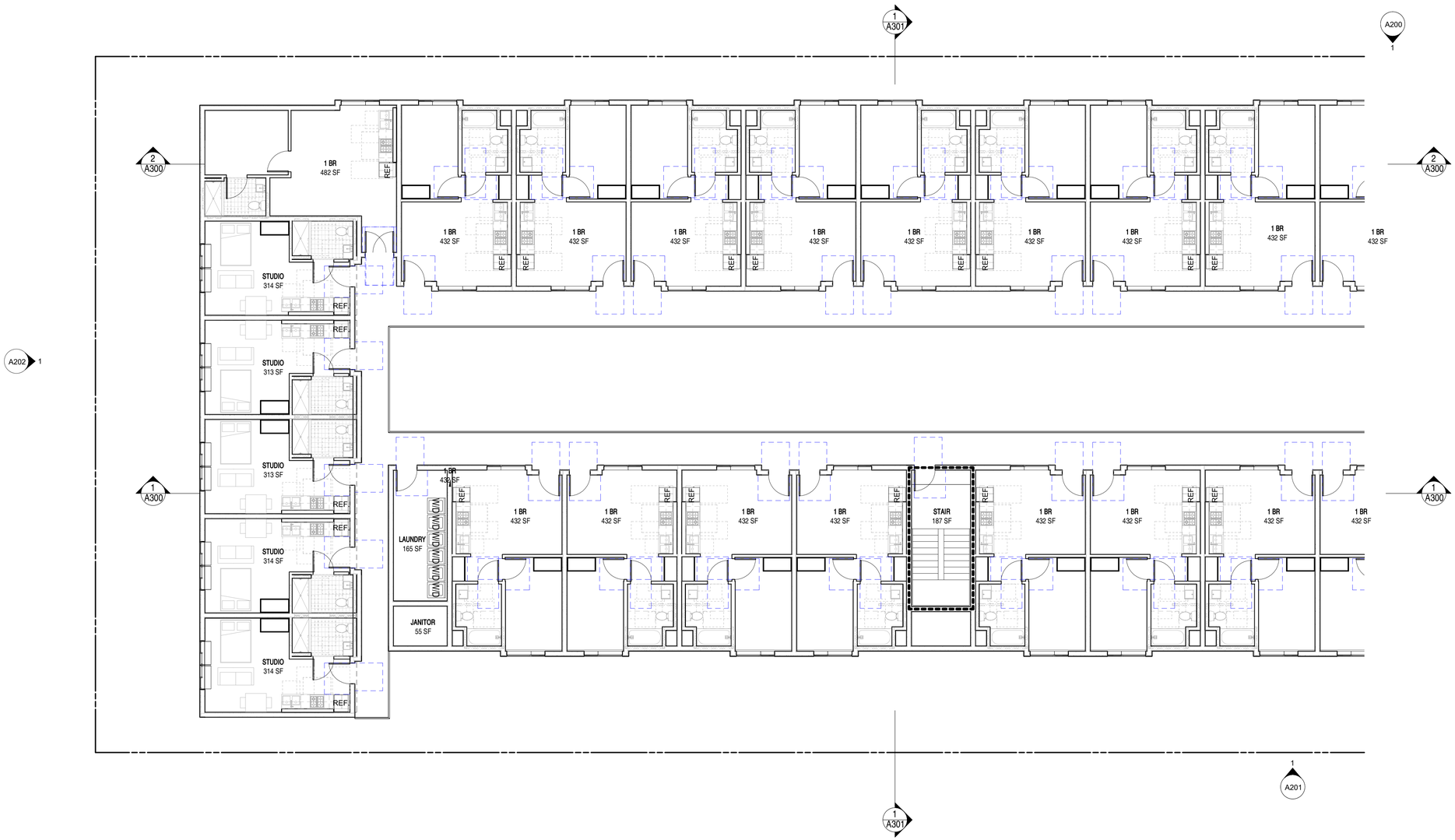

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R. THE USE OF NATURAL DURABLE WOOD OR WOOD THAT IS PRESERVATIVE-TREATED IN ACCORDANCE WITH AWPA U1 FOR THE SPECIES, PRODUCT, PRESERVATIVE AND END USE. PRESERVATIVES SHALL BE LISTED IN SECTION 4 OF AWPA U1.

S. PROVIDE ANTI-GRAFFITI FINISH WITHIN FIRST 9 FEET MEASURED FROM GRADE AT EXTERIOR WALLS AND DOORS.

T. BUILDINGS WITH RAISED FLOOR CONSTRUCTION. UNDERFLOOR VENTILATION OPENINGS IN THE UNDERFLOOR AREA SHALL COMPLY WITH THE FOLLOWING REQUIREMENTS:
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D. THE OPENINGS MAY BE COVERED WITH CORROSION RESISTANT WIRE MESH WITH MESH OPENINGS OF GREATER THAN 1/4 INCH AND LESS THAN 2 INCH IN DIMENSION. 91.7104.3.2

LEGEND

- EXISTING WALL TO REMAIN (NOT A PART)
- NEW WALL, SEE A900 FOR WALL TYPE
- DEMOLISHED WALL
- WOOD POST PER STRUCT DWGS
- WALL TAG. SEE A900 FOR WALL TYPE
- XXX DOOR TAG. SEE A900 FOR DOOR TYPE
- XXX WINDOW TAG. SEE A900 FOR WINDOW TYPE
- SD SMOKE DETECTOR
- CM CARBON MONOXIDE DETECTOR
- BATHROOM EXHAUST FAN

5TH FLOOR PLAN - WEST | 1/8" = 1'-0" | 1

JZA ARCHITECTURE

ARCHITECT
JEFF ZBIKOWSKI ARCHITECTURE
4043 IRVING PL, SUITE B
CULVER CITY, CA 90232
WWW.JZARCH.LA // 310.853.5004
INFO@JZARCH.LA

SEAL:

LICENSED ARCHITECT
JEFFREY ZBIKOWSKI
C-35389
6-27-2025
STATE OF CALIFORNIA

REVISIONS:

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CLIENT NAME:
EVOLVE REALTY & DEV.
410 CLOVERLEAF DR
BALDWIN PARK, CA 91706

PROJECT NAME:
WILBUR APARTMENTS

NOT FOR CONSTRUCTION

PROJECT ADDRESS:
7745-7751 N WILBUR AVE
LOS ANGELES, CA

JOB NUMBER:
2313

DATE:
6.27.2023

SHEET TITLE:
5TH FLOOR PLAN - WEST

SHEET NUMBER:
A150

DRAWING SET TITLE:
ENTITLEMENT SET

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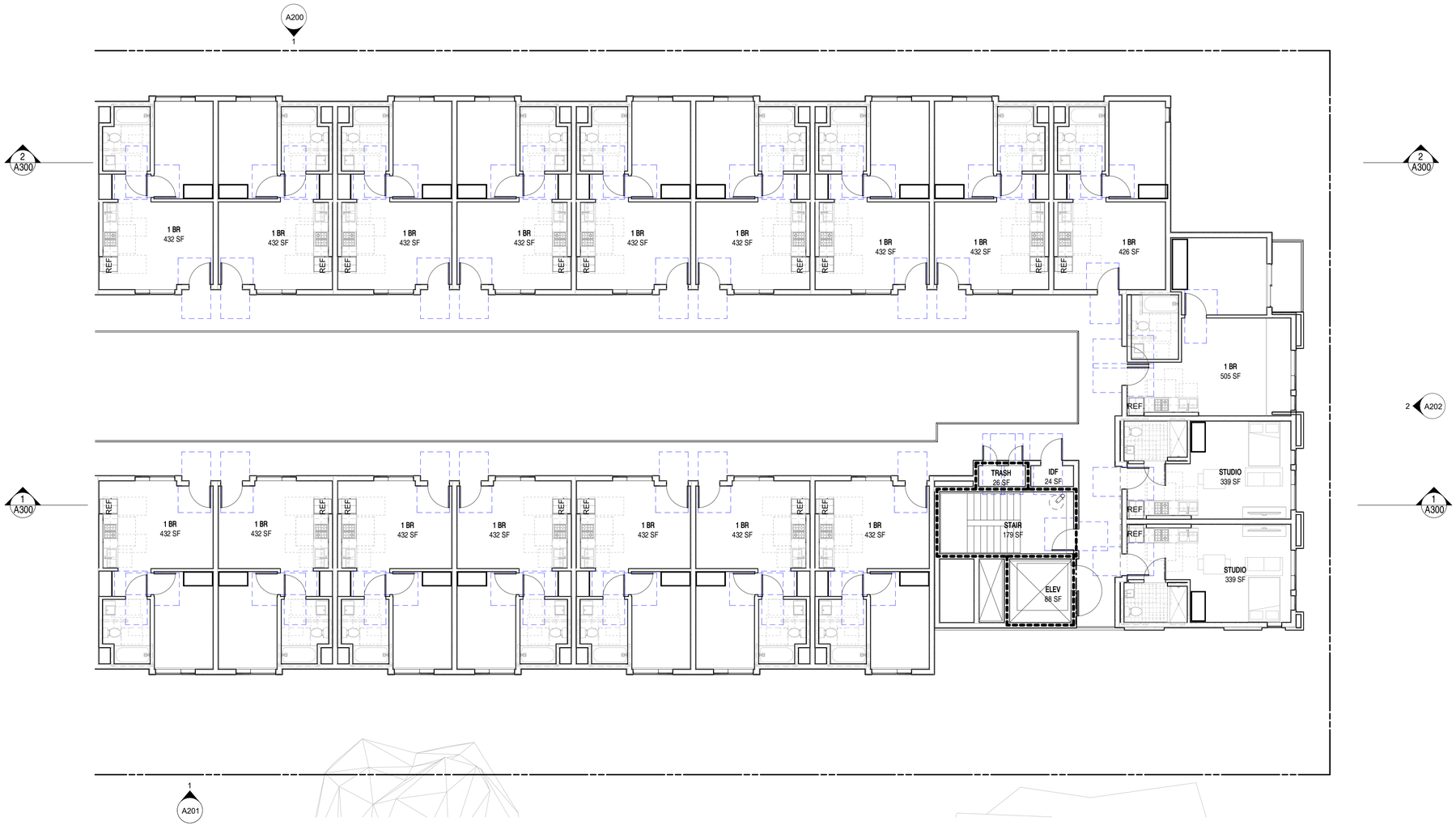

KEYNOTES

SHEET NOTES

A. ALL INTERIOR WALLS TO BE TYPE 1A, UNO

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C. ALL DIMENSIONS INDICATED AS "CLR" ARE FROM FINISH TO FINISH.

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- CM — CARBON MONOXIDE DETECTOR
- BATHROOM EXHAUST FAN

N

5TH FLOOR PLAN - EAST | 1/8" = 1'-0" | 1

JZA
ARCHITECTURE

ARCHITECT
JEFF ZBIKOWSKI ARCHITECTURE
4043 IRVING PL, SUITE B
CULVER CITY, CA 90232
WWW.JZARCH.LA // 310.853.5004
INFO@JZARCH.LA

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JEFFREY ZBIKOWSKI
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NOT FOR CONSTRUCTION

PROJECT ADDRESS:
7745-7751 N WILBUR AVE
LOS ANGELES, CA

JOB NUMBER:
2313

DATE:
6.27.2023

SHEET TITLE:
5TH FLOOR PLAN - EAST

SHEET NUMBER:
A151

DRAWING SET TITLE:
ENTITLEMENT SET

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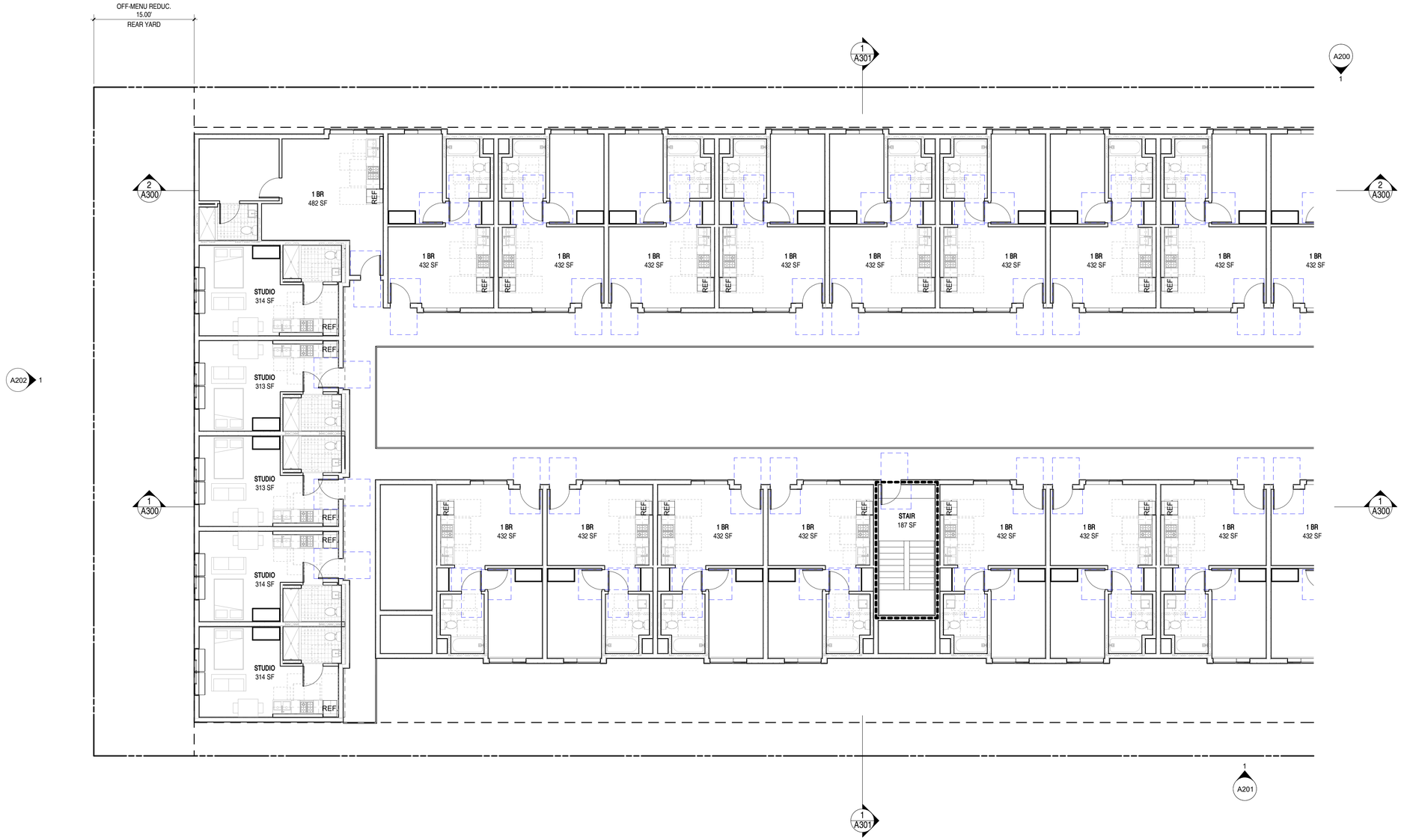

KEYNOTES

6TH FLOOR PLAN - WEST | 1/8" = 1'-0" | 1

N

JZA ARCHITECTURE

ARCHITECT
JEFF ZBIKOWSKI ARCHITECTURE
4043 IRVING PL, SUITE B
CULVER CITY, CA 90232
WWW.JZARCH.LA // 310.853.5004
INFO@JZARCH.LA

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LOS ANGELES, CA

JOB NUMBER:
2313

DATE:
6.27.2023

SHEET TITLE:
6TH FLOOR PLAN WEST

SHEET NUMBER:
A160

DRAWING SET TITLE:
ENTITLEMENT SET

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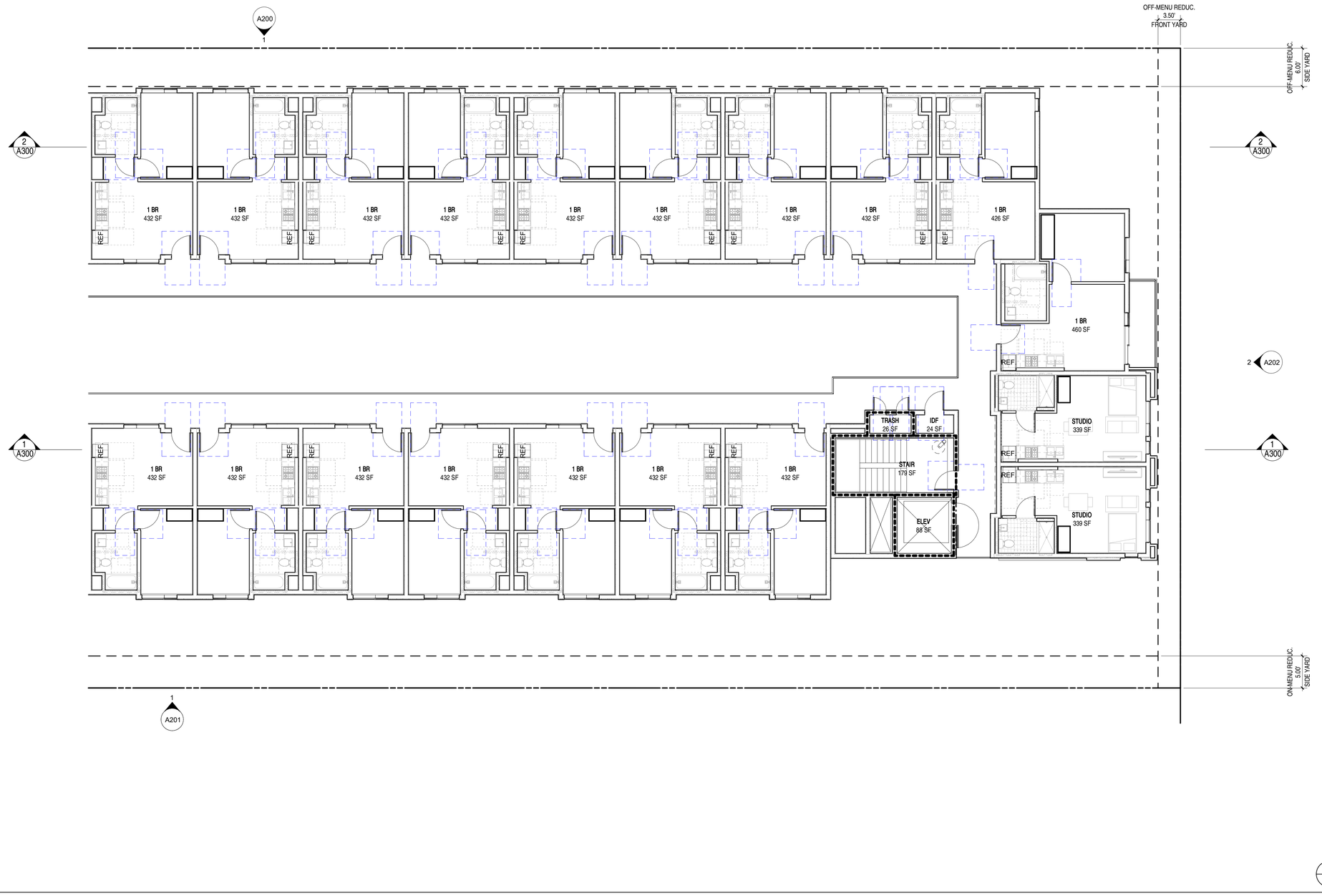
KEYNOTES



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LOS ANGELES, CA

JOB NUMBER:
2313

DATE:
6.27.2023

SHEET TITLE:
6TH FLOOR PLAN - EAST

SHEET NUMBER:
A161

DRAWING SET TITLE:
ENTITLEMENT SET

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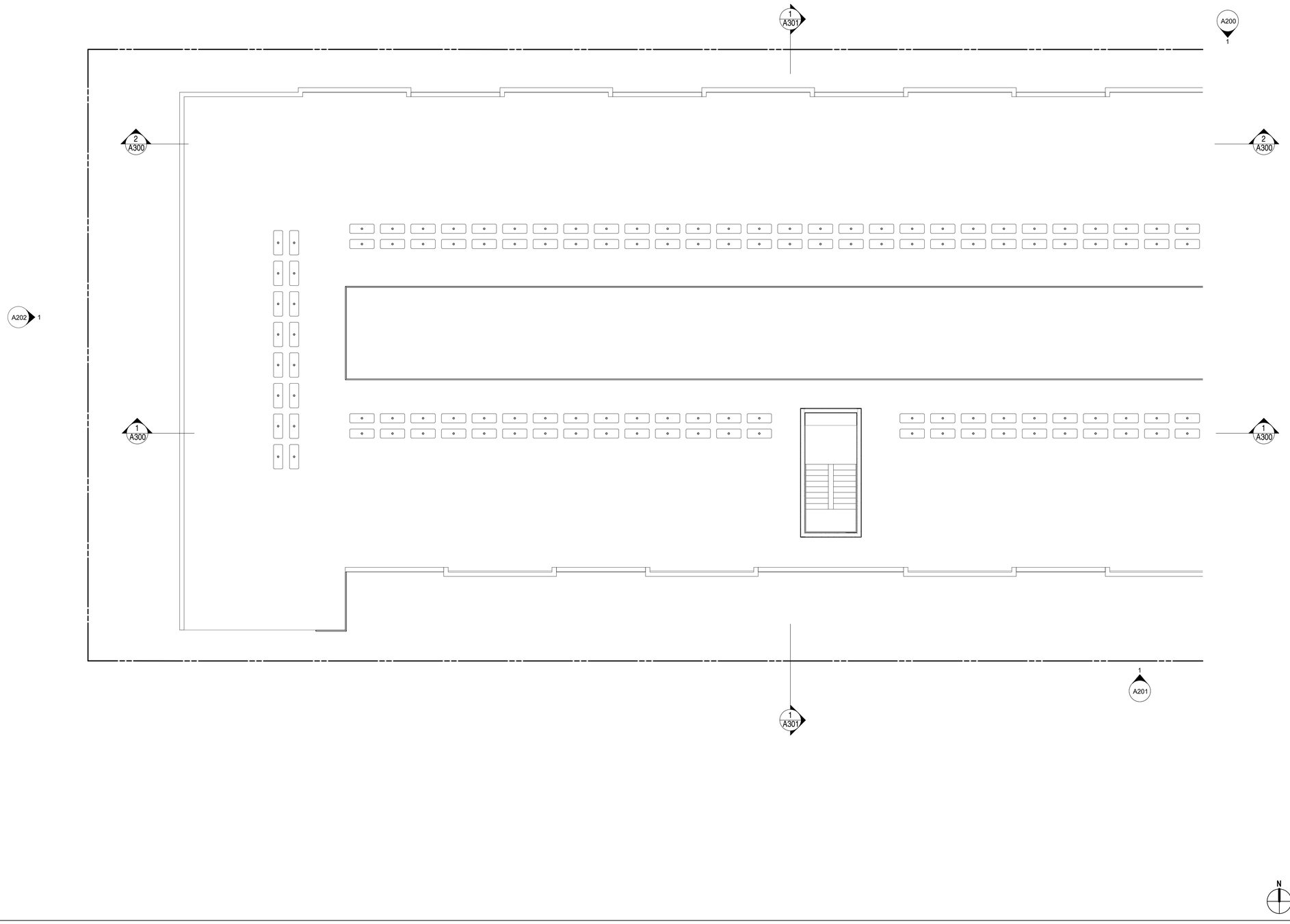

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NOT FOR CONSTRUCTION

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LOS ANGELES, CA

JOB NUMBER:
2313

DATE:
6.27.2023

SHEET TITLE:
ROOF PLAN -WEST

SHEET NUMBER:
A170

DRAWING SET TITLE:
ENTITLEMENT SET

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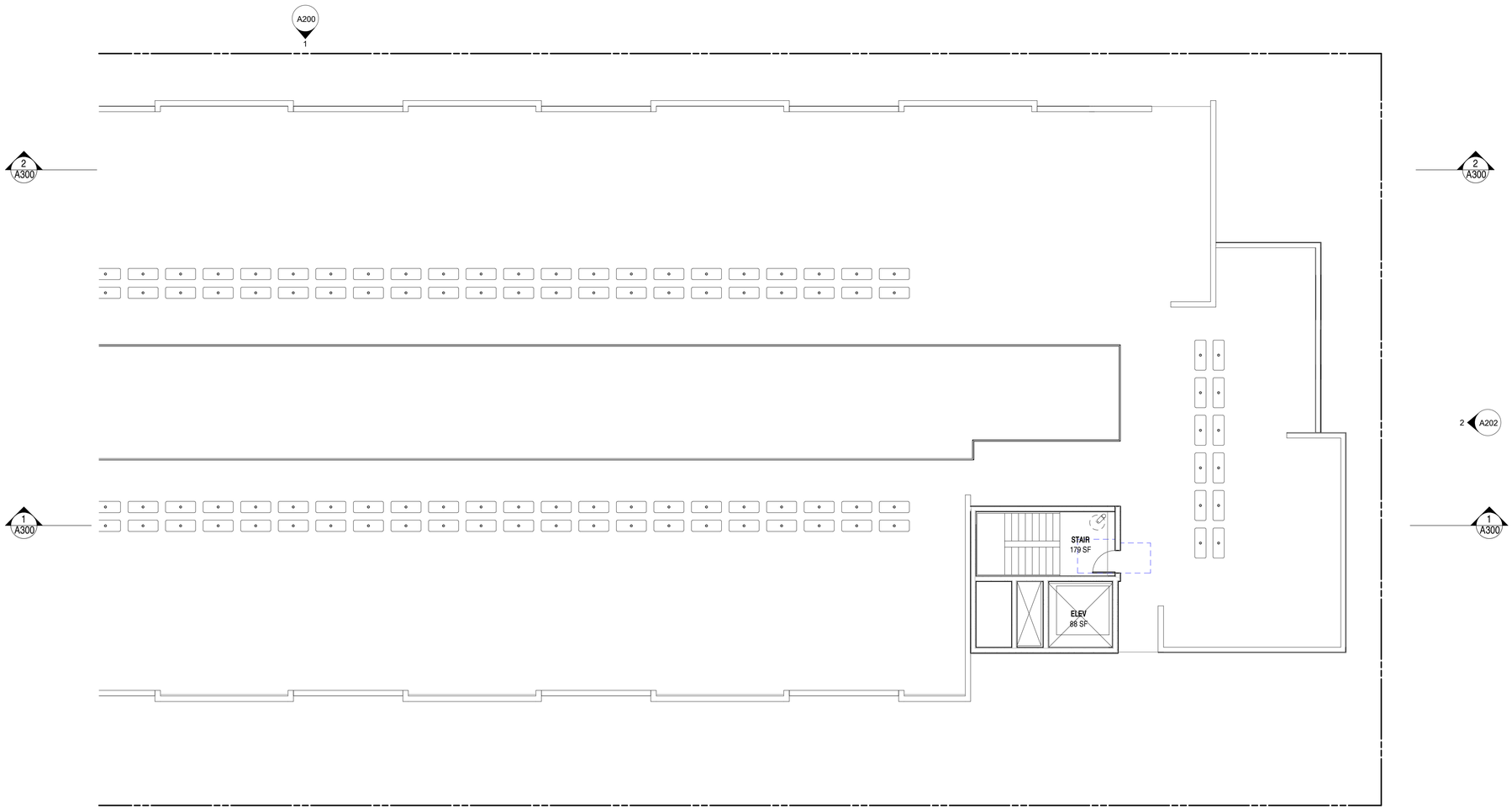

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N

TOP OF ROOF | 1/8" = 1'-0" | 1

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INFO@JZARCH.LA

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JEFFREY ZBIKOWSKI
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2.27.2025
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JOB NUMBER:
2313

DATE:
6.27.2023

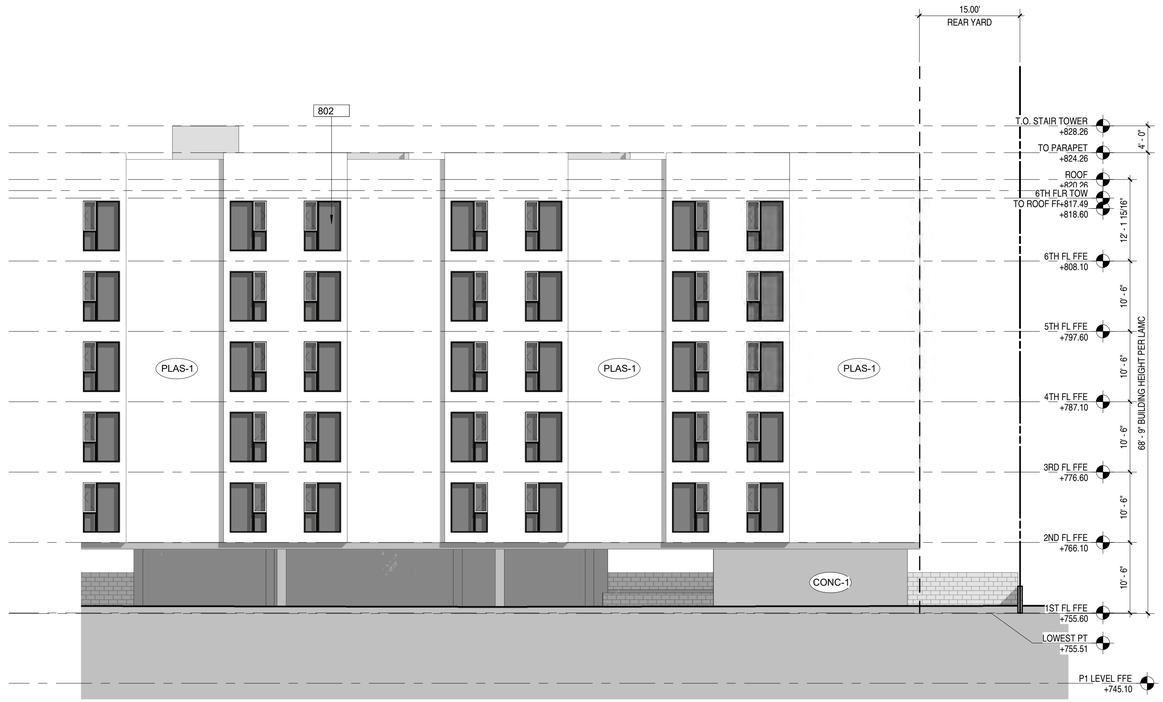
SHEET TITLE:
ROOF PLAN -EAST

SHEET NUMBER:
A171

DRAWING SET TITLE:
ENTITLEMENT SET

6/27/2023 5:52:07 PM

SOUTH ELEVATION - WEST | 3/32" = 1'-0" | 1



SOUTH ELEVATION - EAST | 3/32" = 1'-0" | 2

KEYNOTES

802	WINDOW PER WINDOW SCHEDULE. SEE A800.

SHEET NOTES

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B. ALL DIMENSIONS INDICATED AS "CLR" ARE FROM FINISH TO FINISH.

C. GRADE AWAY FROM FOOTINGS, 1% MIN

LEGEND

PLAS-1	EXTERIOR PLASTER - LIGHT DASH FINISH WHITE, COLOR SPEC TBD
PLAS-2	EXTERIOR PLASTER - LIGHT DASH FINISH WHITE, COLOR SPEC TBD
FCP-1	EXTERIOR FIBER CEMENT PANEL - PREFINISHED CERACLAD - PUFF PASTRY - NH 5753A OR EQUAL
VINYL-1	VINYL EXTERIOR WINDOWS MILGARD WHITE OR EQUAL
MTL-1	STEEL GUARDRAIL PTD LIGHT GREY, COLOR SPEC TBD

JZA ARCHITECTURE

ARCHITECT
JEFF ZBIKOWSKI ARCHITECTURE
4043 IRVING PL, SUITE B
CULVER CITY, CA 90232
WWW.JZARCH.LA // 310.853.5004
INFO@JZARCH.LA

SEAL:

LICENSED ARCHITECT
JEFFREY ZBIKOWSKI
C-35389
6/27/2023
STATE OF CALIFORNIA

REVISIONS:

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CLIENT NAME:
EVOLVE REALTY & DEV.
410 CLOVERLEAF DR
BALDWIN PARK, CA 91706

PROJECT NAME:
WILBUR APARTMENTS

NOT FOR CONSTRUCTION

PROJECT ADDRESS:
7745-7751 N WILBUR AVE
LOS ANGELES, CA

JOB NUMBER:
2313

DATE:
6.27.2023

SHEET TITLE:
SOUTH ELEVATION

SHEET NUMBER:
A200

DRAWING SET TITLE:
ENTITLEMENT SET

6/27/2023 5:53:05 PM

WEST ELEVATION | 3/32" = 1'-0" | 1

EAST ELEVATION | 3/32" = 1'-0" | 2

KEYNOTES

800	DOOR PER DOOR SCHEDULE. 1/2" MAX THRESHOLD. SEE A800.
802	WINDOW PER WINDOW SCHEDULE. SEE A800.
2600	TRANSFORMER AND PAD PER LADWP REQUIREMENTS. SEE ELEC DWGS.
2601	SWITCH GEAR AND PAD PER LADWP REQUIREMENTS. SEE ELEC DWGS.

SHEET NOTES

A. ALL DIMENSIONS ARE TO CLR OR UNO.

B. ALL DIMENSIONS INDICATED AS "CLR" ARE FROM FINISH TO FINISH.

C. GRADE AWAY FROM FOOTINGS, 1% MIN

LEGEND

PLAS-1	EXTERIOR PLASTER - LIGHT DASH FINISH WHITE, COLOR SPEC TBD
PLAS-2	EXTERIOR PLASTER - LIGHT DASH FINISH WHITE, COLOR SPEC TBD
FCP-1	EXTERIOR FIBER CEMENT PANEL - PREFINISHED CERACLAD - PUFF PASTRY - NH 5753A OR EQUAL
VINYL-1	VINYL EXTERIOR WINDOWS MILGARD WHITE OR EQUAL
MTL-1	STEEL GUARDRAIL PTD LIGHT GREY, COLOR SPEC TBD

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LOS ANGELES, CA

JOB NUMBER:
2313

DATE:
6.27.2023

SHEET TITLE:
ELEVATIONS

SHEET NUMBER:
A202

DRAWING SET TITLE:
ENTITLEMENT SET

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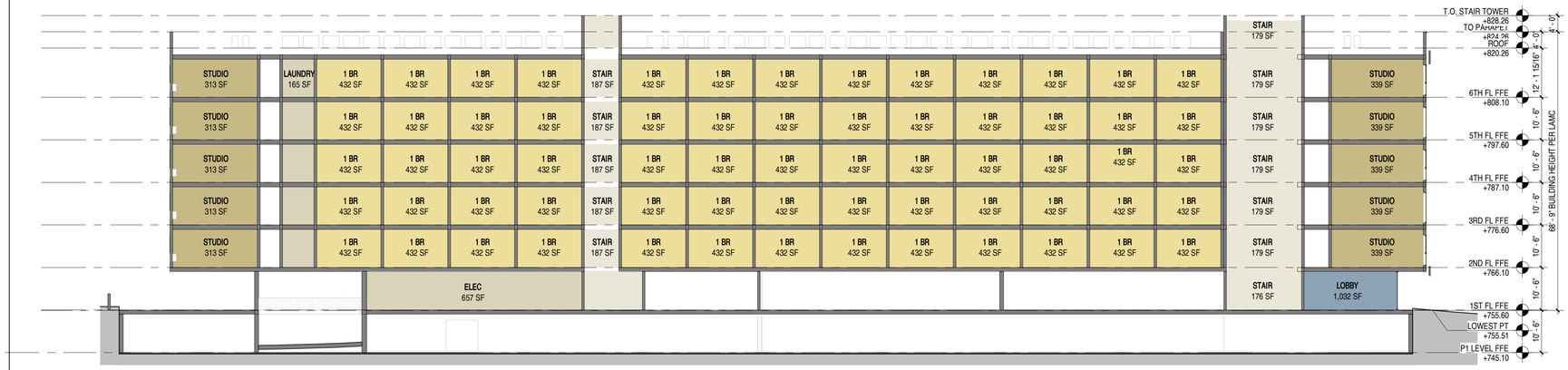
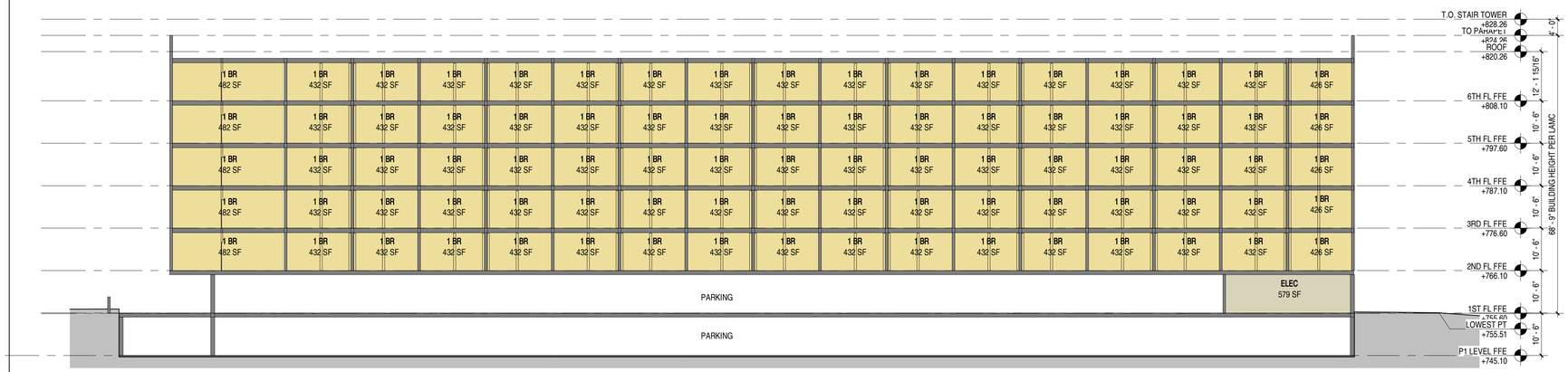


EW SECTION 1 | 1/16" = 1'-0" | 1



EW SECTION 2 | 1/16" = 1'-0" | 2

KEYNOTES

JZA ARCHITECTURE

ARCHITECT
JEFF ZBIKOWSKI ARCHITECTURE
4043 IRVING PL, SUITE B
CULVER CITY, CA 90232
WWW.JZARCH.LA // 310.853.5004
INFO@JZARCH.LA

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C-35389
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LOS ANGELES, CA

JOB NUMBER:
2313

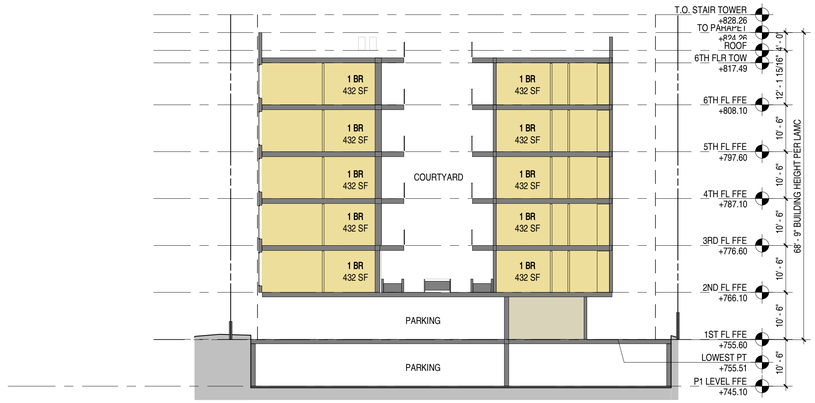
DATE:
6.27.2023

SHEET TITLE:
BUILDING SECTIONS

SHEET NUMBER:
A300

DRAWING SET TITLE:
ENTITLEMENT SET

6/27/2023 5:53:50 PM



NS SECTION | 1/16" = 1'-0" | 1

KEYNOTES

JZA ARCHITECTURE

ARCHITECT
JEFF ZBIKOWSKI ARCHITECTURE
4043 IRVING PL, SUITE B
CULVER CITY, CA 90232
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INFO@JZARCH.LA

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PROJECT NAME:
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LOS ANGELES, CA

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2313

DATE:
6.27.2023

SHEET TITLE:
BUILDING SECTIONS

SHEET NUMBER:
A301

DRAWING SET TITLE:
ENTITLEMENT SET

6/27/2023 5:53:51 PM

Exhibit E – HCD Letter of Technical Assistance

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT
2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov

September 14, 2023

City Council Planning and Land Use Management Committee
City of Los Angeles
200 North Spring Street, 395 Floor
Los Angeles, CA 90012

Dear City Councilmembers Marqueece Harris-Dawson, John S. Lee, Katy Yaroslavsky, Imelda Padilla, and Heather Hutt:

RE: 5501-5511 N. Ethel Avenue – Letter of Technical Assistance

The California Department of Housing and Community Development (HCD) understands that on September 19, 2023, the City of Los Angeles (City) City Council's Planning and Land Use Management Committee (PLUM) will consider an appeal of the City's determination that the project located at 5501-5511 N. Ethel Avenue (Project) is ineligible for ministerial processing under Executive Directive No. 1 (ED1).

The purpose of this letter is to assist the PLUM with its decision making by providing technical assistance related to the Preliminary Application as described in the Housing Accountability Act (Gov. Code, § 65589.5) and Permit Streamlining Act (Gov. Code, § 65941.1). HCD urges the City to expeditiously process all ED1 projects in accordance with the rules and regulations that were in effect at the time the preliminary applications were complete. HCD recognizes the challenge of interpreting housing and land use laws and appreciates the opportunity to provide technical assistance.

Background

ED1

Mayor Karen Bass issued ED1 on December 16, 2022, creating a streamlined ministerial approval process for 100 percent affordable and shelter projects. The original ED1 regulations specified that the density permitted for a project site could be based on either the zoning or the general plan land use designation and that projects could utilize State Density Bonus Law (SDBL). The City revised ED1 on June 12, 2023, and explicitly prohibited ED1 ministerial processing on sites located in single-family or more restrictive zones.[1]

[1] Executive Directive No. 1, Page 1, Revised June 12, 2023.

Project History

The proposed Project is a 100 percent affordable residential development that would result in a total of 200 affordable dwelling units, inclusive of one manager's unit. The Project site is zoned R1-1, One-Family Zone (single-family zone), with a General Plan land use designation of Low Residential. The Project includes a State Density Bonus Law (SDBL) request for additional density with incentives, concessions, and waivers of development standards. The City deemed the Project's preliminary application complete on March 23, 2023. The City's signed preliminary application review form indicated that the Project was eligible for ED1 and had until September 19, 2023 to file the City Planning application.[2] The applicant submitted the full development application on June 6, 2023. Then, on July 6, 2023, the City issued a Notice of Ineligibility (NOI) that indicated, "[p]er the revised Executive Directive 1 (ED1) issued by Mayor Karen Bass on June 12, 2023, projects located in single-family or more restrictive zones cannot use the ED1 Ministerial Approval Process."[3] The NOI explicitly stated that the Project is not eligible for ED1 processing because it is in the R1-1 zone, but noted that there are other entitlement options available for the Project which do not require a legislative act (e.g. General Plan Amendment or Zone Change).

Preliminary Application Vesting Rights and the City's Executive Directive-1

The central question between the City and the Applicant is as follows:
Is an executive directive one of the rules, regulations, requirements, and policies that vest upon submission of a complete Preliminary Application?

The answer is "yes." Submission of a preliminary application that meets the requirements of Government Code section 65941.1 vests the "ordinances, policies and standards" in effect when the application is submitted. (Gov. Code § 65589.5, subd. (o)(1).) The Housing Accountability Act (HAA) makes it clear that,

"[f]or purposes of this subdivision, 'ordinances, policies, and standards' includes general plan, community plan, specific plan, zoning, design review standards and criteria, subdivision standards and criteria, and any other rules, regulations, requirements, and policies of a local agency, as defined in Section 66000, including those relating to development impact fees, capacity or connection fees or charges, permit or processing fees, and other exactions."[4]

The City's ED1 is not excluded from the expansive HAA definition of "ordinances, policies, and standards." The Mayor issued the executive directive under the provisions of Los Angeles City Charter section 231(i) and section 8.29 of the Los Angeles Administrative Code, which, during a period of local emergency, deem the Mayor the

[2] City of Los Angeles Housing Crisis Act Vesting Preliminary Application, Page 1, Signed March 31, 2023.
[3] City of Los Angeles Notice of Ineligibility dated July 6, 2023.
[4] Gov. Code, § 65589.5, subd. (o)(4). Emphasis added.

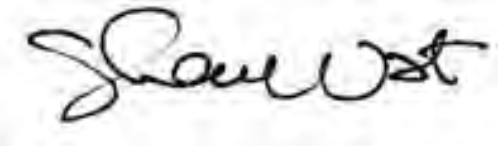
Director of the Emergency Operations Organization and authorize the Director to "promulgate, issue and enforce rules, regulations, orders and directives which the Director considers necessary for the protection of life and property." Charter section 231(j), meanwhile, authorizes the Mayor to "establish procedures and implement policies" to manage the Mayor's responsibilities "through the issuance of executive directives, which, in the absence of conflicting provisions in the Charter or ordinance, and until revised or rescinded by the Mayor, shall be binding on all departments, commissions, appointed officers and employees of the City" (emphasis added). There is no doubt, then, that an Executive Directive is a "rule[]," "requirement[]," or "polic[y]" under Government Code section 65589.5, subdivision (o)(4).

Therefore, an applicant that submitted a complete preliminary application at a time when ED1 did not exclude single-family or more restrictive zones may proceed under the previous ED1 regulations throughout the entitlement process. The preliminary application vesting status remains in effect as long as the development application submittal occurs within the 180-day required period[5] and any revisions to the development application do not exceed a change of 20 percent of the number of residential units or square footage of construction, exclusive of any increase resulting from the density bonus, incentive, concession, waiver or similar provision.[6] However, HCD emphasizes that any incomplete preliminary applications submitted prior to the June 12, 2023 revised ED1, and any preliminary applications submitted after June 12, 2023, would not be entitled to ED1 ministerial processing in single-family or more restrictive zones, as any such applications would not have secured vesting rights under the original ED1 policy.

Conclusion

In sum, HCD finds that the preliminary application vesting rights conferred by Government Code section 65941.1 include ED1. HCD remains committed to supporting the City of Los Angeles in achieving housing objectives across all income categories and hopes the City finds this clarification helpful. If you have any questions or need additional information, please contact Gabriel A. Pena-Lora, of our staff, at gabriel.pena-lora@hcd.ca.gov.

Sincerely,



Shannan West
Housing Accountability Unit Chief

CC: Lisa M. Webber, AICP Deputy Director Los Angeles City Planning
Blake Lamb, Principal City Planner Los Angeles City Planning

[5] Gov. Code, § 65941.1, subd. (d)(1).
[6] Gov. Code, § 65941.1, subd. (c).