

EXHIBIT J

“STATUS OF PROJECT REVIEW:

APPLICATION INCOMPLETE AND CASE PROCESSING ON HOLD”

LETTER FROM CITY PLANNING

DATED JULY 18, 2023

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

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July 18, 2023

sent via email

Applicant

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

Case Number:

CEQA:

Application Type:

Project Location:

Legal Description

Planning Area:

ADM-2023-4428-DB-ED1-VHCA

N/A

Density Bonus, ED1

7745-7751 N. Wilbur Avenue

Lot 42, Tract TR 8938

Reseda-West Van Nuys

Owner

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

Specific Plan Overlay:

Council District:

N/A

3

Representative

Jeff Zbikowski
JZA
4043 Irving Place
Culver City, CA 90232

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	<p>A Department of City Planning Application Form No. 7771.1 was provided but needs to be amplified, corrected, clarified, and supplemented as follows:</p> <ul style="list-style-type: none"> • 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. <p>See Department of City Planning Application Form (lacity.org)</p>		

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		City Planning Application Filing Instructions.pdf (lacity.org)		
2	"Project Description and Subject Property"	<p>A narrative "Project Description and Subject Property" was provided but needs to be amplified, corrected, clarified, and supplemented as follows:</p> <ul style="list-style-type: none"> 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. 		

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		<ul style="list-style-type: none"> • 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	<p>An Affordable Housing Referral Form was provided but needs to be amplified, corrected, clarified, and supplemented as follows:</p> <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> ○ 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; ○ 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; ○ There are 8 waivers requested including a waiver to allow 65% compact parking which is not requested on the Department of City Planning Application; ○ 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; 		

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		<ul style="list-style-type: none"> ○ Section 8, Site Plan Review Calculation needs to show the correct number of existing units (either 2 or 3) ○ A 6 foot side north yard is a 40% reduction, but the Department of City Planning Application shows that a 30% reduction is requested; ○ 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; ○ 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; ○ 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. ○ 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: <ul style="list-style-type: none"> ○ 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; 		

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		<ul style="list-style-type: none"> ○ 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; ○ There are 7 waivers requested including a waiver to allow 65% compact parking which is not requested on the Department of City Planning Application; ○ 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; ○ Section 8, Site Plan Review Calculation needs to show the correct number of existing units (either 2 or 3) ○ A 6 foot side north yard is a 40% reduction, but the Department of City Planning Application shows that a 30% reduction is requested; ○ 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; ○ 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; ○ 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. ○ 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. ○ An electronic copy of this form was not provided. You must provide electronic copies of all forms. 		

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		See Affordable Housing Referral (lacity.org)		
4	Preliminary Zoning Assessment (PZA) Form No. CP-4064	<p>A Preliminary Zoning Assessment (PZA) Form was provided but this form needs to be amplified, corrected, clarified, and supplemented as follows:</p> <ul style="list-style-type: none"> The form needs to be 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. <p>See Preliminary Zoning Assessment Form March 2023 (lacity.org) Density Bonus, Conditional Use, Public Benefit Project Housing Incentives.pdf (lacity.org)</p>		
5	Replacement Unit Determination Letter	<p>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.</p> <p>For assistance, please contact lahd- landuse@lacity.org.</p> <p>Density Bonus, Conditional Use, Public Benefit Project Housing Incentives.pdf (lacity.org)</p>		
6	Operating Agreement	<p>An electronic copy of your grant deeds was not provided. You must provide an electronic copy.</p> <p>City Planning Application Filing Instructions.pdf (lacity.org)</p>		

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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: <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> • 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. 		

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		<ul style="list-style-type: none"> • 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. <p>See Plot Plan Instructions.pdf (lacity.org)</p> <p>See City Planning Application Filing Instructions.pdf (lacity.org)</p>		
11	Floor Plans (see Form No. CP-7751)	<p>Floor Plans were provided but must be amplified, corrected, clarified, and supplemented as follows:</p> <ul style="list-style-type: none"> • Sheet Notes on Sheets A100-A103 state: "Small Lot Single Family Subdivision in the R3-1XL Zone Pursuant to Ordinance 176354" which does not 		

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		<p>accurately describe the project and zone and should be removed.</p> <ul style="list-style-type: none"> • 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 3rd floor plan west on p. A130 and 3rd floor plan east on p. A131). <p>See Form No. CP-7751 linked here: Microsoft Word - Floor Plan Instructions.docx (lacity.org)</p> <p>See City Planning Application Filing Instructions.pdf (lacity.org)</p>		
12	Elevations	<p>Elevations were provided but must be amplified, corrected, clarified, and supplemented as follows:</p> <ul style="list-style-type: none"> • 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 on 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. <p>City Planning Application Filing Instructions.pdf (lacity.org)</p> <p>Elevation Instructions.pdf (lacity.org)</p>		
13	Sections	<p>Sections were provided but must be amplified, corrected, clarified, and supplemented as follows:</p> <ul style="list-style-type: none"> • The scale shown is $1/16" = 1"$ but needs to be corrected to be no less than $1/8" = 1"$. <p>See City Planning Application Filing Instructions.pdf (lacity.org)</p>		

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14	Roof Plan	<p>A Roof Plan was provided but must be amplified, corrected, clarified, and supplemented as follows:</p> <ul style="list-style-type: none"> Will solar panels be provided on the roof? If so, solar panels should be shown. <p>See City Planning Application Filing Instructions.pdf (lacity.org)</p>		
15	Landscape Plan	<p>Landscape plans were not provided and are required. Please provide a landscape plan.</p> <p>See Landscape Plan Instructions.pdf (lacity.org)</p> <p>See City Planning Application Filing Instructions.pdf (lacity.org)</p>		
16	Open Space Plans	<p>An open space plan is required for projects proposing six or more dwelling units but was not provided. Please provide an open space plan.</p> <p>See Landscape Plan Instructions.pdf (lacity.org)</p> <p>See City Planning Application Filing Instructions.pdf (lacity.org)</p>		
17	Citywide Design Guidelines Form No. 4056	<p>Citywide Design Guidelines Form No. 4056 was provided but must be amplified, corrected, clarified, and supplemented as follows:</p> <ul style="list-style-type: none"> 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 		

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		<p>to reference the correct plan sheets that clearly shows parking access and the parking gate.</p> <ul style="list-style-type: none"> 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. 		

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		<ul style="list-style-type: none"> Guideline 10 – Your responses reference landscaping but you did not provide a landscape plan. You need to provide a landscape plan. <p>See Landscape Plan Instructions.pdf (lacity.org)</p> <p>Citywide Design Guidelines Compliance Review Form.pdf (lacity.org)</p> <p>Citywide Design Guidelines Compliance Review Form.pdf (lacity.org)</p>		
18	Tree Disclosure Statement Form No. CP-4067	<p>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.</p> <p>Tree Disclosure Statement.pdf (lacity.org)</p>		

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
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cc: Council District 3