

EXHIBIT K

**“SECOND STATUS OF PROJECT REVIEW:
APPLICATION INCOMPLETE AND CASE PROCESSING ON HOLD”
LETTER FROM CITY PLANNING
DATED AUGUST 4, 2023**

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

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CALIFORNIA**



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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

Updated 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 all 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.

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

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

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| * 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: 