



June 6, 2022

SENT VIA EMAIL AND US MAIL

ABS Properties, Inc.
5500 W. Hollywood Blvd.
4th Floor, West Wing
Los Angeles, CA 90028

Subject: 3000 W. Empire Avenue (APN: 2464-001-019)
SB 35 Project - Notice of Intent (NOI) to Submit Application (Project No. 21-0007030)

Dear Samir Srivastava:

On June 2, 2022 the City of Burbank received additional information from the applicant via e-mail regarding the SB35 Application (Project No. 21-0007030), located at 3000 W Empire Avenue. As noted in the Incomplete Letter dated December 28, 2021, Staff will resume processing of your NOI and confirm the completeness of the resubmittal once all necessary materials are provided.

The additional information submitted to Staff on June 2, 2022, is considered an **incomplete** NOI Application. A complete NOI Application package needs to include the following items:

- Revised set of plans in PDF format.
- Responses to the SB 35 eligibility criteria:
 - #1 – Revised project description and project plans that clarify if there is a proposed manager’s unit, and whether it is included in the total number of units.
 - #2 – Include project description with breakdown of the number and level of affordability of the proposed affordable units. Indicate if there is a proposed manager’s unit.
 - #5 – Provide a response to Objective Development Standard criteria matrix included as *Attachment D* of the Incomplete Letter dated December 28, 2021. In addition, applicant shall indicate if the project would apply any incentives or waivers to development standards as allowed per California Density Bonus Law. Staff received additional information via an applicant’s letter dated March 1, 2022 regarding proposed project incentives. This information will be reviewed once a complete NOI resubmittal is received by the City.

- #7 – Staff received the additional information regarding locational criteria on June 2, 2022, and this information will be reviewed once a complete NOI Application is provided.
- #9 – Staff received the additional information regarding the prevailing wage certification on June 2, 2022, and this information will be reviewed once a complete NOI Application is provided.
- #10 – Staff received the additional information regarding skilled and trained workforce on June 2, 2022, and this information will be reviewed once a complete NOI Application is provided.

Should you have any questions, please feel free to contact Greg Mirza-Avakyan, Associate Planner at (818) 238-5250.

Sincerely,



Greg Mirza-Avakyan
Associate Planner

CC: Patrick Prescott, Community Development Director
Fred Ramirez, Assistant Community Development Director – Planning
Scott Plambaeck, Planning Manager
Joseph H. McDougall, City Attorney
Iain MacMillan, Senior Assistant City Attorney

Attachments

Incomplete Letter - SB35 Notice of Intent to Submit Application - Dated December 28, 2021.



December 28, 2021

SENT VIA EMAIL AND US MAIL

ABS Properties, Inc.
5500 W. Hollywood Blvd.
4th Floor, West Wing
Los Angeles, CA 90028

Subject: 3000 W. Empire Avenue (APN: 2464-001-019)
SB 35 Project - Notice of Intent (NOI) to Submit Application (Project No. 21-0007030)

Dear Samir Srivastava:

On November 29, 2021 the City of Burbank received your Notice of Intent (NOI) to submit an application for Streamlined Ministerial Approval Process for a proposed multi-family residential project located at 3000 W. Empire Avenue (**Proposed Project**). The NOI was reviewed for eligibility requirements and compliance with Senate Bill (SB) 35, pursuant to Section 65913.4 of the California (CA) Government Code. In addition, since the receipt of your NOI on November 29, 2021 the City has reached out to the Tribes to request initiation of the required consultation process.

You have indicated in the SB 35 eligibility checklist submitted with the NOI application that you intend for the Proposed Project to comply with all SB 35 eligibility criteria, including, but not limited to the City's objective development standards, affordability provisions, and labor provisions pursuant to CA Government Code Section 65913.4. After reviewing the application and items that you submitted, City Staff has determined that your application is **incomplete**. Once all necessary materials are provided, Staff will resume processing of your NOI and confirm the completeness of the resubmittal. Below is a list of all criteria per CA Government Code 65913.4 that the Proposed Project must meet to qualify for ministerial approval under SB 35.

SB 35 Eligibility Criteria and Consistency Analysis

The City received a Notice of Intent (NOI) for the proposed Project on November 29, 2021. As a part of the NOI the proposed Project shall demonstrate consistency with all SB 35 eligibility criteria per CA Government Code 65913.4. Please find the NOI consistency analysis below:

- 1. NUMBER AND TYPE OF UNITS.** The project must be a multifamily housing development that contains at least two residential units and complies with the minimum and maximum residential density range permitted for the site, plus any applicable density bonus.

Analysis: Consistent. The Project is considered a multi-family housing development and proposes 340 new rental housing units. The Applicant shall clarify on the Project description and plans if one of proposed units is considered a manager's unit.

- 2. AFFORDABILITY.** If more than 10 residential units are proposed, at least 10 percent of the project's total units must be dedicated as affordable to households making below 80 percent of the area median income. If the project will contain subsidized units, the applicant has recorded or is required by law to record, a land use restriction for the following minimum durations, as applicable:
 - i. 55 years for rental units.
 - ii. 45 years for homeownership units.

Analysis: Consistent. Applicant has indicated in the SB 35 NOI application that the Project would provide affordable rental units for 55 years. The Applicant is proposing a 100% affordable rental housing project consisting of 340 dwelling units. The Applicant shall clarify on the Project description and plans if one of proposed units is considered a manager's unit.

- 3. URBAN INFILL.** The project must be located on a legal parcel or parcels within the incorporated City limits. At least 75 percent of the perimeter of the site must adjoin parcels that are developed with urban uses. For purposes of SB 35, "urban uses" means any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses. Parcels that are only separated by a street or highway shall be considered adjoined.

Analysis: Consistent. The Project site is located within an existing legal parcel located in the City of Burbank, for which the boundaries include an urbanized area or urban cluster, as designated by the United States Census Bureau (see **Attachment A**). The Project site is located within an existing urbanized area. The Project site abuts industrial and commercial uses to the east, north, and west and Metro link rail tracks, the Locked Drainage Channel, and Interstate 5 Freeway to the south. An aerial map provided as **Attachment B** shows the location of the Project site with respect to the neighboring properties.

- 4. ZONED OR PLANNED RESIDENTIAL USES.** The project must be located on a site that is either zoned or has a General Plan designation for residential or residential mixed-use development, including sites where residential uses are permitted as a conditional use. If the multifamily housing development is a mixed-use development, at least two-thirds of the project's square footage must be designated for residential use.

Analysis: Consistent. Analysis: Consistent. According to the City's Burbank2035 General Plan (2013) and the General Plan's Land Use Diagram (General Plan, Exhibit LU-1), the General Plan designation for the property is Regional Commercial. This designation allows for a maximum FAR of 1.25 and 58 units per acre, typically (i.e., when not being processed as an SB 35 approval) with discretionary approval.

According to the City's Zoning Map (2019), the Property is zoned M-2 General Industrial Zone (Zoning Code Art. 8, Div. 2). Pursuant to Section 10-1-808.5 of the Burbank Municipal Code, in the M-2 Zone, all uses shall be consistent with the maximum floor area ratio (FAR) and maximum residential density, as prescribed in the General Plan, which allows a 1.25 FAR and 58 units per acre. Pursuant to Section 10-1-809, in the M-2 Zone, uses are allowed as set forth in Section 10-1-502 of the Municipal Code, where residential is not listed as a permitted use in the M-2 Zone. However, in zoning districts that do not list residential as a permitted or conditional use in the Zoning Table, the Planned Development process is an existing option within the City's Zoning Code for applicants to seek discretionary approval for residential uses in any of the City's non-residential zones including the M-2 Zone. Nevertheless, pursuant to CA Government Code Section 65913.4(b)(5)(A), in the event that objective zoning, general plan, subdivision, or design review standards are mutually inconsistent, a development shall be deemed consistent with the objective zoning and subdivision standards if the development is consistent with the standards set forth in the general plan. As the residential use of the Proposed Project is consistent with the General Plan, the Proposed Project is consistent with this provision.

- 5. CONSISTENT WITH OBJECTIVE STANDARDS.** The project must meet all objective zoning and design review standards in effect at the time the application is submitted.
- i. If the project is consistent with the minimum and maximum density range allowed within the General Plan land use designation, it is deemed consistent with housing density standards.
 - ii. Any density bonus or any concessions, incentives, or waivers of development standards or reduction of parking standards requested under the Density Bonus Law in Government Code section 65915 are deemed consistent with objective standards.
 - iii. Objective standards are those that require no personal or subjective judgment and must be verifiable by reference to an external and uniform source available prior to submittal. Sources of objective standards include, without limitation:
 - a) Burbank 2035 General Plan,
 - b) Burbank Municipal Code,
 - c) Media District Specific Plan,
 - d) Burbank Center Plan Area,
 - e) North San Fernando Master Plan,
 - f) Rancho Commercial Recreation Master Plan.

Analysis: Incomplete. The Applicant has indicated on the SB 35 NOI Application that the Project would comply with the objective standards. The Applicant has also indicated in the Application that the California State's Density Bonus Law (Govt. Code Section 65915) would be applied to this Project, which would allow for increased density, incentives, waivers and reduced parking standards. City comments are provided as **Attachment D** at the end of this letter and are based on the review of the applicable objective standards. Along with City Department comments, **Attachment D** includes a review of objective development standards in Title 10 (Zoning) of the Burbank Municipal Code. Comments from Burbank Water and Power - Water Division, the Fire Department, the Police Department and the City's Housing Division will be provided upon the submittal of an official SB 35 application. The Building Division indicated that the submitted drawings do not have enough architectural detail to provide a review at this time.

- 6. PARKING.** The project must provide at least one parking space per unit; however, no parking is required in the project meets any of the following criteria:

- a. The project is located within one-half mile of public transit as defined by Section 102(r) of the HCD Guidelines.
- b. The project is located within an architecturally and historically significant historic district.
- c. On-street parking permits are required but not offered to the occupants of the project.
- d. There is a car share vehicle as defined by Section 102(d) within one block of the development. A block can be up to 1,000 linear feet of pedestrian travel along a public street from the development.

Analysis: Consistent. The Proposed Project is located approximately 0.32 miles from a pedestrian entrance to the Regional Intermodal Transportation Center (RITC) located at the northwest corner of Empire Avenue and North Hollywood Way. The Proposed Project is within one-half mile of public transit, (see **Attachment C**) and therefore, no parking is required.

7. LOCATION. The project must be located on a property that is **outside** each of the following areas:

- a. Either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the City's voters.

Analysis: Incomplete-Additional Information Required. Project application indicates that the Project site is not located on prime farmland or farmland of statewide importance, as designated by the California Department of Conservation. Please provide a map showing location of the Project site in relation to existing farmland areas as designated by the California Department of Conservation. Please produce an exhibit using the California Important Farmland Finder through the California Department of Conservation.

- b. Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).

Analysis: Consistent. The wetlands map included in the application materials shows the Project site outside designated Wetland Areas. See **Attachment E** for reference.

- c. A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This does not apply to sites excluded from the specified hazard zones by the City, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.

Analysis: Consistent. An exhibit included in the application materials shows that the Project site is outside designated high fire hazard severity zones. See **Attachment F** for reference.

- d. A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the Department of Toxic Substances Control has cleared the site for residential use or residential mixed-uses.

Analysis: Incomplete-Additional Information Required. An exhibit included in the application materials (**Attachment G**) shows that the Project site is outside designated hazardous waste zones. However, this exhibit is not produced by the Department of Toxic Substances Control, as required by the NOI checklist.

- e. A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.

Analysis: Incomplete-Additional Information Required An exhibit included in the application materials (**Attachment H**) shows that the Project site is outside designated earthquake fault zones. However, this exhibit is not produced by the State Geologist. Please produce an exhibit using the Fault Activity Map of California using the California Geological Survey.

- f. A flood plain as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has been issued a flood plain development permit pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.

Analysis: Incomplete-Additional Information Required. The submitted Hydrology Study Dated September 21, 2021, as well as the letter attached to the Project application form, specify that the Project site abuts a channel known as the “Lockheed Drain Channel,” and a small portion of the site is within a 100-year flood hazard area. The provided FEMA map (**see Attachment I**) indicates the location of the Project site in relation to the flood hazard area, therefore the applicant shall demonstrate the Project’s eligibility in meeting the minimum flood plain management criteria of the National Flood Insurance Program regulations *and* provide the Letter of Map Revision prepared by FEMA that was issued to the local jurisdiction, as referenced in Section 65913.4(a)(6)(G) of SB 35 and the SB 35 Guidelines.

- g. A floodway as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations.

Analysis: Incomplete-Additional Information Required. Please provide a FEMA floodway map. If the project falls into a floodway area, please provide a no-rise certification as specified above.

- h. Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.

Analysis: Incomplete-Additional Information Required. Please provide a map indicating location of the Project site in relation to lands identified for conservation in an adopted Natural Community Conservation Plan pursuant to the Natural Community Conservation Planning Act, a Habitat Conservation Plan pursuant to the federal Endangered Species Act, or another adopted natural resource protection plan. The California Natural Community Conservation Plan is available at the Department of Fish & Wildlife.

- i. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).

Consistent. An exhibit included in the application materials shows that the Project site is outside designated protected species habitat zones. See **Attachment J** for reference.

- j. Lands under conservation easement.

Analysis: Incomplete-Additional Information Required. Please provide a map indicating location of the Project site in relation to existing conservation easement as designated in the National Conservation Easement Database.

- k. A site that would require demolition of housing that is:

- Subject to recorded restrictions or law that limits rent to levels affordable to moderate, low, or very-low income households.
- Subject to rent control.
- Currently occupied by tenants or that was occupied by tenants within the past 10 years.

Analysis: Consistent. The site is currently developed with an 82,670-square-foot commercial/industrial building with on-grade surface parking, and thus the Proposed Project would not require the demolition of any housing.

- l. A site that previously contained housing occupied by tenants that was demolished within the past 10 years.

Analysis: Consistent. The site is zoned M-2 (General Industrial) zone and has been operated as commercial use for more than 10 years.

- m. A site that would require demolition of an historic structure that is on a local, state, or federal register.

Analysis: Consistent. The site is not located in a historic district and there are no Federal, State, or locally designated historic structures on the site (per Appendix D of City of Burbank Historic Preservation Plan). The Proposed Project would not require the demolition of a historic structure that was placed on a national, state, or local historic register.

- n. A parcel of land or site governed by the Mobilehome Residency Law, the Recreational Vehicle Park Occupancy Law, the Mobilehome Parks Act, or the Special Occupancy Parks Act.

Analysis: Consistent. The site is currently developed with a commercial use and thus the Proposed Project would not require the demolition of any mobile housing. The Proposed Project is not located on an existing parcel of land or site that is governed under the Mobilehome Residency Law, the Recreational Vehicle Park Occupancy Law, the Mobilehome Parks Act, or the Special Occupancy Parks Act.

8. **SUBDIVISIONS.** The project does not involve an application to create separately transferable parcels under the Subdivision Map Act. However, a subdivision is permitted if either of the following apply:

- a. The project is financed with low-income housing tax credits (LIHTC) and satisfies the prevailing wage requirements identified in item 9 below.
- b. The project satisfies the prevailing wage and skilled and trained workforce requirements identified in items 9 and 10 of this Eligibility Checklist.

Analysis: Consistent. The Proposed Project does not involve subdivision of a parcel, therefore, this criterion does not apply.

9. PREVAILING WAGE. The project proponent must certify that at least one of the following is true:

- a. The entirety of the project is a public work as defined in Government Code section 65913.4(8)(A)(i).
- b. The project is not in its entirety a public work and all construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area.
- c. The project includes 10 or fewer units AND is not a public work AND does not require subdivision.

Analysis: Incomplete – Additional Information Required. The Applicant has noted on the NOI dated November 29, 2021, that the proposed Project will comply with all labor provisions identified in SB 35, pursuant to CA Government Code Section 65913.4, including the requirements regarding payment of prevailing wages in the construction of the Project, as applicable. The applicant submitted a letter certifying the commitment to comply with the Prevailing Wage requirement (**Attachment K**). Please resubmit an original notarized, signed letter.

10. SKILLED AND TRAINED WORKFORCE. If the project consists of 75 or more units that are not 100 percent subsidized affordable housing, the project proponent must certify that it will use a skilled and trained workforce, as defined in Government Code Section 65913.4(8)(B)(ii).

Analysis: Incomplete-Additional Information Required. Applicant indicated on the NOI application that the Project will use a skilled and trained workforce. If you intend to use skilled and trained workforce, please submit a signed and notarized letter certifying the pledge to hire skilled and trained workforce, as defined in Government Code Section 65913.4(8)(B)(ii).

Should you have any questions, please feel free to contact Greg Mirza-Avakyan, Associate Planner at (818) 238-5250.

Sincerely,



Greg Mirza-Avakyan
Associate Planner

CC: Patrick Prescott, Community Development Director
Fred Ramirez, Assistant Community Development Director – Planning
Scott Plambaek, Deputy City Planner
Joseph H. McDougall, City Attorney

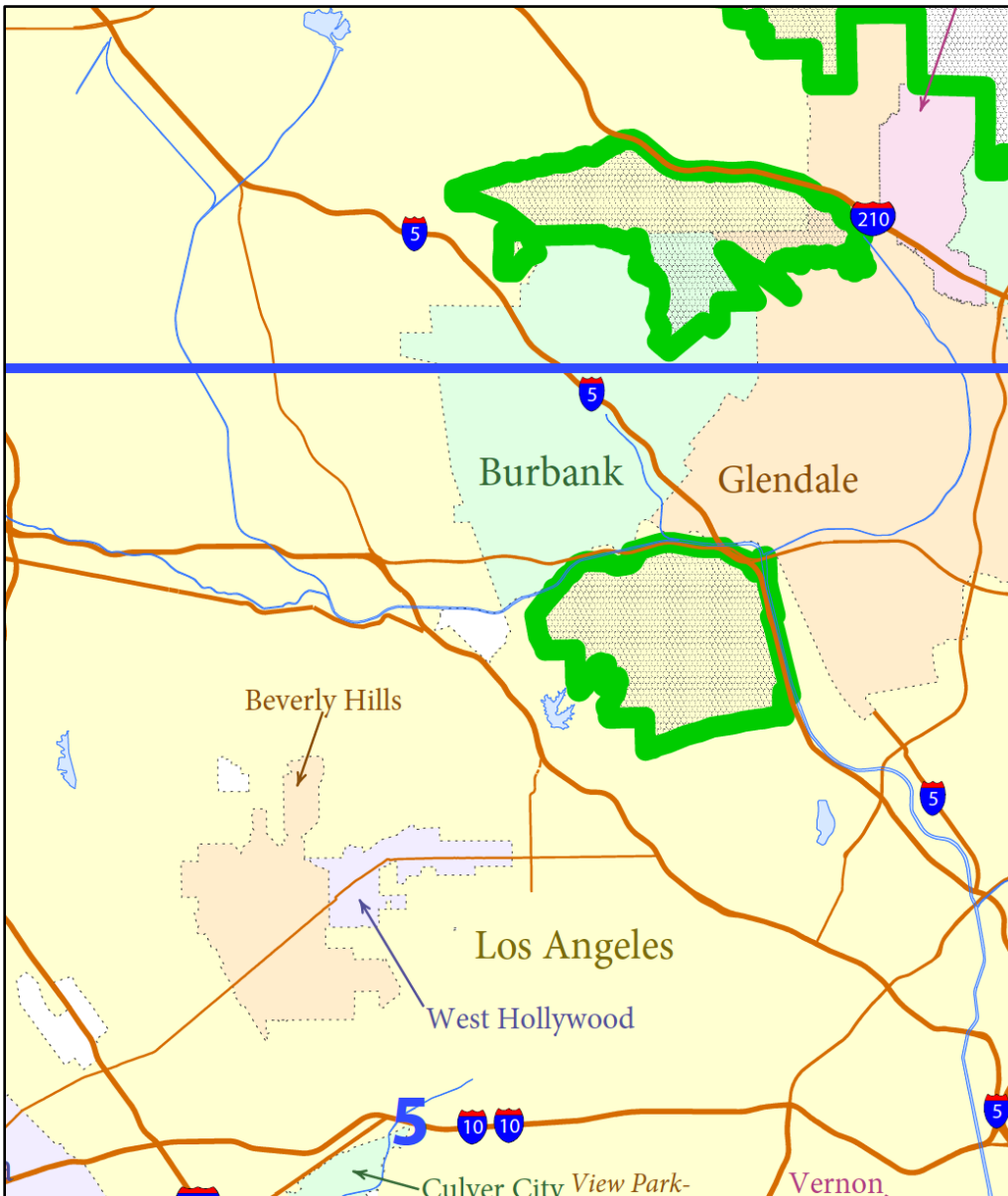
Attachments

- Attachment A – 2010 US Census – Urbanized Area Reference Map: Los Angeles–Long Beach–Anaheim, CA.
- Attachment B – Aerial map showing location of Project site
- Attachment C – Aerial Map showing distance of the Project site from Regional Intermodal Transportation Center (RITC) located at the northwest corner of Empire Avenue and North Hollywood Way
- Attachment D – City Comments on Preliminary Application and Conceptual Design
- Attachment E – United States Fish and Wildlife Service Wetlands Mapper
- Attachment F – CAL FIRE - Fire Hazard Severity Zone Map
- Attachment G – Hazardous Waste Map
- Attachment H – Earthquake Fault Map
- Attachment I – FEMA Flood Map
- Attachment J – Protected Species Habitat
- Attachment K – Prevailing Wage Letter

ATTACHMENT A – URBANIZED
AREA

ATTACHMENT A – URBANIZED AREA

3000 EMPIRE AVENUE



LEGEND

SYMBOL DESCRIPTION	SYMBOL	LABEL STYLE
International	-----	CANADA
Federal American Indian Reservation	L'ANSE RES 1880
Off-Reservation Trust Land	T1880
Urbanized Area	Dover, DE 24580
Urban Cluster	Toole, VT 88057
State (or statistically equivalent entity)	-----	NEW YORK 36
County (or statistically equivalent entity)	-----	ERIE 029
Minor Civil Division (MCD) ^{1,2}	-----	Bristol town 07485
Consolidated City	MILFORD 47500
Incorporated Place ^{1,3}	Davis 18100
Census Designated Place (CDP) ¹	Incline Village 35100

DESCRIPTION	SYMBOL	DESCRIPTION	SYMBOL
Interstate	-----	Water Body
U.S. Highway	-----	Military
State Highway	-----	Outside-Subject Area
Other Road	-----		
Railroad	-----		
Perennial Stream	-----		
Intermittent Stream	-----		

Where international, state, county, and/or MCD boundaries coincide, the map shows the boundary symbol for only the highest-ranking of these boundaries.

1 A "*" following an MCD name denotes a false MCD. A "*" following a place name indicates that a false MCD exists with the same name and FIPS code as the place; the false MCD label is not shown.

2 MCD boundaries are shown in the following states in which some or all MCDs function as general-purpose governmental units: Connecticut, Illinois, Indiana, Kansas, Maine, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Vermont, and Wisconsin. (Note that Illinois and Nebraska have some counties covered by nongovernmental precincts and Missouri has most counties covered by nongovernmental townships.)

3 Place label color corresponds to the place fill color.
Label colors: Davis Davis Davis Davis Davis

UA NAME: Los Angeles--Long Beach--Anaheim, CA

UA CODE: 51445

ENTITY TYPE: Urbanized Area (UA)

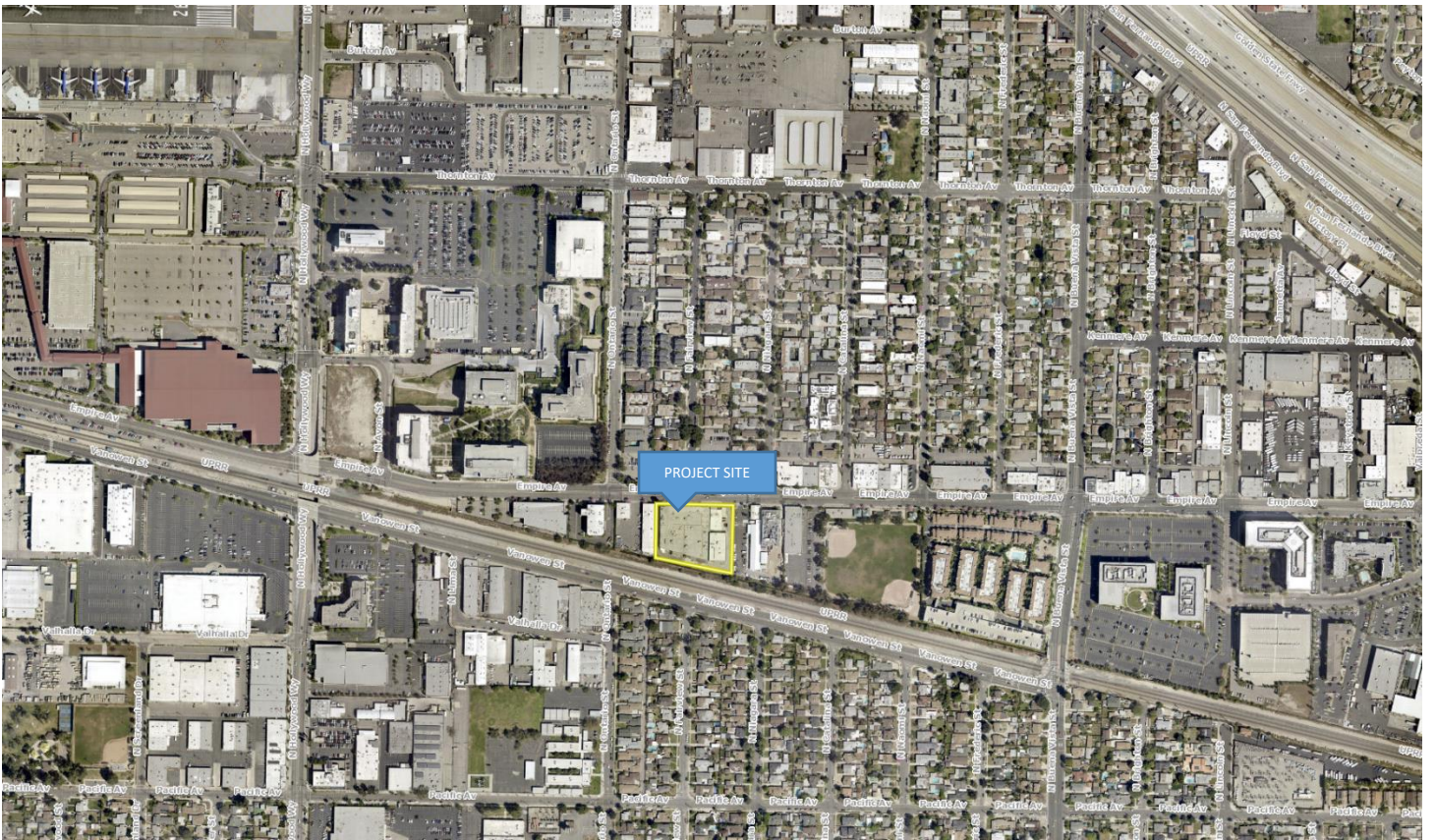
ST: California (06)

2010 CENSUS UA REF MAP (INDEX)
231051445000

ATTACHMENT B – SITE AERIAL

ATTACHMENT B – SITE AERIAL

3000 EMPIRE AVENUE

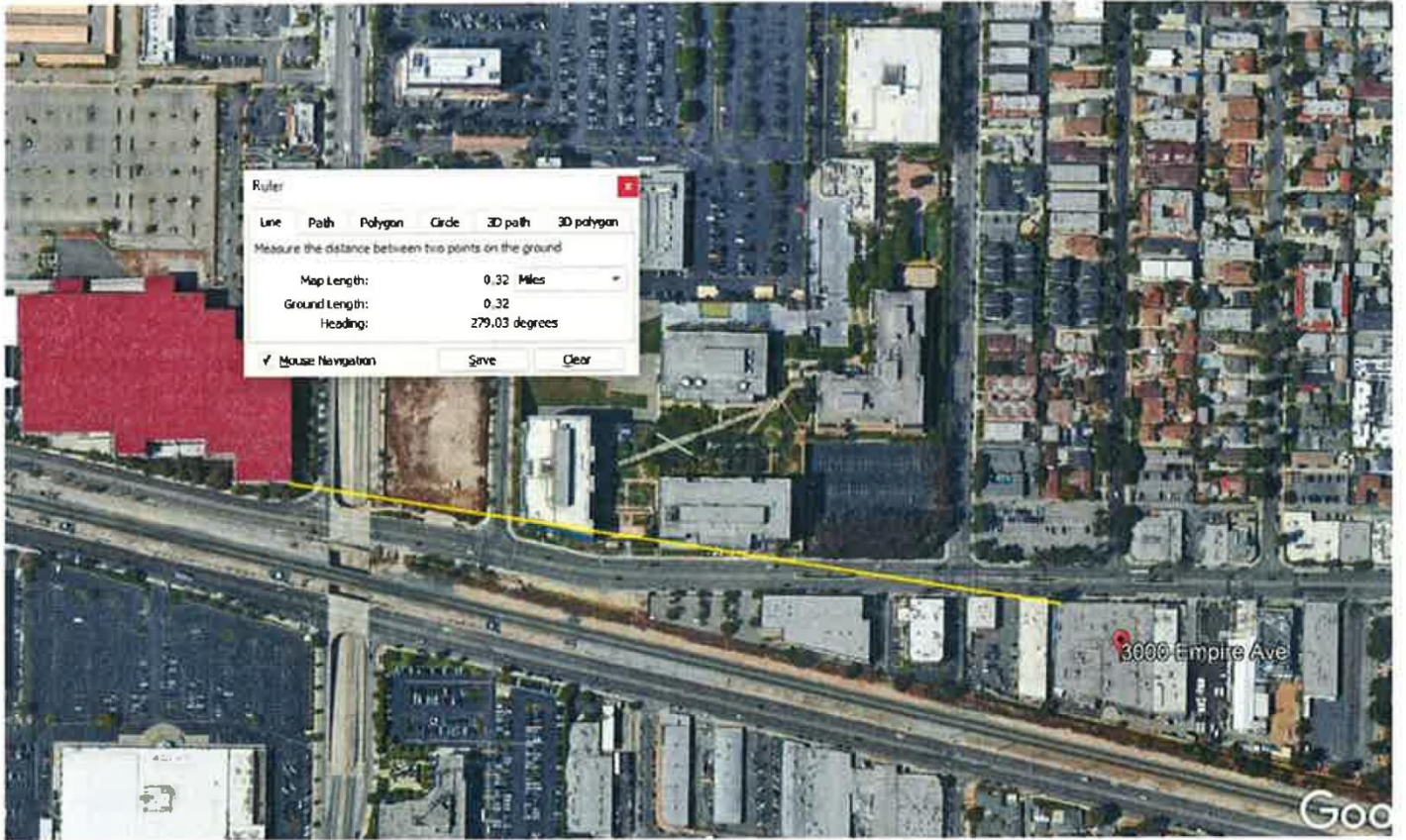


ATTACHMENT C – LOCATION
WITHIN ½ MILE OF TRANSIT

ATTACHMENT C – LOCATION WITHIN ½ MILE OF TRANSIT

3000 EMPIRE AVENUE

Aerial Map Showing 0.32 Mile Distance from Site to RITC



ATTACHMENT D – CITY
COMMENTS ON PRELIMINARY
APPLICATION AND CONCEPTUAL
DESIGN

ATTACHMENT D

CITY COMMENTS ON PRELIMINARY APPLICATION AND CONCEPTUAL DESIGN

PLANNING DIVISION ZONING CONSISTENCY WITH OBJECTIVE DEVELOPMENT STANDARDS

<p align="center">BURBANK MUNICIPAL CODE (BMC) - ARTICLE 8. INDUSTRIAL USES AND STANDARDS: DIVISION 2.</p>	<p align="center">Consistency Analysis</p>	<p align="center">Consistency Determination</p>
<p>General Plan Consistency. (Section 10-1-808.5)</p>	<p>According to the City’s 2035 General Plan, the Project site has a land use designation of Regional Commercial, which has a maximum residential density of 58 units per acre. Per the Regional Commercial land use designation, 114 units (Baseline rounded up to 115 due to Bonus Density Law) would be allowed on the Project Site (1.97 acres). The Project proposes to construct 340 new dwelling units. The Applicant is also proposing a 100% affordable housing project. Pursuant to Section 65915(f)(3)(D)(ii) and 65915(p)(3)(A) of CA Government Code, 100% affordable housing projects within ½ mile of transit are not subject to maximum density or parking requirements.</p>	<p>The proposed density exceeds the maximum density in the Burbank 2035 General Plan; however, any density bonus or any concessions, incentives, or waivers of development standards or reduction of parking standards requested under the Density Bonus Law in Government Code Section 65915 are deemed consistent with objective standards.</p>
<p>Uses in The M-2 Zone (Section 10-1-809)</p>	<p>Multifamily residence is not a listed use in the list of allowable uses for the M-2 Zone in BMC Section 10-1-503. However, the Regional Commercial land use designation of the 2035 General Plan Land Use Map has a listed maximum residential density standard of 58 units per acre. Pursuant to CA Government Code Section 65913.4(b)(5)(A), in the event that objective zoning, general plan, subdivision, or design review standards are mutually inconsistent, a development shall be deemed consistent with the objective zoning and subdivision standards if the development is consistent with the standards set forth in the general plan.</p>	<p>Consistent.</p>
<p>Structure Height. (Section 10-1-812(A))</p>	<p>In the M-2 Zone, the maximum height of a structure within 300 feet of a Residentially-zoned parcel shall be of 50 feet as measured from grade.</p> <p>The Applicant is proposing a new 7-story multi-family Bonus Density rental housing project (77’-4.5” feet in height). However, any</p>	<p>Consistent with Bonus Density Request.</p>

BURBANK MUNICIPAL CODE (BMC) - ARTICLE 8. INDUSTRIAL USES AND STANDARDS: DIVISION 2.	Consistency Analysis	Consistency Determination
	concessions, incentives, or waivers of development standards requested under the Density Bonus Law in Government Code Section 65915 are deemed consistent with objective standards.	
Open Space. (Section 10-1-812(B))	Projects that are adjacent to or abutting residential zones (R-1 zone) shall provide 20- foot-wide open space, which may be satisfied by the width of the right-of-way. The proposed Project is approximately 200 feet away from adjacent residential uses, therefore no open space is required.	Consistent.
Yards. (Section 10-1-812(C))	The minimum required setback from a street-facing property line is 5 feet or 20% of the proposed building height, whichever is greater. The proposed 7-story building is 77'-4.5" feet in height, therefore the minimum setback is 15'-6" feet from the street-facing property line. In addition, a minimum of 50 percent of front and exposed side yards must be landscaped, and one tree shall be planted for every 40 linear feet of street frontage. Additional standards are listed in BMC 10-1-812(C). However, any concessions, incentives, or waivers of development standards requested under the Density Bonus Law in Government Code Section 65915 are deemed consistent with objective standards.	TBD. Please provide more information on landscaping within required yards per BMC Section 10-1-812(C).
Masonry Wall. (Section 10-1-812(D))	A six (6) foot high decorative masonry wall shall be erected along every property forming a boundary with a residential zone, except that along the front setback area of such residential zone the wall shall be reduced to three (3) feet. The Project does not adjoin any residentially zoned properties, therefore this standard does not apply.	Consistent.
Off-Street Parking. (Section 10-1-812(E))	Yards may be used for off-street parking if consistent with this article. The Project does not propose off-street parking in any yard areas.	Consistent.
Additional Standards. (Section 10-1-812(F))	Project was reviewed for compliance with Articles 11 – 16 of Chapter 1 – Zoning of the BMC.	TBD; refer to the tables below.

BURBANK MUNICIPAL CODE (BMC) - ARTICLE 11. GENERAL PROPERTY DEVELOPMENT REGULATIONS.	Consistency Analysis	Consistency Determination
Lot to Have Frontage. (Section 10-1-1103)	Every building shall be on a lot which has frontage of at least 20 feet on a public or private street. The Project Site is on a property which has 322.5 feet of public street frontage.	Consistent.
Frontage On Alleys. (Section 10-1-1104)	Alleys shall not be considered public streets for street frontage requirements. The proposed building frontage does not face the alley.	Consistent.
Open Storage Areas Must Be Enclosed. (Section 10-1-1108)	Open storage areas in commercial and industrial zones shall have an opaque masonry wall surrounding the storage area at least six (6) feet in height and in good repair, except where the storage area is bounded by a building. The proposed project does not include open storage areas.	Consistent.
Commercial And Industrial Design Standards. (Section 10-1-1113.1)	With the exception of pedestrian entry, the Project, as proposed, is consistent with the objective design standards of BMC Section 10-1-1113.1 including roof design, plane breaks, and window treatment. The pedestrian entry must be redesigned to be recessed.	Not consistent.
Art in Public Places. (Section 10-1-1114)	Project will have to comply with Art in Public Places regulations if not considered an exempted development project in accordance with BMC Section 10-1-1114(K) - DEVELOPMENT PROJECTS EXEMPT FROM THIS SECTION.	TBD

BURBANK MUNICIPAL CODE (BMC) - ARTICLE 12. GENERAL YARD AND SPACE STANDARDS	Consistency Analysis	Consistency Determination
Yards Open and Unobstructed. (Section 10-1-1201)	<p>Every yard shall be open, unoccupied, and unobstructed vertically except for projections and encroachments authorized by this Zoning Code.</p> <p>The Project, as proposed, is not meeting the required street-facing setback, which is determined by taking a percentage of the total proposed building height. The required encroachment and projection standards would also not be in compliance. The Applicant has requested a deviation from the maximum building height standard. Under the Density Bonus Law in</p>	Consistent.

	Government Code Section 65915, any concessions, incentives, or waivers of development standards requested are deemed consistent with objective standards.	
Yards Cannot Serve Other Buildings or Lots. (Section 10-1-1203)	No yard or open space area shall be used to meet the requirements of this chapter for more than one (1) structure, nor shall a yard or open space on one (1) lot be used to meet yard or open space requirements on any other lot unless the two (2) lots are owned by the same person and are developed as a single parcel. This Section does not apply to this Project.	Consistent.
Undedicated Streets. (Section 10-1-1205)	All land within the undedicated portion of a partially dedicated or future street shall remain open and unobstructed. Such land shall not be counted in meeting any yard and open space requirements of this chapter. The Project would require street dedication and the Applicant would have to show that the required street dedication area remains open and unobstructed.	TBD
Access to Utility Poles (Section 10-1-1206)	Whenever a utility pole is situated on a lot, required yard areas shall be maintained to provide unobstructed access to the pole. If applicable, utility poles situation on the lot shall be required to provide unobstructed access.	Consistent.
Miscellaneous Encroachments. (Section 10-1-1211)	The Project requires compliance with BMC Section 10-1-1211 because the Project site is zoned non-residential. The Project, as proposed, is not meeting the required street-facing setback, which is determined by taking a percentage of the total proposed building height. The Applicant has requested a deviation from the maximum building height standard. Under the Density Bonus Law in Government Code Section 65915, any concessions, incentives, or waivers of development standards requested are deemed consistent with objective standards.	Consistent.

BURBANK MUNICIPAL CODE (BMC) - ARTICLE 13. GENERAL HEIGHT STANDARDS. DIVISION 1.	Consistency Analysis	Consistency Determination
Exception to Building Height Limits (Section 10-1-1301)	<p>Skylights, fire and parapet walls, chimneys, ventilating fans, antennas (except personal wireless telecommunication facilities), tanks, flagpoles, penthouses or roof structures for housing elevators, lofts, stairways, air conditioning or similar equipment and similar appurtenances usually required to be placed above a building to operate and maintain it may be erected up to 15 feet above the height limits, but no penthouse or roof structure shall be allowed for the purpose of providing additional floor area. The Applicant has requested a deviation from the maximum building height standard. Under the Density Bonus Law in Government Code Section 65915, any concessions, incentives, or waivers of development standards requested are deemed consistent with objective standards. Therefore, the project is consistent with this Section.</p>	Consistent.
Corner Cutoff (Section 10-1-1303)	<p>No structure, object, or feature, including but not limited to fences, walls, and hedges, may be erected or maintained in any zone below a height of ten (10) feet and above a height of three (3) feet above the finished ground surface within a corner cutoff area. The corner cutoff area is defined by a horizontal plane making an angle of 45 degrees with the front, side, or rear property lines as the case may be, and passing through points as follows:</p> <p>At intersecting streets, ten (10) feet from the intersection at the corner of a front or side property line. At the intersection of an alley with a street or another alley, ten (10) feet from the edges of the alley where it intersects the street or alley right-of-way. At the intersection of a driveway with a street or alley, five (5) feet from the edges of the driveway where it intersects the street or alley right-of-way.</p> <p>The applicant shall provide the corner-cutoff areas on the site plan as applicable.</p>	TBD

BURBANK MUNICIPAL CODE (BMC) - ARTICLE 14. GENERAL OFF- STREET PARKING STANDARDS. DIVISION 1, 2, 3, & 4.	Consistency Analysis	Consistency Determination
Parking Space Dimensions. (Section 10-1-1401)	<p>Parking stall requirement for residential uses is 8'-6" by 18'-0". The bay width for a 90-degree, two-way double loaded aisles is 63'-4". The minimum width of parking spaces adjacent to walls, columns, or other vertical obstructions shall be 10'-0".</p> <p>The Applicant shall provide applicable parking stall, bay, aisle dimensions on the site/parking plan for review.</p>	TBD
Computation of Required Parking. (Section 10-1-1402)	<p>The Applicant is proposing a 100% affordable housing project. Pursuant to Section 65915(f)(3)(D)(ii) and 65915(p)(3)(A) of CA Government Code, 100% affordable housing projects within ½ mile of transit are not subject to minimum parking requirements. Therefore, this Section does not apply to the Project.</p>	Consistent.
Ingress And Egress; Backing Into Highway (Section 10-1-1403)	<p>Off-street parking shall be easily accessible from and to a street or other dedicated public right-of-way. The parking shall be so arranged that it shall not be necessary to back into a major or secondary highway to exit from the parking area.</p> <p>The Project meets this standard.</p>	Consistent.
Tandem Parking (Section 10-1-1404)	<p>Tandem Parking is not allowed for residential uses in Industrial Zones. The proposed Project does not include any tandem parking stalls; therefore, this Section is not applicable to this Project.</p>	Consistent.
Bicycle Parking Spaces (Section 10-1-1405.5)	<p>Bicycle parking facilities shall be installed in a manner which allows adequate space for access when the facilities are occupied, and shall be located so as to minimize the blocking of any public sidewalks or right-of-way. An encroachment permit from the Public Works Department is required for any encroachment into the public right-of-way.</p> <p>Bicycle parking facilities shall be located on a hard paved surface and shall be painted with a protective coating to prevent rusting and shall be well maintained.</p>	TBD

BURBANK MUNICIPAL CODE (BMC) - ARTICLE 14. GENERAL OFF- STREET PARKING STANDARDS. DIVISION 1, 2, 3, & 4.	Consistency Analysis	Consistency Determination
	<p>The Project does provide bicycle parking; however, additional information would need to be provided to review this standard.</p>	
Spaces Required (Section 10-1-1408)	<p>The Burbank Municipal Code does not list required parking for residential uses in nonresidential zones; however, there are minimum required parking ratios within CA Government Code Section 65915 depending on the number of bedrooms proposed within a residential unit. The Applicant is proposing a 100% affordable housing project. Pursuant to Section 65915(p)(3)(A) of CA Government Code, 100% affordable housing projects within ½ mile of transit are not subject to any parking requirements.</p>	Consistent.
Must Serve One Use; Exceptions. (Section 10-1-1411)	<p>Off-street parking for one use shall not be considered as providing required off-street parking for any other use, except as expressly authorized by Article 14 of Title 10 of the BMC. The Project is proposing onsite parking for the proposed residential uses, and this parking will be used by any other use. Therefore, the Project is consistent with this standard.</p>	Consistent.
Location of Parking Areas (Section 10-1-1412)	<p>For single or multiple family dwellings, off-street parking shall be located on the same lot or building site as the building it is required to serve.</p> <p>The proposed parking spaces would serve the residential units located on the same lot.</p>	Consistent.
Parking Structures (Section 10-1-1419)	<p>A front yard or street side yard setback averaging five (5) feet or 20 percent of building height, whichever is greater, shall be provided for above-grade parking structures. In no event shall this setback be less than three (3) feet in any one place. When abutting or adjacent to R-1 or R-2 zones, above-grade parking structures shall be set back 20 feet from the residential property line. When abutting or adjacent to R-3 or R-4 zones, above-grade parking structures must be set back ten (10) feet from the residential property line. Public rights-of-way may be used in this calculation.</p> <p>The Applicant has requested a deviation from the maximum building height standard. Under the</p>	Consistent.

BURBANK MUNICIPAL CODE (BMC) - ARTICLE 14. GENERAL OFF- STREET PARKING STANDARDS. DIVISION 1, 2, 3, & 4.	Consistency Analysis	Consistency Determination
	Density Bonus Law in Government Code Section 65915, any concessions, incentives, or waivers of development standards requested are deemed consistent with objective standards. Therefore, the project is consistent with this Section.	
Lighting (Section 10-1-1420)	All lighting shall be arranged to prevent glare or direct illumination on adjoining properties and streets. Applicant to provide a lighting plan and show location of all proposed on-site lighting including the exterior of the building.	TBD

BURBANK MUNICIPAL CODE (BMC) - ARTICLE 16. GENERAL VECHICULAR ACCESS STANDARDS.	Consistency Analysis	Consistency Determination
Access To Street (Section 10-1-1601)	Every lot shall be provided with permanent vehicular access to a street or an alley upon which it abuts. The proposed Project provides permanent vehicular access to the street which it abuts, therefore the Project is consistent with this standards.	Consistent.
Curb Cuts (Section 10-1-1602)	No vehicular access way shall be located nearer than 30 feet to the ultimate curb lines of an intersecting street, nor be provided with a curb cut of more than 30 feet. The applicant shall provide additional detail to demonstrate compliance with this standard.	TBD
Driveway Width (Section 10-1-1603)	Every driveway shall be at least 10 feet wide, and a maximum as approved by the Director. The proposed project provides a driveway that exceeds the minimum driveway width.	Consistent.
Driveway Slopes (Section 10-1-1604)	The slope of a driveway or driveway ramp shall not exceed a grade of 20 percent. A grade transition shall be provided at each end of a driveway or driveway ramp in accordance with standards prescribed by the Public Works Director.	Consistent.

BURBANK MUNICIPAL CODE (BMC) - ARTICLE 16. GENERAL VECHICULAR ACCESS STANDARDS.	Consistency Analysis	Consistency Determination
	The proposed Project proposed a driveway slope that is less steep than the maximum allowed by Code.	
Protective Barrier in Nonresidential Zones (Section 10-1-1605)	Where a vehicular access is provided to a street in a nonresidential zone, a barrier consisting of a three (3) foot high masonry wall, or such other protective barrier as may be approved by the Director, shall be constructed along the remaining street frontage of the lot to prevent unchanneled motor vehicle ingress or egress to the property. The Project is not proposing a barrier; therefore, the Project is consistent with this requirement.	Consistent.
Turn-Around Areas (Section 10-1-1606)	A 24-foot turning radius shall be provided for access to driveways and right-angle parking stalls. The provided parking plan does not provide back-up radius dimension.	TBD.

BURBANK MUNICIPAL CODE (BMC) - ARTICLE 6. DIVISION 5.	Consistency Analysis	Consistency Determination
Affordable Housing Incentives (Section 10-1-633 thru 10-1-653)	The Project proposes to construct 340 new dwelling units. The Applicant is also proposing a 100% affordable housing project. Pursuant to Section 65915(f)(3)(D)(ii) and 65915(p)(3)(A) of CA Government Code, 100% affordable housing projects within ½ mile of transit are not subject to maximum density or parking requirements. In addition to these deviations from BMC Standards, the applicant will request incentives/concessions and/or waivers from development standards, including maximum height, setback, and any additional standards that cannot be accommodated per the requirements of the BMC. In addition, the Inclusionary Requirement shall apply to any project involving new construction of five or more residential dwelling units. For rental projects, at least 15 percent of all newly constructed dwelling units shall be rented to Very Low, Low and Moderate Income Households, at an	Not Consistent.

BURBANK MUNICIPAL CODE (BMC) - ARTICLE 6. DIVISION 5.	Consistency Analysis	Consistency Determination
	<p>Affordable Rent. <u>Out of the 15 percent, a minimum of five percent of units shall be Very Low Income</u>; the remaining ten percent of the units shall be Low Income. The proposed Project does not provide a sufficient amount of Very Low Income units.</p> <p>As proposed, the Project will also require the applicant to enter into a Density Bonus Housing Agreement and Inclusionary Housing Agreement with the City.</p>	

BURBANK 2035 General Plan	Consistency Analysis	Consistency Determination
<p>Policy 4.8 Locate parking lots and structures behind buildings or underground. Do not design parking lots and structures to face streets or sidewalks at ground level. Use alternatives to surface parking lots to reduce the amount of land devoted to parking.</p>	<p>Project is designed to locate at-grade parking spaces behind the proposed residential building.</p>	<p>Consistent.</p>
<p>Policy 3.14 Prohibit gated communities, private streets, private driveways, and other limited-access situations, except where special findings can be made.</p>	<p>The Project does not propose any of the specific site-design features mentioned in Policy 3.14.</p>	<p>Consistent.</p>

EXISTING EASEMENTS

According to the land survey provided in the SB 35 NOI submittal, there is one easement identified. The proposed site plan shows the location of this easements; however, a portion of the proposed driveway is located in the easement. Please confirm that you may use this easement for Fire truck access purposes.

BMC Section 9-1-2-3203 (BUILDING ON PUBLIC EASEMENT PROHIBITED) also states the following:

The following section is added to Chapter 32, Part 2 of the CBC:

SECTION 3203

BUILDING ON PUBLIC EASEMENT PROHIBITED

3203.1 Prohibition. No person shall erect, construct, alter, repair, raise, build or move any permanent building, structure, **paving**, or portion thereof, upon any easement or right-of-way, reserved by the original grantor of a lot or parcel of land or conveyed, granted or dedicated to the City for drainage or public utility purposes, including the construction and maintenance of pipes, conduits, open ditches, poles, wires or other facilities for conveying gas, electricity, power, water, telephone and telegraph service or sewerage to and from property within the City, without the written consent of the City or owner of the easement or right-of-way, as the case may be. The records of the County Recorder of the County shall be prima facie, but not conclusive, proof of the existence of such easement or right-of-way.

MEMORANDUM




**PUBLIC
WORKS**

DATE: December 15, 2021

TO: Greg Mirza – Avakyan, Associate Planner

FROM: Daniel J. Rynn, Chief Assistant Public Works Director – City Engineer

SUBJECT: Project No. 21-0007030 – SB 35 Project – Notice of Intent to Submit App.
(with IDRC Staff Meeting)
Located at 3000 Empire Ave



Project Description:

Request for a **SB 35 Project – NOI Application, submitted on November 29, 2021.** The Applicant is proposing to construct a new seven-story multi-family residential development consisting of 340 rental units with 75 at-grade parking spaces. The Project is proposed to be a 100% affordable unit development that would provide 340 deed-restricted affordable rental units for a minimum of 55 years. The applicant intends to make use of the State's Density Bonus Law that allows for increased residential density, incentives, waivers, and reduced parking standards. The Project site is approximately 1.97 acres (85,924 SF according to land survey) and located on the northeastern corner of Empire Avenue and North Ontario Street. Pursuant to SB 35, the City has 30 days to deem the application complete or incomplete.

ENGINEERING DIVISION

General Requirements:

- Show dimensions and location of all proposed property dedications.
- Applicant shall protect in place all survey monuments (City, County, State, Federal, and private). Pursuant to California Business and Professions Code Section 8771, when monuments exist that may be affected by the work, the monuments shall be located and referenced by or under the direction of a licensed land surveyor or

licensed civil engineer legally authorized to practice land surveying, prior to construction, and a corner record or record of survey of the references shall be filed with the county surveyor. A permanent monument shall be reset, or a witness monument or monuments set to perpetuate the location if any monument that could be affected, and a corner record or record of survey shall be filed with the county surveyor prior to the recording of a certificate of completion for the project.

- No building appurtenances for utility or fire service connections shall encroach or project into public right-of-way (i.e. streets and alleys). Locations of these appurtenances shall be shown on the building site plan and the off-site improvement plans [BMC 7-3-701.1].
- No structure is permitted in any public right-of-way or any public utility easements/pole line easements [BMC 7-3-701.1, BMC 9-1-1-3203].
- All unused driveways shall be removed and reconstructed with curb, gutter and sidewalk [BMC 7-3-504].
- Any work within the public right-of-way must be permitted and approved by the Public Works Department before construction can commence. All construction work in the public right-of-way must comply with Burbank Standard Plans and must be constructed to the satisfaction of the City Engineer. A Public Works **EXCAVATION PERMIT** is required. The excavation permit requires a deposit acceptable to the Public Works Director to guarantee timely construction of all off-site improvements. Burbank Standard Plans can be accessed at; <http://file.burbankca.gov/publicworks/OnlineCounter/main/index.htm>

The following must be completed prior to the issuance of a Building Permit:

- A portion of the property is within a flood plain. Applicant shall provide a copy of the "Flood Plain Development Permit" pursuant to Part 59 and Part 60 of subchapter B of Chapter I of Title 44 of the Code of Federal Regulations as stated in "SB 35 – Notice of Intent to Submit Application".
- Applicant shall notify City of Burbank Building Department in regard to proximity of flood zone. FEMA flood map can be accessed at <https://msc.fema.gov/portal/search?AddressQuery=10950%20sherman%20way%20burbank%20#searchresultsanchor>.
- Dedicate* to the City for street right-of-way: a portion of the property adjacent to Empire Avenue to create a 15' parkway per Burbank 2035 General Plan [BMC 7-3-106].

***Contact Real Estate Division of the Community Development Department at (818) 238-5180 for information to accomplish this dedication**

- The applicant must coordinate with Public Works to establish a professional service Agreement (PSA) for engineering support/project management and inspection services to oversee any related Public Works Construction in the public right of way or within public utility easements related to this project. The cost of the PSA will be paid by the applicant.
- Off-site improvement plans (in the public right-of-way) must be approved by the Public Works Director. Plans must be submitted in City of Burbank Standard format and as-built plans must be submitted on mylar paper.
- Submit hydrology/hydraulic calculations and site drainage plans. On-site drainage shall not flow across the public parkway (sidewalk) or onto adjacent private property. It should be conveyed by underwalk drains to the gutter through the curb face or connected to a storm drain facility [BMC 7-1-117, BMC 7-3-102]. The proposed development will need to submit a hydrology/hydraulic calculation, which depict both the existing and proposed drainage conditions. Any drainage studies and/or improvements on private property are to be reviewed and approved by the City's Building Department. Any drainage studies and/or improvements within the public right-of-way are to be reviewed and approved by the City's Public Works Department. The Lockheed Channel hydraulics are at capacity. Proposed drainage to the Lockheed Channel shall not increase the channel's existing capacity. Development is proposing to connect to the Lockheed Channel, applicant must apply for a connection permit from the City of Burbank, Stormwater Division.
- An address form must be processed [BMC 7-3-907].
- Applicant must contact the City of Burbank, Park and Recreation Department for the removal of any parkway tree(s).
- Plans should include easements, elevations, right-of-way/property lines, dedication, location of existing/proposed utilities and any encroachments.

The following must be completed prior to issuance of Certificate of Occupancy:

- Resurface (grind and overlay minimum 2") with Asphalt Rubber Hot Mix (ARHM) to the centerline of Empire Avenue fronting the property per City of Burbank Standards. Plans must be submitted in City of Burbank Standard format.
- Applicant must re-stripe the resurface area and re-establish all traffic loops.
- Remove and reconstruct sidewalk fronting the property along Empire Avenue per City of Burbank Standards.
- Reconstruct dedicated portion of parkway with PCC sidewalk per City of Burbank Standard Plans BS-100 & BS-104-1.

- Existing driveway apron along Empire Avenue are to be removed and reconstructed per City of Burbank Standards Plan.
- Any portion of public curb or gutter that is broken, uneven or uplifted at the end of the project must be reconstructed to the satisfaction of the City Engineer. That reconstruction will be required whether the damage is pre-existing or is a result of the project. Contact the Public Works Inspection Office at (818) 238-3955 to have these areas inspected and identified after obtaining a Public Works Excavation Permit [BMC 7-3-501].

Additional Comments:

- Building access doors, loading docks doors, and access gates may not swing open into the public right-of-way [BMC 7-3-701.1].
- Additional impacts to street triggered by this project could extend the paving restoration limits.

For additional information or questions, please contact Anthony Roman, Civil Engineer Associate, at (818) 238-3945.

Checked by: Anthony Roman Date: December 6, 2021

WATER RECLAMATION AND SEWER

Required Information Missing on Plans:

- The location, depth, and dimensions of all sanitary sewer lines must be shown on the plans.
- Type of existing use, including the gross square footage of the building's rooms, and its disposition.

Wastewater requirements:

- Under the current rate structure, pulling the Building Permit for the proposed development is subject to a Sewer Facilities Charge estimated at \$225,401.72. The charge is due prior to issuance of a Building Permit [BMC 8-1-802 and BMC 8-1-806].

SFC = Proposed Developments – Demolition Credits
 = Multi-Family Residential [\$667/unit X 340 units] – [\$14.28 +\$1284.00 + \$80.00]
 = \$225,401.72

(Note: It is the responsibility of the developer to show proof of the existing sewer usage or existing developments so that the proper credit can be given.)

- Every building or structure in which plumbing fixtures are installed which conveys sewage must be connected to the municipal wastewater system [BMC 8-1-104].
- No person shall connect to or tap an existing public sewer without obtaining a permit [BMC 8-1-301].
- A maintenance hole must be installed at the connection point to the City sewer main for any newly proposed private sewer lateral connection(s) that are greater than or equal to 8-inches in diameter [BMC 8-1-308] per Standard Drawing BSS-201-2 located in the 2012 edition of Standard Plans for Public Works Construction.
- Any existing fixture or connection to the sewer main line must be capped before building demolition activities occur.
- A backwater valve is required on every private sewer lateral(s) connected to a private building(s), unless it can be shown that all fixtures contained therein have flood level rim elevations above the elevation of the next upstream maintenance hole cover of the public sewer serving the property, or a conditional waiver is granted by the Director [BMC 8-1-313]. Please note that Public Works' Wastewater Division will not sign off on the Certificate of Occupancy until the owner/developer provides proof that the backwater valve(s) has been installed.

Project Specific Requirements:

- A Sewer Capacity Analysis (SCA) is required. If an environmental impact analysis is performed, then the applicant needs to include the findings from a sewer study analyzing how the proposed project will impact the wastewater flows, and assess the existing sewer lines' ability to accommodate the proposed project in a peak wet weather scenario for all sewer reaches tributary to the property. The sewer study can be conducted by the applicant, or by Public Works subject to a \$482 fee (fiscal year 2021-22) paid to the City. Please be aware that the sewer study must include sewer reaches downstream/tributary to the proposed sewer connection to properly conduct the analysis. Public Works requires that the sewer study be completed prior to the review of the project's offsite improvement plans; however, if an Environmental Impact Report (EIR) is required, Public Works requires the sewer study be completed prior to the draft release of the EIR. Please note that if sufficient capacity does not exist, the Director will require the applicant to restrict discharge until sufficient capacity is available, or to construct a public sewer to provide sufficient capacity, or agree to pay a shared portion of the sewer infrastructure improvement costs with the City. The City may refuse service to persons locating facilities in areas where their proposed quantity or quality of sewage is unacceptable [BMC 8-1-301A and BMC 8-1-304].

- For any cooling tower(s) included in this project using recycled water, separate recycled water meter(s) will be required. A recycled water meter must be obtained and coordinated with Burbank Water and Power, located at 164 E Magnolia Blvd., Burbank, CA 91502 or by phone at (818) 238-3500.

Stormwater Requirements:

- Effective July 1, 2010, any construction activity that results in soil disturbances greater than one acre is subject to the General Permit for Storm Water Discharges Associated with Construction Activity Permit Order 2009-0009-DWQ (2009 Construction General Permit) – see: http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml. Additionally, if the construction activity less than one acre is part of a larger common plan of development that encompasses a total of one or more acres of soil disturbance or if there is significant water quality impairment resulting from the activity, it is subject to the 2009 Construction General Permit.
- Per BMC 9-3-407, Best Management Practices shall apply to all construction projects and shall be required from the time of land clearing, demolition or commencement of construction until receipt of a certificate of occupancy.
- Discharges from essential non-emergency firefighting activities (i.e., fire sprinkler system testing) is a conditionally allowed non-storm water discharge into the storm drain system, provided appropriate Best Management Practices (BMPs) are implemented. Please see the attached Fire Suppression Systems discharge form and follow the requirements to comply when conducting the conditionally allowed non-storm water discharge.
- Certain construction and re-construction activities on private property will need to comply with post-construction Best Management Practices (BMPs), which include Sections 8-1-1007 and 9-3-414.D of the BMC authorizing the City to require projects to comply with the Standard Urban Stormwater Mitigation Plan provisions and the City's **Low Impact Development (LID)** ordinance. For questions on these requirements, please contact the City's Building Division at (818) 238-5220.
- Landscape irrigation discharges using potable or reclaimed/recycled waters are a conditionally allowed discharge per Table 8 of *Final LA County MS4 Permit (Order No. R4-2012-0175)* as amended by State Water Board Order WQ 2015-0075, which can be found at: http://www.waterboards.ca.gov/losangeles/water_issues/programs/stormwater/municipal/la_ms4/2015/OrderR4-2012-0175-FinalOrderasamendedbyOrderWQ2015-0075.pdf
- Certain construction and re-construction activities within the City's transportation corridors (i.e., public streets, public alleys, public parkway areas, private streets, and private parking) will be subject to the City's Green Streets Policy requirements

should the transportation corridor redevelopment area exceed 5,000 square feet. This policy can be reviewed at the following address:
<https://www.burbankca.gov/documents/174714/1211995/Green-Streets-Policy.pdf> For questions on these requirements, please contact the City's Wastewater Division at (818) 238-3915.

For additional information or questions, please contact Seiko Oishi at (818) 238-3941.

Checked by: Stephen Walker

Date: December 7, 2021

TRAFFIC ENGINEERING

Conditions:

- Driveway apron shall be constructed per Burbank Standard Plan BS-102. Driveway slope and transition shall be constructed per Burbank Standard Plan BT-406.
- Driveway access on Empire Avenue shall be right-in/right-out only, no left turns in or out to Empire Avenue.
- Fire Lane shall be a minimum of 24' wide or per Burbank Fire Department's requirement. All driveways leading to and from the Fire Lane and the curvature of the road should be able to accommodate the turn path of the largest fire engine used for fire response.
- All driveways and access road leading to parking areas shall be designed to accommodate turn path of Passenger Car (P) design vehicle per the AASHTO Greenbook with minimum 24' outer turning radius and 15' inner turning radius
- Site plan shall show a detailed parking arrangement accurately dimensioned, showing individual numbered parking spaces, aisles widths, driveway widths, as well as location, size, shape, design of curb cuts (driveway width).
- Parking spaces shall be constructed per BMC 10-1-1401, 10-1-1403, 10-1-1417, 10-1-1606.
- Parking spaces for residential use shall have a minimum width of 8'-6" and a minimum length of 18' per BMC 10-1-1401.
- Access aisle width for standard residential parking spaces shall be per Burbank Standard Plan BT-401 as follows:

STANDARD SIZE AUTOMOBILE SPACES ADJOINING ACCESS AISLE	
BASIC STALL WIDTH	ACCESS AISLE WIDTH
8'-6"	27'-4"
8'-8"	26'-8"
9'-0"	25'-4"
9'-4"	24'-0"

- If an obstruction is located outside of the permitted areas, on one or both sides of the parking stall, a standard parking space shall be minimum 10 feet wide per Burbank Standard Plan BT-400.
- End stalls shall be a minimum of 11' wide or the access aisle must extend 3' beyond the bay per Burbank Standard Plan BT-400.
- ADA parking stalls shall be constructed per Caltrans Standard Plan A90A. Stalls shall be a minimum of 9 feet wide by 18 feet deep.
- On street parking shall be eliminated, by red curb, in the areas 30' west of the driveway and 20' east of the driveway to improve visibility.
- Provide pedestrian circulation paths, to connect the on-site and off-site locations and features per BMC 10-1-627 (M)
- No visual obstruction shall be erected or maintained above 3' high or below 10' high in a 5' by 5' visibility cut-off at intersection of street and driveway [BMC 10-1-1303(C)].
- Pedestrian path across project driveway shall be in the public right of way. Corner cutoff requirements shall apply to any corner of the pedestrian path.

For additional information or questions, please contact Vikki Davtian, Principal Engineer – Traffic, at (818) 238-3922.

Checked by: Vikki Davtian

Date: December 15, 2021

FIELD SERVICES

Solid Waste:

- Must have a common location(s) for trash enclosures large enough to house an appropriate number of refuse and recycling bins.

- Must comply with AB 341 and SB 1383 requirements.
- There must be an appropriate location on the property for all solid waste containers or bins. Solid waste containers shall not to be visible from the street.
- Recycling must be provided for all residents/businesses.

For additional information or questions, please contact Public Works Field Services at (818) 238-3800.

Checked by: John Molinar

Date: December 10, 2021



City of Burbank
PUBLIC WORKS DEPARTMENT
275 East Olive Avenue, Burbank CA 91510-6459
Tel: (818) 238-3915 Fax (818) 238-3918
www.burbankca.gov

DISCHARGE PERMIT FIRE SUPPRESSION SYSTEMS

On November 8, 2012, the Los Angeles Regional Water Quality Control Board (Regional Board) adopted the Final Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges within the Coastal Watersheds of Los Angeles County. The City of Burbank is a Co-Permittee regulated under the State-issued municipal storm water permit, which regulates discharges of storm water and urban runoff to and from the City's municipal separate storm sewer system (MS4). The current MS4 Permit can be accessed at:

http://www.waterboards.ca.gov/losangeles/water_issues/programs/stormwater/municipal/index.shtml

The MS4 Permit essentially prohibits any non-storm water discharges from entering the City's storm drain system. However, certain discharges are allowed if appropriate Best Management Practices (BMPs) are implemented; these are known as conditional exemptions. One of the conditionally exempt non-storm water discharges is for discharges from routine maintenance of fire suppression systems (e.g. fire sprinklers), if specific Best Management Practices are implemented prior to, during, and following the discharge. Tables 1 and 2 contain the required BMPs in order to discharge water from fire suppression systems to the City's MS4.

CITY USE ONLY

Permit processed by _____

Approved Denied

Inspection or Follow-up Required? Yes No

Inspector Assigned _____

Comments _____

Table 1. Required BMPs for Discharges from Fire Suppression Systems, Routine Maintenance

BMP Number	BMP Description
1	Obtain a permit from the City if the discharge is >10,000 gallons.
2	Maintain records if the discharge is >1,500 gallons (see Attachment 1).
3	Conduct flows for the shortest duration possible.
4	Remove all debris from the curb and gutter before initiating flushing.
5	If chlorine residual is a concern, use dechlorination. Discharges must be dechlorinated before entering a storm drain. ^a
6	Whenever possible and when safe to do so without causing damage or erosion, contain flows onsite by directing the water to landscaped or green areas.
7	When practicable and with the permission of the local sewer agency, divert sprinkler system discharge to the sewer. The local sewer agency may have additional conditions.
8	Assess the following prior to any partial or full discharge of water from a vault, substructure or building fire system into the street or storm drain system: a. Ensure the water is not cloudy, discolored and/or has no unusual odor. b. Ensure the Fire Protection System water does not have chemical additives. ^b
9	Dischargers must minimize sediments and other debris entering a storm drain.
10	Determine the flow path of the discharge from the point of release to the inlet of a storm drain.
11	Implement drain inlet protection (see table below).

^a Many, if not most, testing and maintenance discharges will not have chlorine residual due to the age of the water in the system. If CWS water is introduced during testing and then discharged, it will require dechlorination. Methods of dechlorination include aeration and/or other appropriate means such as infiltration to the ground, bags, diffusers, and at sediment traps in drop inlets where controllable.

^b If it has been determined that chemicals have been added to the fire protection system the following actions must be taken: The water should be tested by an approved testing facility to determine the chemical and the proper treatment. Upon completion of the chemical report of the water test, the results should be submitted to the City to determine the approved discharge method and location of the water discharge. Examples of the discharge location may be storm drains, sewage system or to an approved treatment facility or plant. If chemicals are to be reintroduced into a system, proper signage should be provided for guidance. Note: The following conditions may require testing by an accredited laboratory for cloudiness, discoloration and odors (sewage, chemicals, solvents, gasoline, etc.). Turbid water due to rust and musty stagnation would be subject to BMPs for containment and sediment control.

Table 2. Required BMPs for Storm Drain Inlet Protection

BMP Number	BMP Description
1	Before the drain event, check to be sure the fire protection system discharge does not interfere with or delay repairs or corrective actions undertaken by the MS4 agency.
2	Prior to the release, evaluate and determine the appropriate BMPs to use.
3	Where appropriate, place bags to either completely or partially surround drain inlet. The number of bags used will vary depending upon site conditions and the resources available. Protection should be installed around all affected drain inlets within reason. Several bags may need to be stacked on top of each other to produce the desired protection.
4	Remove grate from drain inlet and ensure that it is clear and clean of debris.
5	If appropriate, place filter bag insert so that edges are secured when grate is replaced.
6	Periodically inspect and adjust bags. Because filter bags clog quickly, pay particular attention to water backing up around the drain inlet. Where necessary, either replace the bags frequently or adjust upstream sediment dams to provide more sediment removal prior to drain inlet.
7	When the discharge is complete, allow any water that is ponded behind the dams to drain.
8	Clean the flow path and upstream dams to remove residual sediment from the street.
9	Retrieve all control equipment and remove temporary drain inlet bag.

I. Required Information:

Today's Date	
Responsible Party	
Phone Number	
Address/Location of Discharge	
Location of Nearest Storm Drain Inlet	
Date and Time of Anticipated Discharge	
Duration of Discharge	
Estimated Volume of Discharge	

II. Best Management Practices to be implemented:

1. How will the pathway to the storm drain inlet be cleaned?

2. Does the water contain chlorine? Yes No

3. How will the water be dechlorinated?

4. How will you minimize the discharge of water to the storm drain system?

5. Are there other chemical additives in the water to be discharged?

6. How will the storm drain inlet be protected?

Attachment 1

**RECORD KEEPING AND NOTIFICATION FORM
DISCHARGES FROM
WATER-BASED FIRE PROTECTION SYSTEMS**

DIRECTIONS:

Discharges less than 10,000 gallons but greater than 1,500 gallons – Part A only.
Discharges equal to or greater than 10,000 gallons – Fill out entire form.
For discharges less than 1,500 gallons, record keeping is not required.
Discharger is to retain records for a period of no less than five years.

PART A

Date of Discharge: _____

Name of Discharger/Responsible Party: _____

Location of Discharge: _____

Location of Nearest Storm Drain Inlet: _____

Time Frame of Discharge:

Beginning _____

Discharge Flow Rate (gpm) _____

End _____

Total Gallons Discharged _____

Duration (minutes): _____

Dechlorination Chemicals Used: _____

Chlorine Residual Concentration
(after dechlorination): _____ mg/l

Location of Monitoring: _____

Time of Monitoring: _____

Description of Sediment Controls Used: _____

PART B


Date of Notification: _____

Method of Notification: _____

Who was notified? _____

Department	Burbank Water and Power (Electric)
DR #	Sb-35 Notice of Intent
Project Name	Project No. 21-0007030 – APN: 2464-001-019 (3000 Empire Ave)
Location	3000 Empire

Checked by: **Sven Knauth** *12/9/2021*
Electrical Engineering Associate II

Approved by: **Calvin Clark**  *12/10/2021*
Senior Electrical Engineer

General Requirements

Plan Information

1. The following information shall be included on the construction plans:
 - a. Location of the existing electric service panel
 - b. Dimensions/location of existing/proposed public improvements adjacent to project.
 - c. The width and the location of all the existing and proposed easements.
 - d. Fully dimensioned building elevations showing height of structure from natural grade.
 - e. Proposed location of the electric service panel/meters.
 - f. Proposed location of the any pad-mounted electrical equipment.
2. Plan approval will not be given until an electric service confirmation is obtained. Contact BWP Engineering at (818) 238-3575. The plans must show the pertinent information related to the method of service as specified on the confirmation.

Load Requirements

3. A load schedule and secondary service schematic will be required to determine the extent of the electrical load requirements. An electronic copy of a plot plan of the site, showing all the existing and proposed substructures, complying with BWP AutoCAD standards should also be provided to BWP Electrical Engineering to aid the electrical design. BWP will provide full comments after the electrical sheets are provided. A meeting should be scheduled between the developer, project architect, electrical engineer, and BWP Electrical Engineering early in the design stage of each phase of the project to discuss all the issues and to finalize the location of the facilities.
4. Loads below 5MVA will be fed from the existing system but will require upgrades to accommodate the new development, at the developers cost.
5. Loads 5MVA or greater will require a new substation. The developer must provide the necessary space (a minimum of 125' x 80', with two 20' access roads on two sides), if a

substation is required. Please contact BWP Engineering at (818) 238-3575 for details if the projected load will exceed 5MVA.

Substructure

6. The proposed development will require the installation of pad-mounted switches and transformers. The pad-mounted switches will be looped on the line side.
7. The proposed development will require transformer and switch pads, which have a vault underneath them. No structures are allowed to be constructed underneath these vaults.
8. The installation of pad-mounted transformers and switches will require the use of a crane or boom truck. To facilitate this installation, a vertical clearance of 40' from the transformer or switch pad level should be maintained. Any design that would restrict vertical access clearance to a level below 40' shall be subject to BWP approval.
9. Provide a minimum 14' x 18' clear accessible area at grade level on undisturbed soil with easy crane access 20-foot wide for each three phase pad-mount transformer facility.
10. Provide a minimum 10' x 17' clear accessible area at grade level on undisturbed soil with easy crane access 20-foot wide for each single-phase pad-mount transformer facility.
11. The proposed development may require the installation of 4' x 6' primary pull-boxes.
12. The proposed development may require the installation of 8' x 14' primary manholes.
13. Additional conduits may be required to provide for future needs.
14. The developer will provide 5' wide recorded easement for the new underground system from the property line to the switch and a minimum 25' x 15' clear accessible easement for a pad-mount switch. The developer's surveyor will provide a legal description of the easements, which will be reviewed by Burbank Water and Power and then processed by the Community Development Department (contact 818-238-5250 for recording).
15. The developer's contractor will provide as-built drawings showing the exact location of underground substructure installed to serve the property.
16. All substructure work including transformer pads, switch pads, pull boxes, grounding systems, primary conduits and secondary conduits are the responsibility of the developer and shall be done in accordance with Burbank Water and Power drawings and specifications.
17. Any existing and proposed substructure on-site and off-site, which may affect the location of the new underground electrical system and any other improvements shall be identified and shown on the final plans in order to avoid a potential conflict with other substructure.
18. BWP will provide the following items at the developer's cost:

- a. Construction drawings for all substructure work
 - b. Engineering support during construction
 - c. Inspection of the work performed by the developer's contractor to ensure the work is done per the plans provided by BWP and per BWP specifications
 - d. Installation of all transformers, switches, primary cables, and metering devices
 - e. Termination of the secondary cables at the transformer
19. The developer's contractor shall install secondary conduits, pull cable from the transformer to the switchboard, and terminate the secondary cables on the switchgear.
 20. Depending on the location of the switchgear (whether it is outside or inside the building), secondary conduits and cables will be inspected and approved by both the BWP inspector and the Building Inspector (switchgear inside the building) or by the BWP inspector (switchgear outside the building).
 21. The Building Inspector will provide structural inspection of secondary conduits for compliance with the Building code-concrete encasements, fire walls, support of the conduit package, etc. The BWP inspector will inspect the amount and size of secondary conduits and cables.

Safety/Clearances

22. The developer's contractor is responsible for protecting any existing Burbank Water and Power facilities in place. Power poles must be protected in place to prevent any movement of the pole butt during excavation. Anchors must also be protected to prevent slippage or exposure that could result in the reduction or loss of holding power. If these requirements cannot be met, then no excavation will be allowed within three feet from the face of poles and five feet from anchors.
23. The developer's contractor is responsible for protecting any existing Burbank Water and Power underground facilities from damage during construction. No crane imposed loads will be allowed on any existing manhole or pullbox structures.
24. Any excavation that restricts vehicular access to existing BWP facilities may require the relocation of such facilities prior to excavation at the developer's cost.

Aid-in-Construction

25. The Burbank Water and Power fees for providing electric service are Aid-in-Construction (AIC) charges set forth in Section 3.26 of BWP's Rules and Regulations for Electric Service. AIC charges are to recover the actual cost of:
 - a) Providing and installing new facilities to serve the customer;

- b) Conducting feasibility studies and engineering;
 - c) Relocating existing overhead or underground facilities.
26. Depending on local site conditions and the location of the project, AIC costs can vary widely from project to project. For reference, historical AIC costs for developments between 1 MVA and 5 MVA have ranged from \$400,000 - \$1,200,000 (2021 dollars) per MVA. For projects in this size range, BWP recommends performing a feasibility study early on in the project to determine a proposed electrical route and a rough cost estimate.
27. If any portion of the existing BWP facilities needs to be upgraded or relocated due to the subject project, it will be done at the developer's expense.

Metering/Service

28. All electrical installations must conform to the Burbank Water and Power Rules and Regulations for Electric Service (latest revision).
29. Contact BWP Engineering at (818) 238-3647 (residential) or at (818) 238-3565 (commercial) if the existing service panel requires upgrading.
30. For multi-metered services all numbering must be completed in a permanent manner at all individual units and meter sockets before service can be energized. See BWP Rules and Regulations, Section 2.68 (c) for acceptable labeling (stenciling or riveted tags required, permanent marker is unacceptable). Contact Public Works Engineering for unit designations.
31. The service switchboard rating shall be limited to 3000 Amps. Five copies of EUSERC drawings of the switchboard shall be provided to BWP for approval prior to submittal to the manufacturer. Service shall not be energized unless these drawings are provided.
32. Outdoor meter locations are preferred. When adequate exterior wall space is not available, a separately locked, clearly labeled meter room is acceptable. All meter rooms must be located on the ground floor and have two exit doors equipped with panic hardware. At least one door must lead directly outside. BWP must be supplied an access key to the room, which will be installed in a lock box adjacent to the door. The developer shall consult BWP for approved location and obtain a service confirmation prior to any installations.
33. All new metered services require a path for meter communications to BWP communication networks. Installation of meters that fail to continuously communicate with BWP communication networks will require additional BWP approved equipment to be installed at the developer's expense in order to create the appropriate communications path.

Street Lighting

34. The developer is responsible for the street lighting system traversing the project. The street light system is required to be underground fed with LED luminaires. If existing lighting conditions do not satisfy this requirement, modification will have to be made at the

developer's expense. Standards and luminaries will be supplied by BWP at the developer's expense. A plot plan of the site must be submitted to BWP during the initial planning stage of the project for street light design.

35. Any construction that impacts existing streetlight standards or infrastructure will require relocation at the developer's cost.

Fiber/Communication

36. Burbank Water and Power offers high-speed, high-quality fiber optics-based services through its ONE Burbank program. Fiber service is available to the project if desired. For further information, email support@oneburbank.com or call (818) 238-3113.
37. Contact AT&T at (866) 577-7726 for any phone company facility conflicts. Contact Charter Communications at (818) 847-5013 for any cable T.V. facility conflicts.

Landscaping

38. Any trees planted in the area adjacent to the street/alley will be of a type that will not grow into the existing power lines and will also have sufficient clearance from the streetlight facilities.
39. All equipment locations and screening structures will be indicated on the plans and must meet the Community Development Department Equipment Screening Guidelines. The plans will include the proposed screening method, height of screening, material finish, and color or species of vegetation. All screen walls, which are a part of, or adjacent to, the proposed building will be shown on the building elevations. All screen walls detached from the building will be included as a separate elevation. Verification of submittal requirements and recommendations for screening requirements shall be by the CDD Director or his designee.
40. BWP landscaping requirements for transformer pads and switch pads:

Due to the natural maturation of trees and other landscaping elements, the following requirements are to be adhered to:

- a) New plantings within three feet of the back or sides of the pad and within eight feet of the front shall be of a groundcover type. This is considered the working zone.
- b) Outside of the working zone, shrubbery is acceptable within eight feet of the pads, but trees must be beyond an eight-foot radius to lessen future root conflicts.
- c) Landscaping grade shall be a minimum of five inches below the grade level of the top of transformer pads.
- d) All irrigation and sprinkler systems shall be constructed so that water shall not be directed onto the switch, the transformers, or the concrete pads. Additionally, surface water shall drain away from the concrete pads.

Landscape plans shall adhere to the above requirements, showing proper working clearances for electrical facilities on L-sheets.

Energy Efficiency

41. The electrical design shall comply with California Building Code Title 24 energy efficiency requirements and shall use, wherever practical, surge suppressors, filters, isolation transformers, or other available means to preserve a quality of power of its electrical service and to protect sensitive electronic and computer-controlled equipment from voltage surges, sags, and fluctuations. BWP also recommends the use of an uninterruptible power supply (UPS) and a standby generator for critical loads.
42. Power factor correction to a minimum of 90% will be requested to minimize kVA demand as well as energy use. The developer must use California Nonresident Building Standard to consider and implement energy efficient electrical equipment and devices for minimizing peak demand and wasteful energy consumption.

Electric Vehicle Charging

43. Electric Vehicle (EV) parking capacity shall be in accordance with Title 24 building code requirements. Plans shall detail all planned EV charger installations as well as all EV capable parking spaces. The electrical service panel shall include capacity to simultaneously charge all EV capable parking spots at their full-rated amperage whether installed or not.
44. As part of our efforts to reduce greenhouse gas emissions, improve air quality, and enhance customer service, Burbank Water and Power's Electric Vehicle Charging program promotes the use of electric vehicles by providing rebates for the installation of Level 2 (240V) charging equipment. BWP also installs and maintains a public electric vehicle charging network, consisting of 45 Level 2 charging ports and 2 DC Fast Chargers (480V), with new stations added each year depending on budget and availability. For more information on the rebates and the charging network, please contact Drew Kidd at 818-238-3653 or dkidd@burbankca.gov. Additionally, information can be found at <https://www.burbankwaterandpower.com/conservation/electric-vehicles-rebate>.

For additional information or questions please contact Sven Knauth, Electrical Engineering Associate II, BWP at (818) 238-3568 or SKnauth@BurbankCA.gov.

Attachments:

- A. BWP Specifications for the Construction of Underground Electrical Systems
- B. S-330 Three-phase 6' x 8'-6" Transformer Pad Details
- C. S-458 Barrier Post Detail
- D. S-461 Primary Riser Pole Grounding Requirements
- E. S-462 7' x 10.5' Padmounted Switch Pad Details
- F. S-464 4' x 4.5' Single-Phase Transformer Pad Details

G. S-708	GO-95 Clearances
H. S-723	Three-phase 8' x 10' Transformer Pad Details
I. S-724	Clearances for Three phase 6'x 8'-6" Transformer Pad
J. S-725	Clearances for Three phase 8' x 10' Transformer Pad
K. S-729	4' x 6' x 6' Traffic Rated Pullbox Details
L. S-732	7' x 10.5' Padmounted Switch Clearances
M. S-794	8' x 14' Precast Manhole Details
N. S-821	Spec. for bonding grounding electrode conductors and grounding electrodes



memorandum

DATE: December 19, 2021

TO: Greg Mirza-Avakyan, Associate Planner

FROM: Chris Buonomo, Assistant Transportation Planner

SUBJECT: Project No. 21-0007030 – 3000 Empire Avenue

The Transportation Division, Community Development Department has reviewed the APB for 3000 Empire Avenue and has the following comments:

Project Description

The Applicant is proposing to construct a new seven-story multi-family residential development consisting of 340 rental units with 75 at-grade parking spaces. The Project is proposed to be a 100% affordable unit development that would provide 340 deed-restricted affordable rental units for a minimum of 55 years. The applicant intends to make use of the State’s Density Bonus Law that allows for increased residential density, incentives, waivers, and reduced parking standards. The Project site is approximately 1.97 acres (85,924 SF according to land survey) and located on the northeastern corner of Empire Avenue and North Ontario Street. Pursuant to SB 35, the City has 30 days to deem the application complete or incomplete.

EXISTING STRUCTURES ON SITE: The project site is currently improved with an 82,670-square-foot commercial/industrial building with on-grade parking. The existing uses include jewelry manufacturing, knitting and miscellaneous collectibles manufacturing, jewelry import and export, warehousing, wholesale, retail, and administrative and maintenance activities.

PERMITS/APPROVALS NECESSARY:

Type of Permit	To Allow
Pre-Application Review	SB35 project of 340 deed-restricted 100% affordable units

CURRENT	Zoning: M-2 (General Industrial)
	General Plan: Regional Commercial
PROPOSED	Zoning: No Change
	General Plan: No Change

Traffic Study Requirement

The City's project review process ensures that transportation impacts caused by new developments are fully considered so that the community may be informed of the potential effects of new development.

A project may not be approved unless the Director, Planning Board, or City Council finds that the Project would not have an adverse effect on traffic flow or circulation, or deems that any traffic impacts are acceptable because the benefits of the Project to the community outweigh these impacts.

The Community Development Department's Transportation Division has reviewed a preliminary Vehicle Miles Traveled for Project No. 21-0007030 and has the following comments:

For this Project, a traffic study will not be required.

Sidewalk Standards / Requirement

Per the City's *Burbank2035 General Plan Mobility Element*, the City has set specific sidewalk width requirements for Burbank's streets. Based on Table M-2 (page 4-21) of the *Burbank2035 General Plan's* Regional Commercial land use designation, the Project shall provide 15 feet wide sidewalks (from edge of curb to property line).

To promote and enhance transit, bicycle, and pedestrian connectivity and multi-modal options, the Developer shall be required to provide:

- Shade canopy with trees along the parkway surrounding the Project site
- Provide pedestrian safety enhancements, such as pedestrian lighting

Per Burbank Municipal Code 10-1-628, sidewalks within the project shall be a minimum of 5 feet wide to meet ADA requirements and pedestrian crossings be clearly marked. The pedestrian crossing at the vehicle entrance to the parking garage shall be clearly marked with a painted crosswalk.

Bicycle Parking

Burbank Municipal Code 10-1-628 calculates the number of bicycle parking spaces as 5 percent of the number of required vehicle parking spaces, so this project is not required to provide bicycle parking spaces as a project provision. However, it is advisable that the project provide adequate bicycle parking for residents, including long-term bicycle parking spaces. Since minimal vehicle parking will be provided for this project, many residents will rely on non-motorized transportation, and bicycle parking will be a necessity to enable that safekeeping for their bicycles.

If this project were to apply without any affordability bonuses, it would be required to provide 723 vehicle spaces and 36 bicycle parking spaces, 75 percent of which would be long-term bicycle parking spaces (27 spaces) per the Burbank Bicycle Parking Guidelines. Project plans currently provide 12 bicycle parking spaces on the street and do not include dedicated indoor space for tenant bicycle parking. The City requests an indoor space be dedicated to a minimum of 27 bicycle parking spaces so that residents can have a covered, secure space to store bicycles.

These are preliminary comments based on the review of the currently submitted project description and site plan. These comments may be subject to change if the project description and/or site plan are to change. Please feel free to direct all questions regarding the requirements listed above to the Transportation Division by email at cbuonomo@burbankca.gov.

City of Burbank Bicycle Parking Guidelines

Definitions

A Bicycle Parking Space: Shall be defined as the space where one bicycle may be securely stored within or attached to a facility (such as a bicycle rack) and which is affixed to a permanent surface.

Long-Term Bicycle Parking: Means bicycle parking which accommodates residents, employees, students, and others expected to park more than two hours. This parking shall be provided in a secure, weather-protected location.

Short-Term Bicycle Parking: Means bicycle parking which accommodates visitors, customers, messengers, and others expected generally to depart within two hours. Racks are relatively low-cost devices that typically hold between two to eight bicycles. The racks are secured to the ground and are generally located in highly visible areas.

On-Street Bicycle Parking: Means any bicycle parking facility placed within the public right-of-way, including but not limited to bicycle racks installed on the sidewalk or bicycle corrals installed within the roadway shoulder or parking lane.

Off-Street Bicycle Parking: Means any bicycle parking facility placed on private property and intended to serve a specific property or use.

Minimum Bicycle Parking Requirements

The minimum number of bicycle parking spaces shall be no less than 5% of the total number of required off-street vehicle parking spaces, subject to normal rounding where a fraction of 0.5 or greater counts as an additional space.

The minimum ratio of long-term and short-term bicycle parking facilities should be as follows:

Type of Use	Long-term	Short-term
Residential Uses	75%	25%
Commercial Uses	25%	75%
Office/Media Uses	85%	15%
Industrial Uses	100%	0%
Hotel/Motel Uses	85%	15%

An alternative ratio may be determined by the Community Development Director in the case of unspecified uses or unusual circumstances.

Bicycle Parking Design and Installation Requirements

What types of bike racks should be used?

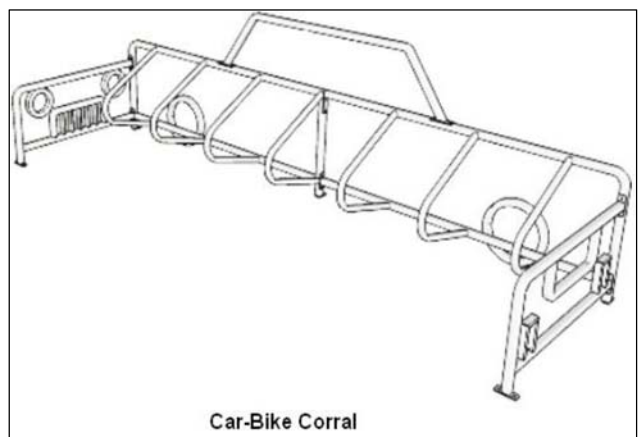
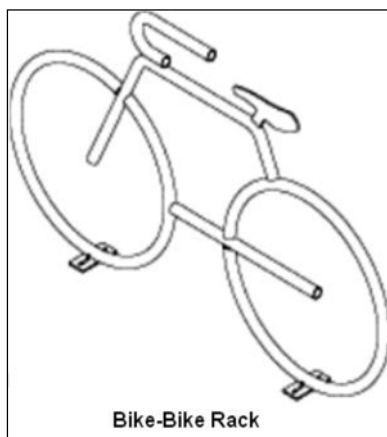
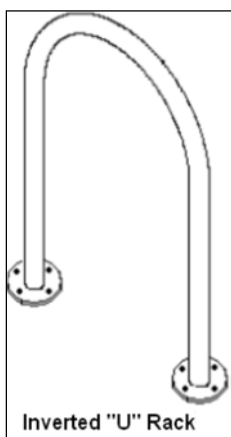
Racks shall support the bicycle in a stable position and allow cyclists to securely lock their frame at two-points. The following are the preferred rack designs meeting these requirements that are currently installed throughout the City of Burbank. The City permits the use of racks of different designs, so long as they meet these requirements.

The **Inverted “U” Rack** mounts onto a level surface, typically a sidewalk. The rack is equipped with a surface flange to allow for mounting with anchor bolts. This rack is the most common and can be found along commercial corridors and at city facilities. The rack is typically powder-coated in black to prevent regular rusting and wear and tear.

The **Bike-Bike Rack** mounts similar to the Inverted “U” via a surface flange and is typically mounted on a sidewalk. These racks are usually located in the Downtown and Civic Center area. They are also typically powder-coated in black.

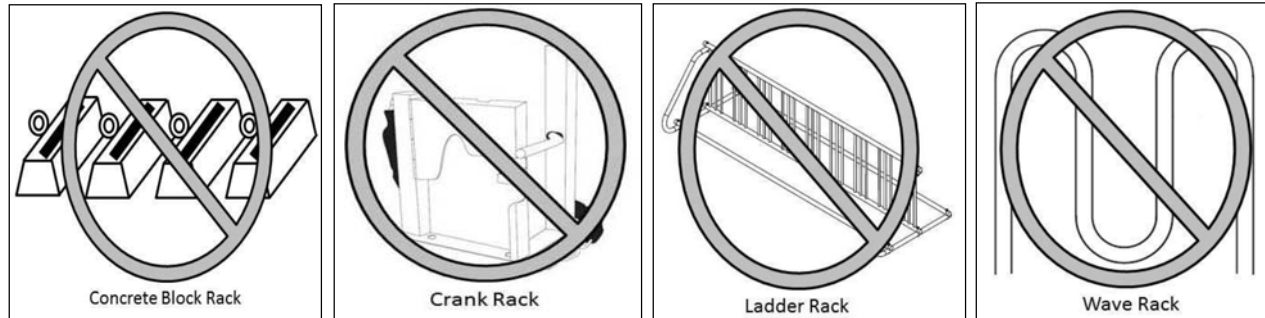
The **Car-Bike Corral** is a multi- bike rack that provides parking for up to 12 bicycles. These racks are typically located in the street within the curbside-parking lane. The rack itself provides protection from the vehicle travel lane. These racks are found in locations with a particularly high demand for bicycle parking or area without adequate sidewalk width to allow for bicycle racks. The racks are typically powder-coated in a bold color to provide increased visibility for motorists. These racks require a maintenance agreement with the local property/business owner(s) to keep the rack clear of debris.

All bicycle racks shall be painted (preferably powder coated) with a protective coating to prevent normal wear and tear. It is the responsibility of the property/business owner(s) to ensure that the bike racks are maintain in a state of good repair and clear of any accumulated debris.



What types of bike racks should not be used?

Bicycle racks shall not be of a design that supports the bicycle by the wheel as this may damage the wheel by causing them to bend. Racks which only provide a single location to securely lock a bicycle frame to and racks which support a bicycle by a single wheel or by the crank of the bicycle cannot be used.

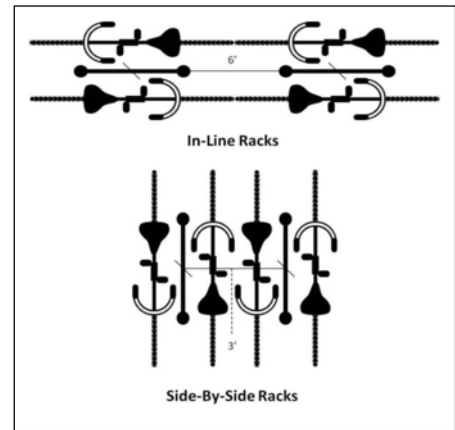


What if we are installing more than one rack?

Bicycle racks placed in clusters shall be spaced to allow for the free flow of bicycles in and out of the rack while not impeding the flow of pedestrian traffic.

When placed in-line, the racks shall be spaced a minimum of six feet apart from the center point of the rack to the center point of the adjacent rack.

When placed side-by-side or in parallel, racks shall be spaced a minimum of three feet apart.



Placement of Multiple Bike Racks

Additional space between racks shall be considered when placing racks near other impediments like light poles, newsstands, trees, or street furniture. When racks are placed side-by-side the racks shall be placed a minimum of three feet apart.

On-Street Bicycle Parking

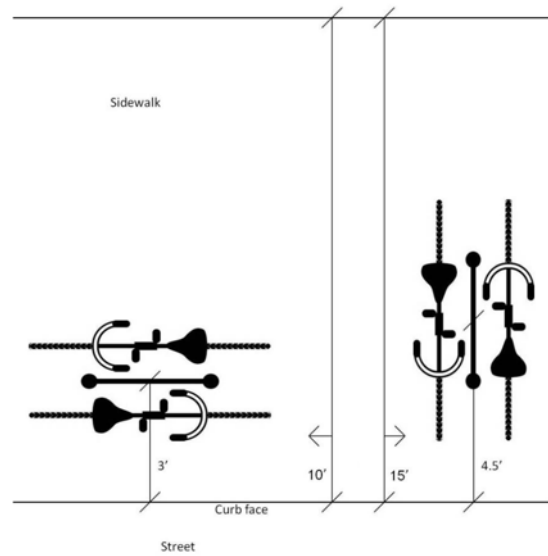
What is on-street bicycle parking?

Burbank Municipal Code (Section 10-1-1408.5) defines on-street bicycle parking as any bicycle parking facility placed within the public right-of-way, including but not limited to bicycle racks installed on the sidewalk or bicycle corrals installed within the roadway.

Where should an on-street bike rack be placed?

If the bike racks are being placed on the sidewalk they shall be placed in the “furniture-zone” or parkway (the area closest to the curb). Any bike rack placed parallel to the curb shall be no less than three-feet from the face of the curb. The bike rack shall be placed a minimum of three-feet from any other fixed object. Where the sidewalk is fifteen-feet (or more) wide, a bike rack may be placed perpendicular to the curb. However, the distance from the center point of the rack to the face of the curb shall be no less than four and a half feet. As seen in the diagram to the right, this is to ensure a minimum of one and a half feet of clearance at the curb and to allow sufficient enough space for pedestrians walking along the sidewalk.

No bicycle parking facilities shall be installed on any sidewalk where the sidewalk width, measured from the property line to the face of the curb, is less than 10 feet.



Bike Rack Placement on a Sidewalk

An encroachment permit shall be required from the City to install on-street bicycle parking in the public right-of-way.

All bicycle parking facilities within the public right-of-way shall be in compliance with all applicable access requirements, including the Americans with Disabilities Act.

Can bike racks be placed in the street?

Yes on a case-by-case basis, some bike racks can be placed in the curbside-parking lane of the street, provided they offer sufficient enough protection from motor vehicle traffic – i.e., the **Car-Bike Corral** described previously. This protection may include but is not limited to physical separation from the vehicle travel lane, reflective delineators, and/or additional lighting. Additional consideration shall be given to the type of bicycle rack used as some standard racks may be too unstable to mount directly to the asphalt. Racks similar to the **Bike-Bike Rack** and **Inverted “U” Rack** described previously can often be mounted to metal rails to provide the necessary stability. Please see the Bicycle Corral – Standard Design included with these guidelines.

Racks placed in the street shall be used only when substantial demand is identified at a particular location or when the necessary sidewalk space is unavailable due to a narrow sidewalk or existing sidewalk furniture. Racks cannot be placed in the gutter pan or in front of/adjacent to a storm water catch basin or culvert.

An encroachment permit shall be required from the City to install on-street bicycle parking in the public right-of-way.

All bicycle parking facilities within the public right-of-way shall be in compliance with all applicable access requirements, including the Americans with Disabilities Act.

To facilitate the City's street sweeping activities, all bike racks placed in the street shall require a signed maintenance agreement from the property/business owner(s) to keep the bicycle parking area free of debris.

Off-Street Bicycle Parking

What is off-street bicycle parking?

Burbank Municipal Code (Section 10-1-1408.5) defines off-street bicycle parking as any bicycle parking facility placed on private property and intended to serve a specific property or use.

Where should an off-street bike rack be placed?

Bicycle parking facilities shall be located on a hard paved surface, shall be painted with a protective coating to prevent normal wear and tear, and shall be well maintained in a state of good repair.

If a bicycle parking space is intended to serve short-term users (anyone who will only be staying less than two-hours) the bicycle parking space is required to be no farther than the nearest off-street automobile parking space.

A good rule of thumb for short-term bicycle parking is to place the parking space in an area that is visible from the street or the interior of the building it serves (through windows or doorways). For short-term or long-term bicycle parking (more than two-hours), the location of an off-street bicycle parking space is required to be in a highly visible and well lighted area. In order to meet these requirements, bicycle parking may be placed in the front, side, or rear setback of the building that it serves (all applicable landscaping, emergency access, and ADA requirements still apply). All bicycle parking facilities shall provide signage which is clearly legible upon the approach to every automobile entrance to the parking facility indicating the availability and location of bicycle parking. With prior approval, long-term bicycle parking may be located indoors.

Can I place bicycle parking in a parking lot or parking structure?

Generally speaking, this is an acceptable location. However beyond the requirements outlined above, additional considerations shall be given to ensure that the bicycle parking functions in a safe and effective manner. Bike racks and bicycles shall be protected from automobiles. This can

be accomplished by providing five-feet of open space that is marked to prohibit automobile parking or with a physical barrier like curbs, wheel stops, poles, or bollards to prevent automobiles from entering the bicycle parking area. All treatments shall meet the parking lot design standards outline in the Burbank Municipal Code (Section 10-1-1417).

PARKS AND RECREATION DEPARTMENT
DEVELOPMENT REVIEW COMMITTEE

LOCATION: 3001 W. Empire	APN: 2426-006-045
DESCRIPTION: New Housing development	DATE: 2021

1	<p>Submit landscape and irrigation plans prepared by a licensed landscape architect.</p> <p>Must comply with Municipal Water Efficient Landscape Ordinance (MWELO) requirements if over 500 square feet of landscape –</p> <ul style="list-style-type: none"> • Do not remove any Street/Parkway Trees. • Do not remove any trees on property for this project. Tree protection zones will need to be in place prior to any construction. • Provide an Arborist Evaluation of all landscape being removed. • Need to provide Landscape and Irrigation plans
2	<p>Park Development Fee shall be paid prior to issuance of building permits: \$150 /bedroom. N/A</p> <p style="text-align: center;">X \$150.00 =</p>
3	Street trees required and Street Tree Required if Removed - YES
4	Street trees to remain: YES
5	<p>Revise plans to include the following street trees: Contact Forestry for list of approved street trees. Street Trees are required.</p> <p>All street trees shall be a minimum of 24" box size.</p> <p>Trees in grass shall be installed with Arbor Guards.</p>
6	<p>Add note on planting plan:</p> <p>Owner to install the street trees, they must contact the Forestry Supervisor, at (818) 238-5343, at least forty-eight (48) hours prior to installation. Failure to contact the City for inspection and installation may cause the removal and replacement at the owner's expense.</p>
7	Tree wells required.
8	Provide irrigation bubbler to street trees.
9	Provide automatically controlled irrigation system to the parkway.
10	<p>Remove existing street trees: NO</p> <p>_____ FEE: _____</p> <p>Contact Forestry Services at (818) 238-5343 for removal fee.</p>
11	Must comply with Art in Public Places Ordinance if building costs are over \$500,000
12	<p>Additional Comment</p> <ul style="list-style-type: none"> • Provide an Arborist Evaluation of all landscape being removed. • Landscape and Irrigation Plans need to be provided • The development must provide parking for each new unit, and provide an additional 93 units to replace the removed 93 parking spots.

For additional information contact the Parks and Recreation Department at (818) 238-5300.

Approved: _____

Michael del Campo
Landscape and Forestry Superintendent
Parks and Recreation Department

ATTACHMENT E – WETLANDS

ATTACHMENT E – WETLANDS

3000 EMPIRE AVENUE



SOURCE: U.S. FISH AND WILDLIFE SERVICES

ATTACHMENT F – HIGH FIRE
SEVERITY ZONE

ATTACHMENT F – HIGH FIRE SEVERITY ZONE

3000 EMPIRE AVENUE



SOURCE: CAL FIRE OFFICE OF THE STATE FIRE MARSHALL

ATTACHMENT G – HAZARDOUS
WASTE SITE

ATTACHMENT G – HAZARDOUS WASTE SITE

3000 EMPIRE AVENUE



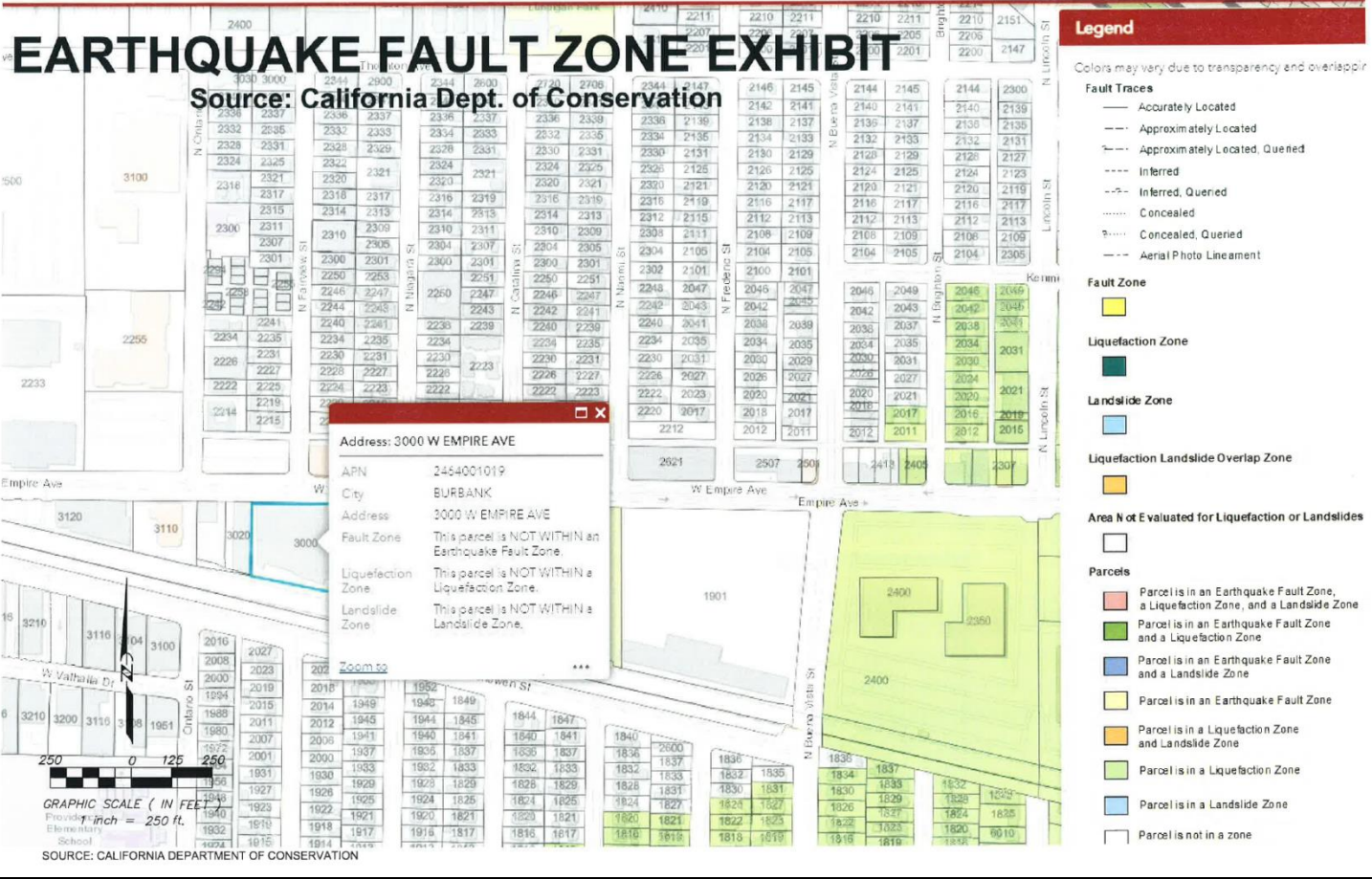
ATTACHMENT H – EARTHQUAKE
FAULT ZONES

ATTACHMENT H – EARTHQUAKE FAULT ZONES

3000 EMPIRE AVENUE

EARTHQUAKE FAULT ZONE EXHIBIT

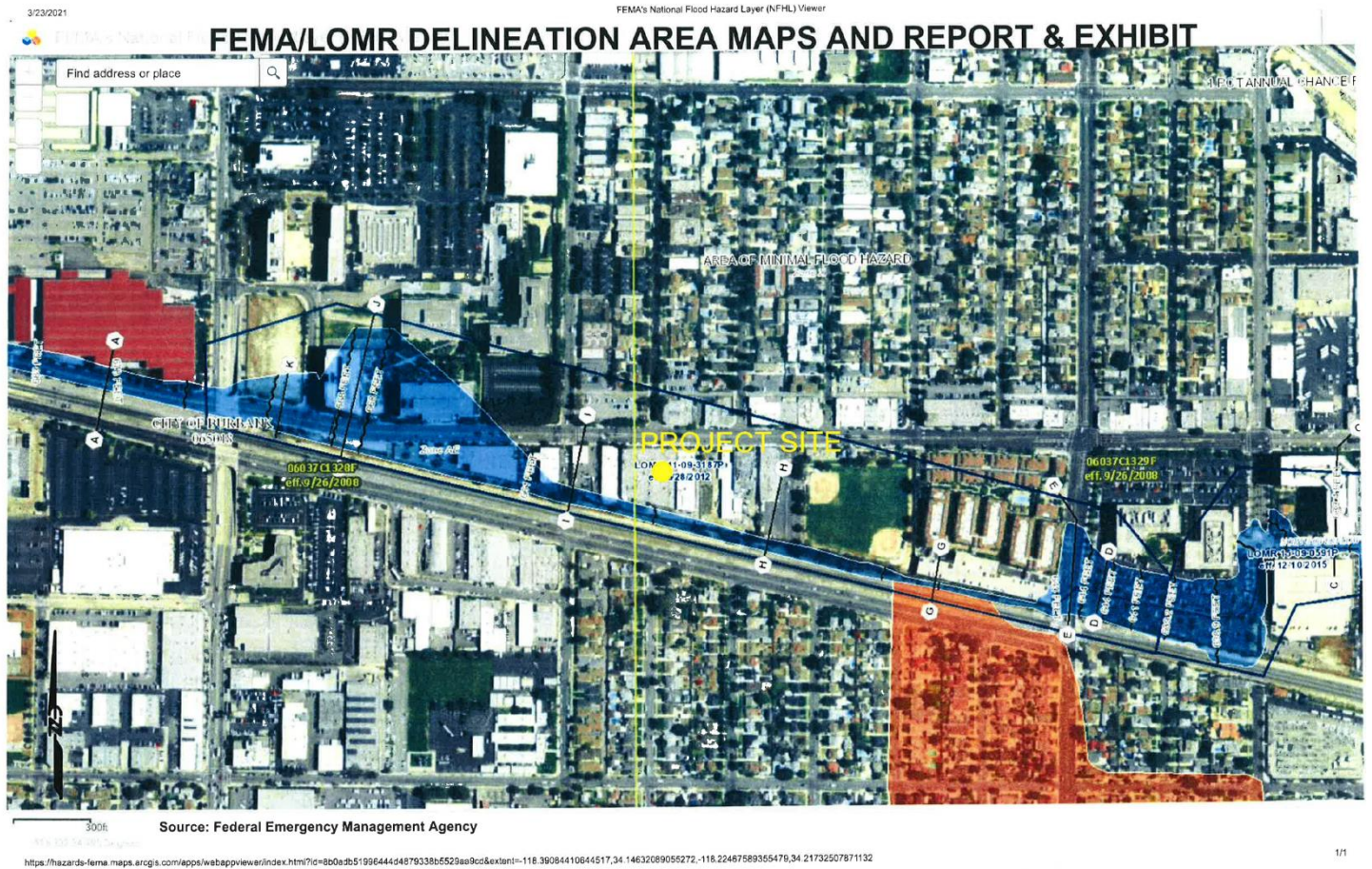
Source: California Dept. of Conservation



ATTACHMENT I – FEMA FLOOD
ZONE MAP

ATTACHMENT I – FEMA FLOODZONE MAP

3000 EMPIRE AVENUE



ATTACHMENT J – HABITAT FOR
PROTECTED SPECIES

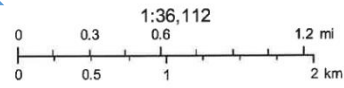
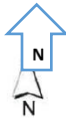
ATTACHMENT J – HABITAT FOR PROTECTED SPECIES

3000 EMPIRE AVENUE

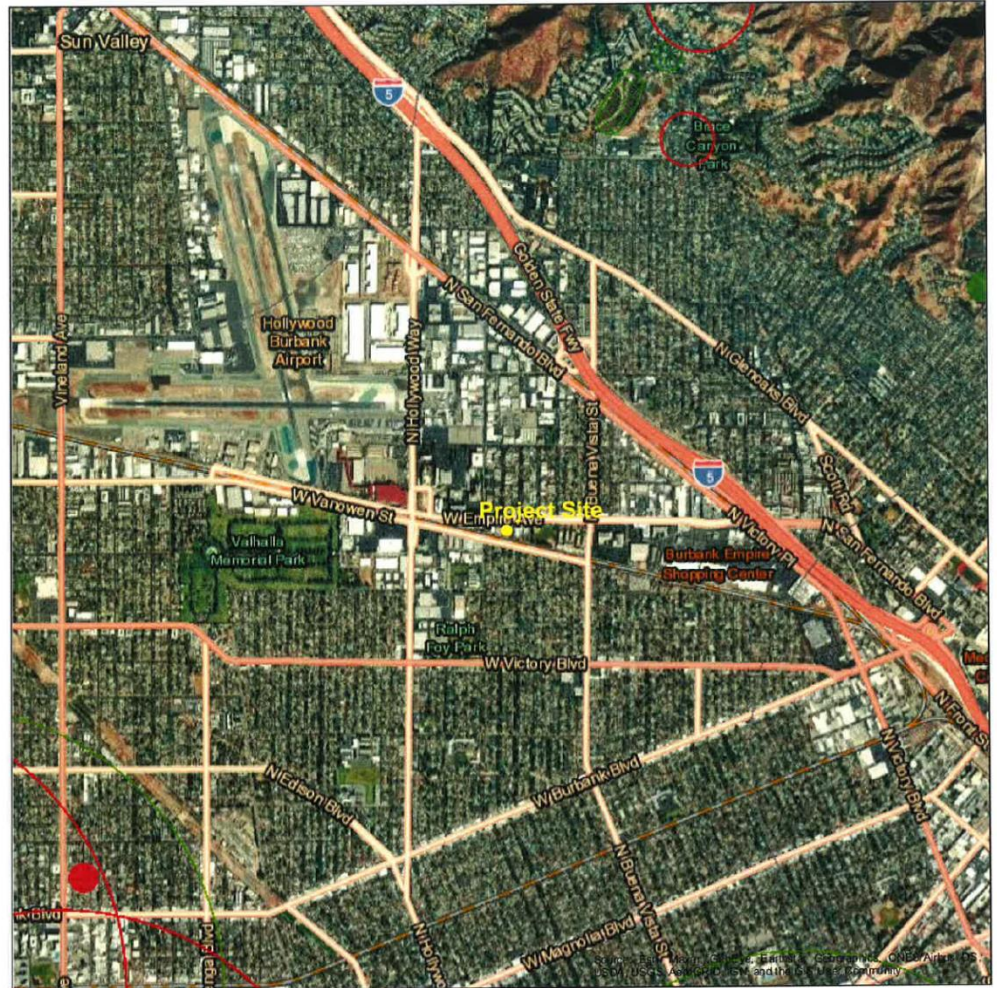
HABITAT EXHIBIT

California Natural Diversity Database (CNDDB) Commercial [ds85]

- Plant (80m)
- Plant (specific)
- Plant (non-specific)
- Plant (circular)
- Animal (80m)
- Animal (specific)
- Animal (non-specific)
- Animal (circular)
- Terrestrial Comm. (80m)
- Terrestrial Comm. (specific)
- Terrestrial Comm. (non-specific)
- Terrestrial Comm. (circular)
- Aquatic Comm. (80m)
- Aquatic Comm. (specific)
- Aquatic Comm. (non-specific)
- Aquatic Comm. (circular)
- Multiple (80m)
- Multiple (specific)
- Multiple (non-specific)
- Multiple (circular)
- Sensitive EO's (Commercial only)



August 17, 2021



Source: California Dept. of Fish and Wildlife

Author: mcaedy@dudak.com
Printed from <http://bios.dfg.ca.gov>

**ATTACHMENT K – PREVAILING
WAGE CERTIFICATION LETTER**

Attachment K - Prevailing Wage Certification Letter



November 23, 2021

City of Burbank
Community Development Department
150 N. Third Street
Burbank, CA 91502

**RE : Residency at the Empire III
3000 Empire Ave Burbank, CA 91504
Prevailing Wage Certification**

To whom this may concern:

As the developer of the affordable housing project called Residency at the Empire III (the "Project"), located at 3000 Empire Ave Burbank, CA 91504 : I certify that the Project will comply with requirement pursuant to CA Government Code Section 65913.4 for Prevailing Wages.

Sincerely,

A handwritten signature in blue ink, appearing to read 'SS', is written over a horizontal line.

Samir Srivastava
President of ABS Properties, Inc.