



City of Burbank – Planning Division
SB 35 – NOTICE OF INTENT TO SUBMIT APPLICATION
 Application Submittal Checklist and Project Information

150 North Third Street
 Burbank, California 91502
 www.burbankca.gov
 T: 818-238-5250
 F: 818-238-5150
 E: planning@burbankca.gov

PURPOSE: Government Code Section 65913.4, also known as Senate Bill 35 (SB 35), requires the City to review qualifying multifamily housing development projects using a ministerial review process. Eligible projects must comply with objective planning standards, provide specified levels of affordable housing, and meet other specific requirements, as detailed in this application.

TO ALL APPLICANTS: Applicants intending to invoke the SB 35 streamlining and ministerial approval process must fill out this checklist and provide supporting documentation for each item (as applicable) to demonstrate eligibility. This SB 35 Notice of Intent to Submit Application shall be submitted along with the identified Required Submittal Items. Incomplete checklists that do not include required attachments or supporting documentation will be deemed incomplete for processing.

Project Information. *Must complete with project submittal.*

Project Address: 3001 W. Empire Ave.

APNs: 2464-006-045

Current Use of Site: There is an existing a.c. pavement parking lot that has 93 parking stalls. It has driveway curbcuts on Fairview St. and Ontario St.

Project Description: (example – “Construction of a proposed 6-story mixed use project with 89 rental residential units and 3,000 SF of commercial on the ground floor, includes the demolition of existing structures on the site.”)

The project proposes construction, use and maintenance of a 100% affordable housing project that includes 131 dwelling units. Project is pursuant AB 1818 as amended by 1763. The existing parking lot will be demolished.

Required Submittal Items. *Check boxes to acknowledge the item is included in the submittal package.*

- Project Application** – Completed SB 35 Residential Application with original owner signature.
- Application fee** – Payment is required at the time of submittal by credit card or check. *Please make all checks payable to “City of Burbank.”* See Planning webpage for fees: <https://www.burbankca.gov/web/community-development/forms-and-fees>
- Project Plans** – 1 electronic set of plans. All plans shall include: **site plan, floor plan, demolition plan, elevations, and building cross-sections** to show proposed alterations or new construction, drawn to scale and with adequate dimensions (see handout for Standard Plan Details).
- SB 35 Eligibility Checklist** – Completed SB 35 Eligibility Checklist with original owner signature.

Applicant Signature. *Acknowledgement that all Required Submittal Items are included in the submittal package.*

Applicants Name: Samir Srivastava	Applicants Signature:	Date: 11/11/2021
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NOTICE: Due to the reduced processing times for eligible SB 35 development applications, submittal of an incomplete entitlement application is grounds for deeming and application incomplete. Determination that an application is incomplete for processing does not preclude the applicant from correcting any deficiencies and resubmitting an application for streamline review, or from applying for the project under standard processes procedures. If the application is deemed incomplete and the applicant elects to resubmit an application for streamlined review, the timeframes specified in Section 301(b) below shall commence on the date of resubmittal.



City of Burbank – Planning Division
SB 35 RESIDENTIAL APPLICATION
PERMIT APPLICATION

150 North Third Street
 Burbank, California 91502
 www.burbankca.gov
 T: 818-238-5250
 F: 818-238-5150
 E: planning@burbankca.gov

Project Address: 3001 W. Empire Ave.

Application Type (check all that apply):

- Development Review
- SB 35
- Other Permits _____

A completed SB 35 checklist and supporting documentation need to be submitted with the application.

Property Owner Name

Laurie B., LLC

Applicant Name (if different from owner)

ABS Properties, Inc.
 Attn.: Samir Srivastava

Mailing Address

3000 W. Empire Ave.
 Burbank, CA 91504

Mailing Address

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

Telephone

818-841-1928 x 1113

Telephone

213-268-2723

Email

melbernie28@aol.com

Email

samir@absllc.org

I hereby certify that I am the legally authorized owner of the property involved in this application or have been empowered to sign as the owner on behalf of a corporation, partnership, or business as evidenced by the documents attached hereto. I hereby grant to the applicant of this form full power to sign all documents related to this application, including any conditions or mitigation measures as may be deemed necessary. I declare under penalty of perjury that the foregoing is true and correct.

I hereby certify that the information furnished in this application and the attached materials are true and correct to the best of my knowledge and belief. Further, should the stated information be found false or insufficient, I agree to revise the information as appropriate. I understand that the City of Burbank cannot process this application until all required information is provided. I understand there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully investigated and the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions. I understand that I have the burden of proof in the matter arising under this application made by me. I declare under penalty of perjury that the foregoing is true and correct.

The Planning Division cannot accept an application without property owner signature.

Property Owner Signature *(must be original wet signature)*

Melbernie J. Bernier

Date 11/10/2021

Applicant Signature

Samir Srivastava

Date 11/11/2021

For Planning Division Use:

PL #: _____

Notes: _____

Date Submitted:



City of Burbank – Planning Division
SB 35 ELIGIBILITY CHECKLIST
Submittal Checklist and Project Information

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California Senate Bill 35 (2017 Legislative session) created a streamlined and ministerial approval process for certain housing projects under Government Code §65913.4. The California Housing and Community Development Department (HCD) has prepared guidelines that further explain the requirements of Government Code §65913.4.

Invocation of SB 35 streamlining must be initiated by the project applicant and is subject to the eligibility restrictions listed in the checklist below. Applicants intending to invoke the SB 35 streamlining and ministerial approval process must fill out this checklist completely and provide a full set of project plans (i.e., site plan, floor plan, demolition plan, elevations, and building cross-sections), and supporting documentation for each question, as applicable, to demonstrate eligibility, along with the required application fee. Incomplete checklists that do not include required attachments or supporting documentation will not be processed and the request will be denied.

If any of the answers to the questions below are “no,” then the project is not eligible for SB 35 review and the County’s standard development review process will apply, per applicable zoning regulations.

TO ALL APPLICANTS: There is no guarantee, expressed or implied, that any permit or application will be granted. Each project matter must be carefully investigated, and the resulting decision may be contrary to a position taken or implied in any preliminary discussions. The burden of proof regarding this application rests upon the applicant.

SB 35 Eligibility Checklist

The following information and checklist is intended as a guide to help applicants and the City's Planning Division determine if a project is eligible for streamlined processing under SB 35. To be eligible for SB 35, a project must meet **ALL** of the following criteria, from 1 through 10:

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.

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:

- 55 years for rental units.
- 45 years for homeownership units.

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.

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.



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CONSISTENT WITH OBJECTIVE STANDARDS. The project must meet all objective zoning and design review standards in effect at the time the application is submitted.

- 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.
- 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.
- 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:
 - Burbank 2035 General Plan.
 - Burbank Municipal Code
 - Media District Specific Plan
 - Burbank Center Plan Area
 - North San Fernando Master Plan.
 - Rancho Commercial Recreation Master Plan

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

- The project is located within one-half mile of public transit as defined by Section 102(r) of the HCD Guidelines.
- The project is located within an architecturally and historically significant historic district.
- On-street parking permits are required but not offered to the occupants of the project.
- 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.

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

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



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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.

- 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.
- 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.
- 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.
- 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).
- Lands under conservation easement.
- 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.
- A site that previously contained housing occupied by tenants that was demolished within the past 10 years.
- A site that would require demolition of an historic structure that is on a local, state, or federal register.
- 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.

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:

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

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

- The entirety of the project is a public work as defined in Government Code section 65913.4(8)(A)(i).
- 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.
- The project includes 10 or fewer units AND is not a public work AND does not require subdivision.



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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)

Applicant Signature. Acknowledgement that the project would comply with all items in the SB 35 eligibility checklist above, and that supporting information has been provided demonstrating compliance.

Applicants Name: Samir Srivastava	Applicants Signature: 	Date: 11/11/2021
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NOTICE: There is no guarantee, expressed or implied, that any permit or application will be granted. Each project matter must be carefully investigated, and the resulting decision may be contrary to a position taken or implied in any preliminary discussions. The burden of proof regarding this application rests upon the applicant.

HOUSING CRISIS ACT of 2019 – SB 330

PRELIMINARY APPLICATION FORM

PURPOSE

This form serves as the preliminary application for housing development projects seeking vesting rights pursuant to SB 330, the Housing Crisis Act of 2019.

GENERAL INFORMATION

An applicant for a housing development project that includes (1) residential units (2) a mix of commercial and residential uses with two-thirds of the project's square footage used for residential purposes; or (3) transitional or supportive housing, shall be deemed to have submitted a preliminary application upon provision of all of the information listed in this Preliminary Application form and payment of the permit processing fee to the agency from which approval for the project is being sought.

After submitting this Preliminary Application to the local agency, an applicant has 180 days to submit a full application or the Preliminary Application will expire.

Submittal Date Stamp*^{1,2}:

*¹Submittal of all the information listed and payment of the permit processing fee freezes fees and development standards as of this date, unless exceptions per Government Code § 65889.5(o) are triggered.

*²Note: Record keeping pertaining to which standards and fees apply at date of submittal is imperative, as **penalties may apply for imposing incorrect standards**

Notes:

1. California Environmental Quality Act (CEQA) and Coastal Act standards apply.
2. After submittal of all of the information required, if the development proponent revises the project to change the number of residential units or square footage of construction changes by 20 percent or more, excluding any increase resulting from Density Bonus Law, the development proponent must resubmit the required information so that it reflects the revisions.

SITE INFORMATION

1. **PROJECT LOCATION** - The specific location, including parcel numbers, a legal description, and site address, if applicable.

Street Address 3001 W. Empire Avenue Unit/Space Number _____

Legal Description (Lot, Block, Tract) _____ Attached? YES NO

Please see attached Exhibit "B" for Legal Description.

Assessor Parcel Number(s) 2464-006-045

2. **EXISTING USES** - The existing uses on the project site and identification of major physical alterations to the property on which the project is to be located.

The existing site use is an on-grade surface parking lot which would be demolished including 21 mature trees for the construction of a new affordable apartment housing building. No other major physical alteration to the property is planned.

3. **SITE PLAN** - A site plan showing the building(s) location on the property and approximate square footage of each building that is to be occupied.

Attached? YES NO

4. **ELEVATIONS** - Elevations showing design, color, material, and the massing and height of each building that is to be occupied.

Attached? YES NO

5. **PROPOSED USES** - The proposed land uses by number of units and square feet of residential and nonresidential development using the categories in the applicable zoning ordinance.

The project proposes construction of a 100% Affordable Housing project with 131 residential dwelling units and 126,459 square feet of residential development utilizing State Density Bonus law and SB35.

a. **RESIDENTIAL DWELLING UNIT COUNT:**

Please indicate the number of dwelling units proposed, including a breakdown of levels by affordability, set by each income category.

	Number of Units
Market Rate	
Managers Unit(s) – Market Rate	1
Extremely Low Income	
Very Low Income	
Low Income	104
Moderate Income	26
Total No. of Units	131
Total No. of Affordable Units	130
Total No. of Density Bonus Units	90*

Other notes on units:

* Based on General Plan Regional Commercial residential base density of up to 58 units/acre. Site area=0.69 ac.
 Affordable unit breakdown:
 - Low Income (HCD rents) = XX units - Moderate Income (TCAC rents) = 26 units
 - Low Income (TCAC rents) = XX units - Manager's Unit = 1 unit

6. **FLOOR AREA** - Provide the proposed floor area and square footage of residential and nonresidential development, by building (attach relevant information by building and totals here):

	Residential	Nonresidential	Total
Floor Area (Zoning)	126,459 sf		126,459 sf
Square Footage of Construction	126,459 sf*		126,459 sf

* Out-to-out building dimensions.

7. **PARKING** - The proposed number of parking spaces:

95 parking spaces

8. **AFFORDABLE HOUSING INCENTIVES, WAIVERS, CONCESSIONS and PARKING REDUCTIONS** - Will the project proponent seek Density Bonus incentives, waivers, concessions, or parking reductions pursuant to California Government Code Section 65915?

YES NO

If "YES," please describe:

AB 1763, which amended State Density Bonus law, permits unlimited density for a 100% Affordable Housing project within 1/2 mile of a Major Transit Stop (see accompanying analysis - Exhibit A), a height increase of 33 feet, and four additional development incentives. Under AB1763, the Project would increase height from 50 feet to 87'-4", and seek development incentives for a reduced front, rear, and side setback, and increased FAR from 1.25 to 1 to 4.23 to 1. Pursuant to SB35, no vehicular parking is required for a 100% affordable housing project within 1/2 mile of public transit. The Project will provide 24 vehicular parking spaces and bicycle storage room on the ground floor. See attached EXHIBIT "A" for additional project description.

9. **SUBDIVISION** – Will the project proponent seek any approvals under the Subdivision Map Act, including, but not limited to, a parcel map, a vesting or tentative map, or a condominium map?

YES NO

If "YES," please describe:

10. **POLLUTANTS** – Are there any proposed point sources of air or water pollutants?

YES NO

If "YES," please describe:

11. **EXISTING SITE CONDITIONS** – Provide the number of existing residential units on the project site that will be demolished and whether each existing unit is occupied or unoccupied. Provide attachment, if needed.

	Occupied Residential Units	Unoccupied Residential Units	Total Residential Units
Existing	0	0	0
To Be Demolished	0	0	0

12. **ADDITIONAL SITE CONDITIONS** –

a. Whether a portion of the property is located within any of the following:

i. A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection, pursuant to Section 51178?

Please see attached Fire Hazard Exhibit

YES NO

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

Please see attached Wetland and Streambed Exhibit

YES NO

iii. 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?

Please see attached Hazardous Waste Site Exhibits

YES NO

- iv. A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by any official maps published by the Federal Emergency Management Agency?

Please see attached FEMA Exhibit

YES NO

- v. 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?

Please see attached Earthquake Fault Zone Exhibit YES NO

- vi. A stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code?

Please see attached Wetland and Streambed Exhibit YES NO

If "YES" to any, please describe:

- b. Does the project site contain historic and/or cultural resources?

YES NO

If "YES," please describe:

- c. Does the project site contain any species of special concern?

YES NO

If "YES," please describe:

d. Does the project site contain any recorded public easement, such as easements for storm drains, water lines, and other public rights of way?

YES NO

If "YES," please describe:

•EASEMENT FOR PIPELINES, DOC. 473, BOOK 13329, PAGE 374 OF O.R., AFFECTS LOT 2.
•EASEMENT FOR POLES, PIPES, AND CONDUITS, DOC. 617, BOOK 17651, PAGE 86 OF O.R., AFFECTS LOTS 4-7 AND 10.
•EASEMENT FOR POLES, PIPES, AND CONDUITS, DOC. 315, BOOK 17624, PAGE 201 OF O.R., AFFECTS LOTS 8-9.
•EASEMENT FOR PIPELINES, DOC. 682, BOOK 17654, PAGE 125 OF O.R., AFFECTS LOTS 1-2.

e. Does the project site contain a stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code? Provide an aerial site photograph showing existing site conditions of environmental site features that would be subject to regulations by a public agency, including creeks and wetlands.

Please see attached Wetland and Streambed Exhibit

YES NO

If "YES," please describe and depict in attached site map:

13. **COASTAL ZONE** - For housing development projects proposed to be located within the coastal zone, whether any portion of the property contains any of the following:

Please see attached Coastal Zone Exhibit

a. Wetlands, as defined in subdivision (b) of Section 13577 of Title 14 of the California Code of Regulations.

Please see attached Wetland and Streambed Exhibit

YES NO

b. Environmentally sensitive habitat areas, as defined in Section 30240 of the Public Resources Code.

Please see attached Habitat Exhibit

YES NO

c. A tsunami run-up zone.

YES NO

d. Use of the site for public access to or along the coast.

YES NO

14. **PROJECT TEAM INFORMATION** - The applicant's contact information and, if the applicant does not own the property, consent from the property owner to submit the application.

Applicant's Name Samir Srivastava

Company/Firm ABS Properties, Inc.

Address 5500 W. Hollywood Blvd. Unit/Space Number 4th Flr, West Wing

City Los Angeles State CA Zip Code 90028

Telephone (213) 268-2723 Email samir@absllc.org

Are you in escrow to purchase the property?

YES NO

***RECORDED MEMORANDUM OF AGREEMENT FOR SALE AND PURCHASE OF PROPERTY PER DOCUMENT NO. 20190591653**

Property Owner of Record Same as applicant Different from applicant

Name (if different from applicant) Laurie B., LLC

Address 3000 W. Empire Ave. Unit/Space Number _____

City Burbank State CA Zip Code 91504

Telephone 818-841-1928 x 1113 Email melbernie28@aol.com

Optional: Agent/Representative Name Victor Salazar, P.E.

Company/Firm Land Design Consultants, Inc.

Address 800 Royal Oaks Drive Unit/Space Number Suite 104

City Monrovia State CA Zip Code 91016

Telephone (626) 578-7000 Email vsalazar@ldcla.com

Optional: Other (Specify Architect, Engineer, CEQA Consultant, etc.) Land Use Counsel

Name Dave Rand

Company/Firm Armbruster Goldsmith & Delvac LLP

Address 12100 Wilshire Boulevard Unit/Space Number 1600

City Los Angeles State CA Zip Code 90025

Telephone 310-209-8800 Email dave@agd-landuse.com

Primary Contact for Project: Owner Applicant Agent/Representative Other

* Email coordination, please CC: samir@absllc.org; josegardea@hotmail.com; dave@agd-landuse.com; and vsalazar@ldcla.com

PROPERTY OWNER AFFIDAVIT

Before the application can be accepted, the owner of each property involved must provide a signature to verify the Preliminary Application is being filed with their knowledge. Staff will confirm ownership based on the records of the City Engineer or County Assessor. In the case of partnerships, corporations, LLCs or trusts, the agent for service of process or an officer of the ownership entity so authorized may sign as stipulated below.

- **Ownership Disclosure.** If the property is owned by a partnership, corporation, LLC or trust, a disclosure identifying the agent for service or process or an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25 percent interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
- **Letter of Authorization (LOA).** A LOA from a property owner granting someone else permission to sign the Preliminary Application form may be provided if the property is owned by a partnership, corporation, LLC or trust, or in rare circumstances when an individual property owner is unable to sign the Preliminary Application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized to file, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items 1-3 below. In the case of partnerships, corporations, LLCs or trusts, the LOA must be signed by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with said letter.
- **Grant Deed.** Provide Copy of the Grant Deed if the ownership of the property does not match local records. The Deed must correspond exactly with the ownership listed on the application.
- **Multiple Owners.** If the property is owned by more than one individual (e.g., John and Jane Doe, or Mary Smith and Mark Jones) signatures are required of all owners.

1. I hereby certify that I am the owner of record of the herein previously described property located in 3001 W. Empire Ave., Burbank, CA which is involved in this Preliminary Application, or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC, or trust as evidenced by the documents attached hereto.
2. I hereby consent to the filing of this Preliminary Application on my property for processing by the Department of Planning for the sole purpose of vesting the proposed housing project subject to the Planning and Zoning ordinances, policies, and standards adopted and in effect on the date that this Preliminary Application is deemed complete.
3. Further, I understand that this Preliminary Application will be terminated and vesting will be forfeited if the housing development project is revised such that the number of residential units or square footage of construction increases or decreases by 20 percent or more, exclusive of any increase resulting from the receipt of a density bonus, incentive, concession, waiver, or similar provision, and/or an application requesting approval of an entitlement is not filed with City Planning within 180 days of the date that the Preliminary Application is deemed complete.
4. By my signature below, I certify that the foregoing statements are true and correct.

Signature	<u>Melwyn J. Bernie</u>	Signature	_____
Printed Name	<u>MELWYN J. BERNIE</u>	Printed Name	_____
Date	<u>11/10/2021</u>	Date	_____

Exhibit A
3001 W. Empire Ave.

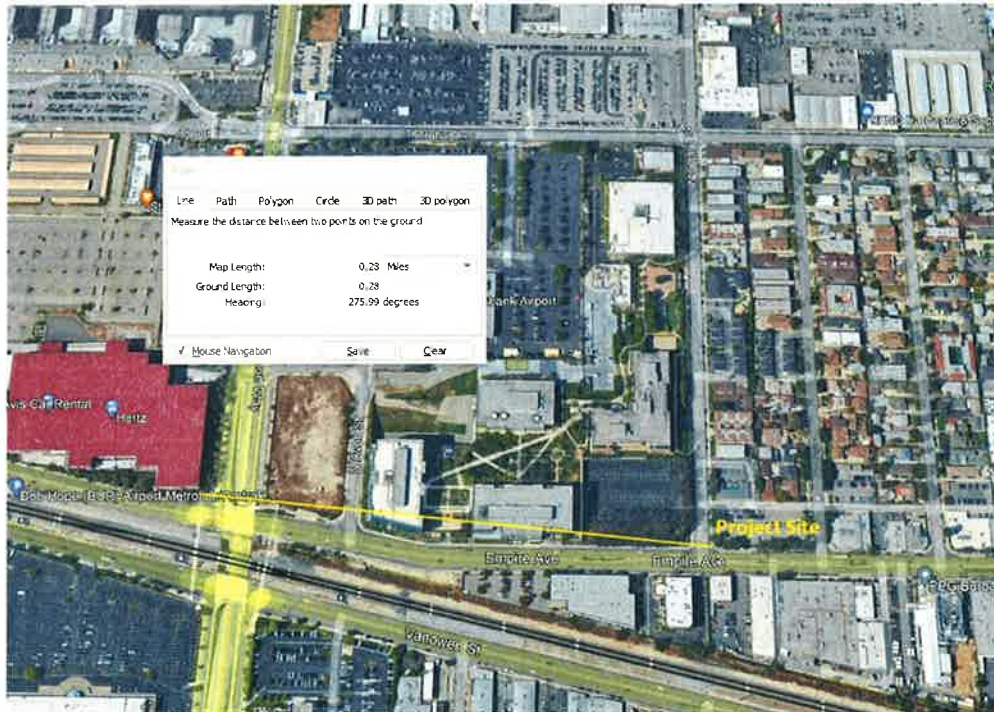
ABS Burbank, LLC (“Applicant”) proposes the construction of a 100 percent Affordable Housing project located at 3001 W. Empire Avenue (“Site”) in the City of Burbank (“City”). The Site is comprised of Lot 1 to 10 inclusive of Tract No. 9443 (APN, 2064-006-045) with a net lot area of 29,904 square feet that is developed with an asphalt pavement parking lot with 93 parking stalls. The Applicant proposes to demolish the existing parking lot and 21-mature trees and construct a seven-story building with 131 affordable housing units utilizing State Density Bonus law and Senate Bill 35.

In 2019, pursuant to Assembly Bill (AB) 1763, the legislature amended the Density Bonus Law to create a new set of incentives for 100 percent affordable housing projects. In particular, these incentives apply to projects that provide 100 percent of the total units (exclusive of managers’ units) for lower income households, except that up to 20% of the total units in the development may be for moderate-income households. AB1763 permits unlimited density for 100 percent affordable housing project that are located within ½ mile of a Major Transit Stop. In addition to the density bonus, 100% affordable housing projects are also eligible for up to **four** development incentives or concessions, and automatically receive a height increase of up to three additional stories, or 33 feet.

Public Resources Code Section 21064.3 defines Major Transit Stop as a site containing a rail or bus rapid station or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak headway periods. State Density Bonus law further provides that located within ½ of a Major Transit Stop “means that any point on a proposed development, for which an applicant seeks a density bonus, other incentives or concessions, waivers or reductions of development standards, or a vehicular parking ratio pursuant to this section, is within one-half mile of any point on the property on which a major transit stop is located, including any parking lot owned by the transit authority or other local agency operating the major transit stop.”

The Site is located just east of the Burbank Airport which is the only airport in the region with a direct rail-to-terminal connection, via the Regional Intermodal Transportation Center which was built (“RITC”). As shown on the below aerial, the Site is located approximately 0.28 miles from a pedestrian entrance to the RITC located at the northwest corner of Empire Avenue and North Hollywood Way. The RITC serves multiple modes, including public parking, a consolidated rental car facility, regional bus service and bicycles, airport access, as well as commuter rail at the Metrolink Ventura line station accessed from the RITC via a pedestrian crossing across Empire Avenue.

Aerial Map Showing 0.28 Mile Distance from Site to RITC



RITC Pedestrian Entrance at Empire and Hollywood Way



RITC Train Access Wayfinding



In addition, Metrolink patrons are permitted to park in Airport Lot C located along Thornton Avenue which is approximately 0.23 miles northwest of the Site within the ½ mile distance. A shuttle service takes Metrolink riders from Lot C to the RITC and Metrolink station.

Aerial Map Showing 0.23 Mile Distance from Site to Lot C

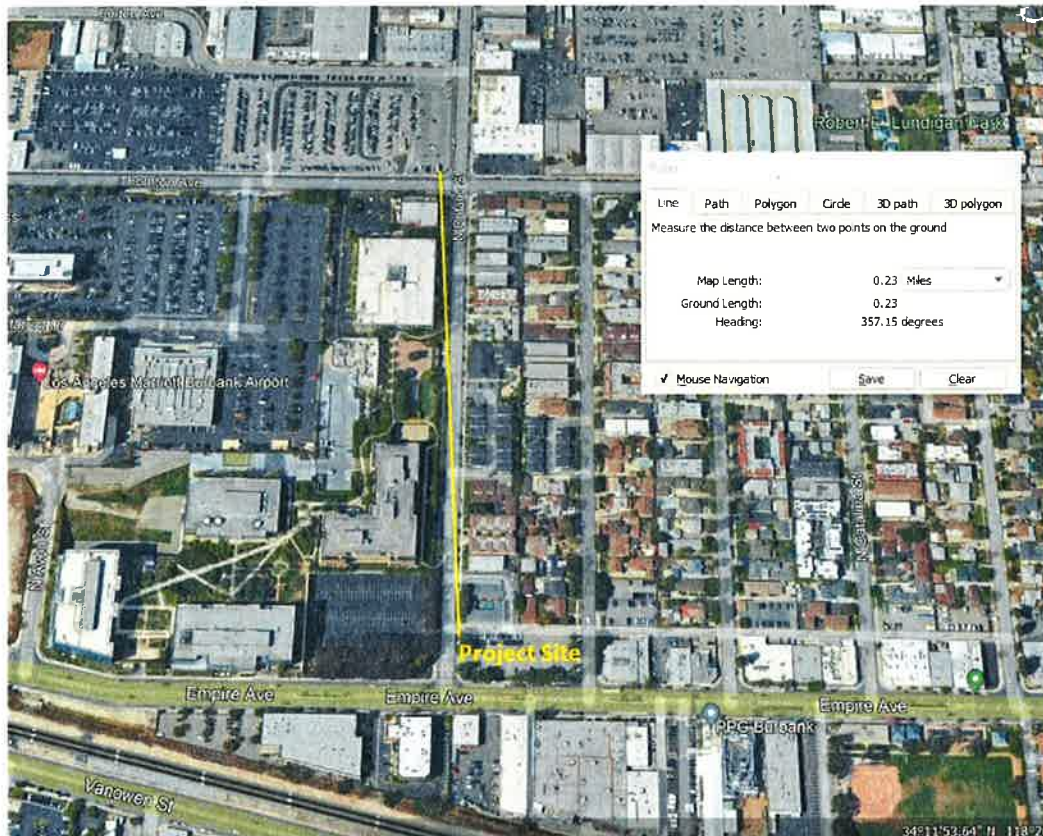


EXHIBIT "B"
LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

LOTS 1 TO 10 INCLUSIVE, OF TRACT NO. 9443, IN THE CITY OF BURBANK, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP RECORDED IN BOOK 144, PAGES 5 AND 6 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 2464-006-045

FIRE HAZARD SEVERITY ZONE EXHIBIT

Source: Cal Fire Office of the State Fire Marshall

**PROJECT
SITE**



LEGEND ✕

City Boundaries

- Incorporated Area

County Boundaries

-

FHSZ in LRA

- VHFHSZ

FHSZ in SRA

- Very High
- High
- Moderate

SRA

- Local Responsibility Area (LRA)
- State Responsibility Area (SRA)
- Federal Responsibility Area (FRA)



WETLAND AND STREAMBED DESIGNATION EXHIBIT

MAPS >

LAYERS >

+ Measure

-



- ①
- ②
- ③
- ④

- ⑤
- ⑥
- ⑦

Source: US Fish and Wildlife Services

PROJECT SITE



Gross Park

LEGEND

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

Riparian

- Forested/Shrub
- Herbaceous

Riparian Mapping Areas

- Riparian Mapping Areas

Areas of Interest

- Other
- Ramsar site

FWS Managed Lands



Historic Wetland Data

- Historic Wetlands
- Historic Wetland Mapping Areas

150 0 75 150



GRAPHIC SCALE (IN FEET)

1 inch = 150 ft.

1:2,257
34.193 | -118.345

HAZARDOUS WASTE SITE EXHIBIT

Source: State Water Resources Control Board



Project Site

SITES VISIBLE ON MAP - CHOOSE FIELDS

SITE NAME	STATUS
1928 JEWELRY COMPANY	COMPLETED - CASE CLOSE
ASSOCIATED COMPONENTS MFG. INC.	COMPLETED - CASE CLOSE
CADAM	COMPLETED - CASE CLOSE
CAL-WIRE PRECISION METAL	COMPLETED - CASE CLOSE
I.K. CURTIS SERVICES INC.	COMPLETED - CASE CLOSE
MODERN ALBUM OF CALIF.	COMPLETED - CASE CLOSE
PROVENZANO CERAMICS	COMPLETED - CASE CLOSE
RICH CRAFT	COMPLETED - CASE CLOSE
SIERRACIN-HARRISON	OPEN - INACTIVE
TRANSCORD ENTERPRISES	COMPLETED - CASE CLOSE
U.S. LABEL CORP.	COMPLETED - CASE CLOSE



SOURCE: U.S. FISH AND WILDLIFE SERVICES

FEMA/LOMR DELINEATION AREA MAPS AND REPORT & EXHIBIT



Source: Federal Emergency Management Agency

EARTHQUAKE FAULT ZONE EXHIBIT

Source: California Dept. of Conservation

Legend

Colors may vary due to transparency and overlapping data

Fault Traces

- Accurately Located
- - - Approximately Located
- ? - - - Approximately Located, Queried
- Inferred
- - ? Inferred, Queried
- Concealed
- ?..... Concealed, Queried
- - - Aerial Photo Lineament

Fault Zone



Liquefaction Zone



Landslide Zone



Liquefaction Landslide Overlap Zone



Area Not Evaluated for Liquefaction or Landslides



Parcels

- Parcel is in an Earthquake Fault Zone, a Liquefaction Zone, and a Landslide Zone
- Parcel is in an Earthquake Fault Zone and a Liquefaction Zone
- Parcel is in an Earthquake Fault Zone and a Landslide Zone
- Parcel is in an Earthquake Fault Zone
- Parcel is in a Liquefaction Zone and Landslide Zone
- Parcel is in a Liquefaction Zone
- Parcel is in a Landslide Zone
- Parcel is not in a zone or has not been evaluated

Address: _____

APN 2464006045

City _____

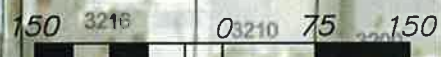
Address _____

Fault Zone This parcel is NOT WITHIN an Earthquake Fault Zone.

Liquefaction Zone This parcel is NOT WITHIN a Liquefaction Zone.

Landslide Zone This parcel is NOT WITHIN a Landslide Zone.

[Zoom to](#) ...

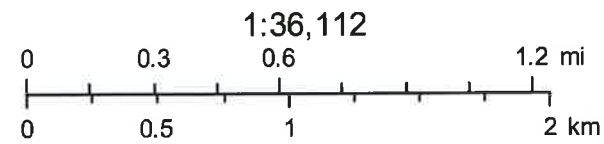


GRAPHIC SCALE (IN FEET)
1 inch = 150 ft.

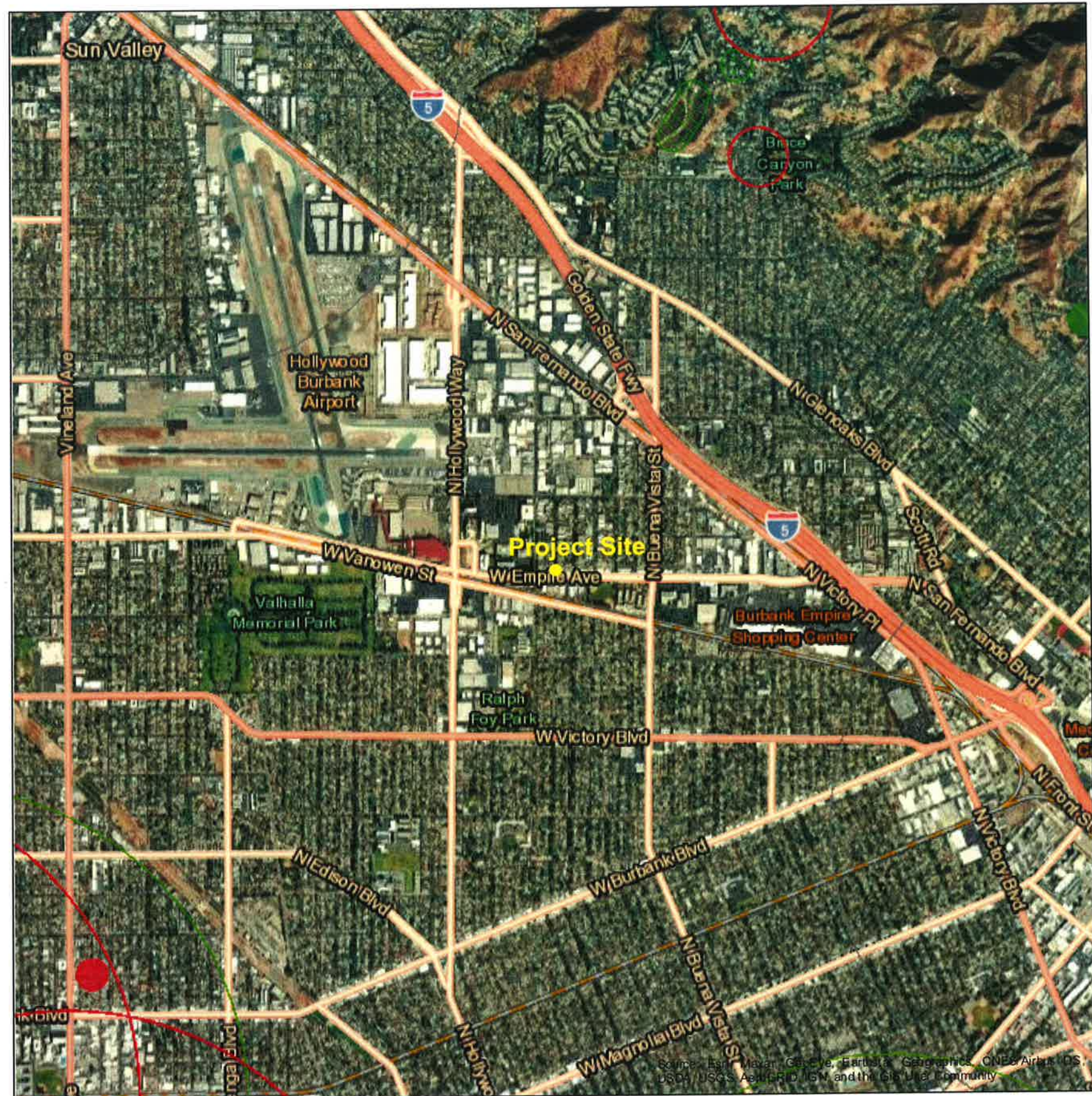
HABITAT EXHIBIT

California Natural Diversity Database (CNDDDB) 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: mcardy@dudek.com
Printed from <http://bios.dfg.ca.gov>



November 23, 2021

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

**RE : Residency at the Empire II
3001 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 II (the "Project"), located at 3001 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 'S. Srivastava', is written over a horizontal line.

Samir Srivastava
President of ABS Properties, Inc.