



CITY OF BURBANK  
COMMUNITY DEVELOPMENT DEPARTMENT

150 North Third Street, P.O. Box 6459, Burbank, California 91510-6459  
www.burbankca.gov

June 14, 2021

JEFF WORTHE, C/O WORTHE REAL ESTATE GROUP.  
100 WILSHIRE BLVD., STE 1600  
SANTA MONICA, CA 90401

**RE: PROJECT NO. 21-0001110 (Conditional Use Permit and Development Review) – APPROVED**  
3401 Empire Avenue

Dear Mr. Worthe,

This letter is to notify you that the Planning Board reviewed the above-referenced application for Project No. 20-0001110 at the public hearing held on June 14, 2021 and approved the request. The signed Planning Board resolution (including all Conditions of Approval) is enclosed herewith for your records.

Please be advised that the decision of the Planning Board will become final on the 15<sup>th</sup> day following the date that the Planning Board adopted the resolution regarding the decision. The Planning Board adopted the resolution approving the application on June 14, 2021. Therefore, the 15-day appeal period will end on **June 29, 2021, at 5:00 p.m.**, in accordance with Burbank Municipal Code Section 10-1-1907.3. Any appeal(s) must be submitted to the Planning Division with the applicable filing fee (\$2,873.00) prior to the expiration of the appeal period, or by 5:00 p.m. on June 29, 2021.

Sincerely,

COMMUNITY DEVELOPMENT DEPARTMENT

GREG MIRZA-AVAKYAN

Associate Planner

**RESOLUTION NO. 3431**

**A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF BURBANK APPROVING A REQUEST FOR A DEVELOPMENT REVIEW AND CONDITIONAL USE PERMIT TO CONSTRUCT A MEDIA STUDIOS SPHERICAL GEODESIC DOME STRUCTURE, APPROXIMATELY 186 FEET IN DIAMETER AND 95 FEET IN HEIGHT WITH 28,664 SQUARE FEET OF FLOOR AREA (PROJECT NO. 21-0001110), ON A VACANT SITE AT 3401 EMPIRE AVENUE BASED ON THE FINDINGS OF FACT AND SUBJECT TO THE RECOMMENDED CONDITIONS OF APPROVAL**

**(3401 Empire Avenue – Jeff Worthe, c/o Worthe Real Estate Group, Applicant)**

**THE PLANNING BOARD OF THE CITY OF BURBANK FINDS:**

A. The Planning Board of the City of Burbank at its regular meeting of June 14, 2021, considered a request to for a Development Review (DR) and Conditional Use Permit (CUP) to construct a spherical geodesic dome, approximately 186 feet in diameter and 95 feet in height with approximately 28,664 gross square feet of floor area on a 85,285-square-foot vacant site in the M-2 (General Industrial) Zone. The structure is a media studios facility that will be a prototype for Madison Square Garden Entertainment's creative teams to develop and edit content prior to its ultimate use in their Las Vegas productions.

B. Said hearing was properly noticed in accordance with the provisions of Burbank Municipal Code Section 10-1-1942.

C. The Planning Board considered the report and recommendations of the City Planner and the evidence presented at such hearing.

D. This project has been determined to be exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15332 of the State CEQA Guidelines for the construction of projects characterized as infill development, which meet the following criteria: (a) The Project is consistent with the applicable *Burbank2035* general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; (b) The Project occurs within city limits on a Project site of no more than five acres substantially surrounded by urban uses; (c) The Project site has no value as habitat for endangered, rare or threatened species; (d) Approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and, (e) The Project site can be adequately served by all required utilities and public services.

**THE PLANNING BOARD OF THE CITY OF BURBANK RESOLVES:**

E. Project No. 21-0001110 is hereby approved, subject to the Project's Conditions of Approval. The approval is based on the ability of the Planning Board to make each of the following findings:

### Findings for Conditional Use Permit

1. *The use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by Chapter 10 of the Burbank Municipal Code.*

The Project site is located within the M-2 (General Industrial) Zone, where the proposed media service use consisting of "Editing – film or sound – no seating area," and "Sound Mixing (film/tv) – no seating area" is a permitted use pursuant to BMC Section 10-1-502. Per BMC Section 10-1-812(A)(3), a CUP is required for structures over 35 feet in height within the M-2 (General Industrial) Zone. Structures may exceed 70 feet with the approval of a CUP if located at a distance greater than 500 feet from a residentially zoned lot or comparable PD Zone and are located within the boundaries of an adopted redevelopment plan. The Project site is located within the Merged Redevelopment Project areas ("The Merged Project Area") that includes the Golden State Project area, City Centre Project area, and the South San Fernando Project area. The Merged Project Area was created pursuant to City Council Ordinance No. 3654 (October 26, 2004). Therefore, this finding can be made.

2. *The use is not detrimental to existing uses or to uses specifically permitted in the zone in which the proposed use is to be located.*

The Project site is currently vacant and therefore there is no impact to any existing onsite uses. The M-2 (General Industrial) Zone permits a mix of industrial and commercial uses, including media uses. Many types of media uses, including the proposed use, "editing – film or sound – no seating area," and "sound mixing (film/tv) – no seating area," are included by-right in the M-2 Zone if not residentially adjacent. Residential adjacency is defined in BMC Section 10-1-203 as uses located outside 150-foot distance from residentially zoned properties. The CUP request is only required to exceed 35-foot height limit, and the use itself is consistent with the M-2 Zone's intent to accommodate a mix of commercial and industrial uses that include media uses. It is anticipated that the additional height proposed through the CUP application at the Project site will not be detrimental to existing uses or to uses permitted in the M-2 Zone. The proposed use is consistent in scale and height allowed within the surrounding M-2 zoned properties and with the existing height of hotel, office and parking facilities that exist in the immediate vicinity of the Project site. The Project meets all the applicable development standards for the M-2 Zone, including the required number of onsite parking. Therefore, this finding can be made.

3. *The use will be compatible with other uses on the same lot, and in the general area in which the use is proposed to be located.*

The proposed use, "editing – film or sound – no seating area," and "sound mixing (film/tv) – no seating area," is located within the immediate vicinity of similar uses along Empire Avenue, including the Media Studios North Campus. There are no other existing or proposed uses on the Project site. The Marriott Hotel towers to the north are approximately 95 in height, and the Media Studios North campus

features multiple buildings ranging from three to five stories, the highest of which is approximately 70 feet in height. The media studios use, permitted in this zone, is compatible with the existing industrial and commercial uses in the area. The proposed use is consistent with how the uses in the area operate and is not open to the public. The proposed parking meets the on-site parking requirement for the proposed media use. The proposed improvements to the public right-of-way, sidewalks, and street crossings will ensure that the linkages between the Project site and the surrounding area are improved. Therefore, this finding can be made.

4. *The site for the proposed use is adequate in size and shape to accommodate the use and all of the yards, setbacks, walls, landscaping, and other features required to adjust the use to the existing future uses permitted in the neighborhood.*

The Project has been reviewed against and has been found to be consistent with the development standards within the Burbank Municipal Code (BMC), including, but not limited to: maximum Floor Area Ratio; minimum and average setbacks; maximum wall height and wall setback; required number of trees and landscaping within the setbacks and parking areas; tree shading requirements; minimum number of parking stalls and loading areas; parking stall dimensions and required backup; and all other applicable zoning requirements. The proposed height of the Project is permitted through the approval of a Conditional Use Permit. The Project site is of sufficient size to accommodate the proposed use that will be built to the applicable City development standards. Therefore, this finding can be made.

5. *The site for the proposed use relates to streets and highways properly designed and improved to carry the type and quantity of traffic generated or to be generated by the proposed use.*

The Project is located at the intersection of a Major Arterial, North Hollywood Way and a Secondary Arterial, Empire Avenue. Both roadways have the capacity to carry the type and quantity of traffic generated by a low-traffic media use of this type that is expected to generate a maximum of 109 daily trips. The typical number of daily trips to the Project site is expected to be lower, given that up to 20 Media Studios North employees will be walking to Project site through the workday. Ingress and egress to the Project site will occur from North Avon Street that is a lightly used local street. Staff expects that the proposed use would generate a similar amount of traffic as other allowable uses permitted uses in the M-2 General Industrial Zone that can be easily accommodated by adjacent streets that are designed and improved to accommodate the Project's projected traffic. Therefore, this finding can be made.

6. *The conditions imposed are necessary to protect the public health, convenience, safety, and welfare.*

The Project's Conditions of Approval will ensure that the proposed use, "editing – film or sound – no seating area," and "sound mixing (film/tv) – no seating area," operates in a manner that protects the public health, convenience, safety, and welfare. These Conditions of Approval include compliance with the BMC and other

standard requirements that will ensure ongoing compliance with established limitations for the number of trips, business hours, and parking operations. Therefore, this finding can be made.

Findings for Development Review

1. *Except for those Development Review applications which require additional findings as set forth herein, a Development Review application shall be approved if the Director or if appealed, the Planning Board or City Council, finds that the application/project is consistent with all provisions of this Code. Any application not meeting code may be approved with conditions that assure code compliance.*

The Project has been reviewed against and has been found to be consistent with the development standards within the Burbank Municipal Code, including, but not limited to: maximum Floor Area Ratio; minimum and average setbacks; maximum wall height and wall setback; required number of trees and landscaping within the setbacks and parking areas; tree shading requirements; minimum number of parking stalls and loading areas; parking stall dimensions and required backup; and other requirements. The maximum height of the Project is permitted subject to the approval of a Conditional Use Permit. The proposed use is consistent in scale and height allowed within the surrounding M-2 zoned properties and with the existing height of hotel, office and parking facilities that exist in the immediate vicinity of the Project site. Therefore, this finding can be made.

F. The City Planner shall file a Notice of Exemption with the County Clerk within 5 days of the Planning Board's approval.

G. The Secretary of the Planning Board shall mail a copy of this Resolution to the Project Applicant and report this decision to the City Council in accordance with Burbank Municipal Code Section 10-1-1946(b).

PASSED AND ADOPTED this 14 day of June, 2021.

CITY PLANNING BOARD



Chairperson, Grayce Liu

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES  
CITY OF BURBANK

I, Fred Ramirez Secretary of the Planning Board of the City of Burbank, certify that this Resolution was adopted by the City Planning Board at its regular meeting held on the 14 day of June, 2021 by the following vote:

AYES: Gamboa, Liu, Rizzotti

NOS:

ABSENT: Atteukenian

ABSTAINED:

  
\_\_\_\_\_  
Fred Ramirez, Secretary

**CONDITIONS OF APPROVAL  
PROJECT NO. 21-0001110 (DEVELOPMENT REVIEW AND CONDITINAL USE  
PERMIT REQUEST)  
3401 Empire Avenue – Jeff Worthe, c/o Worthe Real Estate Group, Applicant**

**COMMUNITY DEVELOPMENT DEPARTMENT:**

**General Requirements**

1. Project 21-0001110 (Conditional Use Permit and Development Review) allows for the construction of a spherical geodesic dome, approximately 186 feet in diameter and 95 feet in height with approximately 28,664 gross square feet of floor area ("Project") on a 85,285-square-foot (or approximately 1.95-acre) vacant site in the M-2 (General Industrial) Zone ("Project Site"). The Project is a media studios facility that will be a prototype for Madison Square Garden ("MSG") Entertainment's creative teams to develop and edit content prior to its ultimate use in Las Vegas productions. The Project proposal also includes improvements to the public right-of-way adjacent to the site and onsite parking and landscaping.
2. This Conditional Use Permit and Development Review shall automatically expire 12 months after the approval date (will expire on June 14, 2022) unless Developer has diligently developed the proposed project, as shown by the application(s) for a grading, foundation, or building permit. Prior to the expiration noted expiration period, the Property Owner can request the Community Development Director's approval of a one-time extension of the permit for a period not to exceed one-year from the date of expiration. The approval of the permit extension is at the sole discretion of the Director.
3. This permit or approval may be modified or revoked by the City should it be determined that the proposed use as permitted by this approval or conditions under which they were permitted are detrimental to the public health, welfare, or materially injurious to property or improvements in the vicinity or if the use is maintained so as to constitute a public nuisance.
4. The applicant shall list these Conditions of Approval in all construction plans submitted to the Building and Safety Division for a building permit. The applicant shall also provide a separate written document outlining how, or where, each of the conditions have been addressed in the building permit plan set for all City Division/Department conditions enclosed and provide the same number of copies as building plan sets submitted for Building Plan Check.
5. By signing and/or using this permit, the permittee acknowledges all of the conditions imposed and accepts this permit subject to those conditions and with full awareness of the provisions of Burbank Municipal Code Sections 10-1-1913, 10-1-1932, and 10-1-1951. Failure of the permittee to sign these conditions does not affect their enforceability by the City or other responsible entity. These conditions are binding upon all future property owners and occupants of the subject property.

6. Smoking shall be prohibited in the outdoor open spaces in accordance with prevailing State of California laws and/or City of Burbank ordinances, whichever is more restrictive.
7. The applicant shall comply with all federal, state, and local laws. Violations or convictions of any of those laws in connection with the use will be cause for revocation of this permit.

### **Planning Division**

8. A covenant to hold all Project parcels as one property must be completed and recorded at the Los Angeles County Registrar-Recorder to tie the subject properties together for the construction of the Project. The completed covenant shall be recorded prior to the issuance of a Final Certificate of Occupancy.
9. A Parcel Map application shall be submitted prior to the issuance of a Final Certificate of Occupancy for the Project, subject to the review and approval of the City's Community Development Director or his/her designee. The Parcel Map process shall be completed within one year of submittal.
10. If an application to vacate the remnant of 20'-0" alley is submitted, the covenant required by Condition 8 shall be modified to reflect the modified Project boundaries and the final, modified Site Plan shall be reviewed and approved by the Community Development Director.
11. During Building Plan Check review, the Developer shall work with City staff (Planning Division, Parks and Recreation Department, Public Works Department, Burbank Water and Power) to finalize the approved streetscape design, including tree locations and types and ensuring that there are no conflicts with existing utility locations and/or street furnishings.
12. Unless otherwise approved by the Community Development Director or his/her designee, the Building Elevations shall be substantial conformance with the conceptual plans approved on June 14, 2021, and shall maintain 360-degree architectural design.
13. Modifications may be granted for changes in the placement or size of structures, or of the site plan, architectural design, materials, or colors of structures and may be approved by the Community Development (CDD) Director or his/her designee. Major modifications (such as changes to number of stories, bulk or mass, horizontal or vertical articulation) shall be approved by the Planning Board.
14. The Applicant/Developer shall submit a complete landscape plan during Plan Check to include all existing and proposed planting on the site. The plan shall include a matrix or legend with plant species and list the maximum height of the proposed and exigent plants at full growth. On plans submitted for Building Plan Check review, the Applicant shall demonstrate compliance with the applicable landscaping requirements found in BMC Sections 10-1-812, 10-1417.1, and 10-1-1418.

15. The Project shall comply with M-2 Zone property development and design standards. Compliance with these standards will be verified at the time of building permit submittal.
16. Prior to issuance of building permits, Developer shall demonstrate that light standards will not conflict with tree locations. Developer shall submit a plan showing both the lighting and landscape on the same sheet.
17. All landscaped areas noted on the site plan shall be permanently maintained with healthy planting material, and whenever necessary shall be replanted with suitable vegetation.
18. Trees shall be allowed to grow to the full genetic height and habit (trees shall not be topped or overly trimmed). Trees shall be maintained using standard arboriculture practices.
19. Plans submitted by Developer with building permit applications shall show on the building elevation sheets all exterior building materials and colors, including product and finish manufacturer name, color name and number, and surface finish type (such as: stucco with sand finish, plaster with smooth finish) to be used in construction. Prior to issuance of any building permit(s) for any phase, the Developer shall label all elevations and identify all treatments/materials/finishes on the construction plans to the satisfaction of the Community Development Director or his/her designee.
20. The Applicant/Developer shall provide off-street parking for the project, including the number/types of spaces, stall dimensions, paving, striping, location, and access, as required by the Burbank Municipal Code. Developer shall provide on-site parking spaces for the project as follows: a minimum of 54 standard parking stalls, with a maximum of 60 stalls. Changes to these parking requirements required by any future changes to the size or use of the structure are subject to review and approval by the Community Development Director or his/her designee.
21. The Applicant/Developer shall provide off-street loading area(s) for the project, including the number of spaces (or equivalent area), dimensions, paving, striping, location, and access, as required by BMC Sections 10-1-1501 to 10-1-1503 (Off-Street Loading Standards).
22. In addition to those required by the City's adopted 2019 California Building Standards Codes and Related Codes including CALGreen Code enforced by the City, the Project shall provide the minimum number of parking spaces for Electric Vehicle (EV) charging stations as required by applicable City building and zoning codes. EV charging stations shall be located as close as practicable to the main aisle(s) for increased visibility and ease of ingress/egress to the satisfaction of the Director or his/her designee. Placement of the EV charging stations shall be indicated on plans submitted for Plan Check Review and shall be subject to review and approval by the Director or his/her designee.

23. Prior to issuance of any building permits, Developer shall comply with the requirements for public art as contained on BMC Section 10-1-1114, or pay an in lieu fee based on the formula contained in Section 10-1-1114(I).
24. Developer shall locate all equipment cabinets, backflow prevention devices so as not to be visible from any surrounding street. All equipment shall be screened with landscaping to the satisfaction of the Director or his/her designee. Developer shall work with the Fire Department and Director to ensure appropriate placement and screening.
25. Trash enclosures, utility cabinets or equipment shall be fully screened from public view using berms, landscape materials, walls, buildings, lowering the elevation of installation areas below street grade, or a combination thereof. All walls to be used for screening purposes shall be of solid masonry construction and ornamental in texture, pattern, or shadow relief and shall be used in conjunction with foreground landscaping.
26. Prior to the issuance of a building permit, the Developer shall submit to the Director proof of submission of the Notice of Proposed Construction or Alteration and copies of all documentation received from the Federal Aviation Administration (FAA) in response to such Notice including the determination and any final decision of the FAA as to whether the proposed structure would be an obstruction or hazard to air navigation.
27. Before placing or constructing any signs on the project property, Developer shall obtain a sign permit from the City. Sign locations and illumination are subject to review and approval by the Planning Division under separate permit.
28. Prior to issuance of a certificate of occupancy, Developer shall remove all construction materials and vehicles from the subject property.
29. Developer shall arrange for materials collection during construction, demolition, and occupancy with the City's Street & Solid Waste Division (Public Works Department), or Developer shall arrange for self-hauling to an authorized facility.
30. Plans submitted for plan check shall include a parking management plan for contractor/ subcontractor vehicles and construction vehicles, including on-site and off-site (if applicable) parking, for review and approval by the Community Development Director or his/her designee. The Developer and/or on-site primary general contractor (superintendent) shall have responsibility for monitoring and enforcing the approved parking management plan. The phone number, e-mail, and contact information for the on-site superintendent shall be posted on signs at the perimeter of the construction site along the N Avon and Empire Avenue.
31. Plans submitted for Construction Plan Check shall include a Construction Management Plan that includes among other things, the identification of contractor/ subcontractor vehicles and construction vehicles, including on-site and off-site (if applicable) parking, for review and approval by the CDD Director or his/her designee. Developer and/or on-site primary general contractor (superintendent) shall monitor and enforce the approved Construction Management Plan.

32. These Construction Impact Prevention Guidelines provide a comprehensive outline of how the Developer and Contractor(s) shall implement construction work at the project site and vicinity, as well as addressing the issues of parking, access, deliveries, etc. A great deal of care and concern will be extended to ensure that the project's construction activities have as little impact on the neighbors as possible. The distribution and enforcement of these construction guidelines will ensure that such is the case, and the general contractor(s) and any sub-contractor(s) are directed to strictly enforce these guidelines:
- a. All parties associated with the 3401 Empire Avenue Project shall be kind, courteous, and patient with neighbors, pedestrians, motorists, and all other trades at or around the site in every respect.
  - b. The Project application has indicated that the construction personnel shall utilize the project site and future publicly accessible open space for construction parking. Additionally, no construction personnel whatsoever will be permitted to park any vehicle anywhere on any of the surrounding streets. Contractor should also be required to post, and enforce, "NO CONSTRUCTION PARKING" signs at these locations. In order to alleviate neighborhood complaints.
  - c. Unless otherwise provided for by the City's Building Official, there shall be no set-up, staging, or similar operations whatsoever until 7:00 a.m. Monday thru Friday and not until 8:00 a.m. on Saturday.
  - d. Unless otherwise provided for by the City's Building Official, no construction equipment or tools of any kind shall be used before 7:00 a.m. Monday thru Friday and not until 8:00 a.m. on Saturday.
  - e. Unless otherwise provided for by the City's Building Official, no construction work whatsoever until 7:00 a.m. Monday thru Friday and not until 8:00 a.m. on Saturday.
  - f. Unless otherwise provided for by the City's Building Official, there shall be no deliveries to the site accepted prior to 7:00 a.m. Delivery vehicles, if any, prior to 7:00 a.m. shall not impede or block traffic, idle the engine, nor otherwise generate any public nuisances. A queuing plan for delivery trucks should be included to identify acceptable locations.
  - g. Requests for work outside of BMC construction hours may be granted for specific purposes, and limited time periods only. All requests must be submitted in writing and approved by the City's Building Official prior to commencing any off-hour work.
  - h. Notices shall be distributed to neighbors within 300 ft. of the Project site, both residential and commercial, notifying them of construction work, and listing these requirements including contractor contact information to reduce the potential number of complaints. This shall also include notifications of work in the right-of-way by the Public Works Department and/or Burbank Water & Power (BWP) at the Developer's expense. Notice to neighbors who have contacted the Developer and asked to be kept advised of construction operations shall, to the extent possible, be advised in advance of any early starts, street closures, et cetera.
  - i. In addition to the above general guidelines, the general contractor (or other designated primary contractor responsible for activities on and around the Project site) shall continue to strictly enforce the other construction guidelines

specific to the Project, which includes, but is not limited, to the following: The construction site and its perimeter area shall be kept free of trash, debris, and litter.

- j. The developer shall prepare a Construction Management Plan to include construction staging, traffic coordination, construction haul routes and construction parking, etc. and shall meet with the City Traffic Engineer and Chief Building Official who shall review and approved said plan. The Chief Building Official shall have the final authority to reject or approve the Construction Management Plan.
33. Developer may not modify any use approved by this permit unless the Planning Division determines that Developer has provided the parking required by the Burbank Municipal Code for the modified use.
  34. During the plan check review process, the Developer shall provide a lighting plan that provides design details (light standards, bollards, wall mounted packs, etc.) and illumination site information within alleyways, pathways, streetscapes, and open spaces proposed throughout the development. An electrical engineer shall prepare the site lighting and/or photometric plan demonstrating that adequate lighting ranges will be provided throughout the development without creating light spillover, light pollution, or conflicts with surrounding factors such as tree locations, off-site or adjacent lighting. All lighting shall conform with the standards prescribed by the City and shall be installed in all nighttime parking lots used for public parking or for commercial purposes. All lighting shall be arranged to prevent glare or direct illumination on adjoining properties and streets.
  35. Plans submitted for plan check shall include an exterior lighting plan, including fixture and pole designs, for review and approval by the City Planner or designee.
  36. Developer shall recess or screen roof heating and cooling systems and other exterior mechanical equipment from adjoining property and public streets, as required by this permit. Plumbing vents, ducts and other appurtenances protruding from the roof of structures shall be placed so that they will not be visible from the front of the property or other major public vantage points. Developer shall include a note on the construction plumbing drawings of exterior elevations to indicate to contractors that roof features shall be grouped and located in the described manner. Roof vents shall be shown on construction drawings and painted to match roof material color.
  37. For any exterior utility meter panels, Developer shall paint such panels to match the structure upon which it is located. Such panels shall be located to take advantage of screening (e.g. landscaping or other building elements) from public rights-of-way, to the maximum extent feasible.
  38. The project site is in the vicinity of the Hollywood-Burbank Airport, and the provisions of Burbank Municipal Code Sections 10-1-1305 through 10-1-1309 shall be applicable to the project.
    - a. Notice of Proposed Construction or Alteration. All applicants for structures subject to Section 10-1-1308 per the terms of Section 10-1-1307 shall be required to file a Notice of Proposed Construction or Alteration with the Federal

Aviation Administration (FAA) pursuant to Part 77 of the Federal Aviation Regulations (14 C.F.R. Part 77). No building permit shall be issued for any structure subject to this Section until the building permit applicant submits to the Director proof of submission of the Notice of Proposed Construction or Alteration and copies of all documentation received from the FAA in response to such Notice including the determination and any final decision of the FAA as to whether the proposed structure would be an obstruction or hazard to air navigation.

- b. **Obstruction Determination.** In the event the FAA determines that the proposed structure would be an obstruction to air navigation, a building permit for the structure may be issued subject to the applicant complying with all applicable provisions of the Code. If the FAA imposes any conditions or requirements upon the proposed structure as part of its determination, including but not limited to lighting or painting requirements, the applicant shall demonstrate compliance with such conditions or requirements on the plans submitted for building permit approval.
  - c. **Hazard Determination.** In the event the FAA determines that the proposed structure would be a hazard to air navigation, then no building permit shall be issued until the applicant has applied for and obtained an Administrative Use Permit (AUP) in accordance with Section 10-1-1954 et seq. If a Conditional Use Permit (CUP) would otherwise be required for the proposed construction or alteration in accordance with Section 10-1-1934 et seq., such CUP shall be used instead of an AUP to consider the hazard status of the project and an AUP shall not be required.
  - d. Please be advised that due to the project site's proximity to the Hollywood-Burbank Airport, the applicant must coordinate with the FAA and file their Form 7460 concerning construction and height restrictions, both permanent and those that are temporary caused by construction (i.e. crane). The Form 7460 can be found on the FAA's website at [faa.gov](http://faa.gov).
39. Developer shall file a Form 7460-1 "Notice of Construction or Alteration" and Form 7460-2 "Notice of Actual Construction or Alteration" that enables the Federal Aviation Administration to review the proposed development for any hazards to airport/aviation operations. Prior to issuance of any building permits, the applicant shall provide copies of all documentation received from the FAA in response to such Notice, including the determination and any final decision of the FAA as to whether the proposed structure would be an obstruction or hazard to air navigation.
40. Prior to issuance of any building permits, the Developer shall include on all construction plans any and all recommendations and/or requirements from the Federal Aviation Administration regarding structure marking and/or lighting (in accordance with FAA Advisory Circular AC 70/7460-1K, "Obstruction Marking and Lighting").
41. All required fees shall be paid as required by the Burbank Municipal Code prior to the issuance of a Building Permit for the project.

## Transportation Division

42. The Developer shall provide all of the following public right-of-way improvements to the satisfaction of the City:
  - a. Fifteen-foot sidewalks widened in conformance with the General Plan shall be improved as sidewalk with tree wells. Landscaping and/or green street infrastructure may be placed within the furniture zone of the sidewalk.
  - b. Street trees, landscaping, poles, streetlights, and other street furniture installed or relocated as required by the project along Empire Avenue and Avon Street shall be placed in the sidewalk furniture zone.
  - c. The driveway on Avon Street along the north border of the Project, serving all the surface parking spots, shall not allow left turns out of the driveway, and the development shall provide necessary signage.
43. If the tenant on-site is affiliated with or an extension of Media Studios North, then the TMO membership of Media Studios North shall also extend to the tenant at 3401 Empire Avenue. However, if the tenant is not affiliated with Media Studios North, the applicant/developer, and all tenants shall pursue membership in the Burbank Transportation Management Organization (BTMO), shall comply with the applicable requirements of Section 10-1-2133 of the Burbank Municipal Code, shall participate in all Transportation Demand Management (TDM) strategies and programs of the TMO, and shall pay any applicable annual membership fee as required by the TMO and/or the City of Burbank.

## Building Division

44. All projects shall comply with Title 9, Chapter 1, of the Burbank Municipal Code, and the **2019 edition** of the California Building Code, California Residential Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards and Building Energy Efficiency Standards.
45. Plans and reports submitted for Plan Check Review are to be submitted electronically. For more information about the online submittal process, please contact the Building Division at 818-238-5220 or via email at [building@burbankca.gov](mailto:building@burbankca.gov).
46. All Conditions of Approval for the Project are to be reproduced on the construction document drawings as part of the Approved Construction Set.
47. All Departments that have provide Conditions of Approval are to review drawings and provide final approval via online electronic review, prior to issuance of Building Permit.
48. Development Impact Fees are assessed by the City for construction of new commercial square footage as listed in the Burbank Fee Schedule and Title 10, Article 22, of the Burbank Municipal Code.
49. Provide all information, calculations, and regulations pertaining to Low Impact Development associated with this project.

50. Provide justification for B occupancy. Does not appear to be for a Business.
51. Provide full code analysis including exiting, occupancy, height and construction type review.
52. New construction projects within the City of Burbank are subject to MWELo review. New landscape areas for residential and non-residential projects between 500 and 2,500 square feet requiring a building or landscape permit, plan check or design review will be required to complete, either a Performance or Prescriptive Compliance Method.
53. The property shall comply with accessibility requirements for the various occupancies as stated in California Building Code Chapter 11. Accessibility regulations apply to all common areas and pools and spas.
54. The parking layout will have to comply with City standards, including minimum turning radii for accessing parking stalls.
55. Deferral of any submittal items shall have prior approval of building official. The registered design professional in responsible charge shall list the deferred submittals on construction documents for review.
56. Screening will be required for equipment located in front and side yards. The screening will include the electrical panels, A/C compressor units, gas meters, and transformers. All screening will be subject to approval by Planning and Building divisions, and BWP.
57. Grading and drainage plans will be required, and a separate Grading & Shoring Permit will be required. Geotechnical report to be submitted along with Grading & Shoring Permit Application.
58. Construction projects must comply with Best Management Practices for construction and stormwater runoff requirements of the National Pollutant Discharge Elimination System MS4 Permit.
59. The City's mandatory Construction & Demolition Debris Diversion Ordinance requires the recycling and diversion of at least 65% of construction and demolition debris. A refundable deposit and non-refundable administrative fee will be collected prior to permit issuance. The Ordinance applies to all demolitions and to new construction, additions, remodels, renovation, tenant improvement and alteration projects over 500 square feet in scope of work.
60. A stamped setback certification by a Licensed Surveyor will be required to certify the location of the new construction in relation to the setbacks prior to the first foundation inspection.
61. Plans submitted for plan check must be stamped by State-licensed architect or engineer unless the project is one of the following listed below and complies with conventional light wood frame construction requirements in the CBC:

- Wood-framed, single-family dwellings not more than two stories in height;
- Wood-framed, multi-family dwellings not more than two stories in height, and limited to four dwelling units per parcel;
- Wood-framed, garages or accessory structures for single-family dwellings not more than two stories in height;
- Non-structural or non-seismic storefronts, interior alterations or additions.

62. Approved hours of construction are:

Monday – Friday	7:00 am to 7:00 pm
Saturday	8:00 am to 5:00 pm

No construction is permitted by contractors or subcontractors after hours, on Sunday or on City holidays without prior written request and approval from the Community Development Department.

**PUBLIC WORKS DEPARTMENT:**

**Engineering Division:**

63. Show dimensions and location of all proposed property dedications.
64. 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.
65. Unless otherwise approved by the City's Public Works Director, 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 show on the building site plan and the off-site improvement plans [BMC 7-3-701.1].
66. Unless otherwise approved by the City's Public Works Director, 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].
67. All work in the City 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 Director of Public Works to guarantee timely construction of all on-site improvements. Burbank

Standard Plans can be accessed at:  
<http://file.burbankca.gov/publicworks/OlineCounter/main/index.htm>

68. Prior to the issuance of a Building Permit, applicant shall dedicate to the City for street right-of-way: a portion of the property adjacent to Avon Street to create a 15' parkway per Burbank 2035 General Plan [BMC 7-3-106]. Additional dedication could be required once the traffic study is implemented with Burbank 2035 General Plan and the offsite improvement plans are approved by the City Engineer. Dedication must include 15' minimum corner radius at property corners. Contact Real Estate Division at (818) 5180 for information to accomplish this dedication.
69. Prior to the issuance of a Building Permit, applicant shall apply to vacate all easements remaining on private property, in addition to the easements that were established by Resolution No. 2363.
70. Prior to the issuance of a Building Permit, 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 the project. The cost of the PSA will be paid by the applicant.
71. Prior to the issuance of a Building Permit, applicant shall notify City of Burbank Building Department in regards 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>.
72. Prior to the issuance of a PW Excavation Permit, the Applicant/Developer shall 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. Connection to a City storm drain/catch basin, the Project Applicant must apply for a connection permit from the City of Burbank.
73. It is highly recommended that drainage calculations and analysis are submitted at an early stage of the Project to Public Works and the City's Building and Safety Division for review and approval.
74. Prior to the issuance of a PW Excavation Permit, off-site improvement plans (in the public right-of-way) must be approved by the Public Works Director or his/her

designee. Plans must be submitted in City of Burbank Standard format and as-built plans must be submitted on mylar paper.

75. Prior to the issuance of a PW Excavation Permit, any Project required traffic study and mitigation measures should be coordinated with Public Works Department to review and approve offsite improvement plans.
76. Plans should include easements, elevations, right-of-way/property lines, dedication, location of existing/proposed utilities and any encroachments.
77. Prior to the issuance of a PW Excavation Permit, an address form must be processed [BMC 7-3-907].
78. Prior to the issuance of a PW Excavation Permit, the Applicant/Developer must contact the City of Burbank Parks and Recreation Department in order to obtain approval for the removal of any City parkway trees.
79. Unless otherwise approved by the City's Public Works Director, prior to the issuance of a Certificate of Occupancy, resurface (grind and overlay minimum 2") the full width of Avon street fronting the property per City of Burbank Standards.
80. Unless otherwise approved by the City's Public Works Director, prior to the issuance of a Final Certificate of Occupancy, applicant must re-stripe the surface area and re-establish all traffic loops.
81. Unless otherwise approved by the City's Public Works Director, prior to the issuance of a Certificate of Occupancy, remove and reconstruct old pedestrian ramp at the northeast corner of Avon Street and Empire Avenue intersection. Pedestrian ramps are to be constructed per Caltrans Standards A88A, case A.
82. Avon Street mid-block crossing: submit signal plans per Traffic Division conditions, install ADA ramps within the parkway and applicant to process a covenant agreement to maintain mid-block crossing for the life of the Project.
83. Unless otherwise approved by the City's Public Works Director, prior to the issuance of a Certificate of Occupancy, resurface (grind and overlay minimum 2") crosswalks at Avon Street and Empire Avenue intersection and restripe with Controlled High Visibility Crosswalk, City Standard BT-409A-1.
84. Unless otherwise approved by the City's Public Works Director, prior to the issuance of a Certificate of Occupancy, remove and reconstruct sidewalk fronting the property along Avon Street per City of Burbank Standards to coincide with the additional street dedication.
85. Unless otherwise approved by the City's Public Works Director, prior to the issuance of a Certificate of Occupancy, protect in place or re-establish all impacted centerline ties impacted by the project improvements. Corner records shall be processed and recorded with Los Angeles County and copies provided to the City for archiving.

86. Unless otherwise approved by the City's Public Works Director, prior to the issuance of a Certificate of Occupancy, construct sidewalk from Empire Avenue to northerly side street westerly of project (approx. 25') join and match existing sidewalk.
87. Prior to the issuance of a Final Certificate of Occupancy, the Applicant/Developer shall install removable bollards within the City's vacated alley segment at the southeast corner of North Avon and North Hollywood Way intersection adjacent to reconstructed public sidewalk and the western property line of the Project site. The final design and method of installation shall be reviewed and approved by the City Engineer.
88. Unless otherwise approved by the City's Public Works Director, prior to the issuance of a Certificate of Occupancy, remove driveway to be abandoned along Empire Avenue and reconstruct vehicle turn out lane/drop off zone.
89. Unless otherwise approved by the City's Public Works Director, prior to the issuance of a Certificate of Occupancy, any portion of the public parkway (curb, gutter, driveways, landscape, etc.) that is broken, uneven or uplifted at the end of the project must be reconstructed to the satisfaction of the City Engineer. The repairs and/or 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].
90. Easterly side of Hollywood Way and Avon Street intersection has been recently improved in 2021 with pedestrian ramps, traffic loops and with Controlled High Visibility Crosswalks; therefore, protect in place. Any impacts will require complete restoration per City Standards.
91. Building access doors, loading docks doors, and access gates may not swing open into the public right-of-way [BMC 7-3-701.1]
92. If any utility cuts or construction related impacts are made on Empire Avenue adjacent to the property, applicant will have to restore the street fronting the property per City of Burbank paving requirements.
93. Additional impacts to street triggered by this project could extend the paving restoration limits.
94. Revise plans showing yellow truncated domes; Burbank standards are blue.  
For additional information or questions, please contact Anthony Roman, Civil Engineer Associate, at (818) 238-3945.

#### **Water Reclamation and Sewer Division**

95. The location, depth, and dimensions of all sanitary sewer lines and easements must be shown on plans.

### **Water Reclamation and Sewer Division - Wastewater requirements**

96. An Industrial Waste Discharge Permit will be required [BMC 8-1-502 and BMC 8-1-503].
97. Under the current rate structure, pulling the Building Permit for the proposed development is subject to a Sewer Facilities Charge estimated at \$7,015.02. The charge is due prior to issuance of a Building Permit [BMC 8-1-802 and BMC 8-1-806].

$$\begin{aligned} \text{SFC} &= \text{Proposed Developments} - \text{Demolition Credits} \\ &= \text{Media facility } [\$0.259/\text{SF} * 27,085] \\ &= \$7,015.02 \end{aligned}$$

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.

98. 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].
99. No person shall connect or tap an existing public sewer line without obtaining a permit [BMC 8-1-301].
100. 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.
101. 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 elevations 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.

### **Water Reclamation and Sewer Division - Project Specific Requirements**

102. There is an abandoned 8-inch sewer main located in the middle of the subject property, that generally runs parallel to Hollywood Way. If it is the applicant's intent to re-activate this sewer for use as a private lateral connection, then the applicant will be responsible for the inspection and all repairs to the facilities and would also be responsible for the ownership and future maintenance of this sewer line all the way up to the connection to City Sewer main at Manhole 20-166 (located on Empire Ave) per BMC 8-1-107.
103. 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.

## **Water Reclamation and Sewer Division - Stormwater Requirements**

104. 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) – [http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](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.

105. 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.
106. 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.

For additional information or questions, please contact Kenneth Kozovich at (818) 238-3932.

## **Traffic Engineering Division**

107. Commercial truck loading area shall be designed to accommodate turn paths of Interstate Semitrailer (WB-20 [WB-67]) design vehicle per AASHTO Greenbook.
108. Driveway aprons shall be constructed per City Standard Plan BS-102. Driveway leading to loading area shall be designed to accommodate turn paths of Interstate Semitrailer (WB-20 [WB-67]) design vehicle per AASHTO Greenbook.
109. Trucks shall only enter the northernmost driveway on North Avon Street in a westerly direction, making a left turn only into the driveway; no trucks traveling eastbound on North Avon street shall make a right-hand turn into the Project site's northernmost driveway.
110. No left turn sign (R3-2) shall be installed at the driveway exit from the Project Site onto North Avon Street at the northern access of the Project Site.
111. Parking spaces shall be constructed per BMC 10-1-1401, 10-1-1403, 10-1-1417, 10-1-1606.
112. No visual obstruction shall be erected or maintained above 3' high or below 10' high in a 10' by 10' visibility cut-off at intersection of streets. [BMC 10-1-1303(A)]

113. 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)]
114. 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.
115. Mid-block crossing on Avon Street: the Applicant/Developer shall provide a separate signal plan for the proposed Rectangular Rapid Flashing Beacon (RRFB) on Avon Street prior to issuance of building permit. The beacon shall have a minimum of four rectangular rapid flashing beacons (two on each side), 3-inch conduit, a Caltrans Type 15 pole with safety lighting, and a Caltrans Type III-AF service cabinet for AC power. The RRFB shall initiate operation with pedestrian actuation. The signal plans shall also show all striping and signage for the new crosswalk. The signing and striping shall be in accordance with 2014 California Manual on Uniform Traffic Control Devices Figure 3B-17(CA).

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

#### **Field Services Division– Solid Waste**

116. Must have a common location(s) for trash enclosures large enough to house an appropriate number of refuse and recycling bins.
117. Must comply with AB 341 requirements.
118. 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.
119. Recycling must be provided for all residents/businesses.

#### **Field Services – Street**

120. All damaged infrastructure adjacent to the property to be removed and replaced.
121. All infrastructure adjacent to the property shall be upgraded to the latest ADA standards – this includes driveways, alley approaches, alley pedestrian ramps and pedestrian ramps.
122. All improvements must be constructed to the latest Burbank standard.

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

#### **FIRE DEPARTMENT**

123. Provide construction site security by means of a six-foot high fence maintained around the entire site or a qualified fireguard when required by the Fire Code Official.

124. Provide an automatic fire sprinkler system in accordance with the Burbank Municipal Code.
125. Provide electrical supervision for all valves controlling the water supply and all water flow switches on all fire sprinkler systems where the number of sprinklers is 20 or more.
126. Provide a fire alarm system to notify all occupants of automatic fire sprinkler water flow.
127. Provide a Knox key box for fire department access.
128. Provide a Knox KS-2 key access switch for security gates.
129. Provide address numbers a minimum of 4 inches high for residential structures and six inches high for all other occupancies with  $\frac{3}{4}$  inch stroke to identify the premises. Numbers shall be plainly visible from the street or road fronting the property and from the alley or rear accessway to the property.
130. 2A10BC fire extinguishers shall be provided and located as directed by the Fire Code Official in the field. All portable fire extinguishers shall be installed on a positive latching bracket or within an enclosed cabinet.
131. Exit doors shall be openable from the inside without the use of a key or any special knowledge or effort. All locking devices shall be of an approved type.
132. Provide a fire alarm system.
133. Fire apparatus access roads shall be provided in accordance with the California Fire Code, for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction when any portion of the facility or any portion of an exterior wall of the first story of the building is located more than 150 feet from fire apparatus access as measured by an approved route around the exterior of the building or facility. More than one fire apparatus road shall be provided when it is determined by the chief that access by a single road might be impaired by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access. Access during construction shall be maintained in accordance with the CFC/BMC.
134. Specifications for fire apparatus access roads shall be provided and maintained in accordance with the California Fire Code.
135. Plans for fire apparatus access road shall be submitted to the fire department for review and approval prior to construction.
136. Plans and specifications for fire hydrant systems shall be submitted to the fire department for review and approval prior to construction.
137. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, **such protection shall be installed and made serviceable prior to and during the time of construction.**

138. Approved signs or other approved notices shall be provided and maintained, at the expense of the person(s) in possession of the property, for fire apparatus access roads to identify such roads and prohibit the obstruction thereof or both.
139. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into or within the jurisdiction. When any portion of the facility or building protected is in excess of 150 from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the chief.
140. All exits, fire department access and fire protection shall be maintained in accordance with the California Fire Code during construction.
141. Any fire hydrants for this block shall be upgraded with a 4" X 2-2 1/2" outlets. Contact the Water Division at 238-3500 for specifications on the type fire hydrants to be provided.
142. Except as otherwise provided, no person shall maintain, own, erect, or construct, any building or structure or any part thereof, or cause the same to be done which fails to support adequate radio coverage for City emergency service workers, including but not limited to firefighters and police officers. Buildings and structures which cannot meet the required adequate radio coverage shall be equipped with any of the following in order to achieve the required adequate radio coverage: a radiating cable system or an internal multiple antenna system with or without FCC type accepted bi-directional UHF amplifiers as needed. Further information and guidance can be obtained by contacting the City of Burbank Radio Communications shop at (818)238-3601.
143. For parking garages provided with a ventilation system in accordance with the California Building Code "Interior Environment" a remote over-ride switch shall be provided for Fire Department use as assistance for smoke removal. The switch shall be located and clearly marked in a readily accessible location as directed by the Fire Department.
144. The occupancy shall be approved and limited to the number of occupants noted on the plan submitted for review.
145. Provide and maintain an approved occupant load sign in a conspicuous location near the main exit from the room.
146. In order to determine fire flow requirements for this building, the following information shall be provided prior to issuing a building permit for final fire department plan check:
  - Building Type Construction as defined by the California Building Code.
  - Square feet of the building.

## **DEPARTMENT OF WATER & POWER**

### **Electric Division**

147. 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 pad-mount transformer.
148. 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.
149. 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.
150. Loads below 5MW will be fed from the existing system but will require upgrades to accommodate the new development, at the developers cost.
151. Loads 5MW 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 5MW.
152. The proposed development will require the installation of pad-mounted switches and transformers. The pad-mounted switches will be looped on the line side.
153. 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.
154. 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.

155. 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.
156. 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.
157. The proposed development will require the installation of 4' x 6' primary pull-boxes.
158. The proposed development will require the installation of 8' x 14' primary manholes.
159. Additional conduits may be required to provide for future needs.
160. 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).
161. The developer's contractor will provide as-built drawings showing the exact location of underground substructure installed to serve the property.
162. 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.
163. 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 to avoid a potential conflict with other substructure.
164. BWP will provide the following items at the developer's cost:
  - Construction drawings for all substructure work
  - Engineering support during construction
  - 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
  - Installation of all transformers, switches, primary cables, and metering devices
  - Termination of the secondary cables at the transformer
165. The developer's contractor shall install secondary conduits, pull cable from the transformer to the switchboard, and terminate the secondary cables on the switchgear.
166. 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).

167. 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.
168. 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.
169. Any excavation that restricts vehicular access to existing BWP facilities may require the relocation of such facilities at the developer's cost.
170. 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:
  - Providing and installing new facilities to serve the customer;
  - Conducting feasibility studies and engineering;
  - Relocating existing overhead or underground facilities.
171. 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 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.
172. 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.
173. All electrical installations must conform to the Burbank Water and Power Rules and Regulations for Electric Service (latest revision).
174. 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.
175. 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.
176. 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.

177. 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.
178. The developer is responsible for the street lighting system traversing the project. The streetlight 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 cost. Standards and luminaries will be supplied by BWP at the developer's cost. A plot plan of the site must be submitted to BWP during the initial planning stage of the project for street light design.
179. Any construction that impacts existing streetlight standards or infrastructure will require relocation at the developer's cost.
180. 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](mailto:support@oneburbank.com) or call (818) 238-3113.
181. 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.
182. 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.
183. 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.
184. 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.

- 185. 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.
- 186. 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.
- 187. At least 6% of the total parking spaces shall be capable of supporting future Electric Vehicle Supply Equipment (EVSE). Plan design shall be based on Level 2 EVSE or greater, at maximum operating ampacity. Only underground raceways and related underground equipment per Burbank Water and Power standards are required to be installed at the time of construction. Plans shall include the locations and type of EVSE, raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all the electrical vehicles at all designated EV charging spaces at their full rated amperage. The electrical service panel shall include capacity to simultaneously charge all EVs at their full-rated amperage and shall identify the overcurrent protective devices space(s) reserved for future EV charging purposes as "EV CAPABLE." The future EV charging stations shall be placed at multiple convenient and visible locations within the new parking facilities. This requirement may be superseded by future state building mandates.
- 188. 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](mailto:dkidd@burbankca.gov).

Additionally, information can be found at:

<https://www.burbankwaterandpower.com/conservation/electric-vehicles-rebate>.

189. Safe egress paths from switchgear must be maintained with switchgear doors open. Coordinate with BWP for switchgear safety clearance requirements when switchgear is installed close to other structures including screening, landscaping, fences, or walls that may restrict the egress path. The plans shall show dimensioned switchgear, including open door projection into the safety clearance area and safe egress route and dimension.
190. The site plan as submitted does not provide the necessary access to the pad mounted transformer and switch. The best location is likely along the truck loading to allow for easy crane access. See conditions 9 and 10 for access requirements. Vehicle protection will be required, screening may be required per CDD requirements. Coordinate screening with BWP to maintain safety clearances around and access to equipment.

#### **Water Division**

191. Include this information on the construction plans for plan check:
  - Size and location of water services (domestic, fire, type & location of the backflow assembly).
  - Calculation for sizing of domestic water meter and service.
  - Landscape irrigation plans for backflow plan check.
192. Temporary water for construction purposes only may be supplied from the existing service at 3401 Empire Avenue only after the owner or contractor has signed up for its use at the Burbank Water and Power, 164 W. Magnolia Blvd., between 8:30 AM and 4:30 PM, Monday through Friday. The existing meter(s) and box(s) are to be protected at all times during demolition of the site and/or construction.
193. The new water service, if required for this project, will come from a new 8-inch main in Avon Street at a static pressure of approximately 100 psi.
194. Due to the system static pressure at this site, the Building Division requirements for a pressure regulator are to be followed in accordance with the 2016 California Plumbing Code.
195. A copy of this Development Review shall be shown on the applicant's plan submittal.
196. The water service for this project may be required to be provided with protective devices that prevent objectionable substances from being introduced into the public water supply system, per Title 17 of the California Administrative Code. A minimum \$50 backflow prevention plan check fee and up to actual cost will be applied. Both domestic and fire services may require installation of backflow prevention devices. Backflow devices must be installed on private property and as close as possible to the property line (see attached Standard Drawing No. BWP-615).

197. The owner or contractor shall contact BWP Water Division at (818) 238-3500 before the building permit is issued. The drawings will be reviewed for adequate sizing of the service and meter and will take a minimum of five working days. Domestic meter size shall be adequate to provide the required flow, as determined by a licensed plumber or architect, calculated from the number of fixture units for the proposed development, pursuant to the California Plumbing Code 2016, CCR, Title 24, Part 5. Prior to final approval and preparation of an estimate by the BWP Water Division, the applicant shall obtain approval from the City of Burbank Fire Department for appropriate fire service size and appurtenance selection. A deposit will then be collected to cover construction costs for all required services. Construction scheduling will be based on date of receipt of the required drawings, fees and deposit.
198. If the Fire Department requires any new fire hydrants and/or fire services for this development, the owner or contractor shall request an estimate for same from BWP Water Division by calling (818) 238-3500. The full deposit for any required work (including upgrading the fire service/backflow device) must be paid before the Water Division approves the project drawings.
199. A Water Main Replacement Fee (WMRF) is required in accordance with Sections 4.34 (a), (b), (c), (d) and (e) of BWP Water Division Rules and Regulations.
200. Per section 4.34 (e), a Water Main Replacement Fee (WMRF) shall be applied as follows:  
Along Avon St = \$125/ft x 450 ft = \$56,250
201. New potable services shall come off of the existing 8" water main on Avon; there is no distribution water main on Empire.
202. Recycled water is available from an existing 2" RW service (off Empire Ave) dedicated for the property. Recycled water must be utilized for construction, landscape irrigation and any evaporative cooling towers.
203. The applicant shall be responsible for all additional costs of connection, installation and abandonment in accordance with Burbank Water and Power (BWP) Rules and Regulations.  
  
For additional information, please contact Bassil Nahhas at (818) 238-3500.

### **PARKS & RECREATION**

204. Submit landscape and irrigation plans prepared by a licensed landscape architect. Must comply with Municipal Water Efficient Ordinance (MWELO) requirements if over 500 square feet of landscaping is proposed.
205. Existing street trees are to remain. If any street trees are removed:
  - a. Any street trees that are removed shall be replaced. Contact Forestry Supervisor for a list of approved street trees.

- b. Contact Forestry Services at (818) 238-5343 for removal fee.
- c. All street trees shall be a minimum of 24" box size.
- d. Trees in grass shall be installed with Arbor Guards.
- e. Tree wells are required.
- f. Provide irrigation bubbler to street trees.
- g. Provide automatically controlled irrigation system to the parkway.

206. Landscape plan shall include the following note: "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."

207. Prior to issuance of any certificate of occupancy, including a temporary certificate of occupancy, for the new building(s), the Applicant shall be required to comply with the Art in Public Places ordinance and either provide public art or payment of fees to satisfy the requirements of the Art in Public Places ordinance. This condition upon completion shall be deemed to satisfy all of the Art in Public Places ordinance obligations associated with the Project.

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

X \_\_\_\_\_  
Signature of Applicant/Permittee

X \_\_\_\_\_  
Signature of Property Owner