

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

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October 18, 2022

Justin Hess, City Manager  
City of Burbank  
275 East Olive Avenue  
Burbank, CA 91502

Dear Justin Hess:

**RE: City of Burbank Pickwick Gardens Housing Project – Follow-Up to  
Notice of Violation**

On May 24, 2022, the Department of Housing and Community Development (HCD) sent the City of Burbank (City) a Notice of Violation (NOV) pertaining to the denial of the Pickwick Gardens Housing Project (Project). HCD is aware of the Settlement Agreement and Release (Agreement) executed on October 4, 2022. Further, HCD understands a revised version of the Project will be considered by the City Council on October 25, 2022. The purpose of this letter is to advise the City that approval of the revised Project as described in the Agreement would resolve the matter contained in the NOV and that HCD would consider this matter closed.

HCD appreciates that the Agreement yields 92 units, including 10 units affordable to lower-income households. HCD also notes, however, that the revised Project includes four fewer units than would have been approved had the City rightfully approved the Project as it was originally presented through the Streamlined Ministerial Approval Process under section 65913.4 of the Government Code (more commonly known as SB 35). HCD emphasizes that approval of a project—particularly one that qualifies for Streamlined Ministerial Approval—by way of litigation and a subsequent settlement agreement adds time and cost for the project applicant and delays production of sorely needed housing.

HCD reminds the City that the State of California is in a housing crisis and the provision of housing for all Californians is a priority of the highest order. While HCD respects the challenges inherent in interpreting ever-changing state housing laws, the City and all local jurisdictions statewide have a statutory obligation to follow all state housing laws.

Justin Hess, City Manager  
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Please feel free to contact Fidel Herrera of our staff at [fidel.herrera@hcd.ca.gov](mailto:fidel.herrera@hcd.ca.gov) with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Zisser', with a long horizontal flourish extending to the right.

David Zisser  
Assistant Deputy Director  
Local Government Relations and Accountability