

February 15, 2022

Patrick Prescott  
City of Burbank Community Development Director  
275 East Olive Avenue  
Burbank, CA 91502

**Re: Application for SB 35 Approval of The Pickwick Project, 1001 W. Riverside Drive**

Dear Mr. Prescott:

On behalf of Pickwick Investment, LLC (“Applicant”), we hereby submit an application requesting approval of The Pickwick Project (“Project”) pursuant to SB 35. This letter provides a summary of the Project’s consistency with the eligibility criteria pursuant to SB 35, which was previously submitted to the City of Burbank on July 1<sup>st</sup>, 2021.

**Project Description**

The Project site is located at 1001 W. Riverside Drive in the City of Burbank, and it is comprised of 5.1 acres. As shown in Exhibit 1, *Site Aerial*, the Project site is currently developed with an approximate 51,082-square foot bowling alley and an approximate 2,713-square foot ancillary, non-residential building. The remainder of the site is developed with either ornamental landscape, the bowling center sign, or a surface parking lot. The Project site does not include the ice-skating rink, the building attached to the rink, or the Pickwick sign. The existing site does not include any residential uses. Easements and existing site encumbrances are identified in **Attachment A, ALTA Survey**.



*Exhibit 1, Site Aerial*

All improvements on the Project site will be demolished and cleared. Grading activities will generally include excavating and recompacting the topsoil of the previously-graded site. Including stormwater treatment devices, it is not anticipated that excavations will exceed 10 feet below existing grade.

The Project consists of approximately 96 three-story townhomes ranging from 1,200 to 1,850 square feet in size. Each home will have a two-car garage with direct, private access into the home as well as private open space in the form of patios and/or upper level decks. The primary project entry opens to a 21,000 square feet central open space element. This is intended to create an inviting space for recreation activities and passive outdoor space, while at the same time creating a sense of arrival into the neighborhood.

Of these 96 townhomes, 10 units will be reserved for purchase to Low-Income residents (80 percent of the Area Median Income (AMI)), resulting in a total of 10.2 percent of the total units being affordable. These units will remain affordable at these levels for a period of at least 55 years. One incentive is being requested for the Project and described in a separated concession request letter.

A site plan depicting the proposed project is included in **Attachment B**. The buildings fronting along Riverside Drive and Main Street break into smaller modules to allow for pedestrian access into the property and to the network of walks that lead to individual townhome entries as well as secondary and primary open spaces. The buildings are arranged in a series of landscaped paseos that lead to entries of each residence, and auto courts serve the private garages throughout. The overall design concept

strives to embrace the neighborhood with front facing homes to enhance the street scene. Front doors and private patios will help activate the streets with pedestrian movement from these spaces and out to public sidewalks and street adjacent parking.

The Project provides for a responsible urban infill location, allowing access to existing City services, infrastructure, amenities, shops, restaurants, and jobs.

### **SB 35 Eligibility Checklist**

#### **Criterion #1: Number and Type of Units**

The Project meets this criterion. The project is a multi-family housing development consisting of 96 residential dwelling units. The type of unit proposed for the project is townhomes. The Project also complies with the minimum and maximum residential density range permitted for the site, which is 20 dwellings per acre. The 5.1-acre Project site is allowed up to a maximum of 102 dwelling units, which is more than the currently proposed number of dwelling units for the project site.

#### **Criterion #2: Affordability**

The Project meets this criterion. The Project applicant will provide the requisite number and income levels for affordable for-sale housing units in compliance with both SB 35 and the City's Inclusionary Housing Ordinance for approval and recording by the City prior to the issuance of the first building permit.

More specifically, the Project will dedicate a minimum of 10 percent of the total number of for-sale units affordable to households making at or below 80 percent of the AMI, and a covenant or restriction shall be recorded against the Project dedicating the minimum percentage of units to housing affordable to households making at or below 80 percent of the AMI. Pursuant to Section 10-1-646 of the Burbank Municipal Code, at least 15 percent of all newly constructed dwelling units in residential developments shall be developed, offered to, and sold to low or moderate-income households. Section 10-1-646, Paragraph C allows for credits for units sold to low-income residents (80 percent of the AMI) at a rate of two (2) units for every one (1) unit provided. Currently, the Applicant will reserve 10 units for low-income residents (80 percent of the AMI), resulting in a total of 10.2 percent of the total units being affordable. This would result in a total credit of 20 affordable units, exceeding the 15 percent inclusionary housing requirement identified in Section 10-1-646 of the Burbank Municipal Code.

#### **Criterion #3: Urban Infill**

The Project meets this criterion. The project is located on two legal parcels within the incorporated City limits. Moreover, at least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses.

#### **Criterion #4: Zoned or Planned Residential Uses**

The Project meets this criterion. According to the City's General Plan (2013) and the General Plan's Land Use Diagram (General Plan, Exhibit LU-1), the General Plan designation for the property is Rancho

Commercial. This designation allows for a maximum of 20 units per acre, typically (i.e., when not being processed as an SB 35 approval) with discretionary approval. The designation is described in the General Plan as allowing for “a variety of low-intensity multi-family residential and commercial uses.” (General Plan, p. 3-16.) Thus, the City’s General Plan Rancho Commercial designation allows residential uses.

The property is also subject to supplemental land use goals and policies as provided in the City’s Rancho Master Plan (1993). The Rancho Master Plan identifies the property as zoned Commercial Recreation (C-R), and it cross-references the City’s Planning Code for land uses and development guidelines that apply to the C-R zone.

According to the City’s Zoning Map (2019), the Property is zoned C-R (Zoning Code Art. 24, Div. 6). Pursuant to Section 10-1-2436.5 of the Burbank Municipal Code and as applicable, in the C-R Zone, all uses shall be consistent with the maximum residential density, as prescribed in the General Plan, which allows 20 units per acre. However, pursuant to Section 10-1-2437, in the C-R Zone, uses are allowed as set forth in Section 10-1-502 of the Municipal Code, where residential is not listed as a permitted use in the C-R Zone. Nevertheless, pursuant to Government Code Section 65913.4(a)(5)(B), in the event that objective zoning, general plan, subdivision, or design review standards are mutually inconsistent, a development shall be deemed consistent with the objective zoning and subdivision standards if the development is consistent with the standards set forth in the general plan. As the residential use of the Proposed Project is consistent with the General Plan, the Proposed Project is consistent with this provision.

#### **Criterion #5: Consistent with Objective Standards**

The Project meets this criterion. As demonstrated in the chart included as **Attachment C**, the Project is consistent with relevant development standards. As to the consistent determinations relative to those items in the chart designated as “TBD,” the Project applicant will consult with City staff to ensure that the Project will comply with those development standards as the Project may be further refined.

#### **Criterion #6: Parking**

The Project meets this criterion. Parking will be provided at a rate of 2.25 spaces per unit. This assumes that each residence will be provided with two cars in a private, enclosed garage, and 0.25 space per unit will be left uncovered and available for guest parking. The Project is providing more parking than the one space/unit ratio authorized pursuant to SB 35 (Section 65913.4.(d)(2)).

#### **Criterion #7: Location**

The Project meets this criterion. The Project satisfies the SB 35 requirements related to location within any area designated as farmland, wetlands, very high fire severity zone, hazardous waste site, delineated earthquake fault zone, flood plain, floodway, conservation lands, habitat for protected species, or lands under conservation easement. Moreover, the site does not require the demolition of housing and it did not previously contain housing occupied by tenants. The site also does not require demolition of an historic structure, and the site is not governed by the Mobilehome Residency Law, the

Recreational Vehicle Park Occupancy Law, the Mobilehome Parks Act, or the Special Occupancy Parks Act.

**Criterion #8: Subdivision**

The Project meets this criterion. Although the Project will involve an application for a Vesting Tentative Tract Map, the project will satisfy, as applicable, the prevailing wage and skilled and trained workforce requirements identified in the Eligibility Checklist.

**Criterion #9: Prevailing Wage**

The Project meets this criterion. The Project will comply with all the labor provisions identified in SB 35, including the requirements regarding payment of prevailing wages and use of a skilled and trained workforce in the construction of the Project, as applicable. The Project will commit, to the extent required, to these labor provisions.

**Criterion #10: Skilled and Trained Workforce**

The Project meets this criterion. As described above, the Project will comply with all the labor provisions identified in SB 35, including the requirements regarding payment of prevailing wages and use of a skilled and trained workforce in the construction of the Project, as applicable. The Project will commit, to the extent required, to these labor provisions.

\* \* \*

If you have any questions regarding this letter, please contact me at [jmoreland@ktgy.com](mailto:jmoreland@ktgy.com) or at 949.221.6216. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Moreland', written in a cursive style.

John Moreland, AICP  
Director, Planning  
KTGY Architecture + Planning

#### Attachments

Attachment A – ALTA Survey  
Attachment B – Site Plan  
Attachment C – Development Standard Consistency Analysis  
Attachment D - Critical Habitat for Threatened & Endangered Species Map  
Attachment E – Very High Fire Hazard Severity Zones  
Attachment F – United States Fish and Wildlife Service Wetlands Mapper  
Attachment G1 – EnviroStor Database Map  
Attachment G2 – GeoTracker Database Map  
Attachment H – FEMA’s National Flood Hazard Map  
Attachment I – Fault Activity, California Geological Society  
Attachment J – Historical Resources Memo