

STAFF REPORT



COMMUNITY DEVELOPMENT

DATE: October 25, 2022

TO: Justin Hess, City Manager

FROM: Patrick Prescott, Community Development Director
Via: Fred Ramirez, Assistant Community Development Director
By: Scott Plambaeck, Planning Manager

SUBJECT: Adoption of a Resolution Approving the Amended Multifamily Residential Project at 921 W. Riverside Drive and Approval of the Ministerial Design Review for the Amended Project Pursuant to Burbank Municipal Code Title 10, Chapter 1 (Zoning), Division 12 (Streamlined Ministerial Approval Process) and Senate Bill 35 (CA Government Code Section 65913.4)

RECOMMENDATION

Adopt a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURBANK CONFIRMING THE COMMUNITY DEVELOPMENT DIRECTOR'S DETERMINATION THAT THE AMENDED PROJECT NO. 22-0000972 LOCATED AT 921 W. RIVERSIDE DRIVE IS CONSISTENT WITH ALL APPLICABLE OBJECTIVE GENERAL PLAN, ZONING, SUBDIVISION, AND DESIGN REVIEW STANDARDS AND APPROVING THE PROJECT'S STREAMLINED MINISTERIAL DESIGN REVIEW. (Attachment 1)

DISCUSSION

The Amended Project proposal is a 92-unit townhome-style condominium development located at 921 W. Riverside Drive. The Amended Project has been submitted to the City as a Senate Bill (SB) 35 Residential Streamlined Ministerial Approval Process Application pursuant to terms of a Settlement Agreement executed on October 4, 2022, (Attachment 2-Settlement Agreement) between the City of Burbank, Pickwick Investment, LLC (Developer), and the Friends of Rancho for Equestrian Safety to resolve litigation between the parties in *Pickwick Investment, LLC v. City of Burbank*. The Amended Project is subject to requirements of SB 35 (Government Code Section 65913.4), the Burbank Municipal Code Title 10, Chapter 1 (Zoning), Division 12 (Streamlined Ministerial Approval Process).

The Settlement Agreement includes amongst other things, an October 25, 2022, date for the City Council to consider the Amended Project as part of a Ministerial Design Review. The Amended Project application (Attachment 3-Amended Project Submittal) submitted by the Developer proposes a 92-unit project incorporating an equestrian trail around the perimeter of the Project site (Attachment 4-Amended Project Plans and Tentative Subdivision Map)

Based on the analysis, as presented in this report, staff recommends that the City Council adopt the attached Resolution (Attachment 1) finding the Amended Project consistent with the applicable objective general plan and zoning standards, objective subdivision standards, and objective design review standards applicable to the Project based on its underlying zoning designation of CR (Commercial Recreation) and General Plan land use designation of Rancho Commercial; and approve the Amended Project's Ministerial Design Review.

BACKGROUND

On April 18, 2022, the City Council adopted Resolution No. 22-29,310) denying the SB 35 Residential Streamlined Ministerial Approval application for 96 townhome units at 921-1001 W. Riverside Drive. The Developer filed a lawsuit challenging the denial and the Friends of Rancho for Equestrian Safety intervened in the litigation. A Settlement Agreement was subsequently signed by the City, the Developer and the Friends of the Rancho for Equestrian Safety to resolve the dispute between the parties and provide for the submittal of an amended project application to be heard by Council on October 25. On October 5, 2022, the Applicant submitted the Amended Project Application (Attachment 4):

- The Amended Project provides for 92 units at 18.4 dwelling units to the acre;
- Dedication of sufficient right-of-way along Main Street and Riverside Drive to accommodate the Developer's construction of a 10-foot-wide equestrian trail and an 8-foot-wide sidewalk/parkway along the perimeter of the Project site as a neighborhood amenity;
- Reduction of Front Yard Setbacks as part of a concession request to accommodate the required dedications and equestrian trail along Riverside Drive and Main Street;
- Amending the Project site development area to 5.01 acres, which accounts for the land dedication;
- Removal of Floor Plan 1 and Plan 1x, which are noted as 1,333 sq. ft. and 1,325 sq. ft. in size, respectively;
- Updating Residential Floor Plans as follows:
 - Plan 1- 1,816 sq. ft. m 3 bed/3.5ba (former plan 2)
 - Plan 2 - 1,880 sq. f. 4bed/3.5bat (new plan type)
 - Plan 3/3x - 1,931 sq. ft., 4 bed/3.5ba (former plan 3/3X)
 - Revised building throughout, removed building types BT-300, BT-400 (replaced with existing building types BT-200 and BT-501, respectively)
- Detailing Residential Floor Plan 2 changes:
 - Additional bedroom and large window on the third floor with slight adjustments to the rear elevation.
 - Affects building except those that front either Main Street or Riverside Drive.
 - Overall project architecture remains as originally proposed.

The Amended Project proposes a housing development that includes 92-unit townhome-style condominiums located at 921 W. Riverside Drive in the City of Burbank. The Amended Project site is being developed on an approximate 5.01-acre lot ("Parcel 1") that is one of two parcels that encompassed a larger 8.53-acre property, which is known as the Pickwick Gardens, as shown on the Project site plan. The Amended Project application includes the filing of an amended Vesting Tentative Tract Map No. 83627 to facilitate the creation of the 92 residential condominium units and common areas on Parcel 1. The Amended Project application with attachments that were submitted on October 5, 2022, is included as Attachment 3.

The Applicant for the Amended Project proposes to demolish the existing 53,795 square foot bowling center with ancillary lounge and arcade, approximate 2.5-acre ornamental garden, and surface parking lot to construct a residential development project. The remaining buildings associated with Pickwick Gardens, including the LA Kings ice rink and banquet facility on the adjoining parcel to the west will remain. The existing Pickwick sign, mounted on the bowling center building, will be relocated and incorporated into the Amended Project site. Grading activities will generally include excavating and recompacting the topsoil of the previously graded site, including stormwater capture and treatment devices. The Amended Project does not include any proposed excavation that will exceed 10 feet below existing grade.

The existing bowling center building, and ornamental gardens will be demolished and developed with the following uses:

- 92 three-story townhome style condominiums ranging in size from 1,816 square feet to 1,931 square feet, with a two-car garage for each individual unit with direct, private access into each unit and private open space in the form of patios and/or upper-level decks for each unit (dwelling units are contained within a total of 21 detached buildings that contain between three and six dwelling units that are arranged around a series of landscaped paseos and open spaces);
- Of the total units, 10.8% (10 units) would be deed restricted affordable to "low income" households (80% of LA County Area Median Income) (Government Code Section 65913.4(b)(2));
- 65,331 square feet of open space, including 16,251 square feet of central community open space with large turf area, dining area with BBQ, seating, play area and fire-pit;
- A total of 208 parking spaces provided for the residential units; and
- A new equestrian trail along the perimeter of the site in the adjacent public rights-of-way along Riverside Drive and Main Street.

Existing and Surrounding Land Uses

Table 1: General Property and Surrounding Land Use Information	
Address	921 W. Riverside Drive
Cross Streets	S. Main Street and W. Riverside Drive
Assessor's Parcel Number (Existing)	2443-001-026
General Plan Designation	Rancho Commercial (Maximum 0.60 FAR, 20 units per acre)
Zoning	CR (Commercial Recreation)
Property Size	Amended Project Site/Parcel 1/Lot 1: 220,041 sq. ft. (approximately 5.01 acres). Note Parcel 2/Lot 2 (remaining LA Kings ice rink/banquet center site): 151,039 sq. ft. (3.48 acres) is not part of this Amended Project
Current Development	The Amended Project Site currently has an approximate 53,795 sq. ft. Bowling Center, approximate 2.5-acre ornamental garden, and surface parking lot
Street Classification and Width	W. Riverside Drive: Collector at 100 ft. wide S. Main Street: Collector at 70 ft. wide
Surrounding Neighborhood: North	Calvary Bible Church along with commercial and retail uses
South	LA Equestrian Center along with residential and recreational uses
West	LA Kings Ice Rink at Pickwick Gardens and Lycée International School of LA
East	Commercial and residential uses across Main Street

Parcel Configuration and Tract Map

Parcel 1 will be used to construct the proposed Project and currently contains the bowling center and ornamental gardens. Parcel 2, which is not part of the Amended Project will contain the remaining Pickwick facilities, including the LA Kings ice rink and banquet facility. Existing development on Parcel 1 will be demolished to accommodate construction of the subject parcel while existing development on Parcel 2 will remain (Attachment 4). Furthermore, the Applicant is proposing a Vesting Tentative Tract Map No. 83627 to subdivide the parcel into one common lot ("Lot 1") and 92 townhome style condominium units. The Applicant proposes to sell the individual condominium units while having the future HOA maintain the common areas of the Project site. The boundaries of Parcel 1 and the proposed development of the Project site are further illustrated in the Amended Project Site Plan and the Vesting Tentative Tract Map No. 83627 included herein as Attachment 4. The processing of the Vesting Tentative Tract Map is subject to a ministerial process as part of the Streamlined Ministerial Approval Process.

Project Timeline

The Project timeline and submission of SB 35 documentation proceeded as outlined below:

- July 1, 2021 – SB 35 Notice of Intent (NOI) application was received
- July 30, 2021 – Tribal consultation was requested (via email and US mail)
- August 2, 2021 – Consultation with the Fernandeño Tataviam Band of Mission Indians
- September 2, 2021 – SB 35 NOI resubmittal was received
- November 15, 2021 – Letter from the City to the Applicant Confirming Project Application was complete and eligible for SB 35 streamlined ministerial processing
- December 13, 2021 – Enforceable Agreement finalized between Tataviam and the City
- February 24, 2022 – Applicant submitted complete application
- February Through April 2022 – City Review of Streamlined Ministerial Approval request
- April 18, 2022 – City Council denial of project
- October 5, 2022 – Developer submits Amended Application for Amended Project.
- October 18, 2022 – California Department of Housing and Community Development Letter (Attachment 5)

SB 35 Project Submittals & Tribal Consultation

On July 1, 2021, the Applicant, Pickwick Investment, LLC, submitted a Notice of Intent (NOI) application to submit a Streamlined Ministerial and Eligibility Checklist application. The Applicant initially proposed to construct 98-residential townhome style condominium units and later reduced the total number to 96-residential townhome style condominium units as part of the Project. On November 15, 2021, the City confirmed in writing (Attachment 6- NOI Completeness Letter) that the NOI was complete and would be eligible for streamlined ministerial processing after the completion of the binding Enforceable Agreement between the City and interested tribes.

The City notified the tribes of the proposed Project on July 30, 2021, in compliance with AB 168¹. The City received a request for consultation from the Fernandeño Tataviam Band of Mission Indians (Tataviams) on August 2, 2021, and initiated tribal consultation soon thereafter, which led to an agreement between the Tataviams and the City on December 13, 2021 (Attachment 7- Tribal Consultation Documents). With the Enforceable Agreement in place and the completed NOI, the Applicant was eligible to submit an SB 35 Streamlined Ministerial Application for the Project. The Enforceable Agreement remains in place because the proposed grading activities, excavating and recompacting as part of the Amended Project is within the existing building area that was originally proposed.

¹ Assembly Bill (AB) 168, which took effect on September 25, 2020, advises that Projects with pending applications under SB 35 should engage in tribal consultation to ensure compliance with the requirements of AB 168. Tribal consultation was initiated once a preliminary SB 35 application was submitted. The City obtained a list of tribes to be notified from the Native American Heritage Commission and sent a notice to each tribe with details of the proposed Project and an invitation to consult with the City regarding cultural resources; HCD Guidelines Section 301(a)(2)(A).

ANALYSIS

The following discussion provides an overview of the Amended Project's compliance with objective design review and development standards, in the Burbank Municipal Code (inclusive of zoning and subdivision standards), and the *Burbank2035* General Plan goals and policies as well as provides a response to specific points included in the City Department design review comments. Under the oversight of the Community Development Director, City planning staff has analyzed each point that is referenced in the comments and as a result has compiled the various City Department's requirements on the development of the Amended Project as part of the Amended Project's standard Conditions of Approval that included herein as Exhibit A of Attachment 1.

Objective Standards Defined

State law defines "objective" standards as "standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development Applicant and the public official prior to submittal." Objective standards applicable to the Amended Project can be found in the *Burbank2035* General Plan, those applicable portions of the Rancho Master Plan (1993) that are codified in the City's Zoning Ordinance, the Burbank Municipal Code (BMC), Division 7 (Historic Sign Regulations) in the BMC, and the City objective design review and development standards. These are reflected in the Amended Project's Conditions of Approval included as Exhibit A of Attachment 1. The attached Resolution (Attachment 1) provides and cites the objective design review and development standards that are applicable to the Amended Project. The standards that apply to the Amended Project are limited to all standards that are identified in the *Burbank2035* General Plan, Burbank Municipal Code and City Zoning documents noted above.

Consistency with City's Objective Zoning Standards

The Amended Project site is zoned CR (Commercial Recreation) and is subject to all CR zone objective design review and development standards. These standards include objective criteria pertaining to allowable square footage (lot coverage), allowable floor area ratio (FAR), building height, building setbacks, sidewalk width, required on-site parking, open space, and landscaping. As noted in Exhibit B of Attachment Objective Standards Consistency Analysis Table that has been updated for the revised plans, the Amended Project was reviewed for and found to be consistent with all CR zone development standards—except for the specific development standard for front yard setbacks, which is a concession request under applicable local and State density bonus law.

The Amended Project is consistent with the objective development and design standards under the following categories:

- Title 4, Article 1. *Solid Waste*
- Title 5, Article 5. *Crimes Against Property*
- Title 7, Article 1. *Trees and Vegetation*
- Title 8, Chapter 1. *Sewers.*
- Title 8, Chapter 2. *Utilities*
- Title 9 Chapter 1. *Building and Fire.*

- *Title 9, Chapter 3. Environmental Protection*
- *Title 10, Chapter 1, Article 24. Rancho Master Plan Zones, Division 6. Commercial Recreation (CR) Zone*
- *Title 10, Chapter 1, Article 6. Residential Uses and Standards, Division 5. Affordable Housing Incentives*
- *Title 11. Subdivision Regulations, Article 11. Lot Design*
- *Title 11. Subdivision Regulations, Article 13. Dedication of Park and Recreation Facilities*
- *Title 11. Subdivision Regulations, Article 14. Dedication of School Sites*
- *Title 11. Subdivision Regulations, Article 15. Improvements*
- *Burbank2035 General Plan*

Local and State Density Bonus Laws

Pursuant to Burbank Municipal Code (BMC) Section 10-1-635, the Amended Project is eligible to receive a concession since it reserves at least 10% of the units for low-income households. Pursuant to BMC Section 10-1-640, *Development Standards Modified as Incentive or Concession*, the Applicant is requesting a concession (Attachment 8) from the required front yard setbacks along South Main Street and West Riverside Drive. The required front yard setback along S. Main Street is 25 feet, and the Applicant is requesting a reduction from 25 feet to 17 feet along Main Street and from 25 feet to 23 feet along Riverside Drive to accommodate the dedication needed to build out the equestrian trail along the Project site's street fronting property lines along South Main Street and West Riverside Drive. BMC Section 10-1-640(A)(1), allows the Project Applicant of a qualifying Density Bonus project to request a reduction of a project site's applicable building setback requirement. Staff finds the requested concession to allow for a reduction of the front building setbacks from 25 feet to 17 feet along South Main Street and 25 feet to 23 feet along West Riverside Drive is necessary to accommodate the Amended Project and proposed offsite improvements including the equestrian trail and sidewalk/parkway as noted in the revised plans (Attachment 4). This concession request dated October 4, 2022, is discussed in greater detail in the Request for Concession Letter as noted in Attachment 10 to this report.

Subdivision

The Applicant for the Amended Project has submitted an updated Vesting Tentative Tract Map No. 83627 to subdivide the property into one common lot ("Lot 1") and 92 condominium units. The Applicant proposes to sell the individual condominium units while having the future HOA maintain the common areas of the Amended Project site. The processing of the Vesting Tentative Tract Map is subject to a ministerial process as part of the SB 35 Streamlined Ministerial Approval Process. Furthermore, the City can only apply objective subdivision standards (Attachment 1, Exhibit B) when analyzing the Vesting Tentative Tract Map and the processing of the Vesting Tentative Tract Map is exempt from the requirements of CEQA. As previously noted, the proposed Vesting Tentative Tract Map No. 83627 was determined to be consistent with all objective subdivision standards as well as in compliance with all objective general plan standards applicable to similar types of land subdivisions. Staff has included objective standard conditions for the Vesting Tentative Tract Map No. 83627 approval that are included as part of the Project's Conditions of Approval as noted in Attachment 1, Exhibit A.

Consistency with the *Burbank2035* General Plan Objective Standards

The Amended Project has been reviewed for conformance with the *Burbank2035* General Plan and is consistent with the applicable goals and policies outlined therein. As referenced in the Objective Standards Consistency Analysis Table in Attachment 1, Exhibit B, the Amended Project is consistent with the applicable objectives that are outlined in the Rancho Master Plan zones and the *Burbank2035* General Plan. The table in Attachment 1, Exhibit B demonstrates that the Amended Project meets several objectives, such as meeting the Rancho Master Plan requirement of 20 units per acre for Maximum Residential Density, by proposing 92 units with a proposed density of 18.4 dwelling units per acre. In addition, the Amended Project is consistent with the *Burbank2035* General Plan by proposing development that is consistent with the land use designation of Rancho Commercial and meeting parking and landscaping goals and policies.

Consistency with City's Objective Development and Design Review Standards

The Amended Project is consistent with the objective development and design review standards under the following categories: Title 10, Chapter 1, Article 6. Residential Use and Standards, Division 4. Multiple Family Residential Zone (R-3) specifically applicable to the Commercial Recreation (CR) Zone and as referenced in the Objective Standards Consistency Analysis Table in Attachment 1, Exhibit B.

Architectural Design and Site Plan Features

The Amended Project continues to provide a design that is oriented towards early California Rancho imagery with the incorporation of Spanish style architectural features within a multifamily residential development project. Some of the key architectural features include strong horizontal elements in the form of long roof lines in the form of gable roof forms covered in cement "S-tiles," predominant use of smooth stucco finish in complimentary colors as the primary building cladding accented with decorative ceramic tiles for floor and window trim finishes, window shutters, and decorative ironwork. The Amended Project also incorporates secondary elements such as building overhangs, recessed windows, entry doors, and balconies. The primary colors for the exterior finishes are complementary and include a combination of neutral and earth tone colors. All the building elevations include appropriate fenestration in the way of windows, doors, and decorative elements that add to the open feel of the buildings and ensure that pedestrians and the adjacent neighborhood are not surrounded by blank walls. The architecture remains similar to the original proposal with the following changes:

- Removal of Floor Plan 1 and Plan 1x (1,333 sq. ft./1,325 sq. ft. respectively) and replacing as follows
 - Plan 1- 1,816 sq. ft. m 3 bed/3.5ba (former plan 2)
 - Plan 2 - 1,880 sq. f. 4bed/3.5bat (new plan type)
 - Plan3/3x - 1,931 sq. ft., 4 bed/3.5ba (former plan 3/3X)
 - Revised building throughout, removed building types BT-300, BT-400 (replaced with existing building types BT-200 and BT-501 respectively)
- The New Floor Plan 2 includes:
 - Additional bedroom and large window on the third floor with slight adjustments to the rear elevation.

- Affects building except those that front either Main Street or Riverside Drive.
- Overall project architecture remains as originally proposed.

Furthermore, the Amended Project will provide 92 for-sale townhome-style condominium units, with 10 units deed restricted affordable to low-income households that must be maintained affordable for no less than 55 years, thereby creating additional opportunities for home ownership in the City, which is consistent with the City's recently adopted and State-certified 2021-2029 Housing Element Update policies and programs that seek to increase new housing opportunities (via homeownership units) and making inroads in reducing the City's 3-to-1 jobs-to-housing imbalance.

The Amended Project proposes the placement of buildings towards the edges of streets and public spaces, which helps to create walkable urban environments. Buildings placed near the edge of broad sidewalks help provide a sense of definition to streets and emphasize safe and visually appealing pedestrian access compared to locations where parking lots are located between the sidewalk and buildings. The Amended Project proposes the placement of approximately 21 residential buildings that contain between three and five dwelling units arranged around a series of landscaped paseos and open spaces. The buildings fronting along West Riverside Drive and South Main Street have unit entrances oriented to these streets to provide a consistent "street wall" of buildings that faces the surrounding neighborhood. Furthermore, the break-up of buildings along the streets allows for pedestrian access into the property and to the network of walkways that lead to individual units within the development and to open spaces.

Landscape Design and Open Space Features

The Amended Project proposes 65,911 square feet of both private and common open space that will provide recreation, space for trees that can help cool and clean the air, water infiltration, and scenic beauty. The Amended Project will provide landscaping within the setback areas adjacent to South Main Street and West Riverside Drive and additional trees in the public right-of-way. The Applicant will provide approximately 154 shade trees, decorative pavement, drought tolerant landscaping (i.e., groundcovers, shrubs, and vines) consistent with the vegetation requirements as noted in BMC Section 10-1-630(C) that will be irrigated, with equipment that promotes water conservation, within the Amended Project and along the perimeter of the property. The resulting landscaping amenities will ensure the Amended Project site provides needed shade and aesthetically pleasing vegetation at a prominent corner in the heart of the Rancho Neighborhood.

The Amended Project proposes 10,626 square feet of private open space in the form of patio/courtyard areas and upper floor decks/balconies available to each residential unit in one of the two forms. Furthermore, the Amended Project proposes 16,122 square feet of common open space in the form of one larger central space and two smaller spaces. These areas will provide passive open space area and recreational space for residents. Amenities provided in the open space area will include seating areas with benches, tables, and chairs; a shaded play area that includes ping pong tables; and a fire pit with surrounding seating.

Street, Equestrian and Pedestrian Improvements: As part of the Amended Project several street improvements will be made including the installation of a 10-foot-wide equestrian trail with decomposed granite and an 8-foot-wide sidewalk/parkway with street trees along South Main Street and West Riverside Drive. In addition, a flashing pedestrian beacon and crossing will be constructed at South Main Street and Elm Avenue by the City to facilitate access to and from the Amended Project's proposed equestrian trail. The equestrian trail is being proposed by the developer as a neighborhood amenity.

Therefore, it is City staff's assessment that the Amended Project is consistent with all applicable objective development and design review standards and merits the City Council's consideration to approve the Amended Project as part of the City's Ministerial Design Review process (Burbank Municipal Code Title 10, Chapter 1 (Zoning) Division 12), and the applicable provisions of Government Code Section 65913.4.

STANDARD CONDITIONS OF APPROVAL

Staff has provided standard Conditions of Approval for the Amended Project pursuant to SB 35, which is included as Exhibit A of Attachment 1. SB 35 allows approval of ministerial processing to include standard conditions of approval if those conditions are objective and broadly applicable to development within the locality, regardless of streamlined approval, and such conditions implement objective standards that had been adopted prior to submission of a development application.

ENVIRONMENTAL REVIEW

The California Environmental Quality Act (CEQA) (Division 13, commencing with section 21000) of the Public Resources Code) does not apply to projects qualifying for the Streamlined Ministerial Approval Process and is statutorily exempt from environmental review under Government Code Section 65913.4(d)(2) and the California Environmental Quality Act ("CEQA") per CEQA Guidelines Section 15268. As a result, the Amended Project is not subject to CEQA review. Moreover, an SB 35 project applicant cannot be required to prepare any studies that would otherwise be required under CEQA (i.e., traffic, air quality, noise, et cetera). The City can only require an applicant to abide by objective planning standards that were in effect at the time the SB 35 application was submitted.

PUBLIC NOTIFICATION

In compliance with applicable City and State noticing requirements, Public Notices regarding the City Council Ministerial Design Review of the Amended Project were mailed to property owners and tenants within a 1,000-foot radius of the Amended Project site and a public notice was published in the Los Angeles Times, ten (10) business days prior to the October 25, 2022, City Council meeting. In addition, an Amended Project description sign was also posted on the property. As of the writing of this report, staff has received 3 public comments and has included them in Attachment 9.

CONCLUSION

Staff recommends the City Council adopt the attached Resolution (Attachment 1) approving the Amended Project subject to the Project's Conditions of Approval (Exhibit A of Attachment

1). Having met all criteria per California Government Code section 65913.4, the Amended Project qualifies for the Streamlined Ministerial Approval Process under SB 35 and the City's Streamlined Ministerial Approval Process (Burbank Municipal Code Title 10, Chapter 1 (Zoning) Division 12). Based on the above review and analysis, it is the Community Development Director's determination that the Amended Project meets all the findings required for approval under SB 35. Furthermore, approval is warranted as the Amended Project is consistent with the applicable Commercial Recreation (CR) Zone objective design review and development standards, the applicable *Burbank2035* General Plan goals and objective policies, the City's subdivision standards, the applicable requirements for a housing development project of this type under local and State Density Bonus Law, the City's Inclusionary Housing Ordinance, and the applicable provisions of The Housing Accountability Act (Government Code Section 65589.5).

ATTACHMENTS

- Attachment 1 – Resolution
 - Attachment 2 – Settlement Agreement
 - Attachment 3 – October 5, 2022 Amended Project Submittal Application
 - Attachment 4 – October 5, 2022 Amended Project Plans and Tentative Subdivision Map
 - Attachment 5 – Department of Housing and Community Development Oct. 18, 2022 Letter
 - Attachment 6 – NOI Completeness Letter – November 2021
 - Attachment 7– Tribal Consultation Documents – December 2021
 - Attachment 8 – Concession Letter
 - Attachment 9 – Correspondences received as of October 20, 2022.
- Correspondences