RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT (FEIR) FOR THE 2500 NORTH HOLLYWOOD WAY DUAL-BRAND HOTEL PROJECT, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, FINDINGS OF FACT, AND THE MITIGATION MONITORING AND REPORTING PROGRAM PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

(PROJECT NO. 16-0003953, PLANNED DEVELOPMENT, DEVELOPMENT AGREEMENT, AND DEVELOPMENT REVIEW)

THE COUNCIL OF THE CITY OF BURBANK FINDS:

A. AWH Burbank Hotel II, LLC ("Applicant") submitted applications for a Planned Development rezone, Development Agreement, and Development Review for Project No. 16-0003953, located on an approximately 11.76-acre site at 2500 North Hollywood Way that is currently zoned Planned Development No. 89-1 (PD 89-1) and designated Regional Commercial by the Burbank2035 General Plan (the "Project"). The entitlement application includes the following:

(1) **Planned Development**. The Applicant requests approval of a Planned Development to rezone the approximately 11.76-acre Project Site from Planned Development No. 89-1 (PD 89-1) to Planned Development No. 26-1 (PD 26-1). Pursuant to BMC Sections 10-1-19118 through 10-1-19134, the Planned Development would establish site-specific land uses, development standards, and regulations governing the existing Marriott Hotel and convention center, the proposed 420-room dual-brand Aloft and Residence Inn hotel, detached parking garage, and related site improvements.

(2) **Development Agreement**. The Applicant requests approval of a ten-year Development Agreement between the City and Applicant pursuant to BMC Sections 10-1-1997 et seq., attached hereto as Exhibit A and incorporated herein by this reference. The Development Agreement establishes the applicable development regulations, vesting provisions, Project obligations, Conditions of Approval, and public and community benefits governing implementation of the Project during the term of the Agreement.

(3) **Development Review**. The Applicant requests approval of a Development Review pursuant to BMC Sections 10-1-1909 through 10-1-1912 for the proposed 420-room dual-brand hotel, detached four-story parking garage, and associated site and public improvements. The Development Review is required to review the Project's site plan, building design, circulation, parking, landscaping, and related improvements for consistency with the applicable provisions of the BMC, including the

development standards established by PD 26-1.

B. City staff determined that the 2500 North Hollywood Way Dual-Brand Hotel Project, Project No. 16-0003953 ("Project"), is a project requiring review pursuant to the California Environmental Quality Act ("CEQA") (Public Resources Code §§ 21000 *et seq.*) and the CEQA Guidelines (14 California Code of Regulations §§ 15000 *et seq.*), and an Environmental Impact Report ("EIR") was prepared to evaluate the potential significant environmental effects of the Project.

C. The City has evaluated potential environmental effects of the Project through the preparation and circulation of an EIR and consideration of all comments and responses as noted in Attachments 12 and 13 to the November 17, 2026, Staff Report to the City Council, and incorporated herein by reference.

D. Pursuant to CEQA Guidelines Section 15082, the City circulated a Notice of Preparation ("NOP") on November 1, 2019, notifying public agencies and other interested parties that an EIR would be prepared for the Project. The City held a joint Community Meeting and EIR Scoping Meeting on November 20, 2019, to receive public input regarding the scope and content of the EIR. Following subsequent modifications to the Project, the City circulated a Recirculated NOP on March 6, 2024, which superseded the original NOP and provided an updated Project description. The City held a joint Informational Meeting and EIR Public Scoping Meeting on March 20, 2024, during the Recirculated NOP public comment period to provide information regarding the updated Project and receive additional input regarding the scope and content of the Draft EIR.

E. The City released a Notice of Availability ("NOA") for the Project Draft EIR on December 16, 2024, commencing a 45-day public review and comment period that ended on January 29, 2025.

F. The Planning Commission held a duly noticed public meeting to receive public input on the Draft EIR within the 45-day public review period on January 13, 2025.

G. A Final EIR consisting of the Project Draft EIR dated October 2026; written comments received during the Draft EIR public review periods; written responses to those comments; a Mitigation Monitoring and Reporting Program ("MMRP"); and appendices, (collectively, the "Final EIR"), has been prepared for the Project. The Final EIR was posted on the City's website on or about October 1, 2026, at least ten (10) days prior to the City Council's consideration of the Final EIR and the Project in accordance with CEQA and the CEQA Guidelines.

H. On October 12, 2026, the Commission held a duly noticed public hearing on the Project. The Commission considered all evidence presented, both written and oral, and at such hearing adopted Resolution No. 3493 recommending that the City Council of the City of Burbank ("Council") approve the Project, including but not limited to certification of the Final EIR and adoption of the proposed Statement of Overriding Considerations and Findings of Fact as presented in Exhibit B to this Resolution.

I. On November 17, 2026, the City Council at its regular meeting, held a public hearing on the Project, to consider certification of the Final EIR and approval of the Project as required by the State law.

J. Said hearing was properly noticed in accordance with the provisions of the Burbank Municipal Code, which establishes procedures that meet or exceed the public noticing requirements for adoption of such updates as set forth in Government Code Sections 65090, 65355, and 65453.

K. The City Council concurred with the City staff's assessment that the Project requires an EIR to assess the impacts of the Project pursuant to Section 15081 of the CEQA Guidelines.

L. The City Council considered the report and recommendations of the City Planner, the action and recommendations of the Planning Commission, the Final EIR, the MMRP and the Statement of Overriding Considerations with Findings of Fact, as well as the evidence presented at such hearing.

M. The City Council, in certifying the Final EIR for this Project, of which these findings are a part, does so through the exercise of its independent judgment and review after finding substantial evidence, considering the record as a whole, to support the certification of the Final EIR.

N. The City Council, has made its decision to certify the Final EIR in consideration of the entire administrative record for the Project, including all written and oral testimony, correspondence, reports, comments, responses to comments, analyses, staff reports, and other evidence presented to the City at or prior to the close of the noticed public hearing, including letters, reports, comments, analyses, etc. that the Planning Commission, after review and comment by its staff, critically reviewed, corrected, and augmented where necessary, as set forth in the record and procedural findings on this Project.

THE COUNCIL OF THE CITY OF BURBANK RESOLVES:

SECTION 1: FINDINGS. The City Council incorporates the findings set forth above as if restated herein in their entirety.

SECTION 2: CITY COUNCIL INDEPENDENT JUDGMENT AND REVIEW. The City Council further certifies that the Final EIR was presented to the Council, which reviewed and considered the information contained in the Final EIR prior to deciding whether to approve the proposed Project. The Final EIR has been thoroughly reviewed and analyzed by the City's Staff and the City Council, which is the final decision-making body on the Project. The Project-related documents circulated for public review reflect the City Council's own independent judgment and the Final EIR as certified by this Resolution also reflects the independent judgment of the City Council.

SECTION 3: CEQA – CERTIFICATION OF FINAL ENVIRONMENTAL IMPACT REPORT. Based on the findings set forth above and on the entire administrative record for the Project, the City Council hereby certifies that: (1) the Final EIR as presented to the City Council and set forth in Attachment 12 to the Staff Report has been completed in compliance with CEQA and the State CEQA Guidelines; (2) the Final EIR was presented to the City Council, and the City Council reviewed and considered the information contained in the Final EIR prior to approving the Project; and (3) the Final EIR reflects the City Council's independent judgment and analysis.

SECTION 4: CEQA FINDINGS. The City Council hereby makes and adopts the findings required by California Public Resources Code Section 21081 and CEQA Guidelines Section 15091 that are set forth in Section II of that document entitled "CEQA Findings of Fact and Statement of Overriding Considerations" attached hereto as Exhibit A and incorporated herein by this reference and that the findings are supported by substantial evidence in the administrative record.

SECTION 5: MITIGATION MONITORING AND REPORTING PROGRAM (MMRP) ADOPTED. The City Council hereby adopts the MMRP set forth in the Final EIR and attached hereto as Exhibit B and incorporated herein by this reference. The City Council finds that the MMRP has been prepared in accordance with CEQA and the CEQA Guidelines and directs the Community Development Director or his/her designee to oversee the implementation of the MMRP.

SECTION 6: STATEMENT OF OVERRIDING CONSIDERATIONS. The City Council hereby adopts the Statement of Overriding Considerations ("SOC") attached hereto as Exhibit A and incorporated herein by this reference, and makes the findings stated therein in accordance with applicable law. The City Council finds that the SOC and Findings of Fact are supported by substantial evidence and have been prepared in accordance with CEQA and the CEQA Guidelines. As more fully stated in the SOC, the City Council finds that the specific economic, employment, transportation, infrastructure, sustainability, and other benefits of the proposed Project identified in the SOC outweigh the Project's significant and unavoidable environmental effects and therefore finds those effects acceptable pursuant to Public Resources Code section 21081(b) and CEQA Guidelines section 15093(a).

SECTION 7: FILING OF NOTICE OF DETERMINATION. The City Council hereby directs the Community Development Director or their designee to file a Notice of Determination within five (5) working days after approval of the Project with the Los Angeles County Clerk and electronically with the Governor's Office of Land Use and Climate Innovation, as required by CEQA and the CEQA Guidelines.

SECTION 8: RECIRCULATION NOT REQUIRED. The City Council finds, based upon the entire administrative record, that the comments received on the Draft EIR, the responses to those comments, and other information added to the record after circulation of the Draft EIR, do not constitute significant new information requiring further recirculation pursuant to CEQA Guidelines section 15088.5. No new significant

environmental impact has been identified, no substantial increase in the severity of a previously identified significant environmental impact has been identified, and no feasible project alternative or mitigation measure considerably different from those previously analyzed has been identified that the City has declined to adopt.

SECTION 9: AVAILABILITY OF PROJECT APPROVALS AND ENVIRONMENTAL IMPACT REPORT. The Community Development Director or their designee shall make the Project-related documents that constitute the record of the proceedings upon which its decision is based available at City Hall, 275 E. Olive Avenue and the Community Services Building, 150 N. Third Street in the City of Burbank, California, and in other locations the Director deems appropriate to facilitate public access to these documents.

PASSED AND ADOPTED this ____ day of _____, 2026

_____
Tamala Takahashi
Mayor

Approved as to Form:
Office of the City Attorney

Attest:

_____
Kimberley Clark, City Clerk

By: _____
Kane Thuyen
Senior Assistant City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF BURBANK)

I, Kimberley Clark, City Clerk of the City of Burbank, do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the Council of the City of Burbank at its regular meeting held on this ___ of _____, 2026 by the following vote:

AYES:

NOES:

ABSENT:

_____
Kimberley Clark, City Clerk

EXHIBIT A

CEQA FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE 2500 NORTH HOLLYWOOD WAY DUAL-BRAND HOTEL PROJECT

State Clearinghouse No. No. 201911003

CEQA FINDINGS OF FACT

The California Environmental Quality Act (Public Resources Code (PRC) Section 21000 et seq.) (CEQA) requires that public agencies shall not approve or carry out a project for which an environmental impact report (EIR) has been certified that identifies one or more significant adverse environmental effects of a project unless the public agency makes one or more written Findings for each of those significant effects, accompanied by a brief explanation of the rationale for each Finding (State CEQA Guidelines [California Code of Regulations (CCR), Title 14, Sections 15000 et seq.] Section 15091). This document presents the CEQA Findings of Fact made by the City of Burbank, in its capacity as the CEQA lead agency, regarding the 2500 N. Hollywood Way – Dual Brand Hotel Project (Project), evaluated in the Draft Environmental Impact Report ("Draft EIR") and Final Environmental Impact Report ("Final EIR") for the Project.

SECTION I.
INTRODUCTION

PRC Section 21002 states that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available, which would substantially lessen the significant environmental effects of such projects[.]" PRC Section 21002 further states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects."

Pursuant to PRC Section 21081, a public agency may only approve or carry out a project for which an EIR has been completed that identifies any significant environmental effects if the agency makes one or more of the following written finding(s) for each of those significant effects accompanied by a brief explanation of the rationale for each finding:

1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

As indicated above, PRC Section 21002 requires an agency to "avoid or substantially lessen" significant adverse environmental impacts. Thus, mitigation measures that "substantially lessen" significant environmental impacts, even if not completely avoided, satisfy PRC Section 21002's mandate. (*Laurel Hills Homeowners Assn. v. City Council* (1978) 83 Cal.App.3d 515, 521 ["CEQA does not mandate the choice

of the environmentally best feasible project if through the imposition of feasible mitigation measures alone the appropriate public agency has reduced environmental damage from a project to an acceptable level"]; *Las Virgenes Homeowners Fed., Inc. v. County of Los Angeles* (1986) 177 Cal. App. 3d 300, 309 ["[t]here is no requirement that adverse impacts of a project be avoided completely or reduced to a level of insignificance . . . if such would render the project unfeasible"].)

While CEQA requires that lead agencies adopt feasible mitigation measures or alternatives to substantially lessen or avoid significant environmental impacts, an agency need not adopt infeasible mitigation measures or alternatives. (PRC Section 21002.1(c) [if "economic, social, or other conditions make it infeasible to mitigate one or more significant effects on the environment of a project, the project may nonetheless be carried out or approved at the discretion of a public agency"]; see also State CEQA Guidelines, § 15126.6(a) [an "EIR is not required to consider alternatives which are infeasible"].) CEQA defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." (PRC Section 21061.1.) The State CEQA Guidelines add "legal" considerations as another indicia of feasibility. (State CEQA Guidelines, § 15364.) Project objectives also inform the determination of "feasibility." (*Jones v. U.C. Regents* (2010) 183 Cal. App. 4th 818, 828-829.) "'[F]easibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.) "Broader considerations of policy thus come into play when the decision making body is considering actual feasibility[.]" (*Cal. Native Plant Soc'y v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1000 ("*Native Plant*"); see also PRC Section 21081(a)(3) ["economic, legal, social, technological, or other considerations" may justify rejecting mitigation and alternatives as infeasible] (emphasis added).)

Environmental impacts that are less than significant do not require the imposition of mitigation measures. (*Leonoff v. Monterey County Board of Supervisors* (1990) 222 Cal.App.3d 1337, 1347.)

The California Supreme Court has stated, "[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 576.) In addition, perfection in a project or a project's environmental alternatives is not required; rather, the requirement is that sufficient information be produced "to permit a reasonable choice of alternatives so far as environmental aspects are concerned." Outside agencies (including courts) are not to "impose unreasonable extremes or to interject [themselves] within the area of discretion as to the choice of the action to be taken." (*Residents Ad Hoc Stadium Com. v. Board of Trustees* (1979) 89 Cal.App.3d 274, 287.)

SECTION II.
FINDINGS ON IMPACTS DETERMINED TO BE LESS THAN SIGNIFICANT OR NO IMPACT

Consistent with *CEQA Guidelines* Sections 15162.2 and 15128, the EIR focused its analysis on potentially significant impacts and limited discussion of other impacts for which it can be seen with certainty there is no potential for significant adverse environmental effects. *CEQA Guidelines* Section 15091 does not require specific findings to address environmental effects that an EIR identifies as "no impact" or as a "less than significant impact."

A. AESTHETICS AND SCENIC RESOURCES

The Project would not have a substantial adverse effect on a scenic vista.

The Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

The Project site is in an urbanized area and would not conflict with applicable zoning and other regulations governing scenic quality.

The Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

B. AGRICULTURE AND FORESTRY RESOURCES

The Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.

The Project would not conflict with existing zoning for agricultural use, or a Williamson Act contract.

The Project would not conflict with existing zoning for, or cause rezoning of, forest land (as defined in PRC Section 12220(g)), timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)).

The Project would not result in the loss of forest land or conversion of forest land to non-forest use.

The Project would not involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

C. AIR QUALITY

The Project would not conflict with or obstruct implementation of the applicable air quality plan.

The Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

The Project would not expose sensitive receptors to substantial pollutant concentrations.

The Project would not result in other emissions such as those leading to odors adversely affecting a substantial number of people.

The Project, combined with other related projects, would not conflict with or obstruct implementation of the applicable air quality plan.

The Project, combined with other related projects, would not result in cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under the applicable federal or state ambient air quality standard.

The Project, combined with other related projects, would not result in other emissions such as those leading to odors adversely affecting a substantial number of people.

D. BIOLOGICAL RESOURCES

The Project would not have a substantial adverse effect, either directly or through habitat modifications, or any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Services.

The Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

The Project would not have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

The Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

The Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

E. CULTURAL RESOURCES

The Project would not cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5.

The Project, combined with other related projects, would not cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5.

The Project, combined with other related project, would not cause a substantial adverse change in the significance of an archeological resource pursuant to § 15064.5.

The Project, combined with other related projects, would not disturb any human remains, including those interred outside dedicated cemeteries.

F. ENERGY

The Project would not result in potentially significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

The Project would not conflict with or obstruct a state of local plan for renewable energy or energy efficiency.

The Project, combined with other related projects, would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

The Project, combined with other related projects, would not conflict with or obstruct a state of local plan for renewable energy or energy efficiency.

G. GEOLOGY AND SOILS

The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking.

The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction.

The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides.

The Project would not result in substantial soil erosion or the loss of topsoil.

The Project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse and/or be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property.

The Project would not have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.

The Project, combined with other related projects, would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking.

The Project, combined with other related projects, would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction.

The Project, combined with other related projects, would not result in substantial soil erosion or the loss of topsoil.

The Project, combined with other related projects, would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse and/or be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property.

The Project, combined with other related projects, would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

H. HAZARDS AND HAZARDOUS MATERIALS

The Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

The Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

The Project would not result in a safety hazard for people residing or working in the project area due to the site's location within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport.

The Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

The Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

The Project, combined with other related projects, would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

The Project, combined with other related projects, would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

The Project, combined with other related projects, would not result in a safety hazard for people residing or working in the project area due to the site's location within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport.

The Project, combined with other related projects, would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

I. HYDROLOGY AND WATER QUALITY

The Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.

The Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

The Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would: result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows.

The Project site is not located within a flood hazard, tsunami, or seiche zones and would not risk release of pollutants due to project inundation.

The Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

The Project, combined with other related projects, would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.

The Project, combined with other related projects, would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would: result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows.

The Project, combined with other related projects, would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

J. LAND USE AND PLANNING

The Project would not physically divide an established community.

The Project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

The Project, combined with other related projects, would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

K. MINERAL RESOURCES

The Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.

The project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

L. NOISE

The Project would not expose people residing or working in the Project area to excessive noise levels due to the Project's location within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport.

The Project, combined with other related projects, would not expose people residing or working in the Project area to excessive noise levels due to the Project's location within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport.

M. POPULATION AND HOUSING

The Project would not induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure.

The Project would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere; and displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

N. PUBLIC SERVICES

The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection.

The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection.

The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for schools.

The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks.

The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other public facilities.

The Project, combined with other related projects, would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection.

The Project, combined with other related projects, would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection.

O. RECREATION

The Project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

The Project would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

P. TRANSPORTATION

The Project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

The Project would not conflict or be inconsistent with CEQA Guidelines sections 15064.3, subdivision (b).

The Project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

The Project would not result in inadequate emergency access.

The Project, combined with other related projects, would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

The Project, combined with other related projects, would not conflict or be inconsistent with CEQA Guidelines sections 15064.3, subdivision (b).

The Project, combined with other related projects, would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Q. TRIBAL CULTURAL RESOURCES

The Project, combined with other related projects, would not cause a substantial adverse change int the significance of a tribal cultural resources, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native America tribe, and that is: (i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or (ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in Public Resources Code section 5024.1.

R. UTILITIES AND SERVICE SYSTEMS

The Project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

The Project would comply with federal, state, and local statutes and regulations related to solid waste.

The Project, combined with other related projects, would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

The Project, combined with other related projects, would comply with federal, state, and local statutes and regulations related to solid waste.

S. WILDFIRE

The Project site is not located in or near State responsibility areas or lands classified as very high fire hazard severity zones, and would not substantially impair an adopted emergency response plan or emergency evacuation plan.

The Project site is not located in or near State responsibility areas or lands classified as very high fire hazard severity zones, and would not expose Project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby.

The Project site is not located in or near State responsibility areas or lands classified as very high fire hazard severity zones, and would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

The Project site is not located in or near State responsibility areas or lands

classified as very high fire hazard severity zones, and would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

SECTION III.
FINDINGS ON IMPACTS MITIGATED TO LESS THAN SIGNIFICANT

Finding. The City Council hereby finds that mitigation measures have been identified in the EIR and these findings that will avoid or substantially lessen the following potentially significant environmental impacts to a less than significant level. The potentially significant impacts and the mitigation measures that will reduce them to a less than significant level are as follows:

A. CULTURAL RESOURCES

1. Archaeological Resources

Threshold: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

Finding: Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Final EIR. These changes are identified in the form of the mitigation measures below. The City of Burbank hereby finds that implementation of the mitigation measures is feasible, and the measures are, therefore, adopted.

Explanation: According to the Cultural Resources Assessment, there is a moderate potential of encountering historic period archaeological remains dating to the early-20th century within the Project site due the native and undisturbed soils that occur within the Project site and surrounding area. Thus, development within the Project site has the potential to encounter archaeological resources, resulting in a potentially significant impact.

Offsite pedestrian and bicycle improvements are not likely to involve ground disturbance at depths having the potential to encounter archaeological remains. Although the proposed sewer improvements from the intersection of Wyoming Avenue and North Ontario Street to the intersection of West Burbank Boulevard and North Frederick Street would involve the design and construction of 1,580 feet of sewer main infrastructure improvements that would require ground disturbance at greater depths, the offsite improvements would connect and extend services to the Project site within existing rights-of-way and would occur within an area that has previously experienced ground disturbance activities. However, due to the

proximity of the offsite improvement areas to the Project site, and the Cultural Resources Assessment's finding of moderate potential to encounter historic period archaeological remains within the Project site, there is also the potential for historic period archaeological remains to be encountered within the offsite improvement areas if construction activities extend into depths greater than artificial fill. This would result in a potentially significant impact.

To avoid and mitigate potential impacts associated with the potential discovery of archaeological resources during construction activities within the Project site and offsite improvement areas, Mitigation Measures CUL-1 and CUL-2 would require a monitor to be retained to conduct onsite monitoring during ground-disturbing activities within the Project site and the offsite sewer improvement area. If an archaeological or tribal cultural resource is inadvertently discovered during ground disturbing activities, an archaeologist, in coordination with a Native American Monitor, would be required to evaluate the find and implement protocols in accordance with the provisions of PRC Section 21083.2 and State CEQA Guidelines Sections 15064.5 and 15126.4. Compliance with Mitigation Measures CUL-1 and CUL-2 would reduce potential impacts to archaeological resources to a less than significant level.

Mitigation Measures:

CUL-1: The Applicant shall be required to retain the services of one or more monitor(s) who are qualified in the identification of archaeological and Native American resources. The monitor(s) shall meet the Secretary of the Interior's Professional Qualification Standards for archaeology, and shall be present during construction related ground disturbance activities including, but not limited to, site clearing (such as pavement removal, grubbing, tree removals) and/or excavation to depths greater than artificial fill (including boring, grading, excavation, drilling, potholing or auguring, and trenching) within the Project site and offsite sewer improvement area. A copy of the executed contract shall be submitted to the City of Burbank Community Development Department prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Archaeological Monitor shall complete monitoring logs daily, providing descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. The onsite monitoring shall end when grading and excavation activities of native soil (i.e., previously undisturbed) are completed, or when the Archaeological Monitor has indicated that the site has a low potential for cultural resources, whichever occurs first. The Applicant shall also be required to make the Project site available to native tribe(s) that have ancestral ties to the region during ground disturbance activities for monitoring on their own behalf, if requested

– including the Gabrieleño Band of Mission Indians-Kizh Nation, the Fernandeño Tataviam Band of Mission Indians and any other tribe with ancestral ties to the region, as established by the Native American Heritage Commission.

CUL-2: If an archaeological or Native American resource is inadvertently discovered during ground disturbing activities, work shall be halted in the immediate vicinity of the find (a 60-foot buffer around the find) until the find can be evaluated by the Archaeological and Native American Monitor(s) to determine if any discovered potential resource meets the CEQA definition of historical (State CEQA Guidelines 15064.5(a)) and/or unique resources (Public Resources Code 21083.2(g)). The City of Burbank Community Development Department shall be immediately notified. If the resource is determined to be potential a tribal cultural resource, the Applicant shall retain the services of a Native American Monitor to work in consultation with the Archaeological Monitor to delineate the resource. Work on areas outside of the buffered area may continue during the assessment period. The Applicant shall, in good faith, consult with the Tribe(s) on the disposition and treatment of any tribal cultural resource encountered during all ground disturbing activities. If the find is considered a "tribal cultural resource" the Archaeological Monitor, in cooperation with Native American Monitor, shall pursue either protection in place or recovery, salvage and treatment of the deposits. Recovery, salvage, and treatment protocols shall be developed in accordance with applicable provisions of Public Resource Code Section 21083.2 and State CEQA Guidelines Sections 15064.5 and 15126.4. If a tribal cultural resource cannot be preserved in place or left in an undisturbed state, recovery, salvage, and treatment shall be required at the Project Applicant's expense. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation in an established accredited professional repository. If the resource is determined to be non-Native in origin, the evaluation may require preparation of a treatment plan and archaeological testing for California Register of Historical Resources (CRHR) eligibility. If the discovery proves to be eligible for the CRHR and cannot be avoided by the Project, additional work such as data recovery, excavation, and archaeological mitigation may be warranted to mitigate any significant impacts.

2. Human Remains

Threshold: Would the Project disturb any human remains, including those interred outside of formal cemeteries?

Finding: Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant

environmental effect as identified in the Final EIR. These changes are identified in the form of the mitigation measures below. The City of Burbank hereby finds that implementation of the mitigation measures is feasible, and the measures are, therefore, adopted.

Explanation: Although no conditions exist that suggest human remains are likely to be found within or adjacent to the Project site or offsite improvement areas, future development could result in the inadvertent discovery of human remains and potential impacts to these resources. Health and Safety Code Sections 7050.5 to 7055 describe the general provisions for human remains. Specifically, Health and Safety Code Section 7050.5 describes the requirements if any human remains are accidentally discovered during excavation of a site. As required by Mitigation Measure CUL-3, and as required by State law, the requirements and procedures set forth in PRC Section 5097.98 would be implemented, including notification of the County Coroner, notification of the Native American Heritage Commission (NAHC) and consultation with the individual identified by the NAHC to be the "most likely descendant (MLD)." The MLD would make recommendations to landowners for the disposition of any Native American human remains and grave goods found. Recommendations would be made for the treatment and disposition of the remains. Thus, compliance with Health and Safety Code Sections 7050.5 to 7055, PRC Section 5097.98, and Mitigation Measure CUL-3 would ensure that, in the event human remains are discovered, the remains would be handled in accordance with applicable laws, and impacts would be less than significant.

Mitigation Measures:

CUL-3: In the event that human remains are discovered during onsite construction activities, the Archaeological Monitor shall immediately divert work at minimum of 50 feet and place an exclusion zone around the discovery location. The Archaeological Monitor shall then notify the construction manager who shall notify the County Coroner per Public Resources Code Section 5097.98, and Health and Safety Code Section 7050.5. The City of Burbank Community Development Department shall also be immediately notified. Work shall continue to be diverted while the coroner determines whether the remains are human and subsequently Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native American, the coroner shall notify the Native American Heritage Commission (NAHC) as mandated by State law who shall then appoint a Most Likely Descendent (MLD). Once NAHC identifies the most likely descendants, the descendants shall make recommendations regarding proper burial, which shall be implemented to the extent feasible in accordance with State CEQA Guidelines Section 15064.5(e).

B. GEOLOGY AND SOILS

1. Paleontological Resources

Threshold: Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Finding: Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Final EIR. These changes are identified in the form of the mitigation measures below. The City of Burbank hereby finds that implementation of the mitigation measures is feasible, and the measures are, therefore, adopted.

Explanation: According to the Geotechnical Assessment, excavations on the order of five to 20 feet in depth would be required for the foundation elements and anticipated elevator pit enclosures for the proposed Hotel and Garage. Should fossil resources be present in the Project site's subsurface, ground-disturbing activities associated with excavations could directly or indirectly destroy a unique paleontological resource. This would be a potentially significant impact.

Offsite pedestrian and bicycle improvements and the offsite infrastructure improvements that would involve connecting to and extending services to the Project site within existing rights-of-way would not involve disturbance of soils at depths of high paleontological sensitivity (i.e., greater than 10 feet). Although the proposed sewer improvements from the intersection of Wyoming Avenue and North Ontario Street to the intersection of West Burbank Boulevard and North Frederick Street would involve replacement of an existing pipe that would require ground disturbance at greater depths, the offsite improvements would connect and extend services to the Project site within existing rights-of-way and would occur within an area having previously experienced ground disturbance activities. The potential to encounter fossil resources is considered unlikely due to this past disturbance. Thus, the potential for activities associated with the offsite improvements to directly or indirectly destroy a unique paleontological resource would be less than significant.

To avoid and mitigate potential impacts to unique paleontological resources during Project construction activities, Mitigation Measure GEO-1, requiring a qualified vertebrate paleontologist to develop a Worker Awareness and Environment Program (WEAP) Training for construction personnel, Mitigation Measure GEO-2 requiring the paleontologist to monitor ground-disturbing activities in previously undisturbed sediments that exceed 10 feet in depth, and Mitigation Measure GEO-3 detailing the appropriate steps in the event of fossil

discovery, would be required. Compliance with Mitigation Measures GEO-1, GEO-2, and GEO-3 would reduce potential impacts to paleontological resources to a less than significant level.

Mitigation Measures:

GEO-1: Prior to commencement of ground-disturbing activities a qualified vertebrate paleontologist (as defined by the Society for Vertebrate Paleontology) shall develop Worker Awareness and Environmental Program (WEAP) Training for construction personnel. This training shall be presented to construction personnel and include what fossil remains may be found within the Project area and policies and procedures that must be followed in case of a discovery. Verification of the WEAP Training shall be provided to the Burbank Community Development Department.

GEO-2: Paleontological resources monitoring by a qualified vertebrate paleontologist (as defined by the Society for Vertebrate Paleontology) shall be required during ground disturbances (including grading, trenching, foundation work, and other excavations) in previously undisturbed sediments that exceed 10 feet in depth. The duration and timing of the monitoring shall be determined by the qualified paleontologist and the location and extent of the proposed ground disturbance. If the qualified paleontologist determines that fulltime monitoring is no longer warranted, based on the specific geologic conditions at the surface or at depth, the qualified paleontologist may recommend that monitoring be reduced to periodic spot-checking or cease entirely. Monitoring shall not be required in artificial fill or for activities that do not reach 10 feet in depth.

GEO-3: In the event of a fossil discovery by the paleontological monitor or construction personnel, all work in the immediate vicinity of the find shall cease. The qualified paleontologist shall evaluate the find before restarting construction activity in the area. If it is determined that the fossil(s) is (are) scientifically significant, the qualified paleontologist shall complete the following conditions to mitigate impacts to significant fossil resources:

- Salvage of Fossils. The qualified paleontologist (or paleontological monitor) shall recover significant fossils following standard field procedures for collecting paleontological resources, as described by the Society of Vertebrate Paleontology standards. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case

the paleontologist shall have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner.

- Preparation and Curation of Recovered Fossils. Once salvaged, significant fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition, and curated in a scientific institution with a permanent paleontological collection (such as the University of California Museum of Paleontology), along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the qualified paleontologist.

C. GREENHOUSE GAS EMISSIONS

1. Emission Reduction Plans

Threshold: Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?

Finding: Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Final EIR. These changes are identified in the form of the mitigation measures below. The City of Burbank hereby finds that implementation of the mitigation measures is feasible, and the measures are, therefore, adopted.

Explanation: Several plans and policies have been adopted to reduce GHG emissions in the Southern California region. The following discussion analyzes the Project's consistency with the Greenhouse Gas Reduction Plan (GGRP), 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), and 2022 Scoping Plan. Some Statewide GHG emissions regulations, including SB 32 and Executive Order S-3-05, are not analyzed because these regulations are focused on Statewide GHG emissions reduction targets and are not applicable to individual development projects. In addition, the 2022 Scoping Plan includes all the actions that need to be taken to achieve the targets established in SB 32 and Executive Order S-3-05. Therefore, projects that are consistent with 2022 Scoping Plan could demonstrate consistency with SB 32 and Executive Order S-3-05 and contribution of their fair share of GHG emissions reductions. The GGRP was adopted to guide the City in reducing GHG emissions consistent with the targets set out by AB 32. Additionally, the GGRP fulfills the requirements of CEQA Guidelines Section 15183.5, and consistency with the GGRP allows

for the CEQA analysis to be streamlined by presuming that a project's GHG emissions would not be significant. As discussed above, the Project's GHG emissions would exceed the GGRP significance threshold of 3.12 metric tons of carbon dioxide (CO_2) equivalent ($MTCO_2e$) per service population, and impacts would remain significant even with the incorporation of Mitigation Measure GHG-1.

Burbank2035 Greenhouse Reduction Plan

The GGRP identifies GHG emissions reduction measures that would apply to different types of future projects. The GGRP requires all new projects to comply with these codes and ordinances, as applicable. The proposed Project would be consistent with the City of Burbank's GGRP, and impacts would be less than significant in this regard.

2020-2045 RTP/SCS

The latest 2024-2050 RTP/SCS was adopted on April 4, 2024. However, the California Air Resources Board (CARB) concluded that the technical methodology the Southern California Association of Governments (SCAG) used to quantify the GHG emissions reductions for the 2024-2050 RTP/SCS does not operate accurately. SCAG resubmitted the SCS Submittal Package for CARB's review in June 2024. CARB will have 60 business days to evaluate it and make its determination. Review by CARB is limited to acceptance or rejection of SCAG's determination that its SCS would, if implemented, achieve the region's GHG emissions reduction target. If CARB rejects SCAG's determination of meeting the GHG emission target, SCAG will need to revise the SCS or adopt an alternative planning strategy demonstrating the ability to achieve the target. As such, until CARB makes the decision, the 2024-2050 RTP/SCS is not a fully adopted document and is potentially subject to further updates, especially from the GHG reduction perspective relative to the methods and assumptions of the calculation of Auto Operating Costs (AOC), induced travel, electric vehicle incentives, job center parking and parking deregulation, off-model strategy assumptions, and emissions factors. As CARB has not made the decision at the time of preparation of this document, the consistency analysis relies upon the 2020-2045 RTP/SCS. The Project is consistent with these five strategies found within the 2020-2045 RTP/SCS. The proposed Project would be consistent with the GHG emission reduction strategies contained in the 2020-2045 RTP/SCS.

2022 CARB Scoping Plan

The 2022 Scoping Plan identifies reduction measures necessary to achieve the goal of carbon neutrality by 2045 or earlier. Actions that

reduce GHG emissions are identified for each AB 32 inventory sector. The proposed Project is consistent with the applicable reduction actions/strategies in the 2022 CARB Scoping Plan.

Conclusion

The proposed Project is generally consistent with or would not conflict with strategies outlined in the GGRP, 2020-2045 RTP/SCS, and 2022 Scoping Plan. The proposed Project would exceed the GGRP Efficiency Threshold of 3.12 per service population. According to the GGRP, any projects that exceed this GHG efficiency threshold would result in a significant impact and would be required to mitigate the GHG emissions to a maximum extent feasible. The proposed Project would require the incorporation of Mitigation Measure GHG-1. Upon incorporation of Mitigation Measure GHG-1, the Project would mitigate the GHG emissions to the maximum extent feasible and, as such, would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions. As such, the impacts would be less than significant with the incorporation of Mitigation Measure GHG-1.

Mitigation Measures:

GHG-1 Prior to the issuance of building permits, the Project applicant shall provide documentation (e.g., building plans, site plans) to the City of Burbank Community Development Department to verify implementation of the design requirements specified in this mitigation measure. Prior to the issuance of the certificate of occupancy, the City shall verify implementation of these design requirements:

- The Project applicant shall prepare a Transportation Management Plan with the help of certified Traffic Engineer which includes voluntary and mandatory trip reduction measures such as discouraging single-occupancy vehicle trips and encouraging alternative modes of transportation such as carpooling, taking transit, walking, and biking, implementing employee parking cash-outs, thereby reducing VMT and GHG emissions. The Transportation Management Plan shall grant all employees located within the Project site eligibility to participate. The Transportation Management Plan shall be reviewed and approved by the Transportation Planning Division.

- The Project applicant shall join the Burbank Transportation Management Organization (TMO), which helps provide services to employees that encourages the use of public transit, carpooling, vanpooling, walking, and biking.

- The Project applicant shall demonstrate to the Planning Division that new vehicles owned and operated by the Project operators that provide transport between the Hollywood Burbank Airport and the Project will be clean-fuel vehicles.

- No wood-burning or gas-powered fireplaces shall be installed in the proposed development.

- All major appliances provided/installed (e.g., dishwashers, refrigerators, clothes washers and dryers, and water heaters) shall be electric-powered EnergyStar-certified or of equivalent energy efficiency, where applicable.

D. HAZARDOUS AND HAZARDOUS MATERIALS

1. Accident or Upset

Threshold: Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Finding: Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Final EIR. These changes are identified in the form of the mitigation measures below. The City of Burbank hereby finds that implementation of the mitigation measures is feasible, and the measures are, therefore, adopted.

Explanation: *Construction*

Construction of the proposed Project would involve demolition/removal of surface parking, grading, and construction of new buildings. The existing Marriott Hotel would remain; modifications to the existing structures are not proposed as part of the Project. Potentially hazardous materials used during construction include substances, such as paints, sealants, lubricants, solvents, adhesives, cleaners, and diesel fuel. There is potential for these materials to spill or to create hazardous conditions. The materials used, however, would not be in such quantities or stored in such a manner as to pose a significant safety hazard, as their storage and use would be in accordance with all applicable regulations. These

activities would also be short-term and would cease upon completion of construction.

Nonetheless, to prevent hazardous conditions, existing local, State, and federal laws, are required to be enforced at the construction sites. For example, compliance with existing regulations would ensure construction workers and the general public are not exposed to any risks related to hazardous materials during demolition and construction activities. Cal/OSHA has regulations concerning the use of hazardous materials, including requirements for safety training, exposure warnings, availability of safety equipment, and preparation of emergency action/prevention plans. All spills or leakage of petroleum products during construction activities are required to be immediately contained, the hazardous material identified, and the material remediated in compliance with applicable State and local regulations for the cleanup and disposal of that contaminant. All contaminated waste encountered would be required to be collected and disposed of at an appropriately licensed disposal or treatment facility.

Based on the results of the Phase II Subsurface Investigation, there is evidence of elevated volatile organic compounds (VOCs) in soil-gas (specifically perchloroethylene [PCE] and trichloroethylene [TCE]) beneath the Project site that may present a vapor intrusion risk to the proposed Project. These VOCs are considered to be the result of a regional groundwater VOC plume as noted from the Phase I recognized environmental condition (REC) findings. Mitigation Measure HAZ-1 requires that an appropriate vapor intrusion mitigation system using a VOC-compatible vapor barrier be incorporated into the design of the proposed onsite structures where there may be a potential for vapor intrusion risk to occupants. The vapor barrier shall be pre-approved by the applicable regulatory oversight agency and provide for mitigation of soil vapor to levels that are protective of human health for the proposed use. Methods for monitoring the vapor barrier system to confirm that the vapor barrier system continues to be protective of human health shall also be required subject to approval by the regulatory agency with jurisdiction.

Excavation and related utility operations would potentially encounter hazardous materials, based on the results of the Phase II Subsurface Investigation, which determined there are potential VOC-impacted soils on the Project site. Impacts related to releases of hazardous substances would be potentially significant during the construction phase. Implementation of Mitigation Measure HAZ-2, which requires that the Applicant prepare and submit a soils management plan to address the proper characterization and handling of potential VOC-impacted soils and other contaminants of concern (reported to be

TCE, PCE, 1,4, dioxane, hexavalent chromium, and 1,2,3-tetrachloropropane [TCP]) that may be present prior to the issuance of a grading permit, would reduce potential significant impacts to less than significant levels. With implementation of Mitigation Measures HAZ-1 and HAZ-2, the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving soil and groundwater contamination. With the incorporation of mitigation, impacts would be less than significant.

The Project site is located within the Area 1 site in the Burbank Operable Unit (BOU), and as such, it is on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Releases from a large number of facilities throughout eastern portions of Area 1 have resulted in a large plume of VOC-contaminated groundwater, which begins in the Area 1 site and extends southeast, down-gradient. Potential remedies for Area 1 are being addressed through federal, State, municipal, and potential responsible party (PRP) actions. The current site status of the BOU area includes the temporary remedy of extraction and treatment of groundwater. BWP receives groundwater from the site blended with treated groundwater to reduce nitrate levels and then distributes it to the public water supply system.

According to the Burbank Water and Power (BWP) 2020 Urban Water Management Plan (2020 UWMP), the BOU is a USEPA-led project to clean up groundwater impacted by historical industrial releases, primarily by Lockheed-Martin. The BOU project consisted of drilling eight extraction wells and constructing a state-of-the-art treatment plant using Best Available Technology (Air Stripping Towers and Granular Activated Carbon Filters) to remove and stabilize the VOC plumes within the aquifer. Completion of this project restored a major component to the City's water supply. The Consent Decree for the project was “entered” on March 25, 1992. Lockheed-Martin started construction on June 23, 1993, and the project began operation in January 1996. The eight wells and the VOC removal treatment plant were operated by Lockheed-Martin until March 2001, when the City of Burbank took over operation. Through compliance with applicable regulations and implementation of Mitigation Measures HAZ-1 and HAZ-2, impacts related to hazards to the public and the Project site being on a list of hazardous materials sites compiled through Government Code Section 65962.5 would be less than significant.

Operations

Operation of the proposed Project would involve the use of small amounts of hazardous materials, such as cleaners, paints, fertilizers,

and pesticides for cleaning and maintenance purposes. However, the proposed land uses are not associated with uses that use, generate, store, or transport large quantities of hazardous materials; such uses generally include manufacturing, industrial, medical (e.g., hospital), and other similar uses.

The use, storage, transport, and disposal of hazardous materials would be governed by existing regulations of several agencies, including DTSC, USEPA, USDOT, Cal/OSHA, and Los Angeles County CUPA. Compliance with applicable laws and regulations governing the use, storage, transportation, and disposal of hazardous materials would ensure all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts.

Although highly unlikely and not anticipated, should the Project require storage of hazardous substances exceeding regulatory thresholds, a Hazardous Materials Business Plan (HMBP) would be required, and hazardous materials permits would need to be obtained from the CUPA. These permits would include preventative requirements and best practices for the use of hazardous materials related to the Project. As required by CUPA, the HMBP would detail the location and quantities of hazardous materials stored onsite, accompanied by the appropriate Materials Safety Data Sheets. That information would be made available to emergency responders, such as firefighters and medical personnel, who would, in part, use such information to contain the hazardous materials and avoid the creation of a significant hazard. Therefore, substantial hazards to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment during long-term operation of the proposed Project would be less than significant.

Mitigation Measures:

HAZ-1: Prior to the issuance of building permits, the Applicant shall include on the building plans an appropriate vapor intrusion mitigation system using a volatile organic compound (VOC)-compatible vapor barrier that is incorporated into the design of new onsite structures, where there may be a potential for vapor intrusion risk to occupants. The elements of the vapor intrusion mitigation system shall include the design of an appropriate vapor barrier compatible with known VOCs, installation oversight to ensure compliance with VOC barrier manufacturers' warranty requirements, and subsequent post-installation VOC barrier integrity testing.

The Applicant shall incorporate all requirements in the design of the Project as set forth by the applicable regulatory oversight agency for

issuance of building permits, including the following measures: The proposed design of the vapor barrier shall be pre-approved by the applicable regulatory oversight agency (e.g., Department of Toxic Substances Control [DTSC], the Los Angeles Regional Water Quality Control Board [LARWQCB], or other appropriate local regulatory agency). The design of a physical vapor barrier beneath the structure(s) foundation shall prevent soil gas from seeping into breathing spaces inside the structure. The system shall include a passive or powered vapor mitigation system layer that draws soil gas out of the under-foundation base rock and directs that soil gas to a treatment system to prevent people from being exposed outdoors. Any contaminants found in shallow soil vapor shall be mitigated to levels that are protective of human health for the proposed commercial uses. Upon completion, the Project Applicant shall prepare a report documenting the testing results and installed vapor mitigation method and submit the report to the regulatory agency with jurisdiction.

An Operations, Maintenance, and Monitoring (OMM) Plan shall be prepared and implemented to maintain the vapor barrier system and confirm that the vapor barrier system continues to be protective of human health. The OMM Plan shall include details of methods for monitoring the vapor barrier system, provide monitoring frequencies and maintenance procedures for the system components and provide for post construction indoor air quality monitoring. The OMM Plan shall be approved by the regulatory agency with jurisdiction.

HAZ-2: Prior to the issuance of a grading permit, the Applicant shall submit a Soils Management Plan (SMP) to the City of Burbank Community Development Department Building & Safety Division that addresses the proper characterization and handling of potential VOC-impacted soils, and other contaminants of concern that may be present. The SMP shall require that, as grading, excavation, and trenching are performed, exposed soil shall be monitored for stained or discolored soil, wet or saturated soils, or odors. If impacted soil is encountered, the soil shall be analyzed to identify and characterize the impact and determine if soil remediation is required. Soil samples shall be analyzed by an appropriate State-certified laboratory using appropriate methods based on the parameters to be analyzed. When a new area of contamination is identified, it shall be characterized to assess its lateral and vertical extent. The likely excavation of impacted soil shall be followed by segregated stockpiling or direct-loading, waste profiling, and offsite disposal or recycling, which shall be performed in accordance with applicable federal, State, and local regulations.

E. NOISE

1. Vibration

Threshold: Would the Project result in the exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Finding: Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Final EIR. These changes are identified in the form of the mitigation measures below. The City of Burbank hereby finds that implementation of the mitigation measures is feasible, and the measures are, therefore, adopted.

Explanation: Project construction can generate varying degrees of groundborne vibration, depending on the construction procedure and the construction equipment used. Operation of some heavy-duty construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. The effect on buildings located in the vicinity of the construction site often varies depending on soil type, ground strata, and construction characteristics of the receiver building(s). The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage at the highest levels. Groundborne vibrations from construction activities rarely reach levels that damage structures.

The Federal Transit Administration's (FTA) Transit Noise and Vibration Impact Assessment Manual identifies various vibration damage criteria for different building classes. This evaluation uses the FTA architectural damage threshold for continuous vibrations at engineered concrete and masonry buildings of 0.3 inch per second (in/sec) peak particle velocity (PPV). As the nearest structures to Project construction areas are commercial structures, this threshold is considered appropriate. The types of construction vibration impact include human annoyance and building damage. Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. Building damage can be cosmetic or structural.

The highest level of groundborne vibration would be generated during the building construction phase due to the potential operation of an impact pile driver. The nearest offsite structure (an office building to the east of the Project site) is located approximately 60 feet from proposed construction activities. At this distance, the maximum vibration velocities from impact pile drivers would be approximately 0.408 in/sec PPV, which would exceed the FTA significance threshold of 0.3 in/sec PPV. Therefore, groundborne

vibration generated from impact pile driver operations would be considered potentially significant.

As groundborne vibration generated from impact pile driver operations would exceed applicable thresholds, the Project would be required to implement Mitigation Measure NOI-2. Mitigation Measure NOI-2 would require the use of sonic pile drivers as an alternative to impact pile drivers. As shown in Table 5.9-8, the maximum vibration velocities from sonic pile drivers would be approximately 0.197 in/sec PPV at the nearest offsite building. Therefore, with implementation of Mitigation Measure NOI-2, groundborne vibration levels would not exceed the FTA's significance threshold of 0.3 in/sec PPV, and impacts would be less than significant.

Mitigation Measures:

NOI-2: The following measure shall be incorporated on all grading and building plans and specifications subject to approval of the City's Building and Safety Division prior to issuance of a grading permit:

- Sonic pile drivers shall be used as an alternative to impact pile drivers to reduce groundborne vibration levels. Impact pile driver operations shall be prohibited.

2. Cumulative Vibration

Threshold: Would the Project, combined with other related projects, result in the exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Finding: Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Final EIR. These changes are identified in the form of the mitigation measures below. The City of Burbank hereby finds that implementation of the mitigation measures is feasible, and the measures are, therefore, adopted.

Explanation: Construction activities associated with the proposed Project and related projects may overlap. Despite the potential for overlap, groundborne vibration generated at the Project site during construction would not be in exceedance of the FTA threshold of 0.30 in/sec PPV for engineered concrete and masonry buildings, following implementation of Mitigation Measure NOI-2, which requires the use of sonic pile drivers to reduce groundborne vibration levels. In addition, there would be no vibration impacts associated with operations at the Project site. The closest related projects are the Media Studios North project, immediately southwest of the Project site, and the 3031 Thornton Avenue project, north of the Project site.

Although construction of the related projects could occur at the same time as the proposed Project, cumulatively significant construction vibration would generally only occur when construction activities on the sites occur near one another in a way that concentrates the vibration. The farther construction activities occur from one another on each respective project site, the quicker the vibration dissipates by the time it reaches a sensitive receptor. Additionally, because heavy construction equipment moves around a project site and would only occur for limited durations, average vibration levels at the nearest structures would diminish with increasing distance between the structures and construction activities. As such, cumulative construction vibration impacts would not occur. Both the proposed Project and related projects would be required to comply with the BMC limitations on allowable hours of construction and mitigate their respective construction vibration impacts, as required. Therefore, the Project's less than significant effects after mitigation associated with the generation of excessive groundborne vibration or groundborne noise levels would not be considered cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: Refer to Mitigation Measure NOI-2

F. TRIBAL CULTURAL RESOURCES

1. Tribal Cultural Resources

Threshold: Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: (i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or (ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in Public Resources Code Section 5024.1(c)?

Finding: Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Final EIR. These changes are identified in the form of the mitigation measures below. The City of Burbank hereby finds that implementation of the mitigation measures is feasible, and the measures are, therefore, adopted.

Explanation: The records search indicates that 15 cultural resources studies were conducted within a 0.5-mile radius of the Project site. Of these studies, none were of the Project site and three were located adjacent to the Project site. The results of the Cultural Resources Assessment identified no prehistoric or historic-period cultural resources within or adjacent to the Project site. Results of the site visit revealed that the ground surface is obscured by the existing Marriott Hotel, convention center, and paved surface parking lots. According to the Cultural Resources Assessment, there is a moderate potential of encountering historic period archaeological resources dating to the early-20th century within the Project site due the native and undisturbed soils that occur with the Project site and surrounding area.

As part of the AB 52 process, letters were sent by the City of Burbank inviting tribes to consult on the Project. The Gabrieleño Band of Mission Indians-Kizh Nation and the Fernandeño Tataviam Band of Mission Indians responded requesting consultation, stating that the Project site is situated within each of the tribes' ancestorial territory. As part of the consultation process, both tribes were provided access to the Cultural Resources Assessment and the Geotechnical Assessment, Geotechnical Assessment Addendum, and Geotechnical Investigation, Preliminary Geotechnical Assessment prepared for the Project. The City held separate meetings with both the Gabrieleño Band of Mission Indians-Kizh Nation and the Fernandeño Tataviam Band of Mission Indians to discuss the Project in greater detail. Both tribes indicated that based on the presence of significant tribal resources near the Project site, precautions were necessary when conducting ground disturbing activities on native/undisturbed soil levels. The tribes requested the inclusion of mitigation measures to address the potential for tribal cultural resources (TCRs) to be encountered within the Project site as a result of ground disturbing activities.

Based on the records search, literature review, field survey results, and tribal consultation results, there is the potential for unknown TCRs to be discovered onsite during site disturbance activities, resulting in the potential for a significant impact to TCRs. Mitigation Measures CUL-1 and CUL-2 in Section 5.2, Cultural Resources, of the Draft EIR, have been identified and reviewed by the Gabrieleño Band of Mission Indians-Kizh Nation and the Fernandeño Tataviam Band of Mission Indians in order to reduce potential impacts to TCRs in the event of discovery. Implementation of Mitigation Measures CUL-1 and CUL-2 would require a monitor qualified in the identification of archaeological and Native American resources during construction related ground-disturbing activities within the Project site and offsite sewer improvement area. The Project

Applicant shall also be required to make the Project site available to native tribe(s) that have ancestral ties to the region during ground disturbance activities for monitoring on their own behalf, if requested. If archaeological or Native American resources are inadvertently discovered during ground disturbing activities, the find would be evaluated by the Archaeological and Native American Monitor(s) and implement protocols in accordance with the provisions of PRC Section 21083.2 and State CEQA Guidelines Sections 15064.5 and 15126.4; refer also to Section 5.2, Cultural Resources, of the Draft EIR. Compliance with Mitigation Measures CUL-1 and CUL-2 would reduce potential impacts to TCRs to a less than significant level.

Mitigation Measures: Refer to Mitigation Measures CUL-1 and CUL-2.

SECTION IV.
FINDINGS ON SIGNIFICANT UNAVOIDABLE IMPACTS

Finding. The City Council hereby finds that, despite the incorporation of mitigation measures identified in the EIR and in these findings, the following environmental impacts cannot be fully mitigated to a less than significant level and a Statement of Overriding Considerations is, therefore, included in Section VI:

A. GREENHOUSE GAS EMISSIONS

1. Emissions Generation

Threshold: Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Finding: Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measure below. The City of Burbank hereby finds that implementation of the mitigation measure is feasible, and the measure is, therefore, adopted. However, since most of the Project-related emissions come from mobile sources, which primarily depend on the prerogative of future employees and visitors regarding their preferred methods of transportation and fuel efficiency and emission standards are regulated at the State level, the City of Burbank finds that there are no other mitigation measures that are feasible to reduce GHG emissions below the significance threshold, taking into consideration specific economic, legal, social, technological or other factors, that would mitigate this impact to a less-than-significant level, and, further, that specific economic, legal, social, technological, or other

considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the alternatives identified in the EIR, as discussed in Section V of these Findings (Public Resources Code Sections 21081(a)(1) and (3); CEQA Guidelines Sections 15091(a)(1) and (3)). As described in the Statement of Overriding Considerations (Section VI below), the City has determined that this significant and unavoidable impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or Statewide environmental benefits, of the proposed Project outweigh its significant effects on the environment.

Explanation: *Project-Related Sources of Greenhouse Gas Emissions*

Per the GGRP, the City has adopted a GHG efficiency threshold of 3.12 $MTCO_2e$ per service population as the significance threshold for assessing impacts related to GHG emissions. The methodology for evaluating the Project's impacts related to GHG emissions focuses on the GHG efficiency threshold. Based on occupancy data for the period of June 2023 to June 2024 provided by Marriott Hotel, the average occupancy rate is 1.4 persons per reservation. This data is specific to the Los Angeles Marriott Burbank Airport Hotel. As such, the proposed 420 rooms would have an occupancy rate of approximately 588 persons. With the 85 proposed employees, the proposed Project would have a service population of 673 individuals.

The analysis also calculates the amount of GHG emissions that would be attributable to the Project using recommended emissions calculations models, as described below. The primary purpose of quantifying the Project's GHG emissions is to compare the Project's GHG efficiency ratio with the GGRP's GHG efficiency threshold. The estimated emissions inventory is also used to determine if there would be a reduction in the Project's incremental contribution of GHG emissions as a result of compliance with regulations and requirements adopted to implement plans for the reduction or mitigation of GHG emissions.

The proposed Project would result in direct and indirect emissions of CO_2, nitrous oxide (N_2O), and methane (CH_4) and would not result in other GHGs that would facilitate a meaningful analysis. Therefore, this analysis focuses on these three forms of GHG emissions. Direct Project-related GHG emissions include emissions from construction activities, area sources, mobile sources, and refrigerants, while indirect sources include emissions from energy consumption, water demand, and solid waste generation. Construction emissions would be required to comply with applicable regulations (i.e., SCAQMD Rule 402, Rule 403, etc.). Project design features include photovoltaic panels for on-site renewable energy production (11

percent of the total annual consumption), exceeding the most current Title 24 standards by 10 percent, installing energy efficient lighting, installing energy efficient appliances, low flow water fixtures, water efficient landscaping, and all-electric landscaping equipment. The Project's unmitigated GHG emission per service population is 6.94 $MTCO_2e$. As the proposed Project would exceed the GGRP efficiency threshold of 3.12 $MTCO_2e$ per service population even with incorporation of Project design features, the Project would be required to implement Mitigation Measure GHG-1. Mitigation Measure GHG-1 would require the incorporation of Tier 2 requirements of the 2022 CALGreen Code. Per the CALGreen Code, Tier 2 requirements are typically voluntary tiers that add additional requirements beyond the mandatory measures. Mitigation Measure GHG-1 includes the following features: preparation of a Transportation Management Plan, joining the Burbank Transportation Management Organization, owning a clean-fuel vehicle fleet, and no wood-burning or gas-powered fireplaces.

Direct Project-Related Source of Greenhouse Gas Emissions

Construction Emissions. Construction GHG emissions are amortized (i.e., total construction emissions divided by the lifetime of the Project, assumed to be 30 years), then added to the operational emissions. Construction of the proposed Project would result in a total of 60.59 $MTCO_2e$ (amortized over 30 years).

Area Sources. Area source emissions would be generated due to an increased demand for fuel associated with the development of the proposed Project. The primary use of fuel that produces area source emissions by the Project would be for landscaping. The proposed Project without Project design features would directly result in 9.57 $MTCO_2e$ per year. However, the Project would utilize all-electric landscaping equipment (e.g., lawnmowers, hedge trimmers, leaf blowers). As such, with incorporation of Project design features, the Project would not result in GHG emissions from area source emissions.

Mobile Source Emissions. The proposed Project would generate 4,315 daily trips. As previously stated, the trip generation provided by Fehr & Peers considers trips without passengers (valet, ridesharing, etc.). As such, the Project would result in approximately 4,044.00 $MTCO_2e$ per year of mobile source generated GHG emissions. However, as discussed, the proposed Project would incorporate Mitigation Measure GHG-1 which includes the following features: preparation of a Transportation Management Plan, joining the Burbank Transportation Management Organization, and owning a clean-fuel vehicle fleet. These features would help reduce GHG emissions relating to mobile sources. Specifically, the Transportation

Management Plan and the Burbank Transportation Management Organization would provide incentives to employees, such as employee carpooling programs, reduced public transit fares, and ridesharing opportunities. Additionally, the clean-fuel vehicle fleet would reduce GHG emissions from vehicles used by employees for work. However, as discussed above, the GHG reduction potential of these features are not quantifiable in CalEEMod. Even though these features are not quantifiable in CalEEMod, the incorporation of Mitigation Measure GHG-1 would reduce GHG emissions for mobile sources below 4,044.00 $MTCO_2e$ per year. However, this reduction would likely not reduce emissions to a less than significant impact.

Refrigerants. Refrigerants are substances used in equipment for air conditioning and refrigeration. Most of the refrigerants used today are hydrofluorocarbons (HFCs) or blends thereof, which can have high GWP values. All equipment that uses refrigerants has a charge size (i.e., quantity of refrigerant the equipment contains), and an operational refrigerant leak rate, and each refrigerant has a Global Warming Potential (GWP) that is specific to that refrigerant. CalEEMod quantifies refrigerant emissions from leaks during regular operation and routine servicing over the equipment lifetime, and then derives average annual emissions from the lifetime estimate. The proposed Project includes land uses that would have air conditioning and refrigeration onsite. The Project would directly result in a 67.90 $MTCO_2e$ per year from refrigerants.

Indirect Project-Related Sources of Greenhouse Gases

Energy Consumption. Electricity would be provided to the Project site via BWP. The proposed Project's energy consumption without Project design features would result in approximately 475.00 $MTCO_2e$ per year of GHG emissions. The analysis considers the incorporation of various design features such as exceeding the most recent Title 24 Building Energy Efficiency Standards by 10 percent, generating approximately 11 percent of the total annual energy consumption from onsite photovoltaic panels, installing high efficiency lighting, and requiring energy efficient appliances. The Project would indirectly result in 407.00 $MTCO_2e$ per year of GHG emissions due to energy consumption with Project design features.

Water Demand. The proposed Project would consume approximately 11.6 million gallons of water per year. The proposed Project's water consumption without Project design features would result in approximately 22.80 $MTCO_2e$ per year of GHG emissions. However, it should be noted that the Project would include Project design features such as installing low-flow fixtures, designing water efficient landscaping, and including water efficient irrigation. Emissions from indirect energy consumption due to extraction,

treatment, and transmission of water supply would result in 20.20 $MTCO_2e$ per year with incorporation of Project design features.

Solid Waste. Solid waste disposal at landfills associated with operations of the proposed Project would result in 71.80 $MTCO_2e$ per year.

Total Project-Related Sources of Greenhouse Gases

Project-related GHG emissions from direct and indirect sources without Project design features would total 4,751.66 $MTCO_2e$ per year. However, the Project would incorporate various design features (i.e., energy efficient appliances, onsite renewable energy generation, water efficient irrigation, etc.) that would reduce GHG emissions. As such, incorporation of these design features would reduce GHG emissions to approximately 4,671.49 $MTCO_2e$ per year.

Conclusion

The proposed Project with incorporation of Project design features would result in approximately 4,671.49 $MTCO_2e$ per year. Based on a service population of 673 individuals (588 per occupancy data and 85 employees), the proposed Project would have a GHG efficiency ratio of 6.94 $MTCO_2e$ per service population. This would exceed the GGRP efficiency threshold of 3.12 $MTCO_2e$ per service population. As previously discussed, any projects that exceed this GHG efficiency threshold would result in a significant impact and would be required to mitigate the GHG emissions to a maximum extent feasible.

The primary source of Project-related emissions would be from mobile-source emissions generated by the Project-related vehicle trips, followed by energy sector emissions and solid waste sector emissions. Most of the Project-related emissions come from mobile sources, which primarily depend on the prerogative of future employees and visitors regarding their preferred methods of transportation. In addition, fuel efficiency and emission standards are regulated at the State level, and these regulations are becoming more stringent over the years to reduce mobile source emissions. The proposed Project has development standards and design features that contribute to reducing GHG emissions. Design features include the following: all electric landscaping equipment, exceeding the most recent Title 24 standards, onsite renewable energy generation, energy efficient appliances, high efficiency lighting, drought tolerant landscaping, low flow fixtures, and water efficient irrigation. These design features would minimize GHG emissions during operation. However, it should be noted that even with the implementation of these design features, the Project's GHG

emissions would be slightly reduced but would continue to exceed the GHG efficiency threshold of 3.12 $MTCO_2e$ per service population as outlined by the GGRP. As previously discussed, any projects that exceed this GHG efficiency threshold would result in a significant impact and would be required to mitigate the GHG emissions to a maximum extent feasible.

Therefore, to reduce the GHG emissions to maximum extent, this analysis has used the Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity: Designed for Local Governments, Communities, and Project Developers (Handbook), prepared by California Air Pollution Control Officers Association (CAPCOA), dated December 2021. CAPCOA is a non-profit association of the Air Pollution Control Officers from all 35 local air quality agencies (including SCAQMD) throughout California. This Handbook was given an Award of Excellence for Best Practices by the California American Planning Association and is integrated into CalEEMod to quantify GHG emission reduction from feasible measures. The Handbook provides methods to quantify GHG emission reductions from a specified list of measures, primarily focused on project-level actions. The Handbook also includes a method to assess potential benefits of different climate vulnerability reduction measures, as well as measures that can be implemented to improve health and equity, again at the project level. CAPCOA included a wide range of measures in the Handbook that are frequently used to reduce GHG emissions.

The Project would incorporate a majority of the applicable CAPCOA GHG reduction measures as a part of the Project's description. However, the Project would be required to implement Mitigation Measure GHG-1, which requires the Project applicant to implement additional features in the Project that would reduce GHG emissions, including preparing a Transportation Management Plan, which includes voluntary and mandatory trip reduction measures, such as discouraging single-occupancy vehicle trips and encouraging alternative modes of transportation, including, but not limited to, carpooling, taking transit, walking, and biking, implementing employee parking cash-outs and purchasing carbon offsets, thereby reducing VMT and GHG emissions to the maximum extent feasible. Pursuant to Mitigation Measure GHG-1, the Project applicant would also be required to join the Burbank Transportation Management Organization (TMO), which is a private-sector, non-profit organization that gathers employers, developers, building owners, and employees to develop policies, programs, and services to reduce transportation use and improve air quality. The Burbank TMO would require the Applicant to become a paying member to fund

services that reduce single-occupancy automotive travel and encourages participating members to use public transit, carpooling, vanpooling, walking, and biking to work.

Additionally, the Burbank TMO would also keep participating members updated about transit, bike, and carpool resources within the City; relevant construction and closures that may impact commutes; and transit route/fare changes. The Burbank TMO collects surveys from participating employees, utilization data, and commute trip lengths, which would help the City develop better future transportation plans and programs. As discussed above, these GHG reducing features that address mobile source emissions are not quantifiable in CalEEMod. However, even with the implementation of GHG reducing design features and Mitigation Measure GHG-1, Project-related GHG impacts would still exceed the City's GGRP thresholds and result in a significant and unavoidable impact.

The proposed Project would result in a GHG efficiency ratio of 6.94 $MTCO_2e$ per service population even after the incorporation of design features that would reduce GHG emissions. As previously discussed, incorporation of Mitigation Measure GHG-1 is not quantifiable within CalEEMod. Nevertheless, incorporation of Mitigation Measure GHG-1 would reduce GHG emissions below 6.94 $MTCO_2e$ per service population but would still result in emissions that exceed the applicable threshold. Thus, the Project's GHG emissions would still exceed the GGRP's GHG efficiency threshold of 3.12 MTCO2e per service population, and impacts in this regard would be significant and unavoidable.

Mitigation Measures:

GHG-1: Prior to the issuance of building permits, the Project applicant shall provide documentation (e.g., building plans, site plans) to the City of Burbank Community Development Department to verify implementation of the design requirements specified in this mitigation measure. Prior to the issuance of the certificate of occupancy, the City shall verify implementation of these design requirements:

- The Project applicant shall prepare a Transportation Management Plan with the help of certified Traffic Engineer which includes voluntary and mandatory trip reduction measures such as discouraging single-occupancy vehicle trips and encouraging alternative modes of transportation such as carpooling, taking transit, walking, and biking, implementing employee parking cash-outs, thereby reducing VMT and GHG emissions. The Transportation Management Plan shall grant all employees located within the Project site eligibility to participate. The

Transportation Management Plan shall be reviewed and approved by the Transportation Planning Division.

- The Project applicant shall join the Burbank Transportation Management Organization (TMO), which helps provide services to employees that encourages the use of public transit, carpooling, vanpooling, walking, and biking.

- The Project applicant shall demonstrate to the Planning Division that new vehicles owned and operated by the Project operators that provide transport between the Hollywood Burbank Airport and the Project will be clean-fuel vehicles.

- No wood-burning or gas-powered fireplaces shall be installed in the proposed development.

- All major appliances provided/installed (e.g., dishwashers, refrigerators, clothes washers and dryers, and water heaters) shall be electric-powered EnergyStar-certified or of equivalent energy efficiency, where applicable.

2. Cumulative Emissions Generation and Reduction Plans

Threshold: Would the Project, combined with other related projects, generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Would the project, combined with other related projects, conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHG?

Finding: Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measure referenced below. The City of Burbank hereby finds that implementation of the mitigation measure is feasible, and the measure is, therefore, adopted. However, since most of the Project-related emissions come from mobile sources, which primarily depend on the prerogative of future employees and visitors regarding their preferred methods of transportation and fuel efficiency and emission standards are regulated at the State level, the City of Burbank finds that there are no other mitigation measures that are feasible to reduce GHG emissions below the significance threshold, taking into consideration specific economic, legal, social, technological or other factors, that would mitigate this impact to a less-than-significant level, and, further, that specific economic, legal, social, technological, or other considerations, including considerations for the provision of

employment opportunities for highly trained workers, make infeasible the alternatives identified in the EIR, as discussed in Section V of these Findings (Public Resources Code Sections 21081(a)(1) and (3); CEQA Guidelines Sections 15091(a)(1) and (3)). As described in the Statement of Overriding Considerations (Section VI below), the City has determined that this significant and unavoidable impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or Statewide environmental benefits, of the proposed Project outweigh its significant effects on the environment.

Explanation: Project-related GHG emissions are not confined to a particular air basin; instead, GHG emissions are dispersed worldwide. No single project is large enough to result in a measurable increase in global concentrations of GHG emissions. The California Natural Resources Agency has also clarified that the CEQA Guidelines amendments focus on the effects of GHG emissions as cumulative impacts, and, therefore, GHG emissions should be analyzed in the context of CEQA's requirements for cumulative impact analyses (see CEQA Guidelines Section 15064(h)(3)). A project's incremental contribution to a cumulative impact can be found not cumulatively considerable if the project would comply with an approved plan or mitigation program that provides specific requirements to avoid or substantially lessen the cumulative problem within the area of the project.

As discussed in Impact Statement GHG-1, the proposed Project would exceed the City's GGRP GHG efficiency threshold of 3.12 MTCO2e per service population and would require the implementation of Mitigation Measure GHG-1. Mitigation Measure GHG-1 would require the Project applicant to implement features in the Project that would reduce GHG emissions, including preparing a Transportation Management Plan, joining the Burbank TMO, owning a clean-fuel vehicle fleet for the proposed Project, installing energy efficient appliances, and exceeding Title 24 by 10 percent. As the Project would exceed the City's GGRP GHG efficiency threshold, impacts would be significant. Any projects that exceed this GHG efficiency threshold would result in a significant impact and would be required to mitigate the GHG emissions to a maximum extent feasible. As such, the proposed Project would incorporate Mitigation Measure GHG-1. However, even with the implementation of GHG reducing design features and Mitigation Measure GHG-1, Project-related GHG impacts would still exceed the City's GGRP GHG efficiency thresholds and result in a significant and unavoidable impact. As such, the Project's incremental effects to GHG emissions would be cumulatively considerable, and cumulative GHG impacts would be significant and unavoidable.

Mitigation Measures: Refer to Mitigation Measure GHG-1.

B. NOISE

1. Noise Levels

Threshold: Would the Project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Finding: Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measure below. The City of Burbank hereby finds that implementation of the mitigation measure is feasible, and the measure is, therefore, adopted. However, since the 15 to 25 dBA attenuation provided by mufflers required by Mitigation Measure NOI-1 relies heavily on the speed of a vehicle, engine noise, and load on a vehicle, the maximum 25 dBA reduction would not be maintained throughout the construction period, therefore, the City of Burbank finds that there are no other mitigation measures that are feasible to reduce construction noise below the significance threshold, taking into consideration specific economic, legal, social, technological or other factors, that would mitigate this impact to a less-than-significant level, and, further, that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the alternatives identified in the EIR, as discussed in Section V of these Findings (Public Resources Code Sections 21081(a)(1) and (3); CEQA Guidelines Sections 15091(a)(1) and (3)). As described in the Statement of Overriding Considerations (Section VI below), the City has determined that this significant and unavoidable impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or Statewide environmental benefits, of the proposed Project outweigh its significant effects on the environment.

Explanation: *Short-Term Construction Noise*

Construction activities generally are temporary and have a short duration, resulting in periodic increases in the ambient noise environment. Construction would include demolition, grading, paving, building construction, application of architectural coatings, and linear construction (offsite improvements and sewer improvements). Ground-borne noise and other types of construction-related noise impacts typically occur during the initial grading phase, which has the potential to create the highest levels of noise. Construction equipment produces maximum noise levels when

operating under full power conditions (i.e., the equipment engine at maximum speed). However, equipment used on construction sites typically operates under less than full power conditions or partial power. To more accurately characterize construction-period noise levels, the average (L_{eq}) noise level associated with each construction stage is calculated based on the quantity, type, and usage factors for each type of equipment that would be used during each construction stage. These noise levels are typically associated with multiple pieces of equipment simultaneously operating on part power.

Construction noise at the nearest receptors surrounding the Project site could be exposed to temporary and intermittent noise levels ranging from 56.5 to 71.1 dBA L_{eq} when construction activities occur near the Project site boundary and would have the potential to exceed the significance threshold of 63.7 dBA L_{eq}. Additionally, construction activities would occur across the entire Project site, and, therefore, the estimated noise levels were also calculated from the center of the Project site. Therefore, construction noise would be approximately 51.5 to 66.1 dBA L_{eq} from the center of the Project site at 640 feet and would still exceed the significance threshold of 63.7 dBA L_{eq}. Therefore, impacts would be significant.

The BMC and Burbank2035 have established allowable hours of construction (7:00 a.m. to 7:00 p.m. on weekdays, 8:00 a.m. to 5:00 p.m. on Saturdays, and exclude Sundays and holidays). Thus, pursuant to the BMC and Burbank2035, construction activities would be conducted during allowable daytime hours. These permitted hours of construction are required in recognition that construction activities undertaken during daytime hours are a typical part of living in an urban environment and do not cause a significant disruption. Thus, impacts would be less than significant. As discussed above, construction of the proposed Project would exceed the 63.7 dBA L_{eq} threshold and as such, a significant impact would occur. To ensure that noise generated during construction of the Project would be lessened to the maximum extent possible, the Project would be required to implement Mitigation Measure NOI-1, which would incorporate BMPs during construction and ensure nuisances do not occur. Implementation of Mitigation Measure NOI-1 would further minimize impacts from construction noise as it requires construction equipment to be equipped with properly operating and maintained mufflers. Nevertheless, even with incorporation of Mitigation Measure NOI-1, construction-noise impacts would remain significant. As such, impacts in this regard would be significant and unavoidable.

Sewer Main Infrastructure and Off-Site Infrastructure Improvements

As a condition of Project approval, the Project would be responsible for the design and construction of 1,580 feet of sewer main infrastructure improvements from the intersection of Wyoming Avenue and Ontario Street to the intersection of Burbank Boulevard and Frederick Street. Sewer main improvements would occur as close as 45 feet to the neighboring single-family residential units along Wyoming Avenue. Construction noise from the sewer main improvements could expose sensitive receptors to a maximum of 87.4 dBA L_{eq} (refer to Appendix H, Noise Data), which exceeds the significance threshold of 63.7 dBA L_{eq}.

However, it should be noted that sewer improvements would occur offsite as part of the Project's condition of approval and would not be concentrated at a single point but occur over 1,580 linear feet. Specifically, construction of the sewer main improvement would not have a fixed location, and construction would move as portions of the sewer main are replaced. Additionally, construction would not be concentrated at one location for an extended period of time. Furthermore, certain construction equipment would only be used during certain periods of construction (i.e., excavators would only be used during the excavation of the old sewer main and backfill) and would be powered down when not in use. As such, the actual noise levels from construction equipment used for the sewer main improvement would be less than the conservative noise levels of 87.4 dBA L_{eq}. Construction-related noise from the sewer main improvement would still exceed the 63.7 dBA L_{eq} significance threshold.

As part of the proposed Project, various off-site improvements would occur along North Avon Street and Thornton Avenue. Off-site improvements include the electrical connections, relocation of existing curbs, construction of Class IV bikeways, improvement of curbs, gutters, and driveways, and installation of ADA-compliant sidewalks. However, it should be noted that these improvements would occur along Thornton Avenue along the property's northeastern boundary and North Avon Street that connects to North Hollywood Way and Empire Avenue. Unlike the sewer main improvements, these off-site improvements would not occur close to existing sensitive receptors except for the electrical improvements, which would connect to existing BWP facilities at the Thornton Avenue and Ontario Street intersection. The closest residential uses are multi-family residential units located on Ontario Street, approximately 60 feet south of the Thornton Avenue and Ontario Street intersection. These off-site improvements would occur nearer to the Project site boundary and would be in areas where residences are not located nearby. Specifically, the closest residences to the proposed off-site improvements along Thornton Avenue and North

Avon Street are approximately 1,000 feet to the east. As such, construction noise from off-site improvements would be less than noise levels from sewer main improvements due to the farther distance from sensitive receptors. While the off-site improvements are located 1,000 feet from sensitive receptors, as a conservative analysis, construction noise levels would be representative of off-site improvements within the vicinity of the Project site. Additionally, off-site improvements would occur concurrently with the construction of the proposed Project. Thus, noise impacts from off-site improvements would also be significant.

The Project would be required to implement Mitigation Measure NOI-1, which would incorporate BMPs during construction and ensure nuisances do not occur. Implementation of Mitigation Measure NOI-1 would further minimize impacts from construction noise as it requires construction equipment to be equipped with properly operating and maintained mufflers which can reduce noise by up to 15 to 25 dBA. However, the 15 to 25 dBA attenuation provided by mufflers relies heavily on the speed of a vehicle, engine noise, and load on a vehicle. The maximum 25 dBA reduction would not be maintained throughout the construction period. As such, construction-related noise from the sewer main improvement would still have the potential to exceed the 63.7 dBA L_{eq} significance threshold even with incorporation of Mitigation Measure NOI-1. Therefore, construction noise impacts would be significant and unavoidable in this regard.

Construction Trip Noise Impacts

Construction activities would also cause increased noise along access routes to and from the Project site due to movement of construction workers, vendors, as well as haul trucks, which would generate a maximum of 198 one-way construction worker trips (99 round trips) and 77 vendor trips per day (approximately 39 round trips).

Per Applicant provided information, earthwork during the grading period would require 20 hauling roundtrips per day (or 40 one-way trips) over a period of 35 days for a total of 1,400 one-way trips (40 one-way trips per day times 35 days). However, the grading period modeled in CalEEMod would only last a period of 20 days. As such, modeling in CalEEMod provides a more conservative modeling of 70 one-way hauling trips (35 round trips) per day during the modeled grading period for a total of 1,400 one-way trips (70 one-way hauling trips times 20 days).

According to the California Department of Transportation (Caltrans), a doubling of traffic (100 percent increase) on a roadway would result

in a perceptible increase in traffic noise levels (3 dBA). Accordingly, a significant impact would occur if a doubling of traffic occurs with the implementation of the proposed Project. Existing ADTs in the Project vicinity range from 5,048 to 40,476 trips. The combined total of the Project's maximum construction trips described above (approximately 173 trips) would be nominal and not double existing traffic volumes; thus, any increase in traffic noise levels would be imperceptible. Mobile traffic noise from construction trips would also be temporary and would cease upon Project completion. Therefore, short-term haul truck noise impacts from construction traffic would be less than significant.

Operational Noise Impacts: Offsite Mobile Noise

Future development generated by the proposed Project would result in additional traffic on adjacent roadways, thereby increasing vehicular noise in the vicinity of existing and proposed land uses. A doubling of traffic volumes would result in a 3-dB increase in traffic noise levels, which is barely detectable by the human ear. Accordingly, a significant impact would occur if a doubling of traffic occurs with implementation of the proposed Project. The proposed Project would generate 4,315 daily trips.

Existing ADTs in the Project vicinity range from 1,528 to 33,439 trips. However, it should be noted that the Project's trip generation would be distributed amongst surrounding roadways. Based on the Project's ADTs and trip distribution, the Project's operational trip generation would not double existing traffic volumes. Thus, any increase in traffic noise along local roadways would be imperceptible (i.e., less than 3-dB increase in traffic noise levels). Impacts would be less than significant in this regard.

Operational Noise Impacts: Stationary Noise

Stationary noise sources associated with the proposed Project would include mechanical equipment, slow moving trucks, parking activities, and outdoor gathering areas. These noise sources are typically intermittent and short in duration and would be comparable to existing sources of noise experienced in the site vicinity. The 2022 California Energy Code Section 120.2, Required Controls for Space-Conditioning Systems, outlines nonresidential and hotel/motel requirements for conditioning and heating. Pursuant to the 2022 California Energy Code Section 120.2(e), all space-conditioning system would be installed with controls that would automatically shut off the system during periods of nonuse. Such controls require an automatic time switch control device, an occupancy sensor, and a four-hour timer that can be manually operated. As such, heating, ventilation, and air conditioning (HVAC) units in hotel uses would

only be operational when hotel rooms are occupied and would automatically shut off after a certain duration. Slow moving trucks movement would only occur during deliveries and trash collection activities, which happens occasionally. Noise from parking activities and outdoor gathering areas are dependent on hotel guests and would not be a constant noise source.

Operational Noise Impacts: Mechanical Equipment Noise

HVAC units would be installed on the roof of the proposed Hotel building. The proposed Project would also install an electric emergency generator; however, electrical generators would not produce substantial noise levels compared to traditional diesel generators. Traditional diesel generators generate noise due to the combustion process of fossil fuels, noise from the cooling fans, and loose-fitting parts that would generate noise from vibration. At 23 feet, noise generated from traditional generators would be approximately 93 dBA. The nearest sensitive receptors are the single-family residential uses located approximately 380 feet to the east of the proposed Hotel building. At this distance, noise from traditional generators would be approximately 69 dBA. However, the proposed Project would utilize an electrical generator which would not generate as much noise as a traditional generator because it does not have an internal combustion engine. Additionally, the generator would be enclosed and would be shielded from sensitive receptors. Therefore, noise generated from the electrical generator would be significantly less than traditional generators and would have noise shielding which would further reduce noise.

Typically, mechanical equipment (i.e., HVAC) would generate noise that is 55 dBA at 50 feet from the source. Based upon the Inverse Square Law, sound levels decrease by 6 dBA for each doubling of distance from the source. The nearest sensitive receptors are the single-family residential uses located approximately 380 feet to the east of the proposed Hotel building. At this distance, potential noise from HVAC units would be approximately 33 dBA. Therefore, HVAC noise levels would not be audible above existing ambient noise levels (61.2 dBA) near the single-family residential units to the east and would not increase the existing ambient noise levels by 3 dBA. It should be noted that intervening structures, such as the proposed Garage and adjacent buildings within the Media Studios Campus, would preclude direct line-of-sight of mechanical equipment from the closest sensitive receptors, further reducing noise levels. Additionally, noise levels from mechanical equipment would be consistent with BMC Section 9-3-208, which prohibits any machinery, equipment, pump, fan, air conditioning apparatus, or similar mechanical device from exceeding the ambient noise levels

(defined by BMC Section 9-3-208 to be 65 dBA at the Project site) by more than 5 dBA. Therefore, the nearest residents would not be directly exposed to substantial noise from onsite mechanical equipment. Impacts in this regard would be less than significant.

Operational Noise Impacts: Slow-Moving Trucks

The proposed Project may involve occasional deliveries and trash/recycling pickups from slow-moving trucks. Typically, a medium 2-axle truck for deliveries can generate a maximum noise level of 75 dBA at 50 feet. These are levels generated by a truck that is operated by an experienced “reasonable” driver with typically applied accelerations. Noise associated with deliveries and trash/recycling pickups would be consistent with the existing noise environment, as these activities already occur at the Project site and in the surrounding area. Additionally, slow-moving truck noise would be intermittent, short in duration, and would not generate excessive noise levels over an extended period of time. Intervening structures such as the proposed Garage and adjacent buildings within the Media Studios Campus would preclude direct line-of-sight of slow-moving trucks from the closest sensitive receptors, further reducing noise levels. Impacts resulting from truck delivery activities would be less than significant.

Operational Noise Impacts: Parking Noise

The proposed Project would construct a detached parking structure (Garage) on a portion of the site currently used for surface parking. In addition to the Garage, the existing SE Lot, including the area behind the convention center, would be regraded, repaved, restriped, and landscaped for a more efficient parking layout. However, this portion of the site is currently used for parking to serve the existing Marriott Hotel under existing conditions. Traffic associated with parking lots and garages is typically not of sufficient volume to exceed community noise standards, which are based on a time-averaged scale, such as the CNEL scale. However, the instantaneous maximum sound levels generated by a car door slamming, engine starting up, and car pass-bys may be an annoyance to nearby noise-sensitive receptors.

Parking activities can result in noise levels up to 61 dBA at 50 feet. It is noted that noise associated with parking activities are instantaneous noise levels compared to noise standards in the CNEL scale, which are averaged over time. As a result, actual noise levels over time resulting from parking activities would be far lower than those identified. The proposed Garage would have intermittent noise due to the movement of vehicles. The nearest sensitive receptors to the proposed Garage would be located approximately 360 feet to the

east of the Project site. At this distance, noise levels from parking activities would range from 36 to 44 dBA. Therefore, noise associated with parking activities would not exceed the City's noise standards or the California Land Use Compatibility Standards. Additionally, parking activity noise would be partially masked by background noise from traffic along Ontario Street (61.2 dBA) and would not increase the existing ambient noise levels by 3 dBA. Further, parking lot noise currently exists within the surface parking lot onsite, and at the surface parking lot to the east of the Project site. Additionally, adjacent buildings within the Media Studios Campus would preclude direct line-of-sight of parking activities from the closest sensitive receptors, further reducing noise levels. Thus, the Project would not introduce a new source of noise when compared to existing conditions. Impacts would be less than significant in this regard.

Operational Noise Impacts: Outdoor Gathering Area Noise

Within the proposed Project boundaries, crowds have the potential to gather at the event terrace and two covered patios. The proposed Project would include a pool; however, it would be located within the Hotel interior and would not generate exterior noise. The nearest sensitive receptors to the potential outdoor gathering areas are the residential uses located approximately 380 feet to the east of the proposed Hotel building. At this distance, crowd noise at the nearest sensitive receptors would be approximately 21 dBA (based on the Inverse Square Law). Thus, crowd noise generated at the Project's outdoor gathering areas would not exceed the City's noise standards. Additionally, crowd noise from the proposed Project would be lower than existing ambient noise levels near the Project site (61.2 dBA) and would not increase the existing ambient noise levels by 3 dBA. As such, Project operational noise associated with outdoor gathering areas would not introduce an intrusive noise source when compared to existing conditions. Thus, impacts would be less than significant in this regard.

Conclusion

Temporary construction-related impacts would exceed the significance threshold of 63.7 dBA L_{eq}. To ensure that noise generated during construction of the Project would be lessened to the maximum extent possible, implementation of Mitigation Measure NOI-1 would be required. However, even with incorporation of Mitigation measure NOI-1, construction-related impacts would still be significant and unavoidable.

As described above, long-term operational noise impacts would be less than significant, and no mitigation measures are required.

Mitigation Measures:

NOI-1: The Project Applicant and/or Contractor shall implement the following noise-attenuating measures during construction of the proposed Project:

- Construction contracts shall specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers.

- A sign, legible at 50 feet from the property line shall also be posted at the Project construction site. All notices and signs shall be reviewed and approved by the City of Burbank Community Development Department's Planning Division, prior to mailing or posting and shall indicate the dates and duration of construction activities, as well as provide a contact name and a telephone number where residents can inquire about the construction process and register complaints.

- The project Applicant shall provide, to the satisfaction of the City of Burbank Community Development Department's Planning Division, a qualified "Noise Disturbance Coordinator." The Disturbance Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Disturbance Coordinator shall notify the City within 24 hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, malfunctioning muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the Burbank Community Development Department's Planning Division. All signs posted at the construction site shall include the contact name and the telephone number for the Noise Disturbance Coordinator.

- Prior to issuance of any Grading or Building Permit, the project Applicant shall demonstrate to the satisfaction of the City's Building Official that construction noise reduction methods shall be used where feasible. These reduction methods include shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied residential areas, and electric air compressors and similar power tools.

- Construction haul routes shall be reviewed and approved by the City's Building Official and City Traffic Engineer and shall be designed to avoid noise sensitive uses (e.g., residences, convalescent homes, etc.), to the extent feasible.

- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.

2. Cumulative Noise Standards

Threshold: Would the Project, combined with other related projects, result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Finding: Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measure below. The City of Burbank hereby finds that implementation of the mitigation measure is feasible, and the measure is, therefore, adopted. However, since the 15 to 25 dBA attenuation provided by mufflers required by Mitigation Measure NOI-1 relies heavily on the speed of a vehicle, engine noise, and load on a vehicle, the maximum 25 dBA reduction would not be maintained throughout the construction period, therefore, the City of Burbank finds that there are no other mitigation measures that are feasible to reduce construction noise below the significance threshold, taking into consideration specific economic, legal, social, technological or other factors, that would mitigate this impact to a less-than-significant level, and, further, that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the alternatives identified in the EIR, as discussed in Section V of these Findings (Public Resources Code Sections 21081(a)(1) and (3); CEQA Guidelines Sections 15091(a)(1) and (3)). As described in the Statement of Overriding Considerations (Section VI below), the City has determined that this significant and unavoidable impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or Statewide environmental benefits, of the proposed Project outweigh its significant effects on the environment.

Explanation: *Construction*

Construction activities associated with the proposed Project and related projects may overlap, resulting in construction noise in the area. However, cumulative construction noise impacts would affect only the areas immediately adjacent to the construction site. The closest related projects are the Media Studios North Original Remaining Entitlement (Media Studios North) project, immediately

southwest of the Project site, and the 3031 Thornton Avenue project, north of the Project site (refer to Draft EIR Section 4.0). Construction of these related projects could occur at the same time as the proposed Project. The City of Burbank has discretionary authority over the Media Studios North and 3031 Thornton Avenue projects. It should be noted that plans for the Media Studios North project have not been submitted for the City's review and the 3031 Thornton Avenue project is undergoing review. Nevertheless, if development of these sites were to occur, construction noise impacts associated with these projects would be reduced through compliance with the City's standards and ordinances, and any necessary mitigation measures would be identified through the City's development review process. As discussed above, the proposed Project would result in a significant and unavoidable impact regarding short-term construction noise even with incorporation of Mitigation Measure NOI-1. Therefore, the Project's significant effects associated with a temporary increase in ambient noise would be considered cumulatively considerable, and cumulative impacts would be significant.

Operation

As outlined by the USDOT, a doubling of traffic volumes would result in a perceptible noise level (i.e., 3-dBA) increase. To analyze the cumulative operational traffic noise impact from the proposed Project, the combined traffic noise from the proposed Project and related projects in Burbank are analyzed. Although there may be a significant noise increase due to the proposed Project in combination with other related projects (combined effects), it must also be demonstrated that the proposed Project has an incremental effect. In other words, a significant portion of the noise increase must be due to the proposed Project. A significant impact would result only if both the combined (including an exceedance of the applicable exterior standard at a sensitive use) and incremental effects criteria have been exceeded. Noise is a localized phenomenon and reduces as distance from the source increases. Consequently, only the proposed Project and growth that would occur in the Project site's general vicinity would contribute to cumulative noise impacts.

According to the City of Burbank, related projects in Burbank would generate a total of 20,321 net daily trips. The Project would generate 4,315 daily trips, which would be approximately 21 percent of the total related projects' daily trips. Due to the level of Project-generated daily trips compared to the related projects' daily trips, the Project would not represent a substantial percentage of the increase in traffic, and an incremental effect would not occur. Additionally, it should be noted that Project-related trips are more likely to interact with related projects utilizing the same roadways. Trips generated

from related projects further away from the proposed Project would be unlikely to interact and as such, has a low potential to result in a cumulative considerable impact. A doubling of traffic volumes would not occur as a result of trips from nearby related projects and trips from the proposed Project. As such, the Project would not result in significant noise impacts due to increased traffic and the Project's cumulative impact would be less than significant.

Although related projects have been identified within the Project study area, the noise generated by stationary equipment at each related project site cannot be adequately quantified due to the conceptual nature of most of the related projects. However, each related project would require separate discretionary approval and CEQA assessment that would address potential noise impacts and identify necessary attenuation measures, where appropriate. Additionally, as noise dissipates as it travels away from its source, noise impacts from stationary sources would be limited to each of the respective sites and their vicinities. The closest related projects are the Media Studios North project, immediately southwest of the Project site, and the 3031 Thornton Avenue project, north of the Project site. All the existing and planned development in the Project area currently operate, or would operate, mechanical equipment and other stationary noise sources throughout the Project area. As such, the Project would not introduce new stationary noise that is not already contributing to the existing noise environment. As noted above, the proposed Project would not result in significant stationary noise impacts. The proposed Project would not result in stationary long-term equipment that would significantly affect surrounding sensitive receptors.

The Project's less than significant effects associated with a permanent increase in ambient noise would not be considered cumulatively considerable, and cumulative impacts would be less than significant.

Conclusion

Temporary construction-related impacts would exceed the significance threshold of 63.7 dBA L_{eq}. To ensure that noise generated during construction of the Project would be lessened to the maximum extent possible, implementation of Mitigation Measure NOI-1 would be required. Nevertheless, construction impacts from the proposed Project would still exceed thresholds and as such, would be cumulatively significant. Therefore, cumulative construction-related impacts would be significant and unavoidable.

Long-term operational noise impacts would not be cumulatively considerable; therefore, long-term cumulative operational noise impacts would be less than significant.

Mitigation Measures: Refer to Mitigation Measure NOI-1.

C. UTILITIES AND SERVICES SYSTEMS

1. New or Expanded Water Systems

Threshold: Would the Project, require or result in the relocation or construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects?

Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Finding: Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measure below. The City of Burbank hereby finds that implementation of the mitigation measure is feasible, and the measure is, therefore, adopted. However, since the 15 to 25 dBA attenuation provided by mufflers required by Mitigation Measure NOI-1 relies heavily on the speed of a vehicle, engine noise, and load on a vehicle, the maximum 25 dBA reduction would not be maintained throughout the construction period, therefore, the City of Burbank finds that there are no other mitigation measures that are feasible to reduce construction noise below the significance threshold, taking into consideration specific economic, legal, social, technological or other factors, that would mitigate this impact to a less-than-significant level, and, further, that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the alternatives identified in the EIR, as discussed in Section V of these Findings (Public Resources Code Sections 21081(a)(1) and (3); CEQA Guidelines Sections 15091(a)(1) and (3)). As described in the Statement of Overriding Considerations (Section VI below), the City has determined that this significant and unavoidable impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or Statewide environmental benefits, of the proposed Project outweigh its significant effects on the environment.

Explanation: *Water Conveyance Facilities*

BWP provides water to existing development within the Project site and would provide water to the proposed Project. Fire water and domestic water would have lateral connection to the existing mains directly across from the Project site on Thornton Avenue

(approximately 50 feet from the property line). Recycled water service would connect to the main near the Thornton Avenue and Hollywood Way intersection (approximately 500 feet from the property line). In addition to using recycled water for irrigation of the proposed Project, the irrigation for the landscaping at the existing Marriott Hotel would also be upgraded to connect to recycled water services that the Project would extend to the site.

Construction activities associated with water facilities would be limited to providing new water lines within the site to connect to existing mains adjacent to the site. The Project would also be required to pay a water main replacement fee as determined by the City. New or expanded off-site water conveyance facilities would not be required. The potential environmental effects associated with construction of the proposed Project, including the proposed onsite water lines to serve the proposed development, were analyzed throughout the Draft EIR, and construction impacts have been determined to be less than significant with compliance with regulatory requirements and implementation of mitigation measures except for construction noise, which would be significant and unavoidable. To present a conservative impact analysis, the estimated noise levels were calculated for a scenario in which all heavy construction equipment were assumed to operate simultaneously. Therefore, construction noise associated with activities specific to the provision of new water lines are not isolated. Results also assume a clear line-of-sight and no other machinery or equipment noise that would mask Project construction noise. The shielding of buildings and other barriers that interrupt line-of-sight conditions would help further reduce noise levels. However, since construction activities could exceed the significance threshold for noise, impacts would be significant. The Project would be required to implement Mitigation Measure NOI-1, which would incorporate BMPs during construction activities. Implementation of Mitigation Measure NOI-1 would further minimize impacts from construction noise as it requires construction equipment to be equipped with properly operating and maintained mufflers. Nevertheless, even with incorporation of Mitigation Measure NOI-1, construction-noise impacts would remain significant. Since the proposed Project would result in the construction of new water facilities, which would contribute to significant environmental effects specific to construction noise, impacts would be significant and unavoidable in this regard.

Water Supply

As stated, BWP provides water to the Project site. BWP's 2020 UWMP indicates water supplies would meet the service area's water demands for normal, single-dry, and multiple dry-year conditions through 2045. The 2020 UWMP water demand forecasts are based

in part on adopted general plans. Burbank2035 identifies the development capacity associated with implementation of the Burbank2035 land use designations. The Burbank2035 General Plan Land Use Map designates the Project site as Regional Commercial. The Regional Commercial land use designation provides for regional employment and shopping destinations that serve both Burbank residents and residents of surrounding cities at a maximum FAR of 1.25. For non-residential designations, including the Regional Commercial land use designation, Burbank2035 development capacities assume development consistent with the maximum FAR. For the Regional Commercial land use designation, a 2035 development capacity of 4,643,665 square feet can be expected from implementation of land use policies established in Burbank2035.

The Project proposes development of a hotel with 420 rooms, which would increase the potable water demand within the Project site. The Project would also use recycled water for irrigation landscaping within the Project site, including upgrading the existing Marriott Hotel to connect to recycled water services for irrigation. Recycled water would also be used during grading and construction activities.

Development, as proposed, would result in a FAR of 1.13, which is less than the 1.25 maximum FAR allowed by the Regional Commercial land use designation, and, therefore, less than the development capacity assumptions identified in Burbank2035. Thus, the Project's anticipated water demand is accounted for in the 2020 UWMP, and there would be sufficient water supplies available to serve the Project development during normal, dry and multiple dry years. Impacts to water supply would be less than significant.

Mitigation Measures: Refer to Mitigation Measure NOI-1

2. New or Expanded Wastewater Services Systems

Threshold: Would the Project, require or result in the relocation or construction of new or expanded wastewater facilities, the construction or relocation of which could cause significant environmental effects?

Would the Project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Finding: Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant

environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measure below. The City of Burbank hereby finds that implementation of the mitigation measure is feasible, and the measure is, therefore, adopted. However, since the 15 to 25 dBA attenuation provided by mufflers required by Mitigation Measure NOI-1 relies heavily on the speed of a vehicle, engine noise, and load on a vehicle, the maximum 25 dBA reduction would not be maintained throughout the construction period, therefore, the City of Burbank finds that there are no other mitigation measures that are feasible to reduce construction noise below the significance threshold, taking into consideration specific economic, legal, social, technological or other factors, that would mitigate this impact to a less-than-significant level, and, further, that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the alternatives identified in the EIR, as discussed in Section V of these Findings (Public Resources Code Sections 21081(a)(1) and (3); CEQA Guidelines Sections 15091(a)(1) and (3)). As described in the Statement of Overriding Considerations (Section VI below), the City has determined that this significant and unavoidable impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or Statewide environmental benefits, of the proposed Project outweigh its significant effects on the environment.

Explanation: *Wastewater Conveyance Facilities*

The City provides wastewater (sewer) service to existing development within the Project site and would provide wastewater services to the proposed Project. Sanitary sewer services would connect to the existing onsite main.

A Sewer Capacity Analysis was prepared by the City of Burbank Water Reclamation and Sewer Division to determine if offsite sewer improvement upgrades or additional treatment capacity would be required in order to serve the proposed Project. Offsite sewer improvement upgrades were determined to be needed in order to serve the proposed Project and a separate development (2311 N. Hollywood Way) that would utilize the same downstream portion of the offsite sewer. Therefore, the Project would be conditioned to design and construct approximately 1,580 feet of sewer main infrastructure improvements from the intersection of Wyoming Avenue and North Ontario Street to the intersection of West Burbank Boulevard and North Frederick Street. There are seven reaches of City sewer main, totaling approximately 1,580.5 feet, that the Project would be responsible to upsize from existing 12-inch pipe to upgraded 15-inch pipe. The Project would also be required to pay a

Sewer Facilities Charge as determined by the City. With the required improvements and payment of fair share costs for improvements, adequate conveyance infrastructure would be available to serve the proposed development.

The potential environmental effects associated with construction of the proposed Project, including the required offsite sewer improvements are analyzed throughout the Draft EIR, and construction impacts have been determined to be less than significant with compliance with regulatory requirements and implementation of mitigation measures except for construction noise, which would be significant and unavoidable; refer to Section 5.9, Noise, of the Draft EIR. Offsite sewer main improvements would occur as close as 45 feet to the neighboring single-family residential units along Wyoming Avenue. Construction noise from the sewer main improvements could expose sensitive receptors to maximum noise levels that would exceed the significance threshold; refer to Section 5.9 of the Draft EIR. Sewer improvements would not be concentrated at a single point but occur over 1,580 linear feet. Noise levels assumes that construction equipment would be used concurrently as a conservative analysis. However, certain construction equipment would only be used during certain periods of construction (i.e., excavators would only be used during the excavation of the old sewer main and backfill) and would be powered down when not in use. As such, the actual noise levels from construction equipment used for the sewer main improvement would be less than the conservative noise levels identified in Section 5.9 of the Draft EIR. As previously stated, the Project would be required to implement Mitigation Measure NOI-1, which would incorporate BMPs during construction activities. Implementation of Mitigation Measure NOI-1 would further minimize impacts from construction noise as it requires construction equipment to be equipped with properly operating and maintained mufflers. Nevertheless, even with incorporation of Mitigation Measure NOI-1, construction-noise impacts associated with the offsite sewer improvements would remain significant. Since the proposed Project would result in construction of new wastewater facilities, which could cause significant environmental effects specific to construction noise, impacts would be significant and unavoidable in this regard.

Wastewater Treatment

Development of the proposed Project would result in increased wastewater flows requiring treatment when compared to existing conditions. Wastewater generated by the proposed Project would be treated at the Burbank Water Reclamation Plant (BWRP). BWRP treats approximately nine million gallons per day (mgd) and has a design capacity of 12.5 mgd. Based on the Sewer Capacity Analysis

prepared by the City, the proposed Project would generate a peak wastewater discharge rate of 117.8 gallons per minute (gpm) or approximately 169,632 gallons per day (gpd). The projected wastewater generated by the Project represents approximately 4.8 percent of BWRP's available capacity of 3.5 mgd. Although the Project would be required to provide improvements to the wastewater conveyance infrastructure, the Water Reclamation and Sewer Division determined adequate capacity would be available at BWRP to treat the wastewater generated from the Project. Further, the Project is required to pay the applicable sewer fees to connect to and receive sewer service, which funds costs associated with the City's sewer system and BWRP. Thus, impacts to wastewater treatment facilities associated with the Project would be less than significant.

Mitigation Measures: Refer to Mitigation Measure NOI-1

3. New or Expanded Electrical, Natural Gas, or Telecommunications Facilities

Threshold: Would the Project, require or result in the relocation or construction of new or expanded electrical, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?

Finding: Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measure below. The City of Burbank hereby finds that implementation of the mitigation measure is feasible, and the measure is, therefore, adopted. However, since the 15 to 25 dBA attenuation provided by mufflers required by Mitigation Measure NOI-1 relies heavily on the speed of a vehicle, engine noise, and load on a vehicle, the maximum 25 dBA reduction would not be maintained throughout the construction period, therefore, the City of Burbank finds that there are no other mitigation measures that are feasible to reduce construction noise below the significance threshold, taking into consideration specific economic, legal, social, technological or other factors, that would mitigate this impact to a less-than-significant level, and, further, that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the alternatives identified in the EIR, as discussed in Section V of these Findings (Public Resources Code Sections 21081(a)(1) and (3); CEQA Guidelines Sections 15091(a)(1) and (3)). As described in the Statement of Overriding Considerations (Section VI below), the City has determined that this significant and unavoidable impact is acceptable because specific overriding economic, legal, social,

technological, or other benefits, including regionwide or Statewide environmental benefits, of the proposed Project outweigh its significant effects on the environment.

Explanation: Electrical power to the area is provided by BWP, and natural gas is provided by Southern California Gas Company (SoCalGas). Various companies provide telecommunications. The Project would be constructed to be all-electric, with no use of natural gas in its daily operations and systems. Therefore, natural gas connections would not be required. Local telecommunications companies operate and maintain transmission and distribution infrastructure in the Project area. The Project would not require new or upgraded telecommunication facilities.

BWP conducted a feasibility study to determine the capacity and improvements required to serve the proposed development. Electrical service would connect to existing BWP facilities at the Thornton Avenue and Ontario Street intersection and extend approximately 820 feet from the intersection into the Project site. In order to create a looped electrical service system, as required by BWP, the electrical service would then extend through the Project site from Thornton Avenue south to the Avon Street driveway (approximately 750 feet). From there, the service would extend an additional 595 feet in the public right of way on Avon Street, before connecting to the existing service from Empire Avenue and completing the "loop." As a Condition of Approval, the Project Applicant would be required to enter into a service agreement with BWP to pay the required fees necessary to construct the identified improvements and provide electrical infrastructure and service to the site. Payment of the required fees by the Project Applicant, and construction of the infrastructure improvements by BWP, would ensure adequate electrical service is provided to the Project.

The potential environmental effects associated with construction of the proposed Project, including the proposed electrical infrastructure improvements, are analyzed throughout the Draft EIR, and construction impacts have been determined to be less than significant with compliance with regulatory requirements and implementation of mitigation measures except for construction noise, which would be significant and unavoidable. Offsite electrical improvements would occur as close as 60 feet to multi-family residential units along Ontario Street. Construction noise from the electrical improvements could expose sensitive receptors to maximum noise levels that would exceed the significance threshold. Although construction noise from the electrical improvements would be less than the noise levels from the sewer main improvements, impacts would also be significant. As previously stated, the Project would be required to implement Mitigation Measure NOI-1, which

would incorporate BMPs during construction activities. Implementation of Mitigation Measure NOI-1 would further minimize impacts from construction noise as it requires construction equipment to be equipped with properly operating and maintained mufflers. Nevertheless, even with incorporation of Mitigation Measure NOI-1, construction-noise impacts associated with the offsite electrical improvements would remain significant. Since the proposed Project would result in construction of new electrical facilities, which could cause significant environmental effects specific to construction noise, impacts would be significant and unavoidable in this regard.

Mitigation Measures: Refer to Mitigation Measure NOI-1

4. Cumulative New or Expanded Water Facility Systems

Threshold: Would the Project, combined with other related projects, require or result in the relocation or construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects?

Would the Project, combined with other related projects, have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Finding: Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measure below. The City of Burbank hereby finds that implementation of the mitigation measure is feasible, and the measure is, therefore, adopted. However, since the 15 to 25 dBA attenuation provided by mufflers required by Mitigation Measure NOI-1 relies heavily on the speed of a vehicle, engine noise, and load on a vehicle, the maximum 25 dBA reduction would not be maintained throughout the construction period, therefore, the City of Burbank finds that there are no other mitigation measures that are feasible to reduce construction noise below the significance threshold, taking into consideration specific economic, legal, social, technological or other factors, that would mitigate this impact to a less-than-significant level, and, further, that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the alternatives identified in the EIR, as discussed in Section V of these Findings (Public Resources Code Sections 21081(a)(1) and (3); CEQA Guidelines Sections 15091(a)(1) and (3)). As described in the Statement of Overriding Considerations (Section VI below), the

City has determined that this significant and unavoidable impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or Statewide environmental benefits, of the proposed Project outweigh its significant effects on the environment.

Explanation: Water service is provided by BWP. In addition to the Project, related projects within the City would receive water service from BWP.

Similar to the proposed Project, individual development projects in the City would be required to assess water demand associated with the proposed development and capacity of water conveyance systems to serve the development being proposed. Individual development projects would be required to provide on-site water infrastructure and improvements necessary to serve the development. Each applicant also must fund the costs of the water-related infrastructure needed to serve a particular site. All new facilities proposed or necessitated by related projects would be subject to applicable CEQA review and would be required to determine the potential for the construction or relocation of new or expanded water facilities to cause a significant environmental effect. Individual related projects would be required to comply with mitigation measures to reduce impacts associated with the improvements.

Even with implementation of Mitigation Measure NOI-1, the proposed Project, which includes new onsite water infrastructure to serve the Project, would result in a significant and unavoidable impact regarding short-term construction noise. Construction activities associated with the proposed Project and related projects may overlap, resulting in construction noise in the area. Therefore, the Project's significant effects associated with a temporary increase in ambient noise resulting from construction activities, which include new water facilities would be considered cumulatively considerable, and cumulative impacts would be significant.

The proposed Project would involve an increase in demand for water supplies. Related projects would also result in the need for water supply and incrementally increase the long-term demand for water service. Similar to the proposed Project, individual development projects would be required to assess the water demand and available water supplies to serve the development being proposed. Additionally, under the provisions of SB 610, related projects meeting the statutory requirements would be required to prepare a comprehensive Water Supply Assessment (WSA). The WSA would evaluate the quality and reliability of existing and projected water supplies, as well as alternative sources of water supply and measures to secure alternative sources if needed, on a project-by-project basis. Any new water facilities would undergo separate

environmental review and require compliance with all applicable City water supply ordinances, laws, and regulations.

BWP's 2020 UWMP indicates water supplies would meet the service area's water demands for normal, single-dry, and multiple dry-year conditions through 2045. The 2020 UWMP water demand forecasts are based in part on adopted general plans. Burbank2035 identifies the development capacity associated with implementation of the Burbank2035 land use designations, including the Project site's Regional Commercial land use designation. Burbank2035 development capacities assume development consistent with the maximum FAR. Since the Project would be consistent with the development capacities assumed for the UWMP, adequate water supplies would be available to serve the Project. Thus, the Project's less than significant effects to water supplies would not be cumulatively considerable and cumulative impacts would be less than significant.

5. Cumulative Wastewater Capacity

Threshold: Would the Project, combined with other related projects, require or result in the relocation or construction of new or expanded wastewater facilities, the construction or relocation of which could cause significant environmental effects?

Would the Project, combined with other related projects, result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Finding: Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measure below. The City of Burbank hereby finds that implementation of the mitigation measure is feasible, and the measure is, therefore, adopted. However, since the 15 to 25 dBA attenuation provided by mufflers required by Mitigation Measure NOI-1 relies heavily on the speed of a vehicle, engine noise, and load on a vehicle, the maximum 25 dBA reduction would not be maintained throughout the construction period, therefore, the City of Burbank finds that there are no other mitigation measures that are feasible to reduce construction noise below the significance threshold, taking into consideration specific economic, legal, social, technological or other factors, that would mitigate this impact to a less-than-significant level, and, further, that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible

the alternatives identified in the EIR, as discussed in Section V of these Findings (Public Resources Code Sections 21081(a)(1) and (3); CEQA Guidelines Sections 15091(a)(1) and (3)). As described in the Statement of Overriding Considerations (Section VI below), the City has determined that this significant and unavoidable impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or Statewide environmental benefits, of the proposed Project outweigh its significant effects on the environment.

Explanation: The City provides wastewater conveyance and treatment for the Project site and related projects within the City. The proposed Project would involve an increase in wastewater generation requiring conveyance and treatment. Related projects would also result in increased wastewater generation. Similar to the proposed Project, individual development projects in the City would be required to assess the wastewater generation associated with the proposed development and capacity of conveyance systems and BWRP. Individual development projects would be required to provide on-site sewer infrastructure and improvements necessary to serve the development and pay the required Sewer Facilities Charge prior to issuance of a building permit. If upgrades to the sewer system are required, the related project would be required to provide the upgrades and/or pay its contribution toward the cost of the sewer infrastructure upgrades. All new facilities proposed or necessitated by related projects would be subject to applicable CEQA review, and related projects would be required to determine the potential for the construction or relocation of new or expanded wastewater facilities to cause a significant environmental effect. Individual related projects would be required to comply with mitigation measures to reduce impacts associated with the improvements. The Project would connect to the existing onsite main. However, as determined by the Sewer Capacity Analysis, offsite sewer improvement upgrades would be required, as the proposed Project and a related project (2311 N. Hollywood Way) would utilize the same downstream portion of the offsite sewer that necessitates improvements. Implementation of the improvements and payment of the required Sewer Facilities Charge would ensure adequate capacity is available to serve the increased wastewater resulting from the Project and related project.

Even with implementation of Mitigation Measure NOI-1, the proposed Project, which includes offsite sewer main improvements, would result in a significant and unavoidable impact regarding short-term construction noise. Construction activities associated with the proposed Project and related projects may overlap, resulting in construction noise in the area. Therefore, the Project's significant effects associated with a temporary increase in ambient noise

resulting from construction activities, which includes offsite sewer main infrastructure improvements, would be considered cumulatively considerable, and cumulative impacts would be significant.

The Project and related projects would generate increased wastewater requiring treatment at BWRP. As with the proposed Project, individual development projects are reviewed by to determine that adequate wastewater capacity would be available to serve the development being proposed at that time. Additionally, development projects are required to pay the applicable sewer fees to connect to and receive sewer service. These fees are collected to fund the costs associated with the City's sewer system, and BWRP. Based on the Sewer Capacity Analysis prepared by the City, adequate capacity would be available at BWRP to treat the wastewater generated from the Project. Thus, the Project's less than significant effects associated with the wastewater infrastructure upgrades and wastewater treatment capacity would not be cumulatively considerable, and cumulative impacts would be less than significant.

6. Cumulative Electrical, Natural Gas and Telecommunication Facilities

Threshold: Would the Project, combined with other related projects, require or result in the relocation or construction of new or expanded electrical, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Finding: Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measure below. The City of Burbank hereby finds that implementation of the mitigation measure is feasible, and the measure is, therefore, adopted. However, since the 15 to 25 dBA attenuation provided by mufflers required by Mitigation Measure NOI-1 relies heavily on the speed of a vehicle, engine noise, and load on a vehicle, the maximum 25 dBA reduction would not be maintained throughout the construction period, therefore, the City of Burbank finds that there are no other mitigation measures that are feasible to reduce construction noise below the significance threshold, taking into consideration specific economic, legal, social, technological or other factors, that would mitigate this impact to a less-than-significant level, and, further, that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the alternatives identified in the EIR, as discussed in Section V of these Findings (Public Resources Code Sections 21081(a)(1) and (3); CEQA Guidelines Sections 15091(a)(1) and (3)). As described

in the Statement of Overriding Considerations (Section VI below), the City has determined that this significant and unavoidable impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or Statewide environmental benefits, of the proposed Project outweigh its significant effects on the environment.

Explanation: The Project would not utilize natural gas and therefore would not require natural gas facilities. The Project would not impact natural gas facilities.

The Project and the related projects would result in an increased demand for electricity and telecommunications services. Similar to the Project, the related projects would be required to coordinate their respective projects, sites, and requirements with the service providers to ensure adequate service could be provided or to determine the need for infrastructure improvements. All new facilities proposed or necessitated by related projects would be subject to applicable CEQA review, and projects would be required to determine the potential for the construction or relocation of new or expanded electricity and telecommunications facilities to cause a significant environmental effect. Individual related projects would be required to comply with mitigation measures to reduce impacts associated with the improvements.

The Project would be served by existing telecommunications facilities and would not require the construction of new facilities. The Project would connect to existing BWP facilities at the Thornton Avenue and Ontario Street intersection and extend approximately 820 feet from the intersection into the Project site. Per the requirements of BWP, in order to create a looped system, electrical service would then extend through the Project site from Thornton Avenue south to the Avon Street driveway (approximately 750 feet). From there, the service would extend an additional 595 feet in the public right of way on Avon Street, before connecting to the existing service from Empire Avenue and completing the “loop.” The potential environmental effects associated with the proposed Project, including the installation of electrical infrastructure to serve the proposed development, are analyzed throughout this EIR. Even with implementation of Mitigation Measure NOI-1, the proposed Project, which includes offsite electrical improvements, would result in a significant and unavoidable impact regarding short-term construction noise. Construction activities associated with the proposed Project and related projects may overlap, resulting in construction noise in the area. Therefore, the Project’s significant effects associated with a temporary increase in ambient noise resulting from construction activities, which includes electrical infrastructure improvements

would be considered cumulatively considerable, and cumulative impacts would be significant.

As a Condition of Approval, the Project Applicant would be required to enter into a service agreement with BWP to pay the required fees necessary to construct the identified improvements and provide electrical infrastructure and service to the Project site. Payment of the required fees by the Project Applicant, and construction of the infrastructure improvements by BWP, would ensure adequate electrical service is provided to the Project. Thus, the Project's incremental effects associated with the construction of telecommunication and electrical facilities would not be cumulatively considerable and cumulative impacts would be less than significant.

SECTION V.
FINDINGS ON PROJECT ALTERNATIVES

A. BACKGROUND

The Draft EIR analyzed two alternatives to the Project as proposed and evaluated these alternatives for their ability to avoid or reduce the Project's significant environmental effects while also meeting the majority of the Project's objectives. The City finds that it has considered and rejected as infeasible the alternatives identified in the Draft EIR and described below. This section sets forth the potential alternatives to the Project analyzed in the Draft EIR and evaluates them in light of the Project objectives, as required by CEQA.

Where significant impacts are identified, Section 15126.6 of the State CEQA Guidelines requires EIRs to consider and discuss alternatives to the proposed actions. Subsection (a) states:

> (a) An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

Subsection 15126.6(b) states the purpose of the alternatives analysis:

(b) Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (PRC Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

In Section 15126.6(c), the State CEQA Guidelines describe the selection process for a range of reasonable alternatives:

(c) The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the Project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.

The range of alternatives required is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed Project. Alternatives are limited to ones that would avoid or substantially lessen any of the significant effects of the Project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the Project.

B. PROJECT OBJECTIVES

The following objectives have been established for the Project (Draft EIR):

- Enhance the continued economic revitalization and urbanization of the Hollywood Burbank Airport area with premium lifestyle and extended stay hotel brands catering to the modern business and leisure traveler.
- Construct and operate a Marriott-branded, business- and leisure-oriented urban hotel reflecting the character of Burbank and integrated into the overall site design of the existing onsite hotel facilities, immediately adjacent to and complementing the airport, existing and planned transit stations, and the convention center to attract and enhance customer travel for those visiting Burbank.
- Construct and operate additional conference/meeting/entertainment/dining space, fitness facilities for hotel guests and other patrons, and a ground-floor

central open courtyard with pool and deck space amenity area to provide additional outdoor space.

- Contribute to the economic health and well-being of Burbank through the development of a Project that would generate new construction and long-term jobs and provide additional long-term revenue for the City through visitor operations, enhanced property values, new visitor spending, and transient occupancy tax.
- Redevelop a portion of the surface parking lot area that is underutilized into a more economically productive use that complements the existing development on the property and is consistent with the City's ongoing re-envisioning efforts within the Golden State Specific Plan.
- Support environmentally conscious alternative modes of travel by constructing two new hotels within a half mile of two existing Metrolink stations, a planned high speed rail station, and the Hollywood Burbank Airport, and by promoting ride-sharing services and transportation demand management strategies in efforts to reduce local vehicle trips into and out of the City.
- Support and enhance statewide decarbonization efforts through the development of an all-electric Project free from fossil-fuel reliance; on-site generation and use of power through solar panels and battery storage; reducing vehicle emissions through an efficient guest drop-off and pick-up porte cochere design and by operating a valet-only parking garage for more efficient parking of guest's vehicles; and encouraging the replacement of gas-fueled cars with electric vehicles by providing hundreds of EV charging stations and EV ready plug-ins.

C. ALTERNATIVES CONSIDERED BUT REJECTED FROM FURTHER ANALYSIS

Section 15126.6(c) of the State CEQA Guidelines specifies that an EIR should (1) identify alternatives that were considered by the lead agency but were eliminated from detailed consideration because they were determined to be infeasible during the scoping process; and (2) briefly explain the reasons underlying the lead agency's determination. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives; (ii) infeasibility; and/or (iii) inability to avoid significant environmental impacts.

The following alternatives were considered but rejected as part of the environmental analysis for the Project:

- "**Alternative Site" Alternative**

Description. The Alternative Site Alternative would involve developing the Project on another site within the City. This alternative would generally retain the same characteristics (e.g., proposed land uses, square footage, site plan, amenities, etc.) of the Project. In order to achieve the Project's objectives, the site would need to be located

within proximity to the Hollywood Burbank Airport, Metrolink station, and planned high speed rail station. With the exception of the existing site, no other sites in the area are under the Project Applicant's control; thus, no other sites were considered.

Conclusion. Development of the proposed Hotel and Garage on another site would not reduce the Project's significant and unavoidable impact associated with GHG emissions. There is the potential that the significant and unavoidable impacts relative to construction noise, including construction noise associated with the offsite sewer and electrical improvements, may be reduced or eliminated. However, this would be dependent upon the location of the alternative site and ambient noise conditions, and whether offsite infrastructure improvements would be required. In addition, development of the proposed Project on another site would not substantially lessen any of the Project's less than significant impacts, including those requiring mitigation. For example, an alternative site within the area would also likely require a vapor intrusion mitigation system and soils management plan (Mitigation Measures HAZ-1 and HAZ-2) due to regional groundwater conditions and historic industrial uses that have occurred within the area and require archaeological, paleontological, and/or tribal monitoring or worker environmental awareness training given the cultural sensitivity of the area (Mitigation Measures CUL-1 through CUL-3, and GEO-1).

- **"Office" Alternative**

Description. The Office Alternative would involve development of an office building on the existing surface parking lot within the Project site.

Conclusion. This alternative would not achieve a majority of the Project's objectives as an office use would not provide for a hotel catering to the business and leisure traveler in proximity to the Hollywood Burbank Airport, which continues to be in high demand and will only increase with the completion of the new airport terminal project; provide for a Marriott-branded urban hotel that complements the airport, existing and planned transit stations, and the convention center to attract and enhance customer travel visiting Burbank; provide additional meeting/entertainment/dining spaces; or provide for transit occupancy tax. Additionally, the Applicant is a hotel developer and operator and is not an office developer. Moreover, the current economic outlook and viability of successful development of additional office space and the ability to attract close to 100% occupancy post-Covid with the push for remote work is not favorable.

Development of an office is not anticipated to significantly reduce or eliminate the Project's significant and unavoidable impacts relative to construction noise, since construction activities and equipment would be similar and offsite sewer and electrical improvements would still be required to serve the use. Additionally, new employees and associated vehicle trips would result in mobile source emissions, similar to the Project. It is not anticipated that the Project's significant and unavoidable impact relative to greenhouse gas emissions would be significantly reduced or eliminated. Development of an office would continue to require implementation of mitigation measures specific to the Project site and existing environmental conditions. For example, development of an office use on the site would also require a vapor intrusion mitigation system and soils management plan (Mitigation Measures HAZ-1 and HAZ-2) due to regional groundwater

conditions and historic industrial uses that have occurred within the area and require archaeological, paleontological, and/or tribal monitoring or worker environmental awareness training given the cultural sensitivity of the area (Mitigation Measures CUL-1 through CUL-3, and GEO-1). As the Project Applicant is not an office developer and development of the site with an office use would not meet most of the Project objectives, the Office Alternative was rejected from further analysis within this EIR.

- **"Residential Mixed-Use" Alternative**

Description. A Residential Mixed-Use Alternative would involve development of residential uses with ground-floor residential amenities and retail/commercial tenant spaces on the Project site. The Residential Mixed-Use Alternative would maintain the same scale and height as the proposed Hotel with the potential for 192 dwelling units and approximately 30,000 square feet of residential amenities and ground floor retail space.

Conclusion. This alternative would not achieve a majority of the Project's objectives as a residential mixed-use development would not provide for a hotel catering to the business and leisure traveler in proximity to the Hollywood Burbank Airport; provide for a Marriott-branded urban hotel that complements the airport, existing and planned transit stations, and the convention center to attract and enhance customer travel visiting Burbank; provide additional meeting/entertainment/dining spaces; or provide for transit occupancy tax. Additionally, the Applicant is a hotel developer and operator and is not a residential developer. Moreover, uncertainty in the lending industry for multifamily market, rising labor and construction costs, and the decrease in rents for multifamily create a high level of uncertainty even for the most seasoned multifamily developer, let alone the uncertainty that it would bring to a hotel developer seeking to make a housing project pencil out at the Project site.

Development of a residential mixed-use alternative would not significantly reduce or eliminate the Project's significant and unavoidable impacts relative to construction noise, since construction activities and equipment would be similar and offsite sewer and electrical improvements would still be required to serve the use. It is not anticipated that the Project's significant and unavoidable impact relative to greenhouse gas emissions would be significantly reduced or eliminated. Development of residential mixed-use would continue to require implementation of mitigation measures specific to the Project site and existing environmental conditions. For example, development of residential mixed-use on the site would also require archaeological, paleontological, and/or tribal monitoring or worker environmental awareness training given the cultural sensitivity of the area (Mitigation Measures CUL-1 through CUL-3, and GEO-1). Due to the site's recognized environmental conditions associated with elevated VOCs in soil-gas (specifically PCE and TCE) beneath the Project site that may present a vapor intrusion risk, mitigation would be required to provide for residential development to occur. As previously noted, the Project Applicant is not a residential developer and development of the site with residential mixed-use would not meet the Project objectives, the Residential Mixed-Use Alternative was rejected from further analysis within this EIR.

- **"Reduced Parking" Alternative**

Description. A Reduced Parking Alternative would be the same as the proposed Project with regard to the Hotel but would reduce the parking garage in scale. A smaller/reduced garage would result in less construction and materials used, reducing construction impacts.

Conclusion. This alternative would not reduce the Project's significant and unavoidable impact associated with GHG emissions. The Project's significant and unavoidable impact relative to onsite construction noise would be reduced in terms of the duration of construction but the noise levels would be similar, and therefore, the impact would not be eliminated. Further, the Project's offsite construction noise impact associated with the sewer and electrical infrastructure improvements would not be reduced. Development of this alternative would continue to require implementation of mitigation measures specific to the Project site and existing environmental conditions. For example, development of a smaller/reduced garage on the site would still require a vapor intrusion mitigation system and soils management plan (Mitigation Measures HAZ-1 and HAZ-2) due to regional groundwater conditions and historic industrial uses that have occurred within the area and require archaeological, paleontological, and/or tribal monitoring or worker environmental awareness training given the cultural sensitivity of the area (Mitigation Measures CUL-1 through CUL-3, and GEO-1). Further, this alternative would not be consistent with the Parking Study or the Parking Management Plan for the proposed Hotel and, therefore, would not be consistent with the BMC. Thus, this alternative was rejected from further analysis within this EIR.

D. ALTERNATIVES CONSIDERED FOR FURTHER ANALYSIS

The alternatives selected for further detailed review within the EIR focus on alternatives that could reduce the Project's significant environmental impacts, while still meeting most of the basic Project objectives. Those alternatives include:

- **Alternative 1: No Project Alternative** (Draft EIR, page 7-6 through 7-10)
- **Alternative 2: Reduced Intensity Alternative** (Draft EIR, page 7-10 through 7-15)

1. Alternative 1: No Project Alternative

Description: The Project site is currently developed with the Marriott Hotel and 763 surface parking spaces. The existing Marriott Hotel is comprised of 488 hotel rooms, 5,200 square feet of restaurant space, and 46,500 square feet of meeting/banquet and convention space. The Marriott Hotel consists of one eight-story building (East Tower) and one nine-story building (West Tower), connected by a single-story structure on the ground level, totaling 277,600 square feet. The convention center portion of the Marriott Hotel consists of one single-story building with a mezzanine level totaling 39,000 square feet. Access to the site occurs from three driveways, one at Thornton Avenue, one at Hollywood Way, and one at Avon Street.

The No Project Alternative would retain the site in its current condition. The proposed Hotel and Garage, including all onsite and offsite improvements, would not be developed.

Impacts: As shown in Table 7-1 of the Draft EIR, Alternative 1 would result in similar impacts to the proposed Project in the following environmental topic areas: Land Use and Planning. Alternative 1 would result in greater impacts for the following environmental topic areas when compared to the proposed Project: Hydrology and Water Quality and Transportation. Alternative 1 would result in reduced impacts when compared to the proposed Project for Air Quality, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Noise, Public Services, Tribal Cultural Resources, and Utilities and Service Systems. This alternative would eliminate the significant and unavoidable impacts that would occur with the proposed Project.

Attainment of Project Objectives: Given that no development would occur, the No Project Alternative would not meet any of the Project objectives.

Finding: The findings of the proposed Project set forth in this document and the overriding social, economic, and other issues set forth in the Statement of Overriding Considerations provide support for the proposed Project and the elimination of the No Project Alternative from further consideration.

2. Alternative 2: Reduced Intensity Alternative

Description: The Reduced Intensity Alternative would include the same uses (i.e., hotel, hotel-related amenities, and garage structure) as the proposed Project; however, the number of guestrooms, parking spaces in the garage, and electric vehicle (EV) parking spaces (chargers and EV ready) would be reduced by 25 percent. Ground floor and sixth floor guest amenities would remain the same as proposed under the Project. All additional onsite and offsite improvements would continue to occur under this alternative.

The Reduced Intensity Alternative would provide 315 total guestrooms (164 Residence Inn, 151 Aloft), 661 parking spaces in the garage structure and 337 total EV spaces (121 chargers, 216 EV ready). The Reduced Intensity Alternative would result in 61 employees. The Hotel building would be six stories, but the sixth level floor area would be approximately half of the area of the floors below it, resulting in a total hotel floor area of 206,083 square feet. The Garage would remain the same size as the proposed Project. Overall, Alternative 2 would provide 25 percent reduced development when compared to the Project.

Impacts: As shown in Table 7-1 of the Draft EIR, in comparison to the proposed Project, the Reduced Intensity Alternative would have similar impacts in all environmental topic areas except for air quality, energy, GHG emissions, noise, and public services. Although noise impacts would be reduced when compared to the proposed Project, the significant and unavoidable project and cumulative construction noise impacts, which include onsite and offsite infrastructure improvements, would not be eliminated. Additionally, the GHG impact would be slightly greater due to the increased $MTCO_2e$ per service population associated with the alternative. As with the proposed Project, the Reduced Intensity Alternative would meet all the Project objectives; however, the objectives under this alternative would not be met to the same extent as the proposed Project.

Attainment of Project Objectives: Given that the Reduced Intensity Alternative would develop the same uses as the proposed Project but at a reduced scale, this alternative would meet all the Project objectives identified. This alternative would enhance the continued economic revitalization and urbanization of the Hollywood Burbank Airport area with premium lifestyle and extended stay hotel brands catering to the modern business and leisure traveler; construct and operate a Marriott-branded, business- and leisure-oriented urban hotel reflecting the character of Burbank, immediately adjacent to and complementing the airport, existing and planned transit stations, and the convention center to attract and enhance customer travel visiting Burbank; construct and operate additional meeting/entertainment/dining space, fitness facilities for hotel guests and other patrons, and a ground-floor central open courtyard with pool and deck space amenity area to provide additional outdoor space; contribute to the economic health and well-being of Burbank through the development of a Project that would generate new construction and long-term jobs and provide additional long-term revenue for the City through visitor operations, enhanced property values, new visitor spending, and transient occupancy tax; redevelop a portion of the surface parking lot area that is underutilized into a more economically productive use that complements the existing development on the property and is consistent with the

City's ongoing re-envisioning efforts being undertaken as part of the Golden State Specific Plan; or support environmentally conscious alternative modes of travel by constructing two new hotels within a half-mile of two existing Metrolink stations, a planned high speed rail station, and the Hollywood Burbank Airport, and by promoting ride-sharing services and transportation demand management strategies in efforts to reduce local vehicle trips into and out of the City; and support and enhance statewide decarbonization efforts through the development of an all-electric Project free from fossil-fuel reliance; on-site generation and use of power through solar panels and battery storage; reducing vehicle emissions through an efficient guest drop-off and pick-up porte cochere design and by operating a valet-only parking garage for more efficient parking of guest's vehicles; and encouraging the replacement of gas-fueled cars with electric vehicles by providing hundreds of EV charging stations and EV ready plug-ins.. However, while this alternative would achieve the Project objectives, it would not do so to the same extent as the proposed Project. Specifically, a smaller hotel would not contribute to the economic health and well-being of Burbank through the generation of long-term jobs and additional long-term revenue for the City through visitor operations, enhanced property values, new visitor spending, and transient occupancy tax to the extent of the proposed Project. Furthermore, since the reduced alternative would result in half of a sixth floor, there would be a reduction in continuous roof-top space for solar collectors, which would also be less impactful for clean-energy generation than the full Project. The reduction in required parking spaces would also result in a reduction of EV charging stations/plug-ins, which would be counter-productive to replacing gas vehicles with EVs and further reduce the sustainability advantages of the proposed Project. While the Reduced Intensity alternative would involve redevelopment of a portion of the surface parking lot area that is underutilized into a more economically productive use, it would result in lower utilization of the site than can feasibly be accommodated.

Finding: The findings of the proposed Project set forth in this document and the overriding social, economic, and other issues set forth in the Statement of Overriding Considerations provide support for the proposed Project and the elimination of the Reduced Density Alternative from further consideration.

E. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Section 15126.6(e)(2) of the State CEQA Guidelines indicates that an analysis of alternatives to a proposed Project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR. Draft EIR Table 7.1, *Comparison of Alternatives*, summarizes the comparative analysis presented above (i.e., alternatives compared to the proposed Project), and indicates whether each alternative's environmental impact is greater than, less than, or similar to that of the proposed Project for each of the issue areas studied. Based on the alternatives analysis contained within the Draft EIR, the No Project Alternative is identified as the Environmentally Superior Alternative. If the No Project Alternative is the environmentally superior alternative, an EIR must also identify an environmentally superior alternative among the other alternatives (CEQA Guidelines Section 15126.6(e)(2)). Accordingly, the Reduced Intensity Alternative is identified as the Environmentally Superior Alternative.

SECTION VI.
STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to State CEQA Guidelines Section 15093(a), the City Council must balance, as applicable, the economic, legal, social, technological, or other benefits of the Project against its unavoidable environmental risks in determining whether to approve the project. If the specific benefits of the project outweigh the unavoidable adverse environmental effects, those environmental effects may be considered acceptable.

Having reduced the adverse significant environmental effects of the Project to the extent feasible by adopting the mitigation measures; having considered the entire administrative record on the project; the City Council has weighed the benefits of the Project against its unavoidable adverse impacts after mitigation in regard to GHG emissions, noise, and utilities and service systems. While recognizing that the unavoidable adverse impacts are significant under CEQA thresholds, the City Council nonetheless finds that the unavoidable adverse impacts that will result from the Project are acceptable and outweighed by specific social, economic and other benefits of the Project.

In making this determination, the factors and public benefits specified below were considered. Any one of these reasons is sufficient to justify approval of the Project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City Council would be able to stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section, and in the documents found in the Records of Proceeding.

The City Council, therefore, finds that for each of the significant impacts which are subject to a finding under CEQA Section 21081(a)(3) that each of the following social, economic, and environmental benefits of the Project, independent of the other benefits, outweigh the potential significant unavoidable adverse impacts and render acceptable each and every one of these unavoidable adverse environmental impacts:

1. The operation of two Marriott-branded hotel facilities will expand the City's tax base through recurring Transient Occupancy Tax (TOT), property tax, and local sales tax revenues generated by hotel guests, events, and dining patrons. These funds directly support municipal services, including emergency response, infrastructure maintenance, and community programs.

2. The Project generates significant short-term construction employment across skilled building trades and establishes long-term, permanent jobs in hotel management, hospitality, facility maintenance, and event operations.

3. By expanding conference, meeting, and dining space adjacent to the Hollywood Burbank Airport and convention facilities, the Project strengthens Burbank’s capacity to host regional business events, capturing local visitor spending that would otherwise leak to adjacent municipalities.

4. The Project eliminates onsite fossil-fuel combustion infrastructure (such as natural gas lines for space heating, domestic hot water, and cooking), preventing direct onsite fossil-fuel emissions.

5. The integration of roof-mounted photovoltaic solar panels paired with battery energy storage systems allows for real-time peak load shaving and clean onsite energy generation, reducing reliance on grid power during peak demand periods.

6. Providing the proposed active EV chargers and EV-ready plug-in spaces exceeds mandatory CALGreen Code baselines, directly addressing regional mobile-source emissions, which comprise the State's largest source of GHG emissions.

7. Located within one-half mile of two existing Metrolink commuter rail stations, the planned California High-Speed Rail station, and the Hollywood Burbank Airport, the Project enables business and leisure travelers to utilize regional passenger rail and air travel without relying on private automobiles.

8. Replacing low-density surface parking with a dual brand hotel with structured parking improves land use intensity, complements the existing and planned development within the area and preserves open space elsewhere by accommodating growth in an infill location.

9. Incorporates mitigation measures and alternatives analysis and meets all project objectives.

EXHIBIT B

MITIGATION MONITORING AND REPORTING PROGRAM FOR THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE 2500 NORTH HOLLYWOOD WAY DUAL-BRAND HOTEL PROJECT

State Clearinghouse No. 201911003

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Implementation Responsibility/ Monitoring Responsibility	Verification		
				Initials	Date	Remarks
CULTURAL RESOURCES						
Mitigation Measures						
CUL-1: The Applicant shall be required to retain the services of one or more monitor(s) who are qualified in the identification of archaeological and Native American resources. The monitor(s) shall meet the Secretary of the Interior's Professional Qualification Standards for archaeology, and shall be present during construction related ground disturbance activities including, but not limited to, site clearing (such as pavement removal, grubbing, tree removals) and/or excavation to depths greater than artificial fill (including boring, grading, excavation, drilling, potholing or auguring, and trenching) within the Project site and offsite sewer improvement area. A copy of the executed contract shall be submitted to the City of Burbank Community Development Department prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Archaeological Monitor shall complete monitoring logs daily, providing descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. The onsite monitoring shall end when grading and excavation activities of native soil (i.e., previously undisturbed) are completed, or when the Archaeological Monitor has indicated that the site has a low potential for cultural resources, whichever occurs first. The Applicant shall also be required to make the Project site available to native tribe(s) that have ancestral ties to the region during	Prior to the issuance of any permit for ground-disturbing activity/On-going during ground-disturbing activities	Executed contract/ Monitoring logs	Project Applicant; Contractor; Archaeological Monitor/ City of Burbank Community Development Department Planning Division			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Implementation Responsibility/ Monitoring Responsibility	Verification		
				Initials	Date	Remarks
ground disturbance activities for monitoring on their own behalf, if requested – including the Gabrieleño Band of Mission Indians-Kizh Nation, the Fernandeño Tataviam Band of Mission Indians and any other tribe with ancestral ties to the region, as established by the Native American Heritage Commission.						
CUL-2: If an archaeological or Native American resource is inadvertently discovered during ground disturbing activities, work shall be halted in the immediate vicinity of the find (a 60-foot buffer around the find) until the find can be evaluated by the Archaeological and Native American Monitor(s) to determine if any discovered potential resource meets the CEQA definition of historical (State CEQA Guidelines 15064.5(a)) and/or unique resources (Public Resources Code 21083.2(g)). The City of Burbank Community Development Department shall be immediately notified. If the resource is determined to be potential a tribal cultural resource, the Applicant shall retain the services of a Native American Monitor to work in consultation with the Archaeological Monitor to delineate the resource. Work on areas outside of the buffered area may continue during the assessment period. The Applicant shall, in good faith, consult with the Tribe(s) on the disposition and treatment of any tribal cultural resource encountered during all ground disturbing activities. If the find is considered an "tribal cultural resource" the Archaeological Monitor, in cooperation with Native American Monitor, shall pursue either protection in place or recovery, salvage and treatment of the deposits. Recovery, salvage, and treatment protocols shall be developed in	If resources are encountered during ground-disturbing activities	Disposition and treatment of any tribal cultural resource or if not a tribal cultural resource, preparation of a treatment plan and archaeological testing; data recovery, excavation, and archaeological mitigation if cannot be protected	Project Applicant; Contractor; Archaeological Monitor/ City of Burbank Community Development Department Planning Division			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Implementation Responsibility/ Monitoring Responsibility	Verification		
				Initials	Date	Remarks
accordance with applicable provisions of Public Resource Code Section 21083.2 and State CEQA Guidelines Sections 15064.5 and 15126.4. If a tribal cultural resource cannot be preserved in place or left in an undisturbed state, recovery, salvage, and treatment shall be required at the Project Applicant's expense. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation in an established accredited professional repository. If the resource is determined to be non-Native in origin, the evaluation may require preparation of a treatment plan and archaeological testing for California Register of Historical Resources (CRHR) eligibility. If the discovery proves to be eligible for the CRHR and cannot be avoided by the Project, additional work such as data recovery, excavation, and archaeological mitigation may be warranted to mitigate any significant impacts.						
CUL-3: In the event that human remains are discovered during onsite construction activities, the Archaeological Monitor shall immediately divert work at minimum of 50 feet and place an exclusion zone around the discovery location. The Archaeological Monitor shall then notify the construction manager who shall notify the County Coroner per Public Resources Code Section 5097.98, and Health and Safety Code Section 7050.5. The City of Burbank Community Development Department shall also be immediately notified. Work shall continue to be diverted while the coroner determines whether the remains are human and subsequently Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native American,	If human remains are discovered during ground-disturbing activities	Notification of Los Angeles County Coroner/ Notification of Native American Heritage Commission if identified remains are Native American in origin	Project Applicant; Contractor; Archaeological Monitor/ City of Burbank Community Development Department Planning Division			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Implementation Responsibility/ Monitoring Responsibility	Verification		
				Initials	Date	Remarks
the coroner shall notify the Native American Heritage Commission (NAHC) as mandated by State law who shall then appoint a Most Likely Descendent (MLD). Once NAHC identifies the most likely descendants, the descendants shall make recommendations regarding proper burial, which shall be implemented to the extent feasible in accordance with State CEQA Guidelines Section 15064.5(e).						
GEOLOGY AND SOILS						
Mitigation Measures						
GEO-1: Prior to commencement of ground-disturbing activities a qualified vertebrate paleontologist (as defined by the Society for Vertebrate Paleontology) shall develop Worker Awareness and Environmental Program (WEAP) Training for construction personnel. This training shall be presented to construction personnel and include what fossil remains may be found within the Project area and policies and procedures that must be followed in case of a discovery. Verification of the WEAP Training shall be provided to the Burbank Community Development Department.	Prior to commencement of ground-disturbing activities	Verification of development and provision of WEAP training for construction personnel	Project Applicant; Contractor; Qualified Vertebrate Paleontologist/ City of Burbank Community Development Department Planning Division			
GEO-2: Paleontological resources monitoring by a qualified vertebrate paleontologist (as defined by the Society for Vertebrate Paleontology) shall be required during ground disturbances (including grading, trenching, foundation work, and other excavations) in previously undisturbed sediments that exceed 10 feet in depth. The duration and timing of the monitoring shall be determined by the qualified paleontologist and the location and extent of the proposed ground disturbance. If the	On-going during ground-disturbing activities in previously undisturbed sediments that exceed 10 feet in depth	Executed contract/ Monitoring logs	Project Applicant; Contractor; Qualified Vertebrate Paleontologist/ City of Burbank Community Development Department Planning Division			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Implementation Responsibility/ Monitoring Responsibility	Verification		
				Initials	Date	Remarks
qualified paleontologist determines that fulltime monitoring is no longer warranted, based on the specific geologic conditions at the surface or at depth, the qualified paleontologist may recommend that monitoring be reduced to periodic spot-checking or cease entirely. Monitoring shall not be required in artificial fill or for activities that do not reach 10 feet in depth.						
GEO-3: In the event of a fossil discovery by the paleontological monitor or construction personnel, all work in the immediate vicinity of the find shall cease. The qualified paleontologist shall evaluate the find before restarting construction activity in the area. If it is determined that the fossil(s) is (are) scientifically significant, the qualified paleontologist shall complete the following conditions to mitigate impacts to significant fossil resources: • Salvage of Fossils. The qualified paleontologist (or paleontological monitor) shall recover significant fossils following standard field procedures for collecting paleontological resources, as described by the Society of Vertebrate Paleontology standards. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the paleontologist shall have the authority to temporarily direct, divert or halt construction activity to ensure that the	If fossils are discovered during ground-disturbing activities	If fossils are significant, documentation of salvage and preparation and curation of recovered fossils	Qualified Vertebrate Paleontologist/ City of Burbank Community Development Department Planning Division			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Implementation Responsibility/ Monitoring Responsibility	Verification		
				Initials	Date	Remarks
fossil(s) can be removed in a safe and timely manner. • Preparation and Curation of Recovered Fossils. Once salvaged, significant fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition, and curated in a scientific institution with a permanent paleontological collection (such as the University of California Museum of Paleontology), along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the qualified paleontologist.						
GREENHOUSE GAS EMISSIONS						
Mitigation Measures						
GHG-1: Prior to the issuance of building permits, the Project applicant shall provide documentation (e.g., building plans, site plans) to the City of Burbank Community Development Department to verify implementation of the design requirements specified in this mitigation measure. Prior to the issuance of the certificate of occupancy, the City shall verify implementation of these design requirements: • The Project applicant shall prepare a Transportation Management Plan with the help of certified Traffic Engineer which includes voluntary and mandatory trip reduction measures such as discouraging single-occupancy vehicle trips and	Prior to the issuance of building permits; prior to the issuance of the certificate of occupancy	Approval of Transportation Demand Management Plan/Verification of design requirements	Project Applicant/ City of Burbank Community Development Department Planning Division and Transportation Division			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Implementation Responsibility/ Monitoring Responsibility	Verification		
				Initials	Date	Remarks
encouraging alternative modes of transportation such as carpooling, taking transit, walking, and biking, implementing employee parking cash-outs, thereby reducing VMT and GHG emissions. The Transportation Management Plan shall grant all employees located within the Project site eligibility to participate. The Transportation Management Plan shall be reviewed and approved by the Transportation Planning Division. • The Project applicant shall join the Burbank Transportation Management Organization (TMO), which helps provide services to employees that encourages the use of public transit, carpooling, vanpooling, walking, and biking. • The Project applicant shall demonstrate to the Planning Division that new vehicles owned and operated by the Project operators that provide transport between the Hollywood Burbank Airport and the Project will be clean-fuel vehicles. • No wood-burning or gas-powered fireplaces shall be installed in the proposed development. • All major appliances provided/installed (e.g., dishwashers, refrigerators, clothes washers and dryers, and water heaters) shall be electric-powered EnergyStar-certified or of equivalent energy efficiency, where applicable.						

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Implementation Responsibility/ Monitoring Responsibility	Verification		
				Initials	Date	Remarks
HAZARDS AND HAZARDOUS MATERIALS						
Mitigation Measures						
HAZ-1: Prior to the issuance of building permits, the Applicant shall include on the building plans an appropriate vapor intrusion mitigation system using a VOC-compatible vapor barrier that is incorporated into the design of new onsite structures, where there may be a potential for vapor intrusion risk to occupants. The elements of the vapor intrusion mitigation system shall include the design of an appropriate vapor barrier compatible with known VOCs, installation oversight to ensure compliance with VOC barrier manufacturers' warranty requirements, and subsequent post-installation VOC barrier integrity testing. The Applicant shall incorporate all requirements in the design of the Project as set forth by the applicable regulatory oversight agency for issuance of building permits, including the following measures: The proposed design of the vapor barrier shall be pre-approved by the applicable regulatory oversight agency (e.g., DTSC, the LARWQCB, or other appropriate local regulatory agency). The design of a physical vapor barrier beneath the structure(s) foundation shall prevent soil gas from seeping into breathing spaces inside the structure. The system shall include a passive or powered vapor mitigation system layer that draws soil gas out of the under-foundation base rock and directs that soil gas to a treatment system to prevent people from being exposed	Prior to the issuance of building permits	Review and approval of building plans *Following implementation*: Documentation of testing and vapor barrier installation; Submittal of Operations, Maintenance, and Monitoring (OMM) Plan	Project Applicant; Contractor/Regulatory Agency City of Burbank Community Development Department Building & Safety Division			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Implementation Responsibility/ Monitoring Responsibility	Verification		
				Initials	Date	Remarks
outdoors. Any contaminants found in shallow soil vapor shall be mitigated to levels that are protective of human health for the proposed commercial uses. Upon completion, the Project Applicant shall prepare a report documenting the testing results and installed vapor mitigation method and submit the report to the regulatory agency with jurisdiction. An Operations, Maintenance, and Monitoring (OMM) Plan shall be prepared and implemented to maintain the vapor barrier system and confirm that the vapor barrier system continues to be protective of human health. The OMM Plan shall include details of methods for monitoring the vapor barrier system, provide monitoring frequencies and maintenance procedures for the system components and provide for post construction indoor air quality monitoring. The OMM Plan shall be approved by the regulatory agency with jurisdiction.						
HAZ-2: Prior to the issuance of a grading permit, the Applicant shall submit a Soils Management Plan (SMP) to the City of Burbank Community Development Department Building & Safety Division that addresses the proper characterization and handling of potential VOC-impacted soils, and other contaminants of concern that may be present. The SMP shall require that, as grading, excavation, and trenching are performed, exposed soil shall be monitored for stained or discolored soil, wet or saturated soils, or odors. If impacted soil is encountered, the soil shall be analyzed to identify and characterize the impact and determine if soil remediation is required. Soil samples shall be analyzed by an appropriate State-certified	Prior to the issuance of grading permit	Approval of Soils Management Plan	Project Applicant; Contractor/ City of Burbank Community Development Department Building & Safety Division			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Implementation Responsibility/ Monitoring Responsibility	Verification		
				Initials	Date	Remarks
laboratory using appropriate methods based on the parameters to be analyzed. When a new area of contamination is identified, it shall be characterized to assess its lateral and vertical extent. The likely excavation of impacted soil shall be followed by segregated stockpiling or direct-loading, waste profiling, and offsite disposal or recycling, which shall be performed in accordance with applicable federal, State, and local regulations.						
NOISE						
Mitigation Measures						
NOI-1: The Project Applicant and/or Contractor shall implement the following noise-attenuating measures during construction of the proposed Project: • Construction contracts shall specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers. • A sign, legible at 50 feet from the property line shall also be posted at the Project construction site. All notices and signs shall be reviewed and approved by the City of Burbank Community Development Department's Planning Division, prior to mailing or posting and shall indicate the dates and duration of construction activities, as well as provide a contact name and a telephone number where residents can inquire about the construction process and register complaints.	Prior to the issuance of grading or building permit; On-going during construction	Approval of notices and signs; Proof of Noise Disturbance Coordinator; Verification during construction activities; Approval of construction haul routes	Project Applicant; Contractor/ City of Burbank Community Development Department Planning Division; City of Burbank Building Official; City of Burbank Public Works Department – Traffic Division			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Implementation Responsibility/ Monitoring Responsibility	Verification		
				Initials	Date	Remarks
• The project Applicant shall provide, to the satisfaction of the City of Burbank Community Development Department's Planning Division, a qualified "Noise Disturbance Coordinator." The Disturbance Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Disturbance Coordinator shall notify the City within 24 hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, malfunctioning muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the Burbank Community Development Department's Planning Division. All signs posted at the construction site shall include the contact name and the telephone number for the Noise Disturbance Coordinator. • Prior to issuance of any Grading or Building Permit, the project Applicant shall demonstrate to the satisfaction of the City's Building Official that construction noise reduction methods shall be used where feasible. These reduction methods include shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied residential areas, and electric air compressors and similar power tools. • Construction haul routes shall be reviewed and approved by the City's Building Official						

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Implementation Responsibility/ Monitoring Responsibility	Verification		
				Initials	Date	Remarks
and City Traffic Engineer and shall be designed to avoid noise sensitive uses (e.g., residences, convalescent homes, etc.), to the extent feasible. • During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.						
NOI-2: The following measure shall be incorporated on all grading and building plans and specifications subject to approval of the City's Building and Safety Division prior to issuance of a grading permit: • Sonic pile drivers shall be used as an alternative to impact pile drivers to reduce groundborne vibration levels. Impact pile driver operations shall be prohibited.	Prior to the issuance of grading permit	Review and approval of grading and building plans	Project Applicant; Contractor/ City of Burbank Community Development Department Building and Safety Division			
TRIBAL CULTURAL RESOURCES						
Mitigation Measures						
Refer to Mitigation Measures CUL-1 and CUL-2.	--	--	--			
UTILITIES AND SERVICE SYSTEMS						
Mitigation Measures						
Refer to Mitigation Measure NOI-1.	--	--	--			