Correspondences

Please Note: If Additional Documents/Correspondences are submitted for this item, they will be periodically posted to the City website for public viewing.

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November 16, 2026

VIA ELECTRONIC MAIL

Honorable Mayor and Members of the City Council
City of Burbank
c/o City Clerk's Office
275 East Olive Avenue
Burbank, CA 91502
citycouncil@burbankca.gov
CityClerks@burbankca.gov
dvilla@burbankca.gov

Re: Public Hearing Item 1, City Council Meeting of November 17, 2026: 2500 North Hollywood Way Dual Brand Hotel Project, Project No. 16-0003953; Final Environmental Impact Report (SCH No. 2019110032)

Dear Honorable Mayor and Members of the City Council:

This Firm represents UNITE HERE Local 11 ("Local 11"), a labor union that represents more than 25,000 workers employed in hotels, restaurants, airports, sports arenas, and convention centers throughout Southern California and Phoenix, Arizona, including many who live and work in Burbank, and has standing to raise these comments.[1] Local 11 submits these comments under the California Environmental Quality Act ("CEQA") on the proposed certification of the Final Environmental Impact Report ("FEIR") and approval of the 420-room dual brand hotel at 2500 North Hollywood Way (the "Project"). This letter supplements Local 11's comments on the Draft Environmental Impact Report ("DEIR") dated January 29, 2025, and this Firm's letter to the Planning Commission dated October 12, 2026, both of which are incorporated by reference.[2]

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[1] *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1198.

[2] For purposes of Pub. Res. Code §21167.6(e)(7), the court in *Consolidated Irrig. Dist. v. Superior Court* (2012) 205 Cal.App.4th 697, 723, held that such evidence has been submitted to the agency "when the commenter has made the document readily available for use or study by

Local 11 commissioned an expert report from Steve Rogers of Steve Rogers Acoustics, LLC to assess the Project's noise impacts (Exhibit A), and an expert report from Ray Kapahi of Environmental Permitting Specialists to assess the Project's impacts on air quality and public health (Exhibit B). Both experts reviewed the City's November 2026 revised FEIR. Although CEQA allows objections to be raised orally or in writing at any time before the close of the public hearing on the Project (Pub. Resources Code § 21177(a)), Local 11 is submitting these comments ahead of the upcoming hearing so that Staff and the City's consultants have the opportunity to review and respond to them.

Briefly, the FEIR should not be certified, and the CEQA findings and Statement of Overriding Considerations should not be adopted, because the EIR understates the Project's impacts and the City has not considered feasible mitigation that would substantially lessen them. Local 11 respectfully requests that the City Council decline to certify the FEIR, direct Staff to revise and recirculate the EIR pursuant to CEQA Guidelines § 15088.5, and decline to approve the Planned Development, Development Agreement, and Development Review at this time.

First, the EIR never analyzes construction noise at the homes closest to the Project's offsite electrical work, approximately 60 feet away, where noise would reach approximately 85 dBA, more than 20 dBA above the EIR's own threshold. The only construction noise mitigation measure, NOI-1, provides no measurable reduction, and feasible measures such as noise barriers, enforceable noise limits, limits on work duration, and temporary relocation were never evaluated. The EIR also understates nighttime noise from the hotel's mechanical equipment and outdoor gathering areas. (Section I.)

Second, the EIR's localized air quality analysis relies on screening tables that place the nearest homes 360 feet away, even though construction would occur within about 45 to 60 feet of homes. Dispersion modeling shows that construction emissions would exceed the federal 1-hour nitrogen dioxide ("NO2") standard at offsite locations, including in the residential neighborhood along the Wyoming Avenue sewer alignment. The EIR contains no construction health risk assessment, in a census tract among the most pollution-burdened in California, and it requires no measure to reduce construction emissions. (Section II.)

Third, the air quality appendix posted on the State's CEQAnet database is a different document from the one posted on the City's website, and the DEIR describes one version while reporting the numbers of the other. The public could not meaningfully review the technical basis for the DEIR's air quality conclusions. (Section III.)

Fourth, the November 2026 errata confirms that Mitigation Measure GHG-1 provides no quantified reduction, contrary to the City's own Greenhouse Gas Reduction Plan ("GGRP"), and

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lead agency personnel." The court concluded that citing the URL of a specific webpage amounts to submission of the document found on that page to the agency. (*Id.* at pp. 724-725.) Accordingly, the documents cited in this letter by URL have been submitted to the City, and Local 11 requests that they be included in the administrative record and made available to the decisionmakers.

the GGRP shows that counting 588 hotel guests in the Project's service population counts visitors twice. (Section IV.)

Fifth, the proposed findings reject the environmentally superior alternative without finding it infeasible, and the Statement of Overriding Considerations rests on benefits the record does not quantify. (Section V.) The new and more severe impacts, and the feasible mitigation, identified in this letter are significant new information that requires the EIR to be revised and recirculated before certification. (Section VI.)

I. THE EIR UNDERSTATES NOISE IMPACTS AND IGNORES FEASIBLE MITIGATION

A. The Homes Closest to the Offsite Electrical Work Were Never Analyzed

The DEIR acknowledges that the Project's electrical connection at Thornton Avenue and Ontario Street would occur approximately 60 feet from multi-family residences on Ontario Street, but it provides no analysis of construction noise at those homes. Instead, it relies on Table 5.9-5, which models onsite construction at receivers 360 and 640 feet away. (DEIR, pp. 5.9-13 to 5.9-14; Exhibit A, § 4(a).) The November 2026 errata revised this paragraph, but only to delete an incomplete sentence. As revised, the paragraph acknowledges multi-family residences approximately 60 feet from the electrical connection work at Thornton Avenue and Ontario Street, then states that the closest residences to the other offsite improvements along Thornton Avenue and North Avon Street are approximately 1,000 feet away, and treats the onsite modeling at 360 and 640 feet as a "conservative" representation of all of the offsite work, as shown in the screenshot below (FEIR, pp. 3-3 to 3-4):

> 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 as shown in Table 5.9-5 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. ~~As such, off-site improvements along Thornton Avenue and North Avon Street.~~ Thus, noise impacts from off-site improvements would also be significant.

Neither distance is conservative for a home 60 feet away.

Mr. Rogers extrapolated the DEIR's own model of the comparable sewer work and estimates construction noise of approximately 84.9 dBA at the Ontario Street homes, more than 20 dBA above the EIR's 63.7 dBA significance threshold. (Exhibit A, § 4(a), Table 1.) An EIR must disclose the severity of a significant impact, not merely label it significant. (*Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 514; *Berkeley Keep Jets Over the Bay Com. v. Board of*

Port Cmrs. (2001) 91 Cal.App.4th 1344, 1371.) The EIR does not do so for the residents most exposed to the Project's construction.

B. The Noise Baseline Is Unreliable

The EIR's baseline rests on two short daytime readings. The DEIR's Table 5.9-1 and the detailed data in Appendix H report the two readings at opposite locations, so it is unclear which threshold applies where. (Exhibit A, § 2(a).) No measurement was taken anywhere on the Wyoming Avenue sewer alignment; the EIR borrows the reading at Lundigan Park instead. Mr. Rogers measured ambient noise on the alignment itself and found a lower level, which supports a threshold of approximately 62.1 dBA for those homes rather than 63.7 dBA. (*Id.*, § 2(b).) No nighttime or 24-hour data were collected at all, even though the EIR's operational thresholds depend on them: the City's stationary source limits include separate nighttime limits, and the federal criteria the DEIR cites compare 24-hour Community Noise Equivalent Levels, which cannot be calculated from daytime readings alone. (*Id.*, § 2(d).) An EIR must describe the existing physical conditions against which impacts are measured. (CEQA Guidelines § 15125(a).)

C. Mitigation Measure NOI-1 Provides No Measurable Reduction

NOI-1, which the errata left substantively unchanged (FEIR, p. 3-2), is a list of practices any responsible contractor would follow: mufflers, signs, a complaint coordinator, and barriers "where feasible." The DEIR suggests that mufflers can reduce noise by 15 to 25 dBA. But construction equipment is already equipped with factory mufflers, and the Federal Highway Administration's Roadway Construction Noise Model that the EIR uses is based on measurements of equipment that already has factory mufflers, so the muffler requirement adds no reduction at all. (Exhibit A, § 4(c).) The EIR quantifies no reduction from any part of NOI-1.

D. Feasible Measures Would Substantially Reduce Construction Noise

An EIR "shall describe feasible measures which could minimize significant adverse impacts." (CEQA Guidelines § 15126.4(a)(1).) Even where a project's benefits outweigh its unmitigated effects, the agency must still adopt all feasible mitigation measures unless they are truly infeasible. (*City of Marina v. Board of Trustees of California State University* (2006) 39 Cal.4th 341, 368-369; *City of San Diego v. Board of Trustees of California State University* (2015) 61 Cal.4th 945; Pub. Resources Code § 21002.) Mr. Rogers identifies six more stringent measures that the EIR did not evaluate. NOI-1 mentions temporary acoustic barriers only "where feasible," with no design, performance standard, or quantified reduction, and the EIR does not evaluate barriers of the kind Mr. Rogers recommends or any of the other measures. (Exhibit A, §§ 4(c), 4(d).)

Measure	**What it would do**
RNMM-1: Perimeter construction noise barriers	Reduce onsite construction noise at Ontario Street homes by an estimated 8 to 10 dBA, bringing every onsite phase below the EIR's threshold (Exhibit A, Table 2)

Measure	What it would do
RNMM-2: Barriers along the sewer and electrical alignments	Reduce noise at the closest homes and the number of homes significantly affected at any time
RNMM-3: Enforceable noise limit with monitoring	Give NOI-1 a measurable performance standard
RNMM-4: Limit on days of work in front of each home	Reduce the number of days each home is exposed, which the FEIR itself identifies as a way to lessen construction noise exposure (FEIR, p. 2-67)
RNMM-5: Quieter equipment and methods	Reduce source noise
RNMM-6: Temporary relocation above set exposure levels	Avoid the most severe exposures; hotel rooms are available on the Project site

The EIR's significant and unavoidable utilities impact is itself the construction noise from the Project's onsite and offsite infrastructure work. (FEIR, p. 2-35; PC Hearing.)[3] Because the offsite construction noise drives both the noise impact and the utilities impact, these measures would lessen two of the EIR's three significant and unavoidable impacts. The City cannot find these impacts unavoidable without explaining why each measure is infeasible. (Pub. Resources Code § 21081(a)(3); CEQA Guidelines § 15091(a)-(b).)

E. The EIR Understates Nighttime Operational Noise

The DEIR models the hotel's heating, ventilation, and air conditioning ("HVAC") noise as a single small residential air conditioner and concludes that it would reach only about 33 dBA at the Ontario Street homes. (DEIR, p. 5.9-17.) A 420-room hotel will likely require many large rooftop units. Mr. Rogers estimates that HVAC noise at those homes would be 55 dBA or more, which would exceed the 50 dBA nighttime limit for mechanical equipment at residential property (a 45 dBA nighttime base level plus 5 dBA). (Burbank Mun. Code § 9-3-208; Exhibit A, §§ 3, 5.) The DEIR's analysis of the outdoor event terrace and patio likewise assumes the sound of a single person talking; a crowd of 100 or more would produce approximately 50 dBA at the same homes, with no limit on evening or nighttime use. (*Id.*, § 6.) In Mr. Rogers's opinion, these are potentially significant impacts that the DEIR does not identify. Limits on the hours of the outdoor areas and on amplified sound would be feasible measures. (*Ibid.*)

[3] Citations to "PC Hearing" refer to the Planning Commission's October 12, 2026 public hearing on the Project (Item 1).

II. THE EIR UNDERSTATES THE AIR POLLUTION NEARBY RESIDENTS WOULD BREATHE

A. Construction Emissions Would Exceed the Federal 1-Hour NO2 Standard

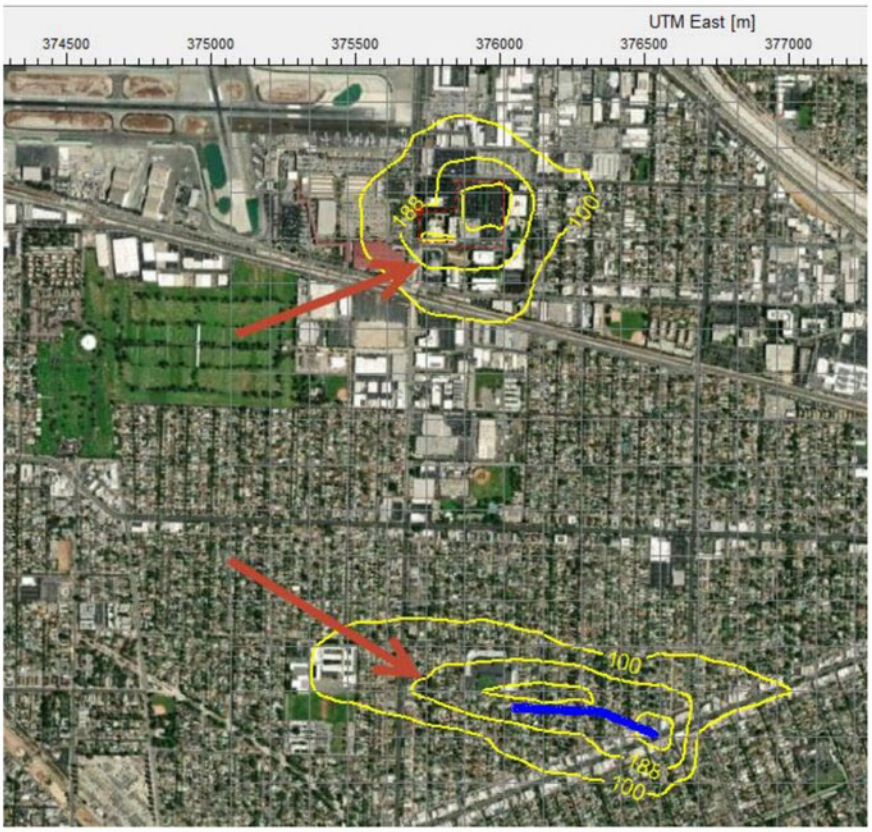
The DEIR finds localized air quality impacts less than significant by comparing onsite construction emissions to the South Coast Air Quality Management District's ("SCAQMD") Localized Significance Threshold ("LST") screening tables. (DEIR, pp. 5.1-26 to 5.1-27, Table 5.1-6.) Those tables are not a substitute for analyzing the concentrations residents would actually breathe. The DEIR applied the LST values for receptors 100 meters away, based on homes approximately 360 feet from the site boundary (*ibid.*), even though Table 5.1-6 itself includes the sewer main work, which would occur as close as about 45 feet from homes on Wyoming Avenue, and the offsite electrical work occurs about 60 feet from homes on Ontario Street. In addition, SCAQMD's localized thresholds are based on the state 1-hour NO2 standard of 0.18 parts per million (339 micrograms per cubic meter). (Exhibit B, Attachment 1.) They do not address the federal 1-hour NO2 standard of 100 parts per billion (188 micrograms per cubic meter), which is about 45 percent lower and, like the state standard, is set to protect public health. (*Id.*, Attachment 2.) The question under CEQA is whether the Project would expose sensitive receptors to substantial pollutant concentrations (DEIR, p. 5.1-25 [Impact AQ-3]), and the DEIR offers no reason for not evaluating the Project's construction emissions against the federal standard. SCAQMD itself recommended that the City perform a localized analysis using either its localized significance thresholds or dispersion modeling, and asked the City to provide all air quality modeling files. (SCAQMD NOP Comments, Dec. 3, 2019.)[4] An EIR must make a reasonable effort to connect a project's emissions to their likely health consequences. (*Sierra Club v. County of Fresno*, *supra*, 6 Cal.5th 502.)

Mr. Kapahi performed dispersion modeling. Using the DEIR's own construction emissions, he found that 1-hour NO2 concentrations would exceed the federal ambient air quality standard of 100 parts per billion (188 micrograms per cubic meter) at offsite locations, both around the Project site and along the Wyoming Avenue sewer alignment, where the area exceeding the standard extends into the residential neighborhood on either side of the work, as shown in Mr. Kapahi's Figure 1 below. (Exhibit B, AQ-3 discussion and Figure 1.)

[4] SCAQMD, Comments on the Notice of Preparation for the 2500 N. Hollywood Way Project (Dec. 3, 2019), https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2019/december/LAC191106-03.pdf; also reproduced in DEIR Appendix B.

Figure 1

Spatial Distribution of 1-hour NOx Concentration
In Micrograms per cubic meter



Note: Area enclosed by the contour labeled 188 would exceed the 1-hour NOx ambient air quality standard. The red arrow points to this contour

The South Coast Air Basin is in attainment for NO2, and SCAQMD treats a project as significant if it causes or contributes to an exceedance of an ambient standard. (*Id.*, Attachment 1.) A project that would cause new exceedances also conflicts with the region's Air Quality Management Plan. (*Id.*, AQ-1 discussion.) Neither impact is disclosed in the EIR.

B. The EIR Contains No Health Risk Assessment for Construction Diesel Emissions

Construction would involve diesel equipment operating over the more than 400 working days of building construction modeled in the DEIR, including the sewer work as close as about 45 feet from homes on Wyoming Avenue. Yet the EIR contains no assessment of cancer or non-cancer risk from diesel particulate matter. (Exhibit B, toxic air contaminants discussion.) SCAQMD recommended a health risk assessment of the Project's mobile sources and an analysis of toxic air contaminants from equipment. (SCAQMD NOP Comments, Dec. 3, 2019.) The omission matters here in particular. According to the DEIR's own modeling output, the

Project's census tract has a CalEnviroScreen 4.0 score of 92 out of 100, is designated a disadvantaged community under Senate Bill 535 and a low-income community under Assembly Bill 1550, and ranks at the 89th percentile statewide for diesel particulate matter exposure. (DEIR Appendix C, CalEEMod Health and Equity Details.) The DEIR's own output states:

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	92.0
Healthy Places Index Score for Project Location (b)	29.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	Yes
Project Located in a Low-Income Community (Assembly Bill 1550)	Yes
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

The relevant question is not the relative size of the Project's contribution, but whether any additional amount should be considered significant in light of the existing conditions. (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 718; *Los Angeles Unified School Dist. v. City of Los Angeles* (1997) 58 Cal.App.4th 1019, 1025.)

C. The EIR Requires No Measure to Reduce Construction Emissions

The DEIR's construction modeling assumes that all equipment would have "Average" engine tiers, and its mitigated and unmitigated construction emissions of nitrogen oxides ("NOx") are identical. (DEIR Appendix C, § 2.1.) The unmitigated equipment list is excerpted below; the mitigated list in Appendix C assigns the same "Average" tier to every piece of equipment. (*Id.*, §§ 5.2.1, 5.2.2.)

5.2. Off-Road Equipment

5.2.1. Unmitigated

Phase Name	Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor
Demolition	Rubber Tired Dozers	Diesel	Average	2.00	8.00	367	0.40
Demolition	Excavators	Diesel	Average	3.00	8.00	36.0	0.38
Demolition	Concrete/Industrial Saws	Diesel	Average	1.00	8.00	33.0	0.73
Grading	Graders	Diesel	Average	1.00	8.00	148	0.41
Grading	Excavators	Diesel	Average	2.00	8.00	36.0	0.38
Grading	Tractors/Loaders/Backhoes	Diesel	Average	2.00	8.00	84.0	0.37
Grading	Scrapers	Diesel	Average	2.00	8.00	423	0.48
Grading	Rubber Tired Dozers	Diesel	Average	1.00	8.00	367	0.40
Building Construction	Forklifts	Diesel	Average	3.00	8.00	82.0	0.20
Building Construction	Generator Sets	Diesel	Average	1.00	8.00	14.0	0.74
Building Construction	Cranes	Diesel	Average	1.00	7.00	367	0.29
Building Construction	Welders	Diesel	Average	1.00	8.00	46.0	0.45

No measure to reduce construction NOx or diesel particulate emissions was assumed or required. Mr. Kapahi identifies feasible measures commonly used in the South Coast Air Basin: Tier 4 Final off-road equipment; zero-emission and renewable-diesel equipment; phasing to avoid overlap of the most intensive phases and keeping equipment away from homes, including on Wyoming Avenue; and idling and haul truck controls. (Exhibit B, mitigation discussion.) The

City must consider these measures before it can approve the Project. (Pub. Resources Code § 21002.)

III. THE AIR QUALITY APPENDIX THE PUBLIC REVIEWED ON CEQANET IS A DIFFERENT DOCUMENT FROM THE ONE ON THE CITY'S WEBSITE

A. The Two Versions of Appendix C Do Not Match

The City posted the DEIR and its appendices on its project webpage, and the State Clearinghouse posted them on CEQAnet, the State's CEQA database, through which state agencies and the public review environmental documents.[5] The two versions of Appendix C describe the same Project, a 420-room, 262,338-square-foot hotel at 2500 North Hollywood Way with 673 garage spaces and 250 surface spaces, but they are different documents containing different modeling:

	City website version	**CEQAnet version**
Title	Air Quality, Energy, and Greenhouse Gas Emissions Data	Air Quality/Health Risk Assessment, Energy, and Greenhouse Gas Emissions Data
Length	172 pages	344 pages
CalEEMod model run	Two runs dated September 23, 2024, with and without project design features	One run dated March 7, 2024
Operational year modeled	2030	2027
Hotel electricity use	2,988 megawatt-hours per year	3,357 megawatt-hours per year
Daily vehicle trips (energy calculations)	4,315	4,099
Dispersion modeling and health risk	None	2021 AERMOD modeling and HARP health risk calculations for airport aircraft emissions

[5] Compare DEIR Appendix C as posted on the City's project webpage (https://www.burbankca.gov/web/community-development/2500NHW, archived at https://web.archive.org/web/20261112200044/https://www.burbankca.gov/web/community-development/2500NHW) with DEIR Appendix C as posted on CEQAnet (https://ceqanet.lci.ca.gov/2019110032/4, archived at https://web.archive.org/web/20261112200202/https://ceqanet.lci.ca.gov/2019110032/4).

Neither version contains the other's model runs. The differences are visible on the face of the documents, as shown in the screenshots below:

City website version (cover):



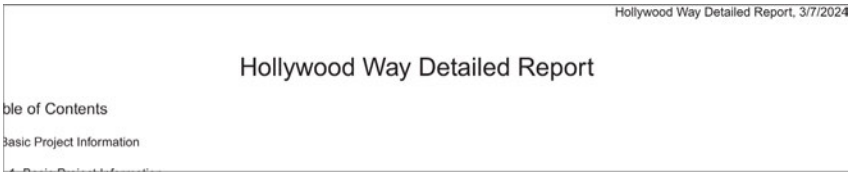
CEQAnet version (cover):



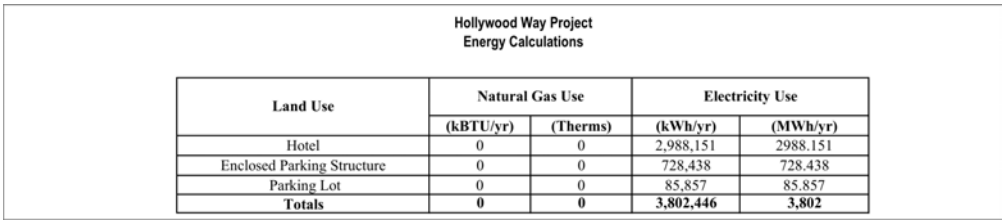
City website version (first page of model run):



CEQAnet version (first page of model run):



City website version (energy calculations):



Hollywood Way Project
Energy Calculations

Land Use	Natural Gas Use		Electricity Use	
	(kBTU/yr)	(Therms)	(kWh/yr)	(MWh/yr)
Hotel	0	0	2,988,151	2988.151
Enclosed Parking Structure	0	0	728,438	728.438
Parking Lot	0	0	85,857	85.857
Totals	**0**	**0**	**3,802,446**	**3,802**

CEQAnet version (energy calculations):

Hollywood Way Project
Energy Calculations

Land Use	Natural Gas Use		Electricity Use	
	(kBTU/yr)	(Therms)	(kWh/yr)	(MWh/yr)
Hotel	0	0	3,357,063	3357.063
Enclosed Parking Structure	0	0	728,438	728.438
Parking Lot	0	0	85,857	85.857
Totals	**0**	**0**	**4,171,358**	**4,171**

1 kBTU = 0.01 therms

Los Angeles County Annual Energy

Energy Type

The CEQAnet version also contains modeling the City's version does not: air dispersion modeling dated March 12, 2021 and health risk calculations dated March 16, 2021, prepared for airport aircraft emissions at a "Worker" receptor, as shown below:

CEQAnet version, p. 88:

```
**
****************************************
**
** AERMOD Input Produced by:
** AERMOD View Ver. 9.9.0
** Lakes Environmental Software Inc.
** Date: 3/12/2021
** File: C:\Lakes\AERMOD View\2500 N Hollywood\2500 N Hollywood.ADI
**
```

CEQAnet version, p. 285:

```
HARP2 - HRACalc (dated 19044) 3/16/2021 2:42:00 PM - Output Log

GLCs loaded successfully
Pollutants loaded successfully
Pathway receptors set to 0
*********************************
RISK SCENARIO SETTINGS

Receptor Type: Worker
Scenario: All
Calculation Method: Derived
```

B. <u>The DEIR Describes One Version but Reports the Numbers of the Other</u>

The DEIR states that its air quality section is based on the "Hollywood Way Detailed Report prepared by Denovo Planning Group dated March 7th, 2024 included as Appendix C," as shown below (DEIR, p. 5.1-1):

5.1 AIR QUALITY

The purpose of this section is to describe the existing air quality characteristics and to identify the air pollutant emissions generated by the construction and operation of the proposed Project and address their potential impacts to air quality, including toxic air contaminants. This section is based in part upon *South Coast Air Quality Management District 2022 Air Quality Management Plan* (SCAQMD 2022 AQMP) adopted December 2, 2022 and *Hollywood Way Detailed Report* prepared by Denovo Planning Group dated March 7th, 2024 included as Appendix C, Air Quality, Energy, and Greenhouse Gas Emissions Data.

That March 7, 2024 report is the one posted on CEQAnet. It does not appear in the City's version. Yet the construction emissions the DEIR reports, including 45.0 pounds per day of NOx in 2026 (DEIR, p. 5.1-21, Table 5.1-3), match the September 23, 2024 model run in the City's version, not the March 7, 2024 run, which reports a maximum of 45.3 pounds per day. The CEQAnet version is also titled as containing a "Health Risk Assessment," but its only health risk calculations concern airport aircraft emissions at a worker receptor, and the DEIR's analysis of sensitive receptor exposure does not mention any health risk assessment at all. (DEIR, pp. 5.1-25 to 5.1-29.)

C. The Public Could Not Meaningfully Review the Air Quality Analysis

An EIR's technical data must be available to the public and reviewing agencies so that they can evaluate its conclusions. (CEQA Guidelines §§ 15087, 15147.) Here, anyone who reviewed Appendix C on CEQAnet, including any state agency, reviewed modeling that does not produce the emissions reported in the DEIR. Anyone who reviewed Appendix C on the City's website could not find the March 7, 2024 report on which the DEIR says it is based. Either way, the public was not given the technical basis for the DEIR's air quality conclusions. The City should identify which document is the DEIR's Appendix C, explain the discrepancy, and recirculate the correct appendix with the revised air quality analysis. (CEQA Guidelines § 15088.5(a)(4).)

IV. THE GREENHOUSE GAS ANALYSIS REMAINS UNSUPPORTED

A. The Errata Confirms That GHG-1 Provides No Quantified Reduction

Local 11's October 12 letter pointed out that the DEIR and the draft findings described GHG-1 as requiring CALGreen Tier 2 and carbon offsets, while the measure itself required neither. The City has now resolved that inconsistency by deleting the descriptions, not by adding the requirements. The November 2026 errata strikes the DEIR's statement that GHG-1 "would require the incorporation of Tier 2 requirements of the 2022 CALGreen Code," and strikes "purchasing carbon offsets" from the DEIR's description of GHG-1, because neither is part of GHG-1 or was included in the emission calculations. (FEIR, p. 3-3 [revising DEIR pp. 5.5-16, 5.5-23].) The revised text concedes that GHG-1's remaining features "are not quantifiable in CalEEMod." (*Ibid.*) Staff describes the errata as "non-substantive." (City Council Staff Report, p. 6, fn. 1.) Removing the only building efficiency and offset requirements the DEIR attributed to GHG-1 is not a non-substantive change. The errata reads as follows:

Section 5.5, Greenhouse Gas Emissions

Draft EIR Page 5.5-16 has been revised to remove references to CalGreen Code Tier 2 requirements as they are not identified in Mitigation Measure GHG-1 (Draft EIR page 5.5-24) and were not included within the GHG emission calculations. The Draft EIR text will be revised in the Final EIR , as follows:

> 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; refer to Table 5.5-3. ~~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. However, it should be noted that these features are not quantifiable in CalEEMod.

Draft EIR Page 5.5-23 inadvertently references purchasing carbon offsets as being included within Mitigation Measure GHG-1. Carbon offsets are not included in Mitigation Measure GHG-1 (Draft EIR page 5.5-24) and were not considered in potential reductions to GHG emissions. The Draft EIR text will be revised in the Final EIR, as follows:

> Based on Table 5.5-4, the Project would incorporate a majority of the 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, and implementing employee parking cash-outs ~~and purchasing carbon offsets~~, thereby reducing VMT and GHG emissions to the maximum extent feasible.

The EIR therefore credits GHG-1 with no quantified reduction at all. The only quantified reductions come from project design features, which lower annual emissions by about 80 metric tons of carbon dioxide equivalent ("MTCO2e"), from 4,751.66 to 4,671.49 MTCO2e. Mobile sources account for 4,044 MTCO2e per year and are not reduced by any quantified measure. (DEIR Appendix C; City Council Staff Report, Att. 1, p. 40.) This does not comply with the City's own GGRP, which provides that when a project exceeds the threshold, "mitigation measures must be identified and respective GHG emissions reduction calculations included" to reduce emissions to or below the threshold. (GGRP, CEQA GHG Emissions Thresholds and Guidance, § 5.2 [GGRP PDF p. 407].)[6] The errata also confirms that the City considered offsets and excluded them without explaining why they are infeasible, although the CEQA Guidelines expressly recognize them as mitigation. (CEQA Guidelines § 15126.4(c)(3); see Exhibit B, GHG discussion.) The errata corrected the DEIR, but the CEQA findings are a separate document, and the draft findings now before the Council were not corrected. The staff report states that the

[6] City of Burbank, Greenhouse Gas Reduction Plan Update (adopted May 3, 2022), with appendices, https://www.burbankca.gov/documents/173607/0/GGRP+Update+Final_w.App.pdf/5c876fb6-fed4-49e5-d7b6-dbcf058491a1. Page citations to "GGRP PDF" refer to the page of that PDF file.

findings "were also updated to reflect these clarifications" (City Council Staff Report, p. 6), but they were not. They still state that "Mitigation Measure GHG-1 would require the incorporation of Tier 2 requirements of the 2022 CALGreen Code," and still describe GHG-1 as including "purchasing carbon offsets." (City Council Staff Report, Att. 1, pp. 38, 41.) The findings therefore contradict the EIR the Council is asked to certify, and they must be corrected before the Council can adopt them.

B. The GGRP Threshold Already Counts Visitor Trips

At the Planning Commission's October 12, 2026 hearing, Staff confirmed that the GGRP defines service population as residents and employees, and explained that the City added hotel guests as a matter of "city policy" because guests generate emissions that are counted in the Project's numerator. (PC Hearing.) The Applicant's counsel made the same "balanced equation" argument. (*Ibid.*; see FEIR, p. 2-57.) The GGRP itself shows why that reasoning fails.

The 3.12 MTCO2e threshold is 767,692 MTCO2e divided by 245,961 people, consisting of 109,686 residents and 136,275 employees. (GGRP, Tables 6-7 [GGRP PDF pp. 407-408].) The transportation emissions in that numerator come from a citywide vehicle miles traveled inventory that counts every trip produced by or attracted to Burbank in the regional travel model, allocating 50 percent of each trip with one end in the City. (GGRP, Iteris VMT Memorandum, Sept. 3, 2020 [GGRP PDF pp. 173-175].) Trips by visitors, including hotel guests and airport travelers, are therefore already in the threshold's numerator, and they are not in its denominator. Adding 588 guests to the Project's denominator compares the Project to the threshold on different terms than the threshold was built on. (*Center for Biological Diversity v. Department of Fish & Wildlife* (2015) 62 Cal.4th 204, 225-227.)

The GGRP also specifies how a hotel is measured. It classifies hotels as non-residential uses and explains that non-residential thresholds were derived by dividing emissions by employees. (GGRP PDF pp. 407, 410.) On those terms, the Project's efficiency ratio is about 55 MTCO2e per employee (4,671.49 divided by 85), roughly 17 times the threshold, not 6.94 per service person.

C. The Service Population Assumes a Hotel That Is Full Every Night

The Applicant's counsel described the EIR's guest estimate as "very conservative." (PC Hearing.) It is not. The 588 guests equal 1.4 guests per room in all 420 rooms every night of the year. For an efficiency ratio, a larger denominator produces a smaller result, so assuming 100 percent occupancy makes the Project look better, not worse. The record shows actual occupancy well below that level: the Applicant's representative testified that the existing Marriott runs at approximately 81 percent, and Staff reported citywide hotel occupancy of 74.3 percent. (*Ibid.*) Even on the EIR's own method, using 81 percent occupancy would raise the Project's ratio from 6.94 to approximately 8.3 MTCO2e per service person.

D. The Guest-Based Ratio Still Drives the Rejection of the Environmentally Superior Alternative

The Reduced Intensity Alternative would cut emissions by 1,172.77 MTCO2e per year, yet the DEIR rates its GHG impact as greater than the Project's because its per-person ratio is 0.07 higher. (DEIR, p. 7-12.) That result exists only because guests are counted in the denominator. An alternative that removes more than 1,100 tons of emissions a year is not the worse alternative for greenhouse gases.

V. THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS ARE NOT SUPPORTED

The proposed findings identify the Reduced Intensity Alternative as environmentally superior and as meeting all Project objectives, but reject it without finding it infeasible. (City Council Staff Report, Att. 1, pp. 77-78.) Nothing in the record shows that a 315-room hotel is impractical. At the hearing, the Applicant's representative stated that lenders would not finance a hotel with a residential component and that a preliminary analysis had been done. (PC Hearing.) No such analysis is in the record, and unsupported statements are not substantial evidence of infeasibility. (CEQA Guidelines § 15384(a); *Preservation Action Council v. City of San Jose* (2006) 141 Cal.App.4th 1336, 1352, 1356-1357.) One Commissioner noted that he would have liked to see an alternative "demonstrating that it's infeasible." (PC Hearing.)

The Statement of Overriding Considerations relies on transient occupancy tax and other fiscal benefits. The Council staff report now estimates $2 million to $2.5 million in transient occupancy tax annually (City Council Staff Report, p. 7), and the Applicant's representative cited $2.6 million in the first year and $123 million over 30 years (PC Hearing). But no fiscal analysis supporting any of these figures is in the record, and none accounts for the 217 extended-stay Residence Inn rooms, whose longer stays may not be subject to the tax.[7] A Statement of Overriding Considerations must be supported by substantial evidence in the record. (Pub. Resources Code § 21081(b); CEQA Guidelines § 15093(b).) Local 11 incorporates by reference Sections III and IV of its October 12 letter, which explain why the findings, the Statement of Overriding Considerations, and the Planned Development and Development Agreement findings are not supported.

[7] Burbank Municipal Code § 2-4-602 provides that "transient" does not include a natural person who, by advance monthly payment, occupies a hotel accommodation for a calendar month or 30 consecutive calendar days, or who, having occupied it for that period and paid the tax, continues to occupy it. (See https://www.burbankca.gov/documents/107269/1482865/20201210.TOTArticle6Ordinance.pdf/5a3ca7da-83ac-418a-8723-32fd1524ec22.) Staff described the 217 Residence Inn rooms as serving extended-stay guests (PC Hearing), and the record contains no analysis of how much of their occupancy would fall outside the tax.

VI. THE EIR MUST BE REVISED AND RECIRCULATED

An EIR must be recirculated when significant new information is added after public review, including a new significant environmental impact, a substantial increase in the severity of an impact, or a feasible mitigation measure or alternative that would clearly lessen significant impacts but that the project proponent declines to adopt. (CEQA Guidelines § 15088.5(a)(1)-(3); *Laurel Heights Improvement Assn. v. Regents of University of California* (1993) 6 Cal.4th 1112, 1129-1130.) The record now contains substantial evidence of each:

- New significant impacts: construction NO2 concentrations exceeding the federal ambient standard, and nighttime operational noise exceeding the City's limit (Exhibit A, §§ 5-6; Exhibit B);
- A substantial increase in severity: construction noise of approximately 85 dBA at homes 60 feet from the electrical work, which the EIR never analyzed (Exhibit A, § 4(a)); and
- Feasible mitigation that would clearly lessen significant impacts: the noise and air quality measures described above, and quantified, enforceable GHG measures.

Certifying the FEIR in its current form would not comply with CEQA.

VII. CONCLUSION

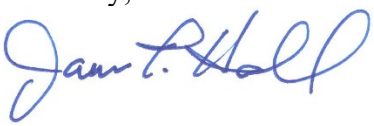
For these reasons, Local 11 respectfully requests that the Council decline to certify the FEIR and decline to approve the Planned Development, Development Agreement, and Development Review at this time, and instead direct Staff to:

1. Analyze construction noise at the homes nearest the offsite electrical and sewer work, correct the noise baseline, and analyze nighttime HVAC and outdoor gathering noise;
2. Analyze localized pollutant concentrations and construction health risk, and recirculate the version of Appendix C on which the DEIR relies;
3. Evaluate and adopt the noise and air quality measures described above, or explain with substantial evidence why each is infeasible;
4. Revise GHG-1 to include quantified, enforceable measures with a performance standard that brings the Project to the GGRP threshold, including measures directed at guest trips and carbon offsets, and recalculate the Project's efficiency on the GGRP's own terms;
5. Fully analyze a hotel and residential mixed-use alternative and either adopt the Reduced Intensity Alternative or support a finding of infeasibility with evidence; and
6. Recirculate the revised EIR for public review.

Local 11 adopts and incorporates by reference all Project comments and objections raised by all others during the environmental review and land use entitlement processes for the Project. Pursuant to Public Resources Code section 21167.6(e) and *Consolidated Irrig. Dist. v. Superior Court* (2012) 205 Cal.App.4th 697, please include all of the hyperlinked references cited in each of the comment letters submitted during the administrative process in the administrative record. Local 11 reserves the right to supplement these comments at future hearings on the Project. Please add my firm to the official notice list for the Project, including notice of any Notice of Determination. (Pub. Resources Code §§ 21092.2, 21167(f); Gov. Code § 65092.)

Thank you for your consideration of this matter. I may be contacted at jamie.hall@channellawgroup.com if you have any questions, comments or concerns.

Sincerely,



Jamie T. Hall

Encls.:

Exhibit A: Expert Report from Steve Rogers Acoustics dated November 7, 2026 and curriculum vitae

Exhibit B: Air Quality / Greenhouse Gas Expert Report from Ray Kapahi, Environmental Permitting Specialists, dated November 16, 2026 and curriculum vitae

EXHIBIT A

Expert Report from Steve Rogers Acoustics dated November 7, 2026 and curriculum vitae

Steve Rogers Acoustics

November 7, 2026

Jamie Hall
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Subject: **2500 N. Hollywood Way – Dual Brand Hotel**
Review of Noise Impact Analysis in the Draft & Final EIR

Dear Jamie:

We have reviewed the noise impact analysis presented in Section 5.9 and Appendix H of the Public Review Draft Environmental Impact Report for the Dual Brand Hotel project (the Project) proposed for the site at 2500 N. Hollywood Way in Burbank, as well as the Final Environmental Impact Report (Revised November 2026), including the responses to comments and Section 3.0, Errata to the Draft EIR and have the following comments:

1. BACKGROUND

The Project is a new, 262,338 ft^2, seven-story hotel and a separate four-story parking garage providing 766 parking spaces with an additional 285 parking spaces at grade. The Project would be constructed on the same parcel as an existing Marriott Hotel, which would remain in operation during construction of the project and upon project completion.

Offsite construction would include various improvements along Thornton Avenue, to the north of the Project site and extending approximately 300-feet east to the intersection of Thornton Avenue and Ontario Street – where an electrical service connection would be made to existing BWP facilities. Additional offsite construction would come in the form of 1,580-foot-long sewer main infrastructure improvements along Wyoming Avenue to the south of the Project site.

The noise impact analysis in the DEIR was prepared on behalf of the Applicant by Michael Baker International (MBI). This work is presented in Section 5.9 of the DEIR, which establishes thresholds of significance, presents an evaluation of temporary noise impacts from the construction phase, and addresses potential permanent (operational) noise impacts once the Project is complete. Further detail (ambient noise measurements and construction noise impact calculations) are provided in Appendix H of the DEIR. The Final EIR does not revise he noise analysis, except for minor errata changes to Mitigation Measure NOI-1 and to the discussion of offsite construction noise, which are addressed below.

2. BASELINE CONDITIONS

The analysis in Section 5.9 of the DEIR relies on daytime ambient noise level measurements made at two locations near the project site: at 2298 N. Ontario Street; on the edge of Robert E. Lundigan Park, at the northwestern corner of Thornton Avenue and Naomi Street. We find use of these two ambient noise level readings to establish baseline noise conditions for the project to be problematic, for the following reasons:

a) <u>There is an Inconsistency in the Reported Ambient Noise Levels</u>

Table 5.9-1 of the DEIR presents daytime ambient noise levels of 58.7 and 61.2 (dBA, Leq) at

Robert E. Lundigan Park and on Ontario Street, respectively. However, the more detailed reporting in Appendix H, has these values reversed – 61.2 dBA Leq at Robert E. Lundigan Park and 58.7 dBA Leq on Ontario Street.

b) No Noise Baseline Measured for Wyoming Avenue

MBI's ambient noise survey did not include any measurements on Wyoming Avenue. Instead, the analysis of noise impact from offsite sewer improvement work along Wyoming Avenue is based on noise levels measured on the edge of Robert E. Lundigan Park, at the northwestern corner of Thornton Avenue and Naomi Street.

MBI argues that the noise data from Robert E. Lundigan Park is applicable because Wyoming Avenue, Thornton Avenue and Naomi Street are all classified as "local streets" in the Mobility Element of the Burbank General Plan. In other words, the analysis in the DEIR assumes that noise levels on all local streets are the same. We disagree with this approach because of the dissimilarity of the streets in question (particularly Wyoming and Thornton Avenues) and the influence of noise from sources other than street traffic, such as aircraft movements.

We also believe that the use of baseline data measured at one location as a stand-in for the baseline at a second, distant location (Lundigan Park and Wyoming Avenue are more than a mile apart) falls short of the standard required by CEQA.

For a more realistic baseline, we measured ambient noise in front of 2911 Wyoming Avenue (the approximate mid-point of the proposed sewer alignment – as shown in Figure 1) between 2:42 and 2:52 PM on November 2, 2026. The measurement was made with a Bruel and Kjaer Type 2250 sound level meter. The calibration of the instrument was checked immediately prior to the reading using a Bruel and Kjaer Type 4231 acoustical calibrator.

The result was a 10-minute Leq of 57.1 dBA – i.e.: 1.6 dBA lower than the ambient noise level at Lundigan Park, as reported in the DEIR Table 5.9-1. Applying the DEIR's own approach (ambient plus 5 dBA), this measurement indicates a construction noise significance threshold of 62.1 dBA for the residences on Wyoming Avenue, which is lower than the 63.7 dBA threshold applied in the DEIR. This holds true regardless of which if the two conflicting DEIR ambient noise values for Lundigan Park is correct. This discrepancy shows that the DIER slightly understates the magnitude of the temporary noise impact of the Project on Wyoming Avenue during sewer improvement work. While our measurement is a single short-term sample, it was taken on the sewer alignment itself, whereas the DEIR's baseline for this alignment was measured at different location. The DEIR's approach is therefore less representative of conditions at the affected residences than our own measurement.

d) No Nighttime or CNEL Baseline Data is Provided

Table 5.9-4 in the DEIR includes noise limits for stationary sources taken from the Noise Element of the City of Burbank General Plan. These limits include maximum daytime (7AM – 10PM) and nighttime (10PM – 7AM) noise limits.

In addition, the discussion about significance thresholds for operational noise impacts on page 5.9-10 of the DEIR cites criteria established by the Federal Interagency Committee on Noise (FICON), which compare existing and future Community Noise Equivalent Level (CNEL) values to predict the annoyance caused by a new noise source (the Project in this case). Determination of CNEL requires measurement and/or prediction of noise levels over a 24-hour period and cannot be reliably calculated from daytime noise levels alone. However, the baseline data provided in the DEIR does not include 24-hour or nighttime noise levels.

Figure 1: Noise Measurement Location on Wyoming Avenue



3. SIGNIFICANCE CRITERIA & THRESHOLDS

a) Interpretation of BMC Noise Limits for Project HVAC Sources is Faulty

In its analysis of operational noise impacts, the DEIR cites the provisions in the City of Burbank Municipal Code, which read as follows:

§ 9-3-208. Machinery, Equipment, Fans and Air Conditioning.

A. Decibel Limit: No person shall operate any machinery, equipment, pump, fan, air conditioning apparatus, or similar mechanical device in such a manner as to cause the ambient noise level to be exceeded by more than five (5) decibels. In the case of leaf blowers, as defined by Section 9-3-214 of this article, the ambient noise level may not be exceeded by more than twenty (20) decibels.

B. Ambient Noise Base Level: For the purposes of this section only, all ambient noise measurements shall commence at the following ambient noise base levels in the zones and during the times shown:

Base Levels	***Time***	***Zone***
45 dBA	*Nighttime*	*Residential*
55 dBA	*Daytime*	*Residential*
65 dBA	*Anytime*	*Commercial*
70 dBA	*Anytime*	*All other zones*

Accordingly, and by way of illustration, the ambient noise level in commercial zones shall be deemed to be sixty five (65) dBA notwithstanding a lower reading; provided, however, that when the ambient noise base level for the property on which the machinery, equipment, pump, fan, air conditioning apparatus or similar mechanical device is located is higher than the ambient noise base level for adjacent property,

the ambient noise base level for the adjacent property shall apply. Properties separated by a street shall be deemed to be adjacent to one another.

As the Project is located in a commercial zone, and its immediate neighbors are also commercial properties, the DEIR argues that the BMC noise limit for operational HVAC noise should be 70 dBA (65 + 5 = 70). This in spite of the fact that the base noise levels for the nearby residential properties on Ontario Street are as much as 20 dBA lower than the commercial property base level.

We believe that the DEIR interpretation of BMC 9-3-208 is faulty because the word "adjacent" does not necessarily mean *immediately* adjacent (i.e.: sharing a common property line, or being located directly across the street). According to Merriam-Webster, "adjacent" means close or neighboring, and may or may not imply contact. The word "adjoining", on the other hand, definitely implies contact between two uses or properties, and is used elsewhere in the noise ordinance (BMC 9-3-213 B. and BMC 9-3-214 E.) to denote residential units or properties that share a common boundary.

Use of "adjacent" instead of "adjoining" in BMC 9-3-208 therefore appears to be deliberate, intended to include sensitive properties that are in the vicinity of, but not necessarily adjoining, the source property in the determination of appropriate noise limits. In other words, the correct HVAC noise limit for receivers on Ontario Street should be the baseline (measured or minimum value in the BMC) at those receivers plus 5 dBA, as follows:

Time of Day	Baseline	BMC Noise Limit
DAYTIME	58.7 or 61.2 dBA *Depending on which of the two ambient noise levels reported in the DEIR for Ontario Street is correct.*	63.7 or 66.2 dBA
NIGHTTIME	45 dBA	50 dBA

These HVAC noise limits are significantly more stringent than the blanket 70 dBA value quoted in the DEIR, which is applied day and night.

4. CONSTRUCTION NOISE IMPACTS & MITIGATION MEASURES

a) <u>Noise of Offsite Construction on Thornton Avenue Not Properly Addressed</u>

At the top of page 5.9-14, the DEIR notes that proposed offsite improvements along Thornton Avenue (specifically the electrical connections to existing BWP facilities) will occur approximately 60 feet from the nearest residential use on Ontario Street. However, no analysis is provided to show the noise impact of this scenario.

Instead, the paragraph at the top of page 5.9-14 of the DEIR refers to the impact of noise from onsite construction work (per Table 5.9-5) which relates to construction noise predictions for receivers at 360 or 640 feet from the construction equipment.

The Final EIR revises this paragraph through its errata (Final EIR, Revised November 2026, pp. 3-3 to 3-4), but only to remove an incomplete sentence. As revised, the paragraph still acknowledges that the nearest residences are approximately 60 feet from the electrical connection work, then states two sentences later that the offsite improvements are approximately 1,000 feet from sensitive receptors, and relies on Table 5.9-5 (onsite construction at 360 and 640 feet) as a "conservative" representation. Neither distance is

conservative for a receiver at 60 feet and the Final EIR still provides no analysis of that receiver.

We expect that the construction activity for the electrical connection along Thornton Avenue will be very similar to that for the sewer line improvements on Wyoming Avenue, because the work will include similar steps – saw-cutting, excavation and shoring, backfilling/compaction and pavement restoration – and equipment. And we can model the likely impact of the construction on Thornton Avenue by extrapolating the output of the DEIR noise model for the Wyoming Avenue offsite construction, as shown in Table 1.

Table 1: Offsite Construction Noise Level Predictions (dBA, Leq)		
DEIR Model of Wyoming Avenue Construction noise for receiver at a distance of 45-feet	Additional distance loss to 60-feet	Model of Thornton Avenue Construction noise for receiver at a distance of 60-feet
87.4	2.5	84.9

As Table 1 shows, our model of Thornton Avenue offsite construction noise levels received at the residential uses on Ontario Street exceeds the DEIR significance threshold (63.7 dBA) by more than 20 dBA.

b) Construction Noise Impact on Wyoming Avenue is Slightly Understated

Construction noise analysis in the DEIR is based on the Federal Highway Administration Roadway Construction Noise Model (FHWA RCNM), which is standard practice for CEQA studies and we take no exception to this approach. However, the construction noise impacts for Wyoming Avenue are slightly understated, because they are based on a baseline noise level measured in a different (and slightly noisier) location over a mile away

Correcting this anomaly would not affect the overarching finding of significant impact during onsite and offsite construction but it would better convey the scale of the noise impact of the sewer alignment work along Wyoming Avenue.

c) NOI-1 is a BMP List Rather than an Effective Noise Mitigation Measure

Mitigation measure NOI-1 in the DEIR is a list of best management practices (BMPs), summarized as follows:

- Equipping all construction equipment with mufflers.
- Signs posted with schedule dates and contact information registering complaints.
- Making available a "Noise Disturbance Coordinator".
- Use of construction noise reduction methods to be used "where feasible", including maximizing distances between noisy equipment and residential uses and use of temporary "acoustic barriers".
- Haul routes designed to avoid noise sensitive uses "to the extent feasible".
- Orientation of equipment to direct noise away from sensitive noise receivers.

While these common-sense BMPs are welcome, they are nothing more than we would expect to see implemented on any responsibly-run construction site with sensitive uses nearby. NOI-1 offers no reliable, measurable reduction in construction noise exposure at the nearby residences and the DEIR appears to acknowledge this by providing no quantitative analysis of attenuation attributable to this measure.

For example, the first item – the requirement for mufflers – is not an actual mitigation at all. This is because any piece of construction equipment powered by a combustion engine leaves the factory with a muffler installed. Therefore, the source noise levels for construction equipment in the FHWA RCNM (which are based on real-world measurements on active construction sites) already include the benefits of typical factory-furnished mufflers. The requirement for mufflers in NOI-1 does not provide any additional attenuation beyond what is already baked into the FHWA RCNM model.

Nonetheless, on page 5.9-14, the DEIR claims that mufflers "can reduce noise by up to 15 to 25 dBA", citing information published by Donaldson Filtration Solutions (a manufacturer of engine mufflers). While there are caveats in the language of this part of the DEIR, the implication is that the muffler requirement in NOI-1 will reduce construction noise below the levels predicted using the FHWA RCNM model and therefore reduce the severity of the impact. This is not true. According to Donaldson's literature, the attenuation performance claimed for their muffler products is the difference between the noise levels of "an engine without a muffler and the same engine with a muffler". In other words, replacing the factory muffler (FHWA RCNM scenario) with a Donaldson muffler does not result in any net reduction in noise level.

Another example: Temporary noise barriers, which are mentioned as a BMP item in NOI-1, can be an effective means of construction noise control – provided that the barriers are properly designed and installed. However, the reference to noise barriers in NOI-1 is so vague and unenforceable that no net reduction in construction noise can be expected from this item.

NOI-1 is unchanged in the Final EIR, apart from corrections to the names of the City divisions responsible for review (Final EIR, Revised November 2026, pp. 3-1 to 3-2).

d) <u>DEIR Overlooks Effective, Enforceable Mitigation Measures</u>

NOI-1 is the only construction noise mitigation measure put forward by the DEIR, even though it offers no real reduction in noise exposure at sensitive uses and the DEIR provides no alternative or additional measures that *would* provide meaningful mitigation. In this way, the DEIR does not adequately support the finding that construction noise impacts are "unavoidable".

This matters for two impacts, not one: the Final EIR errata (p. 3-1) corrects the Utilities and Service Systems impact (UTIL-1) to significant and unavoidable, and the Final EIR responses to comments (p. 2-35) explain that this impact is the construction noise from the onsite and offsite infrastructure work. The offsite construction noise discussed in this letter therefore drives both the noise and utilities impacts.

CEQA Guidelines Section 15126.4(a)(1) provides that an EIR "shall describe feasible measures which could minimize significant adverse impacts." The DEIR does not quantitatively show that NOI-1 would reduce construction noise at the affected residences. In our opinion, additional noise control measures are available that would substantially reduce construction noise at these residences, even where they would not reduce it below the significance threshold. The DEIR analysis for this Project should therefore be supplemented by a much more robust evaluation of mitigation options – complete with a quantitative analysis to show the noise reduction and net received noise level at sensitive receivers for each one.

We recommend that the following measures be evaluated and adopted. Each is commonly used on urban construction projects near residences. For ease of reference, we refer to them as Recommended Noise Mitigation Measures (RNMM-1 through RNMM-6).

RNMM-1 – Perimeter Construction Noise Barriers

This measure would consist of a continuous noise barrier along the east and south sides of the Project perimeter, which would remain in-place for the duration of construction. This type of measure is a common feature of urban construction sites and is often proposed as mitigation in CEQA environmental noise studies. A construction noise barrier typically comprises overlapping, acoustically-rated sound-blocking "blankets" attached to a chain link fence of sufficient height to block sightlines and achieve effective reduction in noise levels received at nearby sensitive uses.

For the phases of the Project that are projected to be the noisiest – demolition and grading – as well as the paving phase, a perimeter noise barrier has great potential because the noise sources are close to the ground. As the hotel building and parking structure rise, the perimeter barrier would still be beneficial in reducing noise from construction vehicles and staging, but would need to be supplemented by barriers supported off the new structures to mitigate noise from elevated sources.

We would expect a system of properly designed and deployed noise barriers to attenuate construction noise levels received on Ontario Street by between 8 and 10 dBA, which would be enough take noise levels predicted during construction of the Project down below the 63.7 dBA significance threshold, as illustrated in Table 2.

Table 2: Projected Effect of Noise Barriers on Onsite Construction Noise Impacts

Onsite Construction Phase	Predicted Construction Noise Level with NOI-1 Only (dBA, Leq) [1]	Attenuation of Noise Barriers in Place for Duration of Construction (dBA)	Net Noise Level Received at Residential Uses on Ontario Street	Net Noise Level Below 63.7 dBA Significance Threshold?
Demolition	69.3	8 – 10	59.3 – 61.3	YES
Grading	71.1	8 – 10	61.1 – 63.1	YES
Building Constr.	69.1	8 – 10	59.1 – 61.1	YES
Paving	64.1	8 – 10	54.1 – 56.1	YES
Arch. Coating	56.5	8 – 10	46.5 – 48.5	YES

1. Worst-case construction noise level predictions for receivers on Ontario Street, DEIR Table 5.9-5

RNMM-2 – Noise Barriers Along the Offsite Construction Alignments

Carefully-designed noise barriers deployed along the routes of the offsite construction on Thornton Avenue (electrical connection) and Wyoming Avenue (sewer improvement) could reduce noise exposures at the nearby residential uses considerably. In these cases, all noise sources are low to the ground (or even below ground level) and would be close to the noise barriers – which makes for very favorable barrier geometry and a good chance of achieving a 10 dBA reduction.

Because of the very short distances involved, a 10 dBA noise barrier would not be enough to

reduce offsite construction noise levels at the closest homes to below the significance threshold. However, a 10 dBA reduction would bring some much-needed relief to the most impacted homes and would reduce the number of homes experiencing significant noise impact at any given time.

RNMM-3 – Construction Noise Limit and Monitoring at the Nearest Residences

Establish an enforceable construction noise limit (dBA, Leq 1-hour) at the nearest residences to the onsite work and the offsite alignments, verified by noise monitoring during construction, with work modified or paused when the limit is exceeded. A numeric limit with monitoring gives NOI-1's general practices a measurable performance standard.

RNMM-4 – Limit on the Duration of Offsite Work at Each Residence

Limit the number of working days during which noisy sewer and electrical construction may occur in front of any one residence, supported by a disclosed construction schedule for each segment of the alignment.

We note that the DEIR does not disclose how long sewer or electrical construction would last at any given residence. The Final EIR acknowledges that the number of days receptors are exposed is relevant to the severity of the construction noise impact (Final EIR responses to comments, citing DEIR p. 7-13), yet provides no such information for the offsite work.

RNMM-5 – Quieter Equipment and Construction Methods

Require low-noise equipment models and quieter construction methods where available, such as electrically or hydraulically powered equipment in place of diesel or pneumatic equipment, and acoustic enclosures for stationary equipment such as generators and compressors.

RNMM-6 – Temporary Relocation

Offer temporary relocation to residents of homes exposed to construction noise above a specified level for more than a specified number of days. The availability of hotel rooms on the Project site makes this measure particularly practical.

5. OPERATIONAL NOISE IMPACT – HVAC SYSTEMS

HVAC noise from the completed Project is addressed on page 5.9-17 of the DEIR. The basis of the noise projections is an assumption that:

"mechanical equipment (i.e., HVAC) would generate noise that is 55 dBA at 50-feet from the source."

Additional distance losses are then applied to calculate the noise level at 380-feet, which is reported as approximately 33 dBA. As 33 dBA is below the (daytime) ambient noise level on Ontario Street, the discussion in the DEIR concludes that the impact of HVAC equipment on the roof of the future hotel is less than significant.

This analysis has various errors in it. A trivial one – likely a typo – is that the quoted distance of 380-feet between the hotel and the residential uses on Ontario Street is misstated. The actual distance is around 600-feet, which matches the 22 dBA distance loss between the hotel and Ontario Street implied by the DEIR.

Other errors and omissions are more problematic, because they serve to greatly underestimate the potential noise impact of the HVAC systems that will be required for the hotel portion of the project, as follows:

a) DEIR Analysis Assumes that the Entire Hotel will be Served by a Single, Small HVAC Unit

55 dBA at a distance of 50-feet is a reasonable assumption for the noise produced by a single, small (4-ton), household air-conditioning unit of the type typically be used to condition smaller single-family homes.

However, the Project is a large hotel with hundreds of guestrooms and thousands of square feet of additional common space – support, food and beverage service, offices, etc. – that will require either a commercial grade central air conditioning system or (more likely) a combination of central air conditioning and VRF fan-coil units. In either scenario, a rule-of-thumb estimate of the total cooling demand from the hotel would be around 600-tons, or 150 times the cooling capacity of the single small air-conditioning unit that has been assumed in the DEIR calculations.

Toilets, bathrooms and kitchens will require additional exhaust air, provided by a number of fans on the roof.

While the Project description in the DEIR provides very little detail about the anticipated HVAC systems, the conceptual rooftop plan shows four large packaged AC units on the roof, together with what appear to be makeup air handling units and exhaust fans. Of course, this roof layout is illustrative, but it does reinforce the point that a hotel project of this size will require many pieces of HVAC equipment – some very large – as opposed to a single, small AC unit.

An estimate (likely conservative) of the total noise impact of the HVAC systems for the project, based on the assumption that total sound power would scale with cooling capacity/demand, would be 33 + 22 = 55 dBA on Ontario Street, where 33 dBA is the prediction in the DEIR and 22 dBA comes from $10*\log_{10}(150)$, where 150 is the ratio of the estimated cooling demand of the hotel to the cooling demand of a small single-family home.

b) Nighttime HVAC Operation is Not Considered

Large, busy hotels operate 24/7 and, while cooling demand in the middle of the night will naturally be much lower than during the hottest part of the day, there will be times when there is significant load after 10 PM or before 7 AM – i.e.: during nighttime hours, when ambient noise levels on Ontario Street will be lower than those reported in the DEIR for the daytime and the City's nighttime noise limit (of 50 dBA) would apply. Nighttime HVAC operation is not studied in the DEIR and no nighttime ambient noise measurements have been made on Ontario Street. However, a 55 dBA estimate of HVAC noise received at the residences on Ontario Street (see previous paragraph) exceeds the BMC nighttime noise limit.

6. OPERATIONAL NOISE IMPACT – OUTDOOR GATHERINGS

The hotel portion of the Project has three outdoor areas on the ground floor where crowds might gather: an event terrace at the southeast corner, a covered patio off the restaurant at the northeast corner and an event space patio at the southwest corner. The potential noise impact of these outdoor gathering areas is addressed on page 5.9-19 of the DEIR, but this analysis is flawed and underestimates the potential noise impact, as follows:

a) DEIR Analysis Incorrectly Assumes Only One Person Talking

The DEIR analysis is based on an assumed crowd noise level of 62 dBA at a distance of one meter (3.28 feet), citing a 2006 research paper by M. J. Hayne et al. However, according to the methodology in the 2006 Hayne paper, 62 dBA at a distance of one meter would be the sound level for a single talker – in other words, a crowd of one. It follows that the DEIR prediction of 21 dBA for the crowd noise level received at the homes on Ontario Street greatly

underestimates the true likely noise level produced by an outdoor gathering at the hotel.

A more realistic analysis would assume that the outdoor gathering spaces will accommodate dozens of people. In fact, the event terrace appears to be sized for a crowd of over 100 people, in which case we would expect a noise level at a distance of 600-feet (the distance between the event terrace and the residential uses on Ontario Street) to be approximately 50 dBA, based on the sound power level data provided in a follow-up paper by M. J. Hayne et al ("Prediction of Noise from Small to Medium Sized Crowds", 2011).

b) Nighttime Use of the Outdoor Gathering Spaces is Not Considered

We are not aware of any provision in the DEIR that would limit the hours of operation of the outdoor gathering spaces. It is therefore quite possible that guests, patrons or event attendees will make use of the outdoor gathering areas into the evening (when ambient noise levels on Ontario Street will be lower than the daytime baseline that is established in the DEIR) or even into the night (after 10PM).

So, while an outdoor gathering noise level of 50 dBA on Ontario Street may not exceed the existing daytime ambient noise level by 3 dBA, it could exceed the threshold in the context of much lower ambient noise levels late in the evening or into the night. For reference, the BMC ambient base noise level for residential streets between the hours of 10PM and 7AM is 45 dBA. Limiting use of the outdoor gathering areas to hours before 10 PM, and prohibiting amplified sound in those areas, would be feasible measures to address this potential impact.

7. CONCLUSION

In summary, based on our review of the Draft and Final EIR, it is our opinion that:

- The DEIR understates construction noise impacts on the residences along Wyoming Avenue. Neither the Draft nor the Final EIR analyzes the residences approximately 60 feet from the offsite electrical work, where we estimate construction noise of approximately 85 dBA, more than 20 dBA above the DEIR's significance threshold.
- Mitigation Measure NOI-1 would not measurably reduce construction noise at the nearby residences.
- Nighttime HVAC noise and noise from the outdoor gathering areas could exceed the applicable nighttime limits at the Ontario Street residences. These would be potentially significant impacts that the DEIR does not identify.
- Feasible measures (RNMM-1 through RNMM-6) are available that would substantially reduce construction noise at the affected residences.

The noise analysis should be revised to address these issues, and the recommended measures should be evaluated, with the noise reduction each would achieve, before the City acts on the Final EIR.

Yours sincerely,
Steve Rogers Acoustics, LLC

Steve Rogers
Principal

Steve Rogers Acoustics

Steve Rogers, Principal

Curriculum Vitae

Experience

Steve Rogers Acoustics, LLC
Los Angeles, California 2005 – Present
Principal

SRA was formed to offer attorneys, developers, environmental consultants and planners a source of high-quality acoustical consulting and expert services. Current and recent projects include:

- Acoustical Expert Services for various noise nuisance cases throughout California, including in: Carlsbad, Cathedral City, Encinitas, Hermosa Beach, La Jolla, Laguna Niguel, Los Angeles, Pasadena, Oakland, San Diego, Temecula and Westlake Village.
- CEQA Appeal noise evaluations for various proposed developments in California, including: Heliotrope/Berendo Apartments (Los Angeles), Oakdale Estates (Tarzana), Riverside Alive (Riverside), Starbucks (West Hills), Harvard-Westlake and 1000 Seward Street (Los Angeles), Cabrillo Town Center (Santa Ana) and Victoria Boulevard Apartments (Dana Point).
- Environmental Impact Reports for the Hermosa Beach Oil Project, Baldwin Hills Oilfield CSD, Port of Long Beach Middle Harbor Redevelopment and Indiana Street Redevelopment (San Francisco).

Veneklasen Associates, Inc.
Santa Monica, California 1995 – 2005
Associate Principal

Over the course of a decade with the acoustics group at VA, Steve served as project manager and main point of client contact for the firm's largest and highest-profile projects, including the Getty Center in Los Angeles, the Aquarium of the Pacific in Long Beach, Lloyd D. George Federal Courthouse in Las Vegas and numerous landmark office headquarters buildings.

Hann Tucker Associates
Woking, Surrey, UK 1988 – 1995
Senior Consultant

During his seven years with HTA (at the time, Europe's largest independent acoustical consulting firm) Steve gained broad experience in all aspects of acoustical consulting and exposure to a wide range of project types.

Education

University of Surrey, Guildford, Surrey, United Kingdom
BSc (with Honors) Physics and Modern Acoustics, 1986

Professional Affiliations

- National Council of Acoustical Consultants
- Institute of Noise Control Engineering

EXHIBIT B

Air Quality / Greenhouse Gas Expert Report from Ray Kapahi, Environmental Permitting Specialists, dated November 16, 2026 and curriculum vitae

ENVIRONMENTAL PERMITTING SPECIALISTS
Air Quality • Permitting • OHSA • RMP/PSM

TECHNICAL MEMORANDUM

To: Veronica LeBron
Jamie Hall
Channel Law Group, LLP

Date: November 16, 2026

From: Ray Kapahi RK
Tel: 916.806.8333
E-Mail: ray.kapahi@gmail.com

Subject: Review of Draft and Final Environmental Impact Reports
2500 N. Hollywood Way – Dual Brand Hotel Project, Burbank, CA

INTRODUCTION AND SUMMARY

I have completed my review of the Draft Environmental Impact Report (DEIR)[1] and Final Environmental Impact Report (FEIR)[2] for the 2500 N. Hollywood Way – Dual Brand Hotel Project to be located in Burbank, CA. My review focused on impacts to air quality, public health, and greenhouse gas (GHG) emissions.

The DEIR identified and quantified various criteria air pollutants and their impacts to public health. The analysis compared daily emission rates with thresholds of significance set forth by South Coast Air Quality Management District (SCAQMD)[3] . Based on this comparison, the DEIR concluded that since project emissions were below the thresholds of significance, impacts to air quality and public health were less than significant.

[1] 2500 N. Hollywood Way – Dual Brand Hotel Project. "Public Review Draft Environmental Impact Report" December 16, 2024. Available at: https://ceqanet.lci.ca.gov/2019110032/4

[2] Final Environmental Impact Report October 2026, as revised November 2026. Available at: https://www.burbankca.gov/web/community-development/2500nhw

[3] SCAQMD (2023): "South Coast AQMD Air Quality Significance Thresholds", Available at: https://www.aqmd.gov/docs/default-source/ceqa/handbook/south-coast-aqmd-air-quality-significance-thresholds.pdf?sfvrsn=25

The logic of inferring air quality impacts based solely on daily emission rates is flawed because impacts to air quality and public health depend on exposure to the concentration of a pollutant.

Pollutant concentration (e.g., in parts per million or micrograms per cubic meter) is related not only to emission rate but also to other factors, such as proximity to receptors, source geometry, local weather conditions, etc. Neither the DEIR nor the FEIR translated the emission rates (e.g., in pounds per hour or pounds per day) of a pollutant into its site-specific concentration. Instead, the documents rely on generic lookup tables based on Localized Significance Thresholds (LST)[4].

The DEIR incorrectly asserts that the project would not cause any violation of air quality standards. Analysis that appears later in this Memorandum demonstrates that NOx emissions during the construction phase, including the sewer main improvements, would violate the 1-hour federal NO2 standard by a wide margin. NOx emissions were converted to NO2 as described below.

The FEIR, including the November 2026 revision, provided no additional air quality impact analysis or analysis of impacts to public health.

The November 2026 revised FEIR errata (FEIR Section 3.0) likewise makes no changes to the air quality analysis. Its only revisions relevant to this Memorandum concern greenhouse gas emissions: the errata removes the DEIR's references to CALGreen Tier 2 requirements and to the purchase of carbon offsets, because neither is part of Mitigation Measure GHG-1 or was included in the GHG emission calculations (FEIR p. 3-3).

DETAILED COMMENTS

Air Quality Impact Analysis is Incomplete

The DEIR correctly identified the thresholds of significance listed in the checklist in Appendix G of the CEQA Guidelines. These specifically reference:

- Would the project expose sensitive receptors to substantial pollutant concentrations?

- Would the project conflict with or obstruct implementation of the applicable air quality plan?

- Would the project 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?

[4] SCAQMD (2005): Localized Significance Thresholds. Feb 2005. Available at: https://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/localized-significance-thresholds

The DEIR concluded that impacts are less than significant for all of the above criteria because daily emissions of various criteria air pollutants are below the SCAQMD thresholds of significance. A copy of the SCAQMD thresholds is attached (Attachment 1).

No analysis of the actual site-specific pollutant concentrations is provided. Instead, the DEIR relies on the above criteria and on LSTs, which by their nature are generic. A site-specific analysis should have been completed to quantify expected impacts. This includes translating emissions (in terms of lbs/day) into pollutant concentrations (in terms of either parts per million or micrograms per cubic meter). These concentrations should be compared to the ambient air quality standards.

The DEIR's LST analysis (DEIR pp. 5.1-26 to 5.1-27, Table 5.1-6) uses the SCAQMD screening values for receptors 100 meters away, based on residences approximately 360 feet from the site boundary. However, Table 5.1-6 itself includes the sewer main improvements, which would occur as close as approximately 45 feet from homes on Wyoming Avenue, and the offsite electrical work would occur approximately 60 feet from homes on Ontario Street. In addition, the SCAQMD thresholds (Attachment 1) identify only the state 1-hour NO2 standard (0.18 ppm, or 339 µg/m³) as the applicable 1-hour NO2 threshold, so the LST screening does not address the more stringent federal 1-hour standard of 100 ppb (188 µg/m³). The federal standard is a health-based national ambient air quality standard that applies in the South Coast Air Basin (Attachment 2), and the question under Impact AQ-3 is whether the Project would expose sensitive receptors to substantial pollutant concentrations. The DEIR offers no reason for not evaluating the Project's construction emissions against the federal standard.

In its December 3, 2019 comments on the Notice of Preparation (DEIR Appendix B), SCAQMD recommended that the City perform a localized analysis using either the LSTs or dispersion modeling, and asked the City to provide all air quality modeling files.

Violation of 1-Hour Federal Ambient Air Quality Standard for NO2 (AQ-3)

The DEIR asserts that no ambient air quality standard would be violated as the daily emissions were below the SCAQMD thresholds. A copy of the ambient air quality standards is attached (Attachment 2).

I reviewed the daily emissions of NOx during the construction phase and used an air dispersion model (AERMOD)[5] to translate these emissions into 1-hour NO2 concentrations. This analysis is based on the maximum daily on-site NOx emissions that appear in Appendix C CalEEMod Reports dated 9/23/2024 for the following sources:

- Grading and building construction (27.2 + 9.85 = 37.05 lbs/day or 4.63 lbs/hr over an 8-hour day)

[5] EPA (2026): AERMOD is the preferred model recommended by the EPA for conducting air dispersion analyses. Additional information available at: https://www.epa.gov/scram/air-quality-dispersion-modeling-preferred-and-recommended-models

- Sewer main improvements (19.2 lbs/day or 2.4 lbs/hr over an 8-hour day)

The DEIR states that its air quality analysis is based on a CalEEMod report dated March 7, 2024 (DEIR p. 5.1-1). That report appears only in the version of Appendix C posted on the State's CEQAnet database. The construction emissions reported in the DEIR match the September 23, 2024 CalEEMod runs in the version of Appendix C posted on the City's website, which I used for this analysis. The model was run using five years of meteorological data. Electronic copies of the modeling files are available upon request.

To account for the conversion from nitric oxide (NO) to nitrogen dioxide (NO2), a conversion factor of 0.9 was used. This corresponds to the maximum ratio under the U.S. EPA Tier 2 Ambient Ratio Method (ARM2)[6]. My analysis shows that the 1-hour NO2 concentration from the construction phase would violate the federal 1-hour standard of 188 micrograms per cubic meter ($\mu g/m^3$). See Figure 1. The 1-hour standard applies at all off-site locations beyond the property line of the project site.

The form of the federal 1-hour NO2 standard (the three-year average of the 98th percentile of daily maximum 1-hour concentrations) is used to determine whether a region attains the standard. For an individual project, U.S. EPA guidance is to compare the project's modeled impact to the significant impact level of 4 ppb (7.5 $\mu g/m^3$). If the project's impact exceeds that level, a cumulative analysis is performed by adding the background concentration, and a violation is predicted if the total exceeds 100 ppb (188 $\mu g/m^3$). Here, the Project's construction impacts alone exceed 100 ppb before any background concentration is added. Adding background concentrations would only increase the predicted totals.

The DEIR went to great lengths to identify the harm to the public from exposure to high concentrations of NOx (Section 5.1.1) but failed to translate the daily NOx emissions into concentrations. This is a critical oversight as NOx is not only harmful to individuals living or working near the project site, but is also a key precursor to smog (ozone).

Southern California has some of the worst air quality in the country. NOx emissions, especially violations of the NO2 standard, set back the region's effort to comply with the ozone standard. The region is classified as extreme non-attainment for the 8-hour ozone standard.

NOx Emissions Would Conflict with Implementation of Applicable Air Quality Plan (AQ-1)

Contrary to the conclusion in the DEIR, the proposed project will create new violations of the 1-hour NO2 ambient standard and therefore would conflict with the implementation of the applicable air quality plan. The applicable plan is the 2022 Air Quality Management Plan (AQMP)[7].

[6] U.S. EPA, Guideline on Air Quality Models, 40 C.F.R. Part 51, Appendix W, § 4.2.3.4 (Tier 2 Ambient Ratio Method).

[7] SCAQMD (2022): 2022 Air Quality Management Plan. December 2, 2022. Available at: https://www.aqmd.gov/home/air-quality/air-quality-management-plans/air-quality-mgt-plan

The Two Versions of DEIR Appendix C Do Not Match

The version of DEIR Appendix C posted on the City's website (172 pages, titled "Air Quality, Energy, and Greenhouse Gas Emissions Data") contains two CalEEMod runs dated September 23, 2024, with and without project design features, followed by energy calculations. The version posted on the State Clearinghouse's CEQAnet database is a different document. It is 344 pages, is titled "Air Quality/Health Risk Assessment, Energy, and Greenhouse Gas Emissions Data," and contains a single earlier CalEEMod run dated March 7, 2024, energy calculations with different inputs (for example, 3,357 rather than 2,988 megawatt-hours per year of hotel electricity use, and 4,099 rather than 4,315 daily vehicle trips), and 2021 AERMOD dispersion modeling and HARP health risk calculations for airport aircraft emissions at a worker receptor. Neither version contains the other's model runs. The CEQAnet version also models an operational year of 2027, while the City's version models 2030.

The DEIR states that its air quality section is based on the March 7, 2024 report (DEIR p. 5.1-1), which appears only in the CEQAnet version, while the construction emissions the DEIR reports, including 45.0 pounds per day of NOx in 2026 (DEIR Table 5.1-3), match the September 23, 2024 runs in the City's version. Reviewers who relied on either version could not reconcile the DEIR's air quality analysis with its technical appendix.

Public Health Risks from Exposure to Toxic Air Contaminants (TACs) not Quantified or Disclosed

The presence of TACs is acknowledged in Section 5.1.1 of the DEIR, however, there is no analysis of the cancer and non-cancer health risks to nearby residences or workers. The SCAQMD thresholds of significance specifically establish thresholds of significance for cancer and non-cancer health risks. The DEIR failed to disclose how project related health risks compare to the SCAQMD thresholds.

The DEIR also does not consider the existing health burden of the community around the Project site. According to the DEIR's own CalEEMod output (DEIR Appendix C, Health and Equity Details), the Project's census tract has a CalEnviroScreen 4.0 score of 92 out of 100, is a designated disadvantaged community under Senate Bill 535 and a low-income community under Assembly Bill 1550, and ranks at the 89th percentile statewide for exposure to diesel particulate matter. Residents of this community are therefore particularly vulnerable to the added construction emissions described in this Memorandum.

Construction would involve diesel equipment operating over the more than 400 working days of building construction modeled in the DEIR (DEIR Appendix C), including the sewer main improvements as close as approximately 45 feet from homes on Wyoming Avenue. Yet the DEIR's analysis of sensitive receptor exposure (Impact AQ-3, DEIR pp. 5.1-25 to 5.1-29) addresses only the LST screening and carbon monoxide hotspots, and does not include or refer to any health risk assessment of construction diesel emissions. SCAQMD's December 3, 2019 comments on the Notice of Preparation recommended a health risk assessment of the Project's mobile sources and

an analysis of toxic air contaminant impacts from construction equipment, and its March 20, 2024 comments on the recirculated Notice of Preparation repeated the request for the health risk assessment files (DEIR Appendix B).

Feasible Mitigation Measures to Reduce Construction NOx and Diesel Emissions Were Not Considered

The DEIR's construction emissions modeling assumes that all construction equipment would have "Average" engine tiers, and the mitigated and unmitigated construction NOx emissions are identical (DEIR Appendix C, §§ 5.2.1, 5.2.2, and 2.1). In other words, no measure to reduce construction NOx or diesel particulate emissions was assumed or required. In my opinion, the following measures are feasible, are commonly used for construction projects in the South Coast Air Basin, and would substantially reduce construction NOx and diesel particulate emissions at the nearby residences. For ease of reference, I refer to them as Recommended Air Quality Mitigation Measures (RAQMM-1 through RAQMM-4).

- **RAQMM-1 – Tier 4 Final Equipment:** Require all off-road diesel construction equipment of 50 horsepower or more to meet U.S. EPA Tier 4 Final emission standards.
- **RAQMM-2 – Zero-Emission and Alternative-Fuel Equipment:** Require electric or other zero-emission equipment where commercially available (for example, forklifts, welders, generator sets, air compressors and concrete saws), and renewable diesel fuel for the remaining diesel equipment.
- **RAQMM-3 – Phasing and Equipment Location:** Schedule construction to avoid overlap of the most intensive phases, such as grading and building construction, and locate staging areas and stationary equipment as far as practicable from residences, including during the sewer main improvements along Wyoming Avenue.
- **RAQMM-4 – Idling and Truck Controls:** Limit idling of on-road and off-road equipment to two minutes, and require haul and vendor trucks to meet 2010 or newer engine model year emission standards.

Each of these measures should be evaluated quantitatively, including whether, with these measures in place, the Project's 1-hour NO2 concentrations at nearby residences would fall below the applicable ambient air quality standard.

Greenhouse Gas Analysis Relies on Unquantified Mitigation

The DEIR concludes that the Project would exceed the City's Greenhouse Gas Reduction Plan (GGRP) efficiency threshold of 3.12 metric tons of carbon dioxide equivalent (MTCO2e) per service population, even with project design features, and requires Mitigation Measure GHG-1. The November 2026 FEIR errata removes the DEIR's statements that GHG-1 requires CALGreen Tier 2 measures and the purchase of carbon offsets, because neither is part of GHG-1 or was included in the GHG emission calculations (FEIR p. 3-3). The revised text acknowledges that GHG-1's remaining features are not quantifiable in CalEEMod (ibid.). As a result, the DEIR credits GHG-1 with no quantified reduction.

The only quantified reductions come from project design features, which lower the Project's annual emissions by about 80 MTCO2e, from 4,751.66 to 4,671.49 MTCO2e. Mobile sources account for 4,044 MTCO2e per year and are not reduced by any quantified measure (DEIR Appendix C). The GGRP itself provides that when a project exceeds the threshold, mitigation measures must be identified and the corresponding GHG reductions calculated to bring the project to or below the threshold (GGRP, CEQA GHG Emissions Thresholds and Guidance, § 5.2, PDF p. 407). The DEIR does not do so.

Service Population Calculation Is Inconsistent with the GGRP

The GGRP threshold of 3.12 MTCO2e is 767,692 MTCO2e divided by a service population of 245,961, consisting of 109,686 residents and 136,275 employees (GGRP Tables 6 and 7, PDF pp. 407 to 408). The transportation emissions in that total come from a citywide vehicle miles traveled inventory that counts trips produced by or attracted to Burbank, allocating 50 percent of each trip with one end in the City (GGRP, Iteris VMT Memorandum, September 3, 2020, PDF pp. 173 to 175). Trips by visitors, including hotel guests and airport travelers, are therefore already included in the threshold's emissions but not in its service population. Adding 588 hotel guests to the Project's service population compares the Project to the threshold on a different basis than the threshold was developed on.

The GGRP classifies hotels as non-residential uses and explains that non-residential thresholds were derived by dividing emissions by employees (GGRP PDF pp. 407, 410). On that basis, the Project's emissions are approximately 55 MTCO2e per employee (4,671.49 divided by 85 employees), roughly 17 times the 3.12 threshold. In addition, the 588 guests represent 1.4 guests in every one of the 420 rooms every night of the year. Hotels do not operate at full occupancy year-round; at 80 percent occupancy, the DEIR's own method would yield approximately 8.4 MTCO2e per service population rather than 6.94.

The same approach affects the comparison of alternatives. The Reduced Intensity Alternative would reduce emissions by 1,172.77 MTCO2e per year, yet the DEIR rates its GHG impact as greater than the Project's because its per-person ratio is 0.07 MTCO2e higher (DEIR p. 7-12). That result follows from counting guests in the service population; an alternative that removes more than 1,100 metric tons of emissions per year does not have greater GHG impacts.

Feasible measures are available to reduce the Project's mobile source emissions, which account for most of its GHG emissions, and each should be quantified and evaluated:

- **Guest Trip Reduction:** Guest-oriented transportation demand management, including transit and rail incentives tied to reservations and guest parking pricing.
- **Employee Commute Trip Reduction:** A mandatory employee commute trip reduction program with monitoring and remedies if targets are not met, including parking cash-out.
- **Shuttle Fleet Electrification:** Electrification of the shared hotel shuttle fleet, including the existing vehicles.
- **Carbon Offsets:** Verified carbon offsets for any remaining emissions above the GGRP threshold.

With quantified measures and a performance standard, GHG-1 could be designed to bring the Project to the GGRP threshold, as the GGRP requires.

CONCLUSIONS

The DEIR erroneously concludes that the Project's impact to air quality and public health would be less than significant based solely on comparing the daily emissions with SCAQMD thresholds of significance.

The SCAQMD thresholds are not the only thresholds that apply to the project. Other thresholds are the ambient air quality standards that are part of the federal Clean Air Act (CAA)[8]. The standards are designed to protect public health. If project emissions were translated into pollutant concentration, then it would have demonstrated that the project would violate the 1-hour NO2 standard by a wide margin.

The violation of the 1-hour standard also negates the DEIR assertion that the project would not obstruct the applicable air quality plan, since the project would create new violations of the federal 1-hour NO2 standard.

Overall, the conclusion that project impacts are less than significant is not supported by the facts.

In summary, it is my opinion that:

- The DEIR does not analyze the site-specific pollutant concentrations to which nearby residents would be exposed during construction;

- Construction NOx emissions would cause 1-hour NO2 concentrations exceeding the federal ambient air quality standard at off-site locations, a potentially significant impact that the DEIR does not identify;

- The DEIR does not quantify cancer and non-cancer health risks from construction diesel emissions in a community already burdened by high pollution levels; and feasible measures (RAQMM-1 through RAQMM-4) are available to reduce these emissions.

The air quality analysis should be revised to address these issues, and the recommended measures should be evaluated, before the City acts on the Final EIR. In addition, the DEIR credits Mitigation Measure GHG-1 with no quantified GHG reduction, and its service population calculation is inconsistent with the GGRP threshold it applies.

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[8] Clean Air Act, 42 U.S.C. § 7401 et seq. Available at: https://www.law.cornell.edu/uscode/text/42/7401

Figure 1

Spatial Distribution of 1-hour NOx Concentration
In Micrograms per cubic meter



Note: Area enclosed by the contour labeled 188 would exceed the 1-hour NOx ambient air quality standard

Attachment 1

SCAQMD Thresholds of Significance

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

South Coast AQMD Air Quality Significance Thresholds

Mass Daily Thresholds [a]		
Pollutant	**Construction**	**Operation**
NO_x	100 lbs/day	55 lbs/day
VOC	75 lbs/day	55 lbs/day
PM_{10}	150 lbs/day	150 lbs/day
$PM_{2.5}$	55 lbs/day	55 lbs/day
SO_x	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
Lead	3 lbs/day	3 lbs/day
Toxic Air Contaminants (TACs), Odor, and GHG Thresholds		
TACs (including carcinogens and non-carcinogens)	Maximum Incremental Cancer Risk ≥ 10 in 1 million Cancer Burden > 0.5 excess cancer cases (in areas ≥ 1 in 1 million) Chronic & Acute Hazard Index ≥ 1.0 (project increment)	
Odor	Project creates an odor nuisance pursuant to South Coast AQMD Rule 402	
GHG	10,000 MT/yr CO_2eq for industrial facilities	
Ambient Air Quality Standards for Criteria Pollutants [b]		
NO_2 1-hour average annual arithmetic mean	South Coast AQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards: 0.18 ppm (state) 0.03 ppm (state) and 0.0534 ppm (federal)	
PM_{10} 24-hour average annual average	10.4 µg/m³ (construction)[c] & 2.5 µg/m³ (operation) 1.0 µg/m³	
$PM_{2.5}$ 24-hour average	10.4 µg/m³ (construction)[c] & 2.5 µg/m³ (operation)	
SO_2 1-hour average 24-hour average	0.25 ppm (state) & 0.075 ppm (federal – 99th percentile) 0.04 ppm (state)	
Sulfate 24-hour average	25 µg/m³ (state)	
CO 1-hour average 8-hour average	South Coast AQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards: 20 ppm (state) and 35 ppm (federal) 9.0 ppm (state/federal)	
Lead 30-day Average Rolling 3-month average	1.5 µg/m³ (state) 0.15 µg/m³ (federal)	

[a] Source: South Coast AQMD CEQA Handbook (South Coast AQMD, 1993)
[b] Ambient air quality thresholds for criteria pollutants based on South Coast AQMD Rule 1303, Table A-2 unless otherwise stated.
[c] Ambient air quality threshold based on South Coast AQMD Rule 403.

KEY: lbs/day = pounds per day ppm = parts per million µg/m³ = microgram per cubic meter ≥ = greater than or equal to
MT/yr CO_2eq = metric tons per year of CO_2 equivalents > = greater than

Revision: March 2023

Attachment 2

Ambient Air Quality Standards

Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards [1]		National Standards [2]		
		Concentration [3]	Method [4]	Primary [3,5]	Secondary [3,6]	Method [7]
Ozone (O_3)[8]	1 Hour	0.09 ppm (180 µg/m^3)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.070 ppm (137 µg/m^3)		0.070 ppm (137 µg/m^3)		
Respirable Particulate Matter (PM10)[9]	24 Hour	50 µg/m^3	Gravimetric or Beta Attenuation	150 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m^3		—		
Fine Particulate Matter (PM2.5)[9]	24 Hour	—	—	35 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m^3	Gravimetric or Beta Attenuation	12.0 µg/m^3	15 µg/m^3	
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m^3)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m^3)	—	Non-Dispersive Infrared Photometry (NDIR)
	8 Hour	9.0 ppm (10 mg/m^3)		9 ppm (10 mg/m^3)	—	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m^3)		—	—	
Nitrogen Dioxide (NO_2)[10]	1 Hour	0.18 ppm (339 µg/m^3)	Gas Phase Chemiluminescence	100 ppb (188 µg/m^3)	—	Gas Phase Chemiluminescence
	Annual Arithmetic Mean	0.030 ppm (57 µg/m^3)		0.053 ppm (100 µg/m^3)	Same as Primary Standard	
Sulfur Dioxide (SO_2)[11]	1 Hour	0.25 ppm (655 µg/m^3)	Ultraviolet Fluorescence	75 ppb (196 µg/m^3)	—	Ultraviolet Flourescence; Spectrophotometry (Pararosaniline Method)
	3 Hour	—		—	0.5 ppm (1300 µg/m^3)	
	24 Hour	0.04 ppm (105 µg/m^3)		0.14 ppm (for certain areas)[11]	—	
	Annual Arithmetic Mean	—		0.030 ppm (for certain areas)[11]	—	
Lead[12,13]	30 Day Average	1.5 µg/m^3	Atomic Absorption	—	—	High Volume Sampler and Atomic Absorption
	Calendar Quarter	—		1.5 µg/m^3 (for certain areas)[12]	Same as Primary Standard	
	Rolling 3-Month Average	—		0.15 µg/m^3		
Visibility Reducing Particles[14]	8 Hour	See footnote 14	Beta Attenuation and Transmittance through Filter Tape	**No National Standards**		
Sulfates	24 Hour	25 µg/m^3	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m^3)	Ultraviolet Fluorescence			
Vinyl Chloride[12]	24 Hour	0.01 ppm (26 µg/m^3)	Gas Chromatography			

See footnotes on next page …

1. California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, and particulate matter (PM10, PM2.5, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

2. National standards (other than ozone, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM10, the 24 hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 $\mu g/m^3$ is equal to or less than one. For PM2.5, the 24 hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current national policies.

3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.

4. Any equivalent measurement method which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.

5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.

6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

7. Reference method as described by the U.S. EPA. An “equivalent method” of measurement may be used but must have a “consistent relationship to the reference method” and must be approved by the U.S. EPA.

8. On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm.

9. On December 14, 2012, the national annual PM2.5 primary standard was lowered from 15 $\mu g/m^3$ to 12.0 $\mu g/m^3$. The existing national 24-hour PM2.5 standards (primary and secondary) were retained at 35 $\mu g/m^3$, as was the annual secondary standard of 15 $\mu g/m^3$. The existing 24-hour PM10 standards (primary and secondary) of 150 $\mu g/m^3$ also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.

10. To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.

11. On June 2, 2010, a new 1-hour SO_2 standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO_2 national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.

    Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.

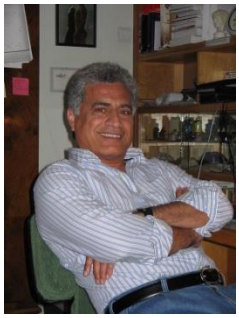
12. The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

13. The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard (1.5 $\mu g/m^3$ as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.

14. In 1989, the ARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.

Ray Kapahi

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Consulting Engineer



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Practice Areas

- Air Quality Permitting
- Odor Modeling and Control
- Health Risk Assessment
- Environmental Impact Analysis
- Greenhouse Gas Analysis
- Atmospheric Dispersion Modeling

Industries

- Solid Waste
- Energy Production
- Law Firms
- Construction and Mining
- Cannabis Cultivation
- Oil and Gas Production
- Food Industries

Education and Training

- BSc. Physics (1972)
- MEng. Chemical Engineering (1975)
- CARB Accredited Green House Gas (GHG) Lead Verifier with Specialization in Process Emissions and Electricity Transactions (2009)

News

- Presentation "Numerical Modeling of Landfill Gas and Odors" 33rd International Conference on Solid Waste Technology and Management. March 11 to 14, 2018, Annapolis, MD.

- Presentation "Integrated Approach to Effective Odor Control at Landfills and Composting Facilities" Wastecon 2016, Indianapolis, IN.

EXPERIENCE

Over 30 years of experience in analyzing air quality and odor impacts, permitting of stationary sources, and preparation of environmental impact documents, and testifying as an exprt witness in air quality matters. Mr. Kapahi assists a broad range of clients and assists them to identify and meet their regulatory obligations.

The scope of his experience includes siting of new landfills, waste to energy plants, obtaining conditional use permits from City and County Governments for new projects or expansion of existing projects. Specific experience and skills include preparation of emission inventories, analysis and measurements of odors, dispersion modeling, oversight of air quality monitoring, analysis of impacts to public health, accidental release of chemicals and working with law firms as an expert on air quality, and appearing before City and County Planning Boards and Commissions as an expert witness on behalf of clients.

Following approvals for new facilities or expansion of existing facilities, Mr. Kapahi continues to work with clients to ensure on-going compliance.

REPRESENTATIVE PROJECTS

Air Quality Permitting

- **Permitting of a Powdered Milk Plant (Turlock, CA)**

Evaluate emissions of various air pollutants from the proposed 30 million gallons per year mild processing/drying facility. Demonstrate compliance with local and state air quality regulations, including regulation of toxic air pollutants.

- **Permit Revisions for an Existing Fruit Dehydration Facility (Yuba City, CA)**

Assisted a major food processor in revising their operating permits to allow for additional steam production. Worked cooperatively with the local air district to ensure timely issuance of the revised permits.

- **Permitting of a Waste to Energy Plant (Fort Irwin, CA)**

Quantify emissions from a proposed 34 tons per day solid waste to energy project. Analyze emissions associated with pyrolysis and subsequent utilization of synthetic gas to generate 1.5 MW of electric power. Prepare the necessary permit applications and supporting documentation.

- **Permitting of a CBD Oil Extraction Facility (Mendota, CA)**

Quantify emissions from a proposed solvent extraction process. Assist in design of an RTO VOC control system. The facility was permitting in 2019 and is currently operating.

Publications and Presentations

Presentation "Use of Advanced Models to Control Fugitive Odors from Composting Sites". US Compost Council Annual Meeting, January 2015, Austin, TX.

"Air Emissions from Landfills and Transfer Stations – Do they Increase Public Health Risks?" Presented at Quad State Environmental Conference, Pigeon Forge TN, Sept 2015.

"Risks of Carbon Credit Invalidation Under California's Cap-and-Trade Program", Presented at the 2014 Air and Waste Management Association Annual Conference. June 24-27, 2014. Long Beach, CA

"Estimate of VOC Emissions from Sludge Drying", Presented at the 1995 SWANA Conference. November 1995, Baltimore, MD.

"Use of Biofilters to Control VOCs", Biocycle, February 1995.

"Impacts of the 1990 Clean Air Act Amendments", San Jose Business Journal, March 24, 1994.

"Modeling Fine Particulates" in Municipal Waste Incineration Risk Assessment, Edited by Curtis Travis, Plenum Press, 1990.

Specialized Training

Calculating Tank Emissions. Trinity Consultants. Los Angeles, CA February 1-2, 2020.

Accidental Release Modeling Workshop. Trinity Consultants. Dallas, TX November 1-2, 2018.

HARP2 (Risk Assessment Model) Training at California Air Resources Board. Redding, CA

Hearing Board Variance Training – California Air Resources Board (1995)

Air Emissions and Odors from Wastewater – University of Texas, Austin (1994)

Professional Affiliations

Air and Waste Management Association (Member)

American Institute of Chemical Engineers (Member)

Member Technical Advisory Committee (TAC) for the California Energy Commission

Air Quality Impact Analysis and Monitoring

- **Environmental Impacts from Warehouse Development (Oceanside, CA)**

EPS is working with local residents and their attorney in identifying impacts to air quality and public health from the development of a major warehouse development. At issue are violations of air quality standards from NOx, PM10 and PM2.5.

- **Modeling Accidental Release of Chlorine (Sacramento, CA).**

EPS modeled the accidental release of chlorine from a water treatment plant. The analysis provided guidance to first responders on potential evacuation areas. The SLAB model along with detailed mass transfer calculations were performed to quantify the extent of the hazardous plume.

- **Analysis and Control of Fugitive Dust and Odors from a Soil Blending Facility (Stockton, CA)**

Advanced computational fluid mechanics (CFD) models were used to predict the air flow and movement of fugitive dust at a soil blending facility. With this information, the client was able to install appropriate mitigation services to mitigate off-site migration of fugitive dust.

- **Review of Odor Control Systems for Cannabis Cultivation and Distribution Facilities (Palm Springs, CA)**

EPS evaluated the *odor* control system for over 15 different odor cultivation and distribution facilities in Palm Springs. The effectiveness of the proposed system was evaluated and recommendations were made to the City to Palm Springs on the issuance or denial of the operating permits.

Analysis of Public Health Risks

- **Analysis of Public Health Risks Associated with Composting Operations (Napa County, CA)**

Estimate the types and amounts of toxic air contaminants (TAC) released from green waste and food waste composting. An air dispersion model was used with local wind data to determine the concentration of each TAC. The concentration estimates were supplemented with toxicity data to quantify public health risks from exposure to the various toxic pollutants.

- **Analysis of Public Health Risks from Proposed Asphalt Plant (Kern County, California)**

Analyze emissions of any toxic air pollutants from a proposed 250 tons per day asphalt plant. Emissions from aggregate drying, propane combustion and asphalt oil were quantified. Acute and chronic public health risks from exposure to various toxic pollutants were calculated.

LAW OFFICES OF ROBERT H. BISNO

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November 10, 2026

VIA EMAIL AND MESSENGER

Honorable Mayor and Members of the City Council, City of Burbank
Chair and Members of the Planning Board, City of Burbank
City Attorney, City of Burbank
Daniel Villa, Principal Planner, Office of Community Development, City of Burbank
275 East Olive Avenue, Burbank, California 91502

Email: Mayor Tamala Takahashi, takahashi@burbankca.gov; City Council, citycouncil@burbankca.gov; Planning Board, DArias@burbankca.gov; City Attorney, cityattorney@burbankca.gov; Office of Community Development, communitydev@burbankca.gov; Principal Planner Daniel Villa, dvilla@burbankca.gov
cc: Starla Barker, AICP, De Novo Planning Group, sbarker@denovoplanning.com

Re: 2500 N. Hollywood Way — Dual Brand Hotel Project (SCH No. 2019110032)
Supplemental Objection to Certification of the Final EIR as Revised November 2026 — Hollywood Way SHG, LLC

Honorable Mayor, Members of the Council, Chair and Members of the Board, City Attorney, and Principal Planner:

This office represents Hollywood Way SHG, LLC ("Hollywood Way"), owner of the six-story office building at 2550 N. Hollywood Way (the "Office Parcel"). The Office Parcel adjoins the Project site, shares parking, driveways and access with it, and holds recorded easement rights in it. Hollywood Way submitted Comment Letter 5 on the Draft EIR on January 20, 2025, and an Objection to Certification of the Final EIR on October 12, 2026 (the "October 12 Objection").

On November 5, 2026, the City's consultant, De Novo Planning Group, gave notice by email that "minor revisions to the Final EIR have occurred" and that the revisions "are specific to the errata section." The revised document is titled "Final Environmental Impact Report — Revised November 2026" (the "Revised Final EIR"). Chapter 3.0 of that document, "Errata to the Draft EIR," asserts that the changes "would not result in any revisions or modifications to the conclusions presented in the Draft EIR or result in new or substantially greater impacts."

That assertion is not correct. Hollywood Way has compared the November 2026 errata with the errata in the October 2026 Final EIR posted on the City's website. The November revision adds one item. It withdraws two greenhouse gas reduction measures for an impact the City has found significant and unavoidable. That change was made after the October 12 Objection was submitted,

and it does not answer any part of that objection. The remaining errata were already in the October 2026 Final EIR and are carried forward unchanged. They include two changes of substance:

1. They change the significance determination for an entire resource topic, Utilities and Service Systems (Impact UTIL-1), from "Less Than Significant" to "Significant and Unavoidable."

2. They correct the Project site's Assessor's Parcel Number, the most basic element of the project description, more than a year and a half after public review closed. Through two versions of the Final EIR, the correction has not been carried into the document's own Introduction.

The errata also leave the mitigation measures they revise out of step with the Mitigation Monitoring and Reporting Program that is supposed to enforce them. The City has now issued the errata twice without reconciling the two.

This letter supplements the October 12 Objection, which Hollywood Way incorporates in full. It is submitted under Public Resources Code section 21177, subdivision (a), before the close of the public hearing on the Project. Each heading, subheading, sentence and document referenced is a separate objection. Hollywood Way again incorporates by reference its January 20, 2025 letter and all exhibits, and every comment letter submitted by every other commenter, including Comment Letters 1 through 9 and all exhibits. Hollywood Way adopts as its own the grounds of noncompliance those commenters raised, in particular the greenhouse gas comments of Comment Letter 6 (SAFER). Nothing in this letter waives any objection stated in the October 12 Objection, or consents to the Project or to any amendment of the recorded Reciprocal Parking and Maintenance Agreement ("REA").

Summary

1. **The November errata withdraw greenhouse gas mitigation for a significant and unavoidable impact.** They delete the Draft EIR's references to CALGreen Code Tier 2 requirements and to the purchase of carbon offsets. No finding of infeasibility is made, and no substitute measure is offered. Before approving a project with a significant and unavoidable impact, the City must adopt all feasible mitigation. It must also find, on substantial evidence, that any measure not adopted is infeasible.

2. **The withdrawal contradicts the City's own response to comments.** In Response 6-8, the City told SAFER that exceeding Title 24 by 10 percent "by incorporating CALGreen Tier 2 requirements" is a project design feature already built into the Project. The City relied on that statement to keep the measure out of the MMRP. The errata now state that Tier 2 was never part of GHG-1 and was never counted in the emissions calculations. Tier 2 cannot be both. Either way, nothing enforces it.

3. **The principal GHG measure is mislabeled, assigned to an approving body the City has removed elsewhere, and deferred.** The errata rename the "Transportation Management Plan" a "Transportation Demand Management Plan" throughout. Yet the revised GHG text and MMRP GHG-1 still use the old name. MMRP GHG-1 still assigns approval of the plan to the "Transportation Planning Division." The same errata strike that Division from NOI-1 as the incorrect City Division. The plan has not been written, and it has no performance standard.

4. **Utilities and Service Systems is now a significant and unavoidable impact.** The Draft EIR's summary table reported UTIL-1 as less than significant throughout public review. The City's findings and Statement of Overriding Considerations must now address UTIL-1 on its own. The only mitigation offered for it is "Refer to Mitigation Measure NOI-1."

5. **The relocation alternative now bears on two significant and unavoidable impacts, not one.** The City has already conceded, in Response 5-4, that the relocation alternative may reduce or eliminate construction noise, "including noise associated with the offsite sewer and electrical improvements." That off-site utility noise is UTIL-1, which the City now classifies as significant and unavoidable.

6. **The project description is still not stable.** The errata correct the APN. The Revised Final EIR's own Introduction still recites the incorrect one. The site description still does not identify the Office Parcel that adjoins the Project site and shares its parking.

7. **The revisions were made without response to the October 12 Objection.** The errata were issued by courtesy email, without a redline against the October 2026 Final EIR. Not one objection in the October 12 Objection is addressed. The only errata added in November withdraw mitigation.

I. The Errata Withdraw Greenhouse Gas Mitigation for a Significant and Unavoidable Impact

A. What the Errata Do

The Draft EIR finds that the Project's GHG emissions would exceed the City's GGRP efficiency threshold of 3.12 MTCO2e per service population, even with Project design features. It concludes that the impact is significant and unavoidable after mitigation. The Revised Final EIR makes two changes to the Draft EIR's description of that mitigation.

First, Draft EIR page 5.5-16 is revised "to remove references to CalGreen Code Tier 2 requirements as they are not identified in Mitigation Measure GHG-1 (Draft EIR page 5.5-24) and were not included within the GHG emission calculations." The struck text had stated that GHG-1 would require Tier 2 measures of the 2022 CALGreen Code. It had also described Tier 2 as voluntary tiers that add requirements beyond the mandatory measures.

Second, Draft EIR page 5.5-23 is revised because it "inadvertently references purchasing carbon offsets as being included within Mitigation Measure GHG-1." The errata state that "[c]arbon offsets are not included in Mitigation Measure GHG-1 . . . and were not considered in potential reductions to GHG emissions." The words "and purchasing carbon offsets" are struck from the sentence describing what GHG-1 requires.

For the public reading the Draft EIR from December 2024 through January 2025, both measures were part of the mitigation the City proposed. Neither is part of it now.

Neither change appears in the errata of the October 2026 Final EIR. Both were added in the November revision, after the October 12 Objection was submitted. Both were described in the November 5 notice as "minor revisions." They are the only new errata the City has issued since October. Their effect is to reduce, not enlarge, the mitigation proposed for a significant and unavoidable impact.

B. The City May Not Drop Feasible Mitigation for a Significant Impact Without Findings

CEQA's substantive mandate is that a public agency "should not approve projects as proposed if there are . . . feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects." (Pub. Resources Code, § 21002.) Where an EIR identifies a significant effect, the agency may approve the project only if it finds that changes have been required that mitigate the effect, or that specific considerations "make infeasible the mitigation measures or alternatives identified in the environmental impact report." (Id., § 21081, subd. (a); CEQA Guidelines, § 15091, subd. (a).) A Statement of Overriding Considerations is available only after that showing. It is not a substitute for it. (CEQA Guidelines, §§ 15092, subd. (b)(2), 15093; *City of Marina v. Board of Trustees of California State University* (2006) 39 Cal.4th 341, 368–369.)

CALGreen Tier 2 and carbon offsets were identified in the Draft EIR as measures that would reduce the Project's GHG emissions. The errata do not say either is infeasible. They say only that each was not "identified in" or "included within" GHG-1, and was not counted in the calculations. That describes a drafting choice, not infeasibility. Whether a measure was modeled says nothing about whether it can be done. Tier 2 is a published, adoptable tier of the State Building Standards Code. Carbon offsets are, by the Draft EIR's own original text, a measure the City considered appropriate to include. If either would substantially lessen a significant and unavoidable impact, the City must adopt it. If not, the City must state, with substantial evidence, why it is infeasible.

The Revised Final EIR does neither. The record therefore cannot support the findings section 21081 requires for the GHG impact.

C. Response 6-8 and the Errata Cannot Both Be True

Comment Letter 6 (SAFER) pointed out that the Draft EIR relied on Project design features to reduce GHG emissions. These included "exceeding the most current Title 24 standards by 10

percent by incorporating CalGreen Tier 2 requirements." SAFER asked that those features be made enforceable through the MMRP.

Response 6-8 declined. It stated: "The City is satisfied that the project design features are incorporated in the Project Description as they are elements of the Project and not mitigation measures." The response specifically listed "exceeding the most current Title 24 standards by 10 percent by incorporating CALGreen Tier 2 requirements" among those features. It cited CEQA Guidelines section 15126.4, subdivision (a)(1)(A), and *Lotus v. Department of Transportation* (2014) 223 Cal.App.4th 645, 658, footnote 8, for the distinction between design features and mitigation.

The errata now state that Tier 2 requirements were never part of GHG-1 and "were not included within the GHG emission calculations." The City has thus told the public two incompatible things:

1. In Response 6-8, Tier 2 compliance is a committed element of the Project, so it need not appear in the MMRP.

2. In the errata, Tier 2 is not part of the mitigation and played no part in the analysis.

If Tier 2 is part of the Project, the errata's deletion of it from the GHG discussion is unexplained. The Project Description must say so in terms, and the approvals must require it. The Draft EIR Project Description, as SAFER noted, calls only for CALGreen Tier 1 criteria. If Tier 2 is not part of the Project, then Response 6-8 rested on a premise that is false. SAFER's comment, which Hollywood Way adopts, has never been answered.

Either way, nothing in the record binds the Applicant to Tier 2. *Lotus* does not help the City. The court there held that an EIR may not compress the analysis of impacts and mitigation by treating measures as part of the project. Doing so precludes a separate assessment of the measures' effectiveness and deprives decision makers of the information needed to consider other measures. (*Lotus v. Department of Transportation*, *supra*, 223 Cal.App.4th at pp. 655–658.) That is the very approach Response 6-8 adopted. The errata now show that the approach left the measure in neither the Project nor the mitigation.

D. Mitigation Must Be Fully Enforceable

Mitigation measures must be "fully enforceable through permit conditions, agreements, or other legally binding instruments." (Pub. Resources Code, § 21081.6, subd. (b); CEQA Guidelines, § 15126.4, subd. (a)(2).) The purpose of that requirement is to ensure that mitigation measures "will actually be implemented as a condition of development, and not merely adopted and then neglected or disregarded." (*Federation of Hillside & Canyon Assns. v. City of Los Angeles* (2000) 83 Cal.App.4th 1252, 1261.)

The GHG design features on which the City relies include photovoltaic generation of 11 percent of annual consumption, Title 24 plus 10 percent, energy-efficient lighting, low-flow fixtures,

water-efficient landscaping, excess EV parking and all-electric landscaping equipment. None of them appears in GHG-1 or in any MMRP entry. (GHG-1 reaches only the transportation plan, TMO membership, clean-fuel shuttle vehicles, the fireplace prohibition, and electric EnergyStar appliances.) The Revised Final EIR identifies no condition of approval that requires them. Now Tier 2 and carbon offsets have been removed from the narrative as well. A GHG conclusion that depends on unenforced design features, with even the narrative references withdrawn, is not supported by substantial evidence.

E. Recirculation

Recirculation is required where "[a] feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it." It is also required where the draft EIR "was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded." (CEQA Guidelines, § 15088.5, subds. (a)(3), (a)(4); Pub. Resources Code, § 21092.1; *Laurel Heights Improvement Assn. v. Regents of University of California* (1993) 6 Cal.4th 1112, 1129–1130.)

The errata disclose, for the first time, that measures the Draft EIR presented as mitigation were never part of it. The public commented on a GHG mitigation program that included Tier 2 and carbon offsets. The program the City now proposes to adopt includes neither. To the extent either measure would lessen the GHG impact, the Applicant has declined to adopt it. At a minimum, the GHG section must be revised and recirculated so that the public can comment on the mitigation program the City actually proposes.

II. The Principal GHG Measure Is Mislabeled, Assigned to an Approving Body the Errata Remove Elsewhere, and Deferred

A. The Name Change Was Not Carried Through

The errata open with a global instruction: "Throughout the Draft EIR, all references to 'Transportation Management Plan' in the Draft EIR will be replaced with 'Transportation Demand Management Plan' in the Final EIR."

The instruction was not followed in the errata themselves. The revised text of Draft EIR pages 5.5-16 and 5.5-23 still refers twice to a "Transportation Management Plan." Nor was it followed in the MMRP. The text of GHG-1 in MMRP Chapter 4.0 still requires the Applicant to "prepare a Transportation Management Plan," and provides that "[t]he Transportation Management Plan shall grant all employees . . . eligibility to participate." Only the "Monitoring/Reporting Methods" column refers to a "Transportation Demand Management Plan."

This is not a matter of style. A transportation management plan and a transportation demand management plan are different instruments. The first ordinarily addresses traffic and circulation, often during construction. The second addresses trip reduction by occupants and employees. The

measure the City relies on to reduce a significant and unavoidable GHG impact should identify, in the binding text, which plan the Applicant must prepare. It does not.

B. The Approving Body

MMRP GHG-1 provides that the plan "shall be reviewed and approved by the Transportation Planning Division." The same errata revise Mitigation Measure NOI-1 "to reflect the correct City Division." They strike "and Transportation Planning" from each of NOI-1's three references to the "Planning and Transportation Planning Divisions," leaving the Planning Division alone. The errata likewise revise HAZ-2, moving review of the Soils Management Plan from the Public Works Department to the Community Development Department's Building & Safety Division.

The Revised Final EIR thus reflects a pattern of mitigation measures assigned to the wrong City body. It corrects that pattern for noise and hazards, but leaves GHG-1's approval in a Division the City has just removed from NOI-1. The City's Community Development Department includes a Transportation Division, which manages local transit, parking permits and long-range mobility planning. GHG-1 does not name that Division. It names a "Transportation Planning Division," the same label the errata strike from NOI-1 as not "the correct City Division." If the Transportation Division is the body intended to review and approve the plan, GHG-1 should say so. If another body is intended, GHG-1 should name it. As written, the City's principal GHG measure vests approval in a body identified by a name the City itself has disowned. A mitigation measure whose approving authority is uncertain is not "fully enforceable." (Pub. Resources Code, § 21081.6, subd. (b); CEQA Guidelines, § 15126.4, subd. (a)(2).)

The City's own responses add a third version. Response 6-14 states that the plan "would be prepared and approved by the City of Burbank prior to the issuance of occupancy permits." GHG-1 in the MMRP requires documentation "[p]rior to the issuance of building permits," and assigns approval to the Transportation Planning Division. The public is left with three descriptions of who approves the City's principal GHG measure: the City generally, the Transportation Planning Division, or an unnamed correct division. It also has two descriptions of when approval occurs.

C. The Plan Is Deferred Without Performance Standards

The TDM plan has not been prepared. GHG-1 describes it only as including "voluntary and mandatory trip reduction measures such as" discouraging single-occupancy trips, encouraging alternative modes, and "implementing employee parking cash-outs." The measure sets no trip reduction target, no VMT reduction percentage, no mode-share goal, and no monitoring or reporting obligation after occupancy. It provides no consequence if the plan underperforms. The errata themselves confirm that "these features are not quantifiable in CalEEMod."

Formulation of mitigation "should not be deferred until some future time." Deferral is permitted only where the agency commits itself to the mitigation, adopts specific performance standards the mitigation will achieve, and identifies the types of measures that can feasibly achieve them. (CEQA Guidelines, § 15126.4, subd. (a)(1)(B); *Preserve Wild Santee v. City of Santee* (2012) 210

Cal.App.4th 260, 280–281; *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 306–309.) GHG-1 meets none of those conditions. Its success is measured by nothing. It is the same defect the October 12 Objection identified in the unprepared Parking Management Plan (October 12 Objection, § II.E), now in the measure the City relies on for its GHG findings.

The City has admitted as much. Response 6-13 states that "details regarding the Project's Transportation Demand Management Plan designed to reduce trips are still unknown and unquantifiable during this planning stage." It adds that "[f]ull details of the programs would be finalized and identified prior to the operation of the proposed Project." The same response states that "[c]ertain transportation demand management strategies would be included as required conditions of approval," without saying which ones. A measure whose content is unknown, whose effect is unquantified, and whose details will be settled after approval and before operation is deferred mitigation in its plainest form. The City cannot find, on substantial evidence, that such a measure reduces the GHG impact "to the maximum extent feasible," as the revised errata text asserts.

D. Parking Cash-Out in a Valet-Only Garage

GHG-1's one concrete trip reduction element is "employee parking cash-outs." A parking cash-out offers employees the cash value of a parking space they decline to use. The Revised Final EIR does not say whether Project employees will be charged for parking, where they will park in a garage that is entirely valet-only, or how a cash-out would operate where the Project's at-grade supply of 285 self-park spaces is shared with the existing hotel, the convention center and the Office Parcel's easement holders.

The measure assumes a parking program that the EIR never describes. Its effectiveness cannot be evaluated. This also confirms the October 12 Objection's point that the valet-only configuration has unanalyzed consequences (October 12 Objection, § III).

III. Utilities and Service Systems Is Now a Significant and Unavoidable Impact

A. The Change

The errata revise Draft EIR Table 1-1 "to correct the Significance/Significance After Mitigation determination for UTIL-1 from Less Than Significant Impact to Significant and Unavoidable Impact, consistent with the analysis and significance determination in Draft EIR Section 5.13 Utilities and Service Systems."

The impact concerns the construction of the on-site and off-site utility infrastructure the Project requires. This includes the off-site sewer main and the electrical connection to Burbank Water and Power facilities at Thornton Avenue and Ontario Street. The off-site work brings construction within approximately 60 feet of multi-family residences on Ontario Street. (Revised Final EIR, Errata, p. 3-3; Response 5-4.)

B. The Summary Misstated a Significant Impact Throughout Public Review

The summary of an EIR must identify "[e]ach significant effect with proposed mitigation measures and alternatives that would reduce or avoid that effect." (CEQA Guidelines, § 15123, subd. (b)(1).) The summary exists because it is the part of the document most members of the public and most decision makers actually read.

Throughout the public review period, December 16, 2024 through January 29, 2025, that summary told readers the Project's utility impacts were less than significant. A reader who relied on Table 1-1 had no reason to comment on utility impacts, utility alternatives, or utility mitigation. The City cannot now treat a significant and unavoidable impact that its summary concealed as having been subjected to meaningful public review. (CEQA Guidelines, § 15088.5, subd. (a)(4).)

The errata's assertion that the change does not "result in any revisions or modifications to the conclusions presented in the Draft EIR" is contradicted by the change itself. The conclusion stated in the Draft EIR's summary has been reversed.

C. Separate Findings and Overriding Considerations Are Required

A Statement of Overriding Considerations must address each significant and unavoidable effect. (Pub. Resources Code, § 21081, subd. (b); CEQA Guidelines, §§ 15091, 15093.) For UTIL-1, the City must therefore find, with substantial evidence, that all feasible mitigation has been adopted and that the alternatives that would reduce the impact are infeasible. It must then find that specific benefits of the Project outweigh the impact.

The MMRP's entire mitigation program for Utilities and Service Systems reads: "Refer to Mitigation Measure NOI-1." NOI-1 consists of mufflers, signage, a Noise Disturbance Coordinator, idling limits, acoustic barriers "where feasible," haul routes that avoid sensitive uses "to the extent feasible," and equipment orientation. Those are standard construction practices. The Revised Final EIR does not identify, analyze, or reject any measure specific to the off-site utility work. Examples include:

- Restricting work hours near the Ontario Street residences;
- Trenchless construction (horizontal directional drilling or microtunneling) for the sewer and electrical runs;
- Portable sound enclosures at the work face;
- Limiting the duration of work within a set distance of residences;
- Advance notice to, and temporary relocation offers for, the nearest residents;
- Alternative alignments or connection points that increase distance from receptors.

The City cannot find mitigation infeasible that it has never considered.

D. The Relocation Alternative Now Bears on Two Significant and Unavoidable Impacts

Response 5-4 rejected the relocation alternative Hollywood Way proposed. In doing so, it conceded: "[I]t is possible that the significant and unavoidable impacts relative to construction noise, including noise associated with the offsite sewer and electrical improvements, may be reduced, or eliminated."

Response 5-4 folds the off-site utility work into construction noise. The City now classifies the utility impact as significant and unavoidable. The City's concession therefore covers two significant and unavoidable impacts: construction noise (NOI-1) and Utilities and Service Systems (UTIL-1).

An EIR must describe a reasonable range of alternatives that "would avoid or substantially lessen any of the significant effects of the project." (CEQA Guidelines, § 15126.6, subd. (a).) The agency must then find any such alternative infeasible before approving the Project with those effects. (Pub. Resources Code, § 21081, subd. (a)(3).) An alternative the City concedes may reduce or eliminate two of the Project's significant and unavoidable impacts must be analyzed in the EIR. It may not be rejected in a response to comments on the strength of a figure first produced in the Final EIR. (October 12 Objection, §§ X, XI.)

Response 6-19 confirms the point from the other direction. In rejecting SAFER's hotel/residential mixed-use alternative, the City relied on the fact that it would not reduce the Project's significant impacts "relative to construction noise, utilities and service systems, or GHG emissions." (Response 6-19, citing Draft EIR p. 7-5.) The City thus treats the utility impact as a significant impact against which alternatives are measured. It has given that impact no separate mitigation, and it has rejected the one alternative it concedes might reduce it.

IV. The Project Description Is Still Not Accurate or Stable

"An accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR." (*County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 193.)

A. The Assessor's Parcel Number

The errata revise Draft EIR page 3-1 "to correct the APN." The corrected text identifies the Project site as "approximately 11.76 acres (APN 2464-004-015)." The errata do not state what the incorrect APN was, or what property it identified. The public cannot tell from the Revised Final EIR whether the parcel described during public review was the parcel now proposed for rezoning.

The correction has also not been carried through the Revised Final EIR itself. Section 1.0, Introduction, of the Revised Final EIR still describes the site as "approximately 11.76 acres (APN 246-004-015)." That number omits a digit and is not the APN the errata adopt. The same error appeared in the Introduction of the October 2026 Final EIR. Two versions of the Final EIR, each including an erratum correcting the APN, have now been issued with the incorrect APN left in

place. The document the City proposes to certify thus gives two different APNs for the site of the Project.

This is not a trivial point here. The Project includes a zone change to a new, site-specific Planned Development. It would remove the Project site from Planned Development No. 89-1, which governs Lot 1 of Tract No. 47420 as a whole, including the Office Parcel. (October 12 Objection, § IV.) The boundary of the rezoning is the boundary of the parcel. The City should identify, by APN and by legal description, the precise land to be rezoned. It should also identify the APN of every parcel that remains within PD 89-1 if the rezoning is adopted.

B. The Office Parcel Is Still Missing from the Setting

The corrected description states that the site is "generally bounded by Thornton Avenue on the north, Hollywood Way on the west, Avon Street on the south and a commercial office campus (Media Studios), comprised primarily of office uses with various onsite support amenities, on the south and east."

The description does not mention the six-story office building at 2550 N. Hollywood Way. The Office Parcel is not part of the Media Studios campus. Media Studios is under separate ownership. Hines Global Income Trust, Inc. identifies itself as owner and property manager of Burbank Media Studios at 3401 West Empire Avenue, which appears to adjoin the Project site on the south. (Hines, Burbank Media Studios, property page, attached as Exhibit __.) The Office Parcel is a separate parcel, owned separately from both, and the "commercial office campus" the description names does not include it. Yet the description assigns Media Studios both the south and the east boundaries of the site.

More fundamentally, the description misstates the Project site's own perimeter. The Project site is not bounded, without interruption, by Thornton Avenue on the north and Hollywood Way on the west. It is L-shaped. The Office Parcel occupies the northwest corner of the block, at the intersection of Thornton Avenue and Hollywood Way, and the Hotel Parcel wraps around it on the south and east. The Applicant's own vicinity map, submitted with its November 15, 2019 plans, shows the Hotel Parcel in exactly that configuration, with the corner cut out. (AWH Partners, Aloft & Residence Inn, Burbank, CA, Vicinity Map [plans dated Nov. 15, 2019, received Jan. 7, 2022], attached as Exhibit __.) The description nonetheless names Thornton Avenue and Hollywood Way as the site's north and west boundaries without qualification. A reader would conclude that the Project site holds the corner, and that the land within those streets is a single site under one ownership. It is not. At the corner sits a separately owned parcel with a six-story occupied building, which shares the Project site's driveways and parking under a recorded instrument. The description also does not mention that the Office Parcel was created from the same Lot 1, that it shares the Project site's driveways and parking areas, or that it holds a recorded, nonexclusive easement to park on the Project site. (REA, § 2.2(a).) An EIR's description of the environmental setting must be accurate and complete. (CEQA Guidelines, § 15125; *Clover Valley Foundation v. City of*

Rocklin (2011) 197 Cal.App.4th 200, 219.) The City had the opportunity in this revision to describe the Project's immediate neighbor and co-user of its parking. It did not take it.

Read as written, the description extends Media Studios to a boundary it does not appear to occupy, and omits entirely the separately owned parcel at the corner of the block around which the Project site wraps. Every analysis that depends on the setting inherits the error: parking, access, construction noise and vibration, shade and shadow, and the effects of removing the Project site from PD 89-1. Each of them affects the Office Parcel first, on both of its interior sides at once.

Construction of the Hotel and Garage will occur on the land that wraps the Office Parcel on the south and east. That land carries the shared driveways and parking on which the Office Parcel depends. The October 12 Objection raised that consequence as to construction staging, access and parking loss (October 12 Objection, § XII). The project description, as written, conceals it.

The City should state whether the 11.76 acres it describes includes or excludes the Office Parcel. It should also revise Figure 3-2, Proposed Project Site and Offsite Improvement Areas, to show the Office Parcel's boundaries and its access routes across the Project site.

V. The Revision Process Confirms That the Document Is Not Ready for Certification

A. No Redline, No Identification of What Changed

The November 5, 2026 notice states only that "minor revisions to the Final EIR have occurred" and that they "are specific to the errata section." It does not identify which errata are new, which were revised, or which were deleted. The Revised Final EIR contains no redline against the October 2026 Final EIR, and no list of changes. A member of the public, or a Councilmember, who read the October document has no way to know what has changed without comparing the two documents line by line.

Hollywood Way has made that comparison for the errata chapter, using the October 2026 Final EIR posted on the City's website. The only new errata are the two GHG revisions, to Draft EIR pages 5.5-16 and 5.5-23. Hollywood Way has not been able to confirm whether any other chapter of the Revised Final EIR was changed. The November 5 notice states that the revisions are "specific to the errata section," and the City should confirm that in writing.

Before certifying a final EIR, the lead agency must find that the decision-making body "reviewed and considered the information contained in the final EIR." (CEQA Guidelines, § 15090, subd. (a)(2).) That finding cannot rest on a document whose content changed weeks before the hearing without disclosure of what changed. Hollywood Way requests that the City publish a complete redline of the Revised Final EIR against the October 2026 Final EIR. It should also identify the version it proposes to certify.

B. The Errata Are Themselves Inaccurate

The errata introduce the revision of the noise measure by stating that "Mitigation Measure NOI-2 is revised." The measure actually revised is NOI-1. As shown above, the errata direct a global change of the plan name that they themselves do not make. They correct an APN that the Introduction of the same document still misstates. They also revise the division responsible for NOI-1 while leaving GHG-1 assigned to the division just removed.

Each error is small. Together they show a document still being corrected, piecemeal, after the close of public review and after the October 12 Objection. A document in that condition is not "adequate and complete" in the sense the Revised Final EIR itself identifies as the standard for certification. (Revised Final EIR, Introduction, pp. 13–14.)

C. A Characterization That Does Not Fit the Changes

The errata assert that none of the changes "would . . . result in any revisions or modifications to the conclusions presented in the Draft EIR or result in new or substantially greater impacts." As shown above, the changes do three things:

- They reverse the Draft EIR summary's significance conclusion for an entire resource topic.
- They withdraw GHG measures the Draft EIR presented to the public as mitigation.
- They alter the identification of the parcel being rezoned.

Whether those changes trigger recirculation is for the City to determine on substantial evidence. It cannot be resolved by a general assertion at the head of the errata. (CEQA Guidelines, § 15088.5, subd. (e) [decision not to recirculate must be supported by substantial evidence in the administrative record].)

D. The October 12 Objection Remains Unanswered

The Revised Final EIR was issued twenty-four days after the October 12 Objection. It responds to none of the objections stated there. Its one new change withdraws mitigation. Those include the 2021 parking study, the 132-space shortfall below Code, the Office Parcel's medical tenancy, PD 89-1 and its conditions of approval, the SB 743 predicate and the Project's floor area ratio, the ALUC referral, the whole of the action, the water supply assessment, and the new relocation figure.

Hollywood Way recognizes that CEQA Guidelines section 15088 does not require written responses to comments received after the close of the Draft EIR comment period. But the October 12 Objection was timely under Public Resources Code section 21177, subdivision (a). The City must consider it before acting. If the City has prepared any analysis of the October 12 Objection, Hollywood Way requests that it be produced and placed in the record before the hearing.

VI. Requests

In addition to each request stated in the October 12 Objection, all of which are renewed, Hollywood Way requests that the City:

1. Decline to certify the Revised Final EIR. Direct revision and recirculation of the Draft EIR, including the GHG section and the mitigation program the City actually proposes, the Utilities and Service Systems section as a significant and unavoidable impact, and the relocation alternative.

2. Publish a complete redline of the Revised Final EIR against the October 2026 Final EIR. Identify by date and title the version the City proposes to certify.

3. State whether CALGreen Tier 2 compliance (Title 24 plus 10 percent) is or is not a binding element of the Project. If it is, impose it as a condition of approval and include it in the MMRP. If it is not, correct Response 6-8.

4. State whether the purchase of carbon offsets, and CALGreen Tier 2 compliance, are feasible. If the City contends either is infeasible, identify the substantial evidence supporting that contention.

5. Include in the MMRP, as enforceable mitigation or as conditions of approval, every Project design feature on which the GHG analysis relies. This includes photovoltaic generation, Title 24 plus 10 percent, low-flow fixtures, water-efficient landscaping, EV parking and all-electric landscaping equipment.

6. Correct GHG-1 in the MMRP to identify the plan required by its correct name. Adopt quantified performance standards for it, including a trip reduction or VMT reduction target and post-occupancy monitoring and reporting, with a consequence for non-attainment.

7. Correct GHG-1 to name the City body that will review and approve the plan, presumably the Community Development Department's Transportation Division. Reconcile GHG-1 with Response 6-14 as to both the approving body and the timing of approval.

8. Describe the employee parking program the GHG-1 "parking cash-out" assumes, including where employees will park in a valet-only garage.

9. Identify and analyze mitigation specific to UTIL-1, including the measures listed in Section III.C above. Find each feasible or, with substantial evidence, infeasible.

10. Analyze the relocation alternative in the EIR as an alternative that may reduce or eliminate two significant and unavoidable impacts, NOI-1 and UTIL-1.

11. State the incorrect APN that appeared in the Draft EIR and the property it identified. Correct the Introduction of the Revised Final EIR. Identify, by APN and legal description, the land to be rezoned and every parcel that would remain within PD 89-1.

12. Revise the description of the environmental setting to identify the Office Parcel as a separately owned parcel at the northwest corner of the block, bounded on the south and east by the Project site, together with its shared parking and access and its recorded easement rights in the Project site. State whether the 11.76-acre figure includes the Office Parcel, and show the Office Parcel's boundaries and access routes on Figure 3-2.

13. Produce, and place in the administrative record before the hearing, any analysis the City or its consultants have prepared of the October 12 Objection.

14. Give Hollywood Way written notice of the date, time and place of every hearing on the Project, and of any notice of determination. (Pub. Resources Code, §§ 21092.2, 21167, subd. (f).)

15. Keep the record open, and continue the certification hearing, so that Hollywood Way may review the redline and any further revisions and supplement these objections.

This letter also constitutes a request under the California Public Records Act (Gov. Code, § 7920.000 et seq.) for: all drafts of the errata to the Final EIR; all communications among the City, De Novo Planning Group and the Applicant concerning the November 2026 revisions; and all documents concerning the removal of CALGreen Tier 2 and carbon offsets from the GHG discussion, the reclassification of UTIL-1, and the APN correction. Hollywood Way's preservation demand in the October 12 Objection (§ XVII.D) extends to these records.

Conclusion

The City told the public in November that its revisions were minor. They are not. The one revision the City made in November withdraws greenhouse gas mitigation for a significant and unavoidable impact without finding that mitigation infeasible. It also contradicts the City's own response to SAFER on whether that mitigation is part of the Project. The October errata the City carried forward reclassify an entire resource topic from less than significant to significant and unavoidable. They also correct the identity of the parcel to be rezoned in one place while leaving it wrong in another, now through two versions of the document.

None of those changes was presented to the public for comment. Each bears directly on the findings the City must make to approve a project with significant and unavoidable impacts. Together with the objections in the October 12 Objection, which remain unanswered, they confirm that the EIR should be revised and recirculated before certification is considered.

Hollywood Way does not oppose development of the Hotel Parcel, and remains willing to meet with staff and the Applicant about a configuration that works for both parcels. Hollywood Way reserves all rights and remedies, including under the REA, under PD 89-1, under CEQA and under the Planning and Zoning Law.

Very truly yours,

LAW OFFICES OF ROBERT H. BISNO
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Via Email

November 3, 2026

Honorable Mayor Tamala Takahashi and Members of the City Council
City of Burbank
275 East Olive Avenue
Burbank, California 91502

Re: 2500 N. Hollywood Way
Dual Brand Hotel Project (SCH No. 2019110032)
Response to October 12, 2026 Comment Letter Submitted On Behalf of Hollywood Way SHG, LLC

Dear Honorable Mayor Takahashi and Members of the City Council,

We represent AWH Burbank Hotel II, LLC ("**AWH**"), owner of the Property located at 2500 North Hollywood Way, Burbank, California ("**AWH Property**"). AWH is the applicant for a new, 420-room dual-brand hotel and associated parking garage at the site of the existing Marriott hotel and convention center ("**Project**"). This letter is written in response to the letter submitted by the Law Offices of Robert H. Bisno ("**SHG Letter**") on behalf of Hollywood Way SHG, LLC ("**SHG**"), the owner of the office building at 2550 North Hollywood Way ("**SHG Property**" or "**Office Property**").

SHG submitted the SHG Letter on October 12, 2026, the day of the meeting at which the Planning Commission considered the Project. The SHG Letter objects to certification of the October 2026 Final Environmental Impact Report ("**Final EIR**") and asks the City to revise and recirculate the December 2024 Draft Environmental Impact Report ("**Draft EIR**") (together, the "**EIR**"). At the Planning Commission meeting, the Planning Commission voted to adopt a resolution recommending that the City Council (1) adopt a resolution certifying the Final EIR, adopting the Mitigation Monitoring Reporting Program ("**MMRP**") with a Statement of Overriding Considerations and adopting Findings of Fact and (2) adopt an ordinance approving Planned Development No. 26-1 ("**PD 26-1**"), a Development Agreement, and a Development Review for the Project.

This letter responds to the points raised in the SHG Letter.

I. The Parking Analysis in the EIR Is Supported by Substantial Evidence.

A. The Traffic Counts and Data that Support the Parking Study Were Collected Before the COVID Pandemic, Resulting in Conservative Parking Demand Analysis.

The SHG Letter claims that the Parking Study prepared by Walker Consultants, dated April 13, 2021 ("**Parking Study**"), is deficient because it relies "on observations from the COVID era, to certify a project in late 2026."[1] While the Parking Study is dated April 13, 2021, the Parking Study relies on pre-pandemic parking counts conducted in May 2019 and parking occupancy data provided by Marriott Hotel staff for a 395-day period from May 2018 to May 2019.[2] The COVID pandemic significantly reduced hotel demand, and the hotel industry has not yet returned to pre-pandemic demand levels. Accordingly, contrary to the SHG Letter's claim, the Parking Study's use of pre-pandemic data produces a conservative parking demand analysis because it is based on higher pre-pandemic demand.

B. The Project Provides Parking in Excess of the Project's Parking Demand.

The SHG Letter contends that the Project provides 132 less parking spaces than the 1,183 parking spaces required by the Burbank Municipal Code ("**BMC**"). In making this argument, the SHG Letter ignores the explanation provided in the Draft EIR that the BMC allows shared parking spaces to count towards Code-required parking spaces pursuant to BMC section 10-1-1415.[3] BMC section 10-1-1415 authorizes the City's Community Development Director to "approve the shared use of parking for two (2) or more uses occupying one (1) or more structures on a single or adjacent parcel."[4] As the Draft EIR explains, the "primary requirement" to be eligible for a shared parking arrangement is "detailed parking studies prepared by a licensed traffic engineer to justify shared parking."[5]

The Parking Study completed for the Project concluded that 1,021 on-site parking spaces is sufficient to serve the existing and future uses of the Property.[6] The Project provides 766 valet-only parking spaces and 285 on-grade parking spaces for a total of 1,051 parking spaces, an excess of 30 parking spaces.[7] Accordingly, the Project is compliant with the BMC and in fact provides an excess of parking spaces on the AWH Property to accommodate the Project's demand.

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[1] SHG Letter, p. 2.
[2] Parking Study, p. 22, Appendix A and B.
[3] Draft EIR, pp. 3-27.
[4] BMC § 10-1-1415(A).
[5] Draft EIR, pp. 3-27; BMC § 10-1-1415(B)(1)(a).
[6] Parking Study, p. 40.
[7] Draft EIR, p. 1-1.

C. The Project Does Not Rely on, or Reduce Parking on, the Office Parcel.

The SHG Letter contends that the shared parking analysis fails because it does not analyze the parking demand of the SHG Property. The Parking Study properly excludes the SHG Property from the shared parking analysis because its intent is to demonstrate that the parking spaces provided on the AWH Property are sufficient to accommodate the parking demand of the current and future uses of the AWH Property, without use of any parking on the SHG Property.

That intent aligns with the Reciprocal Parking and Maintenance Agreement (Recorded Doc. No. 97-2019758) ("**RPMA**") provision that allows redevelopment subject to City approval and compliance with the RPMA "provided that the size, number, location, and uses of such replacement buildings (including the orientation of entrances thereto) are such that ***each Parcel will generally support its own parking needs in accordance with all legal requirements***."[8]

As detailed in our letter to the City Attorney on December 20, 2024, attached as Exhibit A, and Response 5-3 in the Final EIR, the Project does not rely on any parking spaces on the SHG Property to satisfy its parking demand. The RPMA requires that AWH and SHG "make available to tenants of the Office Parcel at no charge two hundred sixty-four (264) parking spaces" but does not specify any particular location for the 264 parking spaces, meaning that the parking spaces may be on the SHG Property, the AWH Property, or both.[9] The RPMA does not otherwise require AWH to maintain any particular number of spaces on the AWH Property. While the RPMA does permit SHG to designate 20% of the parking spaces on the *SHG Property* for its exclusive use, it does not extend to SHG any similar rights as to the Parking Areas on the AWH Property. No improvements or changes to the SHG Property are proposed as part of the Project; the existing 380 parking spaces on the SHG Property will not be altered as part of the Project. Accordingly, the 264 parking spaces specified by the RPMA are currently and will continue to be accommodated.

D. The Parking Study is Not Required to Analyze the Parking Requirements of SHG Tenants.

The SHG Letter reiterates the claim that SHG previously raised in its public comment on the Draft EIR that the Parking Study is deficient because it fails to consider parking requirements of current and future SHG tenants employing medical uses, which – according to SHG – have an increased parking demand. As the City correctly stated in Responses 5-5, 5-6, and 5-22 in the Final EIR, "[t]here is no requirement for the CEQA document to consider whether an unrelated property can provide parking on its own site for future potential uses."[10]

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[8] RPMA § 3.3, emphasis added.
[9] *Id.* at § 5.1.
[10] Final EIR, pp. 2-36.

As noted above, the RPMA requires that AWH and SHG "make available to tenants of the Office Parcel at no charge two hundred sixty-four (264) parking spaces."[11] That provision is not altered by the demand associated with the particular use of any current or prospective tenant of the SHG Property. The existing 380 parking spaces on the SHG Property will not be altered as part of the Project. Should SHG convert the use of its building to more parking-intensive uses, such as medical tenants, then the provision of additional parking to accommodate the change of use is the responsibility of SHG. The RPMA indicates that each parcel should "generally support its own parking needs in accordance with all legal requirements."[12]

E. The Project Will Not Alter or Modify the Occurrence of Large Events or the Approach to Accommodating Parking.

The SHG Letter incorrectly characterizes the Draft EIR's discussion of special event parking as "deferred mitigation."[13] The four large events held each year occur under existing conditions and the occurrence of these large events is "not proposed to be modified or altered" by the Project.[14] As explained in the Draft EIR, event parking is currently handled "through the implementation of parking management plans and/or the securing of offsite parking during the days of each event."[15]

Response 5-8 in the Final EIR confirms that event parking will continue to be handled "through implementation of a PMP and/or the securing of offsite parking during the days of each event."[16] This approach is further confirmed by Condition of Approval No. 1 which states, "Additionally, larger events would occur on the property approximately four times per year. These events would occur on the southeastern corner of the property, within the parking area east of the convention center. Parking for such events shall be provided through the implementation of parking management plans and/or the securing of temporary offsite parking during the days of each event."[17]

The creation of a parking management plan is not "deferred mitigation." Section 15126.4 of the CEQA Guidelines to which the SHG Letter refers relates to mitigation measures, which are "feasible measures which could minimize significant adverse impacts." The EIR does not identify any significant parking-related impacts. Therefore, the parking management plan is not a "mitigation measure," let alone "textbook deferred mitigation" as the SHG Letter incorrectly alleges.[18]

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[11] RPMA § 5.1.
[12] *Id.* at § 3.3, italics added.
[13] SHG Letter, p. 5.
[14] Final EIR, pp. 2-37.
[15] Draft EIR, pp. 3-1.
[16] Final EIR, pp. 2-37.
[17] Staff Report, October 12, 2026, Attachment 1, p. 147.
[18] Cal. Code Regs., tit. 14 ("**CEQA Guidelines**") § 15126.4.

II. Valet Parking Does Not Violate CEQA or the RPMA.

The SHG Letter takes issue with the Project's provision of valet-only parking spaces. As mentioned above, the Project includes the construction of a parking garage, which will include 766 valet-only parking spaces, with an additional 285 parking spaces on grade, for a total of 1,051 parking spaces.

First, the adequacy of parking, including the sufficiency of the valet parking spaces, is not an environmental impact under CEQA. As Response 5-17 explains, in *San Franciscans Upholding the Downtown Plan v. City & County of San Francisco*, the Court found that the analysis of parking impacts in an EIR was adequate in the context of an urban development because the EIR correctly concluded that "'[p]arking shortfalls relative to demand are not considered significant environmental impacts in [an] urban context.'"[19] While "'parking deficits are an inconvenience to drivers,'" they are "'not a significant *physical* impact *on the environment*.'"[20] The SHG Letter presents no evidence of purported environmental impacts resulting from the alleged inadequacy of valet parking. The unsubstantiated claims in the SHG Letter do not constitute substantial evidence.[21]

Second, the SHG Letter argues that the provision of valet-only parking is somehow violative of the RPMA between SHG and AWH. The SHG Letter goes on to state that "[w]hether that constitutes an unreasonable interference with the easement is a question for another forum."[22] While we disagree with the contention that the valet parking violates the RPMA, we agree that interpretation of the RPMA is not a question for the City to adjudicate. Moreover, as we explained in our letter to the City Attorney, and as the Final EIR explained in response to SHG's comments, enforcement of private agreements is not a CEQA issue. As Responses 5-2 and 5-14 in the Final EIR state, "It is not the role of the City to analyze and interpret the provisions of a private agreement to which the City is not a party, and CEQA does not require a lead agency to do so as part of its environmental review."[23]

Third, the SHG Letter takes issue with the valet parking on the basis that the SHG Property is "increasingly occupied by medical tenants" who "cannot reasonably be required to use a valet

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[19] *San Franciscans Upholding the Downtown Plan v. City & County of San Francisco* (2002) 102 Cal.App.4th 656, 697.
[20] *Ibid.*
[21] CEQA Guidelines § 15384 ["Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence"].
[22] SHG Letter, p. 6.
[23] Final EIR, pp. 2-32; *see also Olen Properties Corp. v. City of Newport Beach* (2023) 93 Cal. App. 5th 270.

service operated by a third party in an adjoining hotel garage."[24] The RPMA does not differentiate between different types of parking, such as valet versus self-parking, and the Project would conform with the Americans with Disabilities Act requirements by providing 26 accessible spaces, which is more than the 21 accessible spaces required, with six of those being accessible van spaces, which is more than the five accessible van spaces required.[25] Providing accessible accommodations for patients of the medical tenants on the SHG Parcel is the responsibility of SHG.

Finally, the SHG Letter incorrectly refers to the valet parking as "unenforceable mitigation" and states that the EIR must disclose additional information about the valet operations. The provision of valet parking spaces is not "mitigation" but rather a feature of the Project. CEQA does not require the valet parking to be "enforceable," as it is not a mitigation measure, and does not require the EIR to analyze the various operational concerns listed in the SHG Letter. The City has not been presented with any evidence of purported adverse environmental impacts resulting from valet parking.

III. PD 89-1 and the Rezoning Were Disclosed and Analyzed in the EIR.

The SHG Letter claims that failure to analyze the Project for consistency with PD 89-1 is "circular and unlawful."[26] The SHG Letter later argues that the Project must be reviewed for consistency with the conditions of approval for PD 89-1.[27] Both arguments are addressed here.

First, multiple sections of the EIR state that the Property is currently zoned as PD 89-1.[28] Among the entitlements requested for the Project is a Planned Development to rezone the Property "into a property and Project-specific zoning designation."[29] As explained in Responses 5-11, 5-15, 5-16, and 5-35 in the Final EIR, the EIR need not analyze the Project's consistency with PD 89-1 because PD 89-1 will not govern the Project if the City approves the new Planned Development. The same logic applies to the conditions of approval for PD 89-1. Should the City approve the Project, a new set of conditions of approval will apply to the AWH Property. The SHG Letter suggests that the EIR must "analyze[] what happens to the Office Parcel when the Hotel Parcel is rezoned out of the planned development that both parcels share."[30] The request to rezone is specific to the AWH Property, and there is no requirement for the CEQA document to include adjacent properties that are not part of the Project.

Second, the SHG Letter argues that the EIR is deficient because it fails to explain why the number of rooms in the existing Marriott Hotel and the size of the convention center exceed what is

[24] SHG Letter, p. 6.
[25] Draft EIR, pp. 5.11-17.
[26] SHG Letter, pp. 7-8.
[27] *Id*. at pp. 11-12.
[28] *See e.g.,* Draft EIR, pp. 3-7, 5.1-19, 5.8-1, 5.8-2, 5.8-17, 5.8-19.
[29] Draft EIR, p. 3-51.
[30] SHG Letter, p. 8.

authorized by the prior entitlements.[31] Neither the number of rooms in the existing Marriott Hotel nor the size of the convention center actually exceed what is authorized by the prior entitlements. Resolution No. 2031 clarifies that the 250-room hotel tower was an "expansion of the existing Burbank Hilton Hotel," so the difference in the number of rooms is accounted for by adding together the pre-existing Burbank Hilton Hotel rooms and the additional 250 rooms approved by Resolution No. 2031.[32] Similarly, Ordinance No. 3164 includes the conference center space, totaling approximately 39,200 square feet, as well as banquet rooms, totaling approximately 15,984 square feet, and four meeting rooms, each with an area of approximately 655 square feet.[33] The Draft EIR specifies that there is "46,500 square feet of meeting/banquet and convention space," which, according to those totals, is less than the total meeting/banquet and convention space authorized by the Ordinance.[34]

Finally, the SHG Letter claims that the EIR is deficient because it analyzes the Project, which is defined to include the 420-room hotel and parking garage, but PD 26-1, if approved, governs the entire AWH Property, including the existing Marriott Hotel and convention center buildings.[35] CEQA defines a "project" as "an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment."[36] The Project does not propose and the rezoning does not entail any physical changes to the existing Marriott Hotel and convention center buildings at the AWH Property.

CEQA's scope of review is anchored to physical changes in the environment, and changing the zoning on which the existing buildings sit does not result in any physical changes to the environment or environmental impacts. The CEQA Guidelines require that an EIR include a description of the physical environmental conditions that constitute the baseline against which the lead agency assesses the significance of impacts. The CEQA Guidelines describe the environmental setting as the "*physical environmental conditions* as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective."[37] Relevant here, the environmental setting in the Draft EIR describes the "physical environmental conditions" and analyzes the existing Marriott Hotel and convention center as developed as part of the environmental setting.[38] Accordingly, the existing buildings are part of the environmental baseline against which the significance of the Project's impacts are measured.[39]

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[31] *Id*. at pp. 11-12.
[32] Res. No. 2031, Finding A.
[33] Ord. No. 3164 § 10(b); Draft EIR, pp. 3-7, 5.8-2.
[34] Draft EIR, p. 3-1.
[35] SHG Letter, p. 12.
[36] Pub. Res. Code § 21065.
[37] CEQA Guidelines § 15125(a)(1).
[38] Draft EIR, pp. 3-1, 5.8-1.
[39] *Id.* at p. 3-1.

IV. The Project Qualifies for SB 743 and Thus Parking and Aesthetic Impacts Cannot Be Considered Significant Impacts on the Environment.

Draft EIR Section 8.0, Effects Found Not to be Significant, explains that pursuant to Senate Bill 743, "aesthetic and parking impacts of a residential, mixed-use residential, or *employment center project* on an *infill site* within a *transit priority area* shall not be considered significant impacts on the environment."[40] Contrary to the contention in the SHG Letter, the Project qualifies as an "employment center project," is located on an "infill site," and is located within a "transit priority area."[41]

The Project qualifies as an "employment center project" under Public Resources Code section 21099, which defines an "employment center project" as "a project located on property zoned for commercial uses with a floor area ratio of no less than 0.75 and that is located within a transit priority area."[42] The Project is zoned for, and currently developed with, commercial uses and proposes a 1.13:1 floor area ratio ("**FAR**"), which exceeds the 0.75 FAR minimum requirement.[43] The Project is also located within a "transit priority area," which is defined as "an area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program or applicable regional transportation plan."[44] The AWH Property is located within a transit priority area designated by the Southern California Association of Governments ("**SCAG**") and is located approximately 0.29 mile from the Metrolink Airport South Station.[45]

The Project site also qualifies as an "infill site." Public Resources Code section 21099 defines an "infill site" as "a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses."[46] The Project is developed with and surrounded by urban uses. Because the Project is an employment center project on an infill site within a transit priority area, its parking and aesthetic impacts "shall not be considered significant impacts on the environment."[47]

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[40] *Id*. at p. 8-1, quoting Pub. Res. Code § 21099(d)(1).
[41] SHG Letter, pp. 8-9.
[42] Pub. Res. Code § 21099(a)(1).
[43] *Id*. at § 21099(a)(1).
[44] *Id*. at § 21099(a)(7).
[45] Draft EIR, pp. 8-1.
[46] Pub. Res. Code § 21099(a)(4).
[47] *Id*. at § 21099(d)(1).

V. The RPMA Is a Private Agreement That CEQA Does Not Require the City to Interpret.

As explained in our letter dated December 20, 2024, which is attached as Exhibit A, the RPMA is a private agreement that is enforceable by private parties and is not a CEQA environmental issue. The SHG Letter makes attempts to distinguish the *Olen* case, arguing that the holding in *Olen* should not apply because "the City is not a stranger to this instrument" because the RPMA requires approval by the City's Community Development Director prior to certain changes.[48] That provision does not make the City a party to the RPMA or render the RPMA enforceable by the City. Rather, it confirms that the City, through its ordinary land use authority, is the body that decides whether development on either parcel complies with applicable local regulations. Requiring local approval of certain work proposed on the parcels does not change the conclusion that the RPMA is a private agreement and is not a CEQA environmental issue.

The SHG Letter argues that the RPMA "incorporates PD 89-1" and the City cannot avoid analysis of PD 89-1 by characterizing the RPMA as private. As discussed in Section III above, the EIR identifies the current zoning as PD 89-1 but need not analyze the Project's consistency with PD 89-1 because PD 89-1 will not govern the Project if the City approves the new Planned Development. References to PD 89-1 in the RPMA do not alter that conclusion.

Next, the SHG Letter clarifies that SHG requests disclosure, not enforcement, of the RPMA. Both the Draft EIR and the Final EIR disclose that the RPMA exists.[49]

Lastly, the SHG Letter revives its contention that SHG that the Project cannot be developed without the consent of SHG under the RPMA. As explained in more detail in the letter attached as Exhibit A, that contention was completely extinguished as a result of litigation between AWH and SHG.

VI. Airport Land Use Commission Staff Issued a Consistency Determination for the Project.

The SHG Letter points to the comment on the Draft EIR submitted by the Los Angeles County Airport Land Use Commission ("**ALUC**") that notes that the Project is subject to ALUC review.[50] The Los Angeles County ALUC has reviewed the Project for consistency with the Los Angeles County Airport Land Use Plan. On August 12, 2026, ALUC staff issued a consistency determination finding the Project consistent with the policies of the Airport Land Use Plan and the ALUC Review Procedures for Los Angeles County.[51] ALUC staff further determined that the

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[48] SHG Letter, p. 9.
[49] *See* Draft EIR, pp. 1-1, 3-1, 3-8; Final EIR, p. 2-32.
[50] SGH Letter, pp. 10-11.
[51] Airport Land Use Plan Consistency Determination, Project No. PRJ2025-005501-(5).

proposed hotel would be located outside the Airport Influence Area and that the rezoning would not create an airport land use compatibility concern.[52]

VII. A Water Supply Assessment is Not Required for the Project.

Water Code section 10912(a)(2) requires a Water Supply Assessment ("**WSA**") for certain larger development projects, including "[a] proposed hotel or motel, or both, having more than 500 rooms."[53] The Project proposes a new 420-room hotel, which is less than the 500-room threshold, so a WSA is not required. The EIR correctly states, "The proposed Project does not meet the conditions requiring a Water Supply Assessment pursuant to Senate Bill 610."[54] The EIR analyzes water supply and concludes that the 2020 Urban Water Management Plan accounts for the Project's anticipated water demand and "there would be sufficient water supplies available to serve the Project development during normal, dry and multiple dry years."[55]

VIII. The Alternatives Analysis is Adequate.

The SHG Letter asserts that Response 5-4 "concedes" that relocating the Project east of the convention center would lessen the significant and unavoidable impacts of the Project. To support that assertion, the SHG Letter quotes the statement in the Final EIR that "it is possible that the significant and unavoidable impacts relative to construction noise … may be reduced, or eliminated."[56] Response 5-4 in the Final EIR, however, states the opposite: "[S]iting the Hotel and Garage east of the convention center, as identified by the commenter, would not mitigate or avoid the significant effects of the Project on the environment as identified in the Draft EIR."[57]

The SHG Letter attempts to characterize Response 5-4 as a concession by removing the quoted language from its context. The statement that certain impacts "may be reduced, or eliminated" does not address the configuration east of the convention center. Rather, Response 5-4 states that "given that the alternative site layout is in the same location as the proposed Project site, the impacts to sensitive receptors associated with construction noise would remain the same as noise conditions would be substantially similar and the same offsite infrastructure improvements would be required."[58] The quote that the SHG Letter includes is in reference to the analysis of the "Alternative Site" Alternative in the Draft EIR, which contemplates relocating the Project elsewhere in the City.[59] The "Alternative Site" Alternative analysis concludes that whether or not significant and unavoidable impacts could "be reduced or eliminated" depends on a number of site-specific

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[52] *Id*. at Project No. PRJ2025-005501-(5), p. 2.
[53] Cal. Water Code § 10912(a)(4).
[54] Draft EIR, pp. 5.13-6.
[55] *Id*. at pp. 5.13-12.
[56] Final EIR, p. 2-35; SHG Letter, p. 14.
[57] *Id*. at p. 2-35.
[58] *Id*. at pp. 2-35 – 2-36.
[59] Draft EIR, pp. 1-25, 7-4.

factors related to "the location of the alternative site and ambient noise conditions, and whether offsite infrastructure improvements would be required."[60]

CEQA does not require the City to examine alternative sites across the City to assess whether the Project's impacts could be reduced from siting the Project at an alternative site. Rather, CEQA requires that the EIR "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."[61] The "range of alternatives" in an EIR is governed by a "rule of reason," meaning that the EIR need only consider alternatives that would "avoid or substantially lessen any of the significant effects.[62] Of those, CEQA only requires that alternatives that "could feasibly attain most of the basic objectives of the project" to be examined in detail. (*Ibid.*) Feasibility depends on a number of factors, including "whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent)."[63]

Here, the "Alternative Site" Alternative was properly rejected from further analysis within the EIR because "the Project Applicant does not own another appropriately sized parcel with existing convention, hotel and restaurant that are supportive amenities and uses and similarly accessible and underutilized within proximity to the Hollywood Burbank Airport, Metrolink station, and planned high speed rail station that could be developed to meet most of the Project objectives."[64]

IX. The Figure Referenced in Response 5-4 Does Not Require Recirculation of the EIR.

The SHG Letter contends that the singular figure included in Response 5-4 in the Final EIR to clarify the infeasibility of the commenter's requested alternative requires recirculation of the EIR under CEQA. Recirculation is only required when "significant new information" is added to the EIR, and new information is "not 'significant' unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect ... that the project proponents have declined to implement."[65] Recirculation is <u>not</u> required when the new information merely clarifies, amplifies, or makes insignificant modifications to an otherwise adequate EIR.[66]

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[60] *Id*. at pp. 1-25, 7-4.
[61] CEQA Guidelines § 15126.6(a).
[62] *Id*. at § 15126.6(f).
[63] CEQA Guidelines § 15126.6(f)(1).
[64] Draft EIR, p. 7-4.
[65] Pub. Res. Code § 21092.1; CEQA Guidelines § 15088.5(a).
[66] See *Laurel Heights Improvement Assn. v. Regents of the University of California* (1993) 6 Cal.4th 1112, 1130.

In the comment letter submitted to the City on behalf of SHG, one of the arguments was that the Draft EIR was deficient because it failed to study relocating the Project east of the convention center, which "must be studied as a Project Alternative and legally sufficient reasons must be provided if the alternative ... is not approved by the City and the Applicant."[67] The Final EIR noted that that assertion is incorrect and clarified that the standard discussed in Section VIII above applies, which requires that the EIR "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."[68] Response 5-4 explains the legal reasons that analysis of SHG's requested alternative is not required. To further bolster that conclusion, Response 5-4 included a site layout figure to clarify that the alternative proposed by the commenter is infeasible due to site constraints.

The Court of Appeal in *Planning and Conservation League v. Department of Water Resources* rejected a similar argument that recirculation was required based on additional information included in the final EIR to clarify the discussion of rejected alternatives. The Court rejected that argument, reasoning that the information added to the final EIR "did not disclose a new environmental impact of the project or an increase in the severity of an impact."[69] Rather, the Court found that the new information "[a]t most … clarified or amplified the Table A Amount reduction alternative that the department [r]ejected."[70]

Similarly, here, the inclusion of the figure in Response 5-4 provides additional information as to why the EIR need not analyze the alternative suggested by the commenter. The site layout figure does not "disclose a new environmental impact of the project or an increase in the severity of an impact."[71] Moreover, as noted above, new information is not "significant" and thus recirculation is not required "unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a *feasible way to mitigate or avoid such an effect* ... that the project proponents have declined to implement."[72]

As Response 5-4 in the Final EIR explains, the alternative proposed by the commenter is not "a feasible way to mitigate or avoid" a substantial adverse effect. First, the alternative proposed by the commenter of moving the Project site east of the convention center "would not mitigate or avoid the significant effects of the Project."[73] Second, as the added site plan layout figure shows, moving the Project site east of the convention center is not feasible because "the proposed Hotel would not

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[67] Draft EIR, Comment Letter 5, p. 2.
[68] CEQA Guidelines § 15126.6(a).
[69] *Planning and Conservation League v. Department of Water Resources* (2024) 98 Cal.App.5th 726, 766.
[70] *Ibid.*
[71] *Ibid.*
[72] Pub. Res. Code § 21092.1; CEQA Guidelines § 15088.5(a).
[73] Final EIR, p. 2-35.

fit in that space, which is too narrow to accommodate the proposed footprint."[74] Therefore, the site plan layout figure is not "significant new information," and recirculation is not required.

X. Construction-Period Impacts on the Office Parcel

The SHG Letter claims that the EIR is deficient because it "never quantifies the construction-period parking loss" and its impacts on the SHG Property as the "nearest occupied receptor."[75] Each of the issues that the SHG Letter claims necessitate analysis in the EIR are only concerned with the alleged impact to the SHG Property. As the Final EIR correctly states, "'[u]nder CEQA, the question is whether a project will affect the environment of persons in general, not whether a project will affect particular persons.'"[76] Moreover, the conditions of approval for the Project include multiple conditions directed towards minimizing the impacts of the parking loss during the construction period, including:

- Condition No. 19(g) requires that "[a]ll construction-related parking and staging of vehicles shall be kept out of the adjacent public roadways and shall occur on-site or at a nearby site approved by the City Engineer or their designee as part of the CMP."
- Condition No. 21 requires that the plans submitted for plan check must include a "Construction Employee Parking Plan (CEPP) for contractor/ subcontractor vehicles and construction vehicles, including onsite and off-site (if applicable) parking," which is subject to review and approval by the Community Development Director and must be monitored and enforced by the applicant and/or on-site primary general contractor.
- Condition No. 22 requires preparation of an Interim Parking Operations Plan that identifies interim parking operations for employees and patrons of the existing hotel and convention center throughout construction, which is subject to review and approval by the Community Development Director.

XI. The EIR is Not Required to Analyze Aesthetic Impacts of the Project.

As explained in Draft EIR Section 8.0, Effects Found Not to Be Significant, and outlined in Section IV above, the Project qualifies for SB 743 and thus the Project's aesthetic impacts cannot be considered a significant impact on the environment.[77] The analysis of aesthetic impacts in the EIR is "for informational purposes only."[78] Moreover, each of the issues that the SHG Letter claims

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[74] *Id*. at p. 2-36.
[75] SHG Letter, p. 14.
[76] *Eureka Citizens for Responsible Government v. City of Eureka* (2007) 147 Cal. App. 4th 357, 376, as modified (Feb. 1, 2007), italics added; Final EIR, p. 2-33.
[77] Draft EIR, p. 8-1, quoting Pub. Res. Code § 21099(d)(1).
[78] *Id*. at p. 8-1.

necessitate analysis in the EIR are only concerned with the alleged impact to the SHG Property. As noted above, CEQA is concerned with potential impacts to "the environment of persons in general," not to "particular persons."[79]

XII. SHG Provides No Evidence of Any Economic Effects or Physical Changes to the Environment.

The Final EIR correctly explains that the City is not required to study economic impacts to the SHG Property that are not connected to an environmental effect.[80] CEQA Guidelines section 15131(a) provides that economic effects "shall not be treated as significant effects on the environment," and section 15064(e) clarifies that economic changes may be used "to determine that a physical change shall be regarded as a significant effect on the environment."[81] The SHG Letter lists off anticipated "physical changes" but provides no evidence thereof. CEQA Guidelines section 15384 states, "Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence."[82] The SHG Letter fails to identify any negative economic effects of the Project, let alone provide evidence that those purported economic effects relate to physical impacts on the environment.

XIII. Cumulative Project List

Table 4-1 in the Draft EIR lists the past, present, and probable future projects identified by the City.[83] The SHG Letter does not identify any project that is missing from the cumulative project list but vaguely states that "[a] cumulative analysis that omits concurrent hotel and airport-area development in the same corridor is not adequate."[84] As Response 5-12 in the Final EIR states, "As documented in Draft EIR Section 4.0, the geographic areas, and hence the related projects, considered for the cumulative impact analyses vary according to environmental issue area and were determined based upon the Project's scope and the anticipated area in which the Project could contribute to an incremental increase in cumulatively considerable impacts."[85]

XIV. Statement of Overriding Considerations and Findings of Fact

CEQA allows a public agency to "approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment

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[79] *Eureka*, *supra*, 147 Cal. App. 4th at p. 376.
[80] Final EIR, p. 2-38.
[81] CEQA Guidelines §§ 15131(a), 15064(e).
[82] *Id*. at § 15384.
[83] Draft EIR, pp. 4-3, 4-4.
[84] SHG Letter, p. 15.
[85] Final EIR, p. 2-40.

that would occur if the project is approved or carried out" if the agency makes specified findings with respect to each significant effect and finds that "specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment."[86] The Planning Commission voted to recommend that the City Council make the required CEQA Findings and Statement of Overriding Considerations for the Project, and the City Council will review and decide whether to adopt the Statement of Overriding Considerations and Findings of Fact.

Contrary to the statement in the SHG Letter, the City does not rely only on "[l]etters of support from the Chamber of Commerce and projected transient occupancy tax revenue" as "substitutes for findings."[87] The Statement of Overriding Considerations lists nine "specific overriding economic, legal, social, technological, or other benefits" of the Project, including recurring transient occupancy, property, and sales tax revenue; construction and permanent employment; expanded conference and meeting capacity; elimination of on-site fossil-fuel combustion; on-site solar with battery storage; EV charging that exceeds CALGreen baselines; and infill development within one-half mile of two Metrolink stations, the planned High-Speed Rail station, and the airport. These benefits are precisely the type of benefits that Public Resources Code section 21081 contemplates for inclusion in the Statement of Overriding Considerations. Further, the staff report, dated October 12, 2026, estimates the "total anticipated value" of community benefits and other public improvements required by the Development Agreement at $1,112,000.

For all of the above reasons, SHG's arguments are meritless. We respectfully request that the City Council adopt the Planning Commission's recommendation and approve the Project.

Very truly yours,

Emily L. Murray

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[86] Pub. Res. Code § 21081(b).
[87] SHG Letter, p. 16.

EXHIBIT A

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Via Email/U.S. Mail

December 20, 2024

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Re: 2500 N. Hollywood Way

Dear Mr. McDougall:

We represent AWH Burbank Hotel, LLC (**"AWH"**). AWH owns the Property located at 2500 North Hollywood Way, California (**"AWH Property"**), and is the project applicant for a new, dual-brand hotel and parking garage at the site of the existing Marriott hotel and convention center (**"Project"**). The Project includes the development of a new seven-story dual-brand hotel consisting of approximately 262,338 square feet and a separate, detached four-story parking garage. The proposed hotel would consist of two hotel uses (Aloft and Residence Inn) with a total of 420 hotel rooms. The garage would consist of 208,040 square feet of valet-only parking, providing up to 766 parking spaces, with an additional 285 parking spaces on grade. We write to confirm that the Project is consistent with the terms of the Reciprocal Parking and Maintenance Agreement (Recorded Doc. No. 97-2019758) (**"RPMA"**), attached as Exhibit A, and to respond to certain assertions recently lodged by counsel for Hollywood Way SHG, LLC (**"SHG"**).

A. The Reciprocal Parking and Maintenance Agreement

The RPMA governs the AWH Property and the adjacent property located at 2550 North Hollywood Way (**"SHG Property"**), which is now owned by SHG. Prior to the execution and recordation of the RPMA, the AWH Property and SHG Property consisted of a single parcel. In 1997, the parcel was subdivided into two parcels pursuant to the California Subdivision Map Act. The then-owner of the two newly created parcels drafted and executed the RPMA contemporaneous with the subdivision, primarily to address parking and maintenance on the two parcels, as is evident from its title. While the RPMA has often been referred to as a "reciprocal easement agreement," it is not a grant of a general easement to either party, but instead is limited to the administration of the

parking areas and the allocation of financial and practical responsibility for maintenance of such areas.

The express terms of the RPMA confirm that it grants to each party a "*nonexclusive* easement" over the driveways on both parcels and for parking in each other's "Parking Areas." (Exh. A, §§ 2.1, 2.2, pp. 15-16, *emphasis added*.) It is important to note what the RPMA does *not* do, as it has been repeatedly mischaracterized. It does not provide either party with an unlimited easement over the other party's property or any portion of the Parking Areas. The RPMA also does not restrict either party's right to redevelop portions of the Parking Areas that are subject to the grant of a limited easement. SHG has suggested that the RPMA gives it an interest akin to ownership over the Parking Areas on the AWH Property, but this claim is false.

The only quantitative parking requirement in the RPMA is the requirement that AWH must, "at all times make available to tenants of the Office Parcel at no charge two hundred sixty-four (264) parking spaces." (*Id.*, § 5.1, p. 19.) The RPMA does not specify any particular location for such parking spaces; in other words, the free-of-charge spaces may be on the SHG Property, the AWH Property, or both. It is undisputed that AWH has always complied with this requirement, that there are at least this number of parking spaces on the SHG Property, and that at least this number of parking spaces are specifically striped, designated, and signed as being for the use of the SHG Property only. The RPMA does not otherwise require AWH to maintain any particular number of spaces on the AWH Property. While the RPMA does permit SHG to designate 20% of the parking spaces on the SHG Property for its exclusive use, it does not extend to SHG any similar rights as to the Parking Areas on the AWH Property.

The second prong of the RPMA, in addition to the parking prong, relates to maintenance. In essence, AWH is responsible for maintaining all the Parking Areas on both properties, with a right of reimbursement from SHG for the costs of such maintenance. This maintenance function is not implicated by the pending Project application. However, for the avoidance of doubt, AWH intends to fully comply with the maintenance requirements of the RPMA, both during and after its Project is constructed.

B. The Prior Litigation

In connection with the proposed Project, AWH sought SHG's consent to proposed driveway locations pursuant to section 3.1 of the RPMA. SHG refused to provide such consent. AWH thus filed an action for declaratory relief and SHG thereafter filed a cross-complaint, seeking related declaratory relief and bringing additional causes of action relating to the properties. The matter proceeded to trial and the County found in favor of AWH on all claims. The Statement of Decision ("**SOD**") from that litigation, which determined the Parties' respective rights under the RPMA, is attached as Exhibit B. The Judgment, which incorporates the SOD by reference, is attached as Exhibit C. The SOD has been upheld on appeal and is final and binding on the Parties.

Although SHG previously contended that it had the right to approve (or not approve) any development on the AWH Property, this contention was completely extinguished as a result of litigation between AWH and SHG. Specifically, the RPMA provides that "each Owner may change at any time and from time to time the buildings and parking configurations on its Parcel subject to the restrictions and limitations set forth in this Agreement provided that the size, number, location, and uses of such replacement buildings (including the orientation of entrances thereto) are such that each Parcel will generally support its own parking needs in accordance with all legal requirements." (*Id.*, § 3.3, p. 4.) The Court, in its SOD, explained in detail the clear intent of the RPMA to allow further development on the AWH Property. (Exh. B, pp. 4-5.) Finally, the RPMA makes clear that the City of Burbank, not SHG, has the authority to approve any permanent changes to the "parking, access, building locations, or driveways…". (Exh. A, § 6.21, p. 11.)

As the RPMA and SOD make clear, the RPMA solely grants SHG the right to consent over any proposed change in "the location or configuration of any Driveway within its Parcel…". (*Id.*, § 3.1, p. 17.) Additionally, and contrary to SHG's assertions, the RPMA specifically contemplated further development on either parcel, with the City designated as the sole authority over such development. The Court in the SOD also noted that SHG had previously attempted to extort AWH, and that SHG had made clear it will lodge opposition to the Project in hopes of being paid some compensation to which it is not entitled. Specifically, the Court noted that the evidence established that SHG intended to obstruct AWH's development plans as part of its "shakedown of AWH" and "demands for a payoff." (Exh. B, pp. 7-8.)

It is beyond dispute that AWH has always complied with the RPMA. In fact, the two properties have far more parking than is necessary for their respective uses. In connection with the prior litigation, AWH commissioned a parking study that established beyond question that the SHG Property has ample parking. The study, completed in 2015 when office occupancy was far higher than at present, confirmed: (1) just 61% of spaces on both parcels were occupied at peak parking demand periods on weekdays, and with the Hotel at or near 100% capacity; (2) only 62.8% of the 274 spaces immediately surrounding the Office Building – which are green-striped and designated for "office use" – were occupied during peak demand periods; (3) AWH consistently satisfied its obligation under the RPMA to make at least 264 parking spaces available to SHG; and (4) parking on the Office Parcel peaked at 11.7% of Office Parcel spots on weekends (the most common time for special events on the AWH Property). Similarly, the April 13, 2021 Parking Study prepared by the City's consultant, Walker, for the Project demonstrated that there was at all times ample parking available for and on the SHG Property. There is simply no room for dispute that AWH has always complied with the RPMA.

C. The Project Complies with the RPMA

The Project will comply with the RPMA as well. The Project includes the construction of the new, dual-brand hotel and parking garage on areas currently developed with surface parking. The garage will include 766 valet-only parking spaces, with an additional 285 parking spaces on

grade, for a total of 1,051 parking spaces on the AWH Property, as compared with the current 763 parking spaces located on the AWH Property. No improvements or changes to the SHG Property are proposed as part of the Project; the existing 380 parking spaces on the SHG Property will not be altered as part of the Project. Accordingly, the 264 free-of-charge parking spaces specified by the RPMA are currently and will continue to be accommodated.

Pursuant to the April 13, 2021 Parking Study for the Project, the City requires that a minimum of 1,021 parking spaces be provided for the Project and the existing Marriott hotel and convention center. All of this required parking can and will be provided on the AWH Property, with a surplus of 30 parking spaces on the AWH Property. Although the RPMA allows hotel guests and users to park on the SHG Property, AWH does not need this additional parking in order to comply with the 1,021 parking spaces required by the City. Indeed, the RPMA primarily benefits SHG, as SHG depends on the RPMA for access to the SHG Property and depends on AWH for parking maintenance on the SHG Property. If SHG wishes to terminate the RPMA, this would not impact AWH or the Project at all, but would leave SHG without any access to the SHG Property.

The Project is further consistent with section 3.3 of the RPMA, which specifically provides that "each owner may change at any time and from time to time the buildings and parking configurations on its Parcel subject to the restrictions and limitations set forth in this Agreement provided that the size, number, location, and uses of such replacement buildings (including the orientation of entrances thereto) are such that *each Parcel will generally support its own parking needs in accordance with all legal requirements*." (Exh. A, § 3.3, p. 4, *emphasis added*.) The Project will change the building and parking configurations on the AWH Property in a manner that will support AWH's parking needs on its own Property by providing 1,051 parking spaces, in excess of the minimum 1,021 parking spaces required by the City for the Project and the existing Marriott hotel and convention center.

As the Court confirmed in the SOD, the RPMA affords SHG no consent or approval right over any development activities on the AWH Property, but grants SHG solely an approval right over requests to relocate driveways. However, the Judgment specifically provided that the driveway locations shown in the May 18, 2018 Request for Consent to driveway relocation were deemed approved by SHG. The Project's driveway locations are as depicted in the May 18, 2018 Request for Consent to driveway relocation, and thus no further consent from SHG is required for the Project.

Given the above, the Project is clearly consistent with the RPMA, as confirmed by the Court in the SOD and Judgment. The Project will continue to ensure that the requisite number of parking spaces are available to visitors to the SHG Property. AWH has confirmed, and will ensure, that the Project allows AWH to "generally support its own parking needs" and multiple parking surveys have confirmed that the SHG Property's parking needs and the AWH's Property's parking needs have always been supported and will continue to be supported with the constructed Project in place.

D. The City's CEQA Document Need Not Consider the RPMA

Finally, with respect to SHG's suggestion that the California Environmental Quality Act ("**CEQA**") document for AWH's Project should evaluate or consider the requirements of the RPMA, that suggestion is directly refuted by the CEQA statute and applicable case law. In *Olen Properties Corp. v. City of Newport Beach*, 93 Cal. App. 5th 270, 310 Cal. Rptr. 3d 442 (2023), attached as Exhibit D, the California Fourth District Court of Appeal rejected a virtually identical argument. The *Olen* case involved the addition of a residential housing development on a parking lot which served the commercial tenants of a commercial property owned by the Plaintiff. The Plaintiff argued that the Addendum to the EIR was insufficient because "it failed to consider the [pre-existing] CC&Rs, which plaintiff contends barred this construction." (*Id.* at 276.) The Plaintiff claimed that the CC&Rs "would protect existing buildings owners from 'disharmony through … conflicting internal circulation [and] parking shortages,'" among other concerns. (*Id.* at 281-2.) In rejecting these arguments, the Court reasoned that these underlying issues "may be environmental issues," but "the CC&Rs themselves, by contrast, are covenants between private parties conveying certain private property rights" and thus need not be considered in the EIR. (*Id.* at 282.)[1]

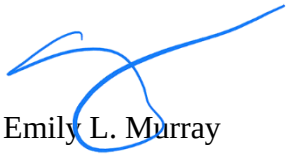
The RPMA, like the CC&Rs in *Olen*, is a private, voluntary agreement between private parties that can be enforced through litigation between those parties. The RPMA is not a CEQA environmental issue and the agreement is not enforced by the City. CEQA simply does not require a lead agency to analyze and interpret private contracts between parties as part of its environmental review. Of course, SHG knows this because it previously litigated against AWH concerning the RPMA. In short, SHG's remedy for the Project's claimed violation of the RPMA is to sue AWH for violations of the RPMA, which it has already tried, and lost.

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[1] Similarly, in the unpublished case of *Anderson Valley Environmental Protection Group v. County of Mendocino* (Cal. Ct. App., June 7, 2002, No. A095009) 2002 WL 1265632, attached as Exhibit E, the Court rejected a claim by petitioners who argued that a winery expansion inside of a residential subdivision violated CEQA in part because the CEQA analysis failed to address the impacts of the alleged CC&R violations caused by the project. (*Id.*) The court rejected the petitioner's attempt to turn the CC&R issues into CEQA issues: "[t]he question of public access is not pertinent to a CEQA analysis of the project … [i]f the association wants to enforce the private-road provisions of the subdivision CC&Rs against real parties, they are free to take appropriate action." (*Id.* at *7.)

Please do not hesitate to reach out to me should you have any questions or concerns.

Very truly yours,



Emily L. Murray

ELM

EXHIBIT A

RECORDING REQUESTED BY:

Burbank Partners, LLC
c/o Wolff DiNapoli LLC
11828 La Grange Avenue
Suite 200
Los Angeles, California 90025

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RECORDED/FILED IN OFFICIAL RECORDS
RECORDER'S OFFICE
LOS ANGELES COUNTY
CALIFORNIA
1:01 PM DEC 24 1997

WHEN RECORDED, MAIL TO:

Greenberg Glusker Fields
Claman & Machtinger LLP
1900 Avenue of the Stars
Suite 2200
Los Angeles, California 90067
Attn: William A. Halama, Esq.

14

FEE $ 46.00

Space Above For Recorder's Use Only

D.A FEE Code 20 $ 2.00

RECIPROCAL PARKING AND MAINTENANCE AGREEMENT
(Burbank Hilton and Office Complex)

This Reciprocal Parking and Maintenance Agreement ("Agreement") is made as of this ___ of December, 1997 by Burbank Partners, LLC, a California limited liability company ("Declarant") with reference to the following facts:

A. Declarant is the owner of that certain real property ("Property") described in Exhibit "A" hereto. Declarant intends to subdivide the Property into two (2) separate parcels in accordance with the California Subdivision Map Act. A copy of the preliminary parcel map for the Property showing such proposed division is attached hereto as Exhibit "B". Parcel 1 as shown in Exhibit "B" is referred to herein as the "Hotel Parcel" and Parcel 2 is referred to as the "Office Parcel".

B. The Office Parcel is presently improved with a six story office building, containing approximately 88,000 square feet and the Hotel Parcel adjoins the Office Parcel and is improved with a hotel with approximately 500 guest rooms.

C. Declarant desires to establish certain reciprocal agreements, easements, covenants, and conditions with respect to both the Office Parcel and the Hotel Parcel which reciprocal agreements, easements, covenants, and conditions will inure to the benefit of, and be binding upon, each of the parties and all successor owners of any interest in either Parcel.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows.

0511900103-687542.6

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ARTICLE 1

DEFINITIONS

1.1 Definitions.

a. "CPI" shall mean the United States Department of Labor, Bureau of Labor Statistics, Consumer Price Index for all Urban Consumers (all items for the geographical area in which the Parcels are located).

b. "Driveways" shall mean all driveway areas now or hereafter located on either the Hotel Parcel or the Office Parcel.

c. "Hotel Owner" shall mean the owner of the Hotel Parcel.

d. "Office Building Owner" shall mean the owner of the Office Parcel.

e. "Owners" shall mean Hotel Owner, Office Building Owner, and all future owners of either Parcel, or any interest therein.

f. "Parcel(s)" shall mean collectively the Hotel Parcel and the Office Parcel.

g. "Parking Areas" shall mean those areas within the Office Parcel and Hotel Parcel as are now or may hereafter may be established from time to time by the respective Owners to be used for parking of automobiles and other vehicles.

h. "Parties" shall mean the Hotel Owner, the Office Building Owner, and all subsequent Owners.

i. "Permittees" shall mean the Parties, all tenants and occupants of either Parcel, and their respective members, partners, officers, directors, employees, agents, contractors, customers, visitors, invitees, licensees, tenants, and concessionaires.

j. "Project" shall mean the property consisting of the Office Parcel and the Hotel Parcel.

ARTICLE 2

EASEMENTS

2.1 Ingress and Egress.

a. Hotel Owner, hereby grants to the Office Building Owner, and each of its Permittees, a nonexclusive easement over and across the Driveways located on the Hotel Parcel for pedestrian and

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vehicular ingress to and egress from the Office Parcel and to and from all streets and roads abutting the Hotel Parcel, including, but not limited to, ingress and egress for delivery and service trucks and vehicles. Without limiting the generality of the foregoing, delivery vehicles servicing the Office Parcel will be permitted unobstructed access over the Hotel Parcel at all times.

b. Office Building Owner hereby grants to the Hotel Owner, and each of its Permittees, a nonexclusive easement over and across the Driveways located on the Office Parcel for pedestrian and vehicular ingress to and egress from the Hotel Parcel and to and from all streets and roads abutting the Office Parcel, including, but not limited to, ingress and egress for delivery and service trucks and vehicles.

2.2 Parking.

a. Hotel Owner hereby grants to the Office Building Owner, and each of its Permittees, a nonexclusive easement for parking and for vehicular and pedestrian use incidental thereto in the Parking Areas of the Hotel Parcel in conjunction with the operation or patronage of the Office Parcel and the businesses operated therein.

b. Subject to the limitations set forth in Section 2.2c, the Office Building Owner hereby grants to the Hotel Owner, and each of its Permittees, a nonexclusive easement for parking and for vehicular and pedestrian use incidental thereto in the Parking Areas of the Office Parcel in conjunction with the operation of the Hotel Parcel and the businesses operated therein.

c. The Office Building Owner may from time to time designate for the exclusive use of its Permittees up to twenty percent (20%) of all parking spaces on the Office Parcel. The Office Building Owner may mark such spaces as reserved in such manner as it chooses. Further, the Office Building Owner may place signage on the Office Parcel to the north and east of the existing building to indicate the availability of parking for Permittees of the Office Building Owner, but in no event may such indication suggest that such parking is for the exclusive use of the Office Parcel.

2.3 Unauthorized Use and Closure.

a. Each Owner shall have the right to eject or cause the ejection from its Parcel of any person or person(s) not authorized or privileged to use its Parcel pursuant to this Agreement.

b. Each Owner reserves the right to close off Driveways on its Parcel for such reasonable periods of time as may be legally necessary to prevent the acquisition of prescriptive rights by anyone; provided, however, that prior to closing any portion of any

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Driveway, such Owner shall give five (5) days prior written notice to the other Owner of its intention to do so and shall coordinate such closing with the other Owner so that no unreasonable interference with the operation of the Project shall occur.

ARTICLE 3

PROJECT IMPROVEMENTS

3.1 Changes in Driveways. Neither Owner may change the location or configuration of any Driveway within its Parcel without the prior written consent of (i) the City of Burbank pursuant to Section 6.21, and (ii) the other Owner which consent shall not be unreasonably withheld or delayed; provided that if the Owner whose consent is requested fails to grant or withhold consent within ten (10) days of receipt of the other Owner's written request therefor, such consent shall be deemed to have been granted.

3.2 Obstructions. No fence, division, partition, rail, structure, or obstruction of any kind shall ever be placed, kept, permitted, or maintained between the Parcels or otherwise in a manner that would prevent or impede vehicle or pedestrian access from one Parcel to the other.

3.3 Site Limitations. Subject to Section 6.21, each Owner may change at any time and from time to time the buildings and parking configurations on its Parcel subject to the restrictions and limitations set forth in this Agreement provided that the size, number, location, and uses of such replacement buildings (including the orientation of entrances thereto) are such that each Parcel will generally support its own parking needs in accordance with all legal requirements.

ARTICLE 4

MAINTENANCE

4.1 General Maintenance and Management. The Hotel Owner shall at all times, at its sole cost and expense, operate, manage and maintain all Driveways, Parking Areas, walkways, landscaped area, and hardscaped areas on both Parcels, and cause them to be operated, managed, and maintained in a state of good repair, free of trash and debris and clean and orderly condition. Without limiting the generality of the foregoing, the Hotel Owner will keep all Parking Areas open, available, and operating twenty-four (24) hours per day, every day of the year, except as otherwise permitted herein. If any special events are held in the Parking Areas of the Hotel Parcel, the Hotel Owner will make a reasonable attempt to accommodate Permittees of the Office Parcel so as not to interfere with their parking or access to the office building. In addition, the Hotel Owner will at all times treat Permittees of the Office

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Parcel in a first class and courteous manner and respond to their requests as expeditiously as possible. In consideration of its undertaking of such maintenance and management obligations, subject to the provisions of Article 5, Hotel Owner shall be entitled to retain all revenues derived from operation of the Parking Areas.

4.2 Specific Duties. The duties of the Hotel Owner under Section 4.1 shall include, without limitation, each of the following:

a. maintenance, repair, and replacement of all paved surfaces in a level, smooth, and evenly covered condition as is customary for parking facilities of this type, with the type surfacing material presently installed, or such substitute as shall in all respects be at least equal to the existing material in quality, use, appearance and durability (in no event will the maintenance of the Parking Areas on the Office Parcel be of lesser quality than the maintenance of the Parking Areas on the Hotel Parcel);

b. maintenance, repair, and replacement as reasonably necessary of all curbs, curb-cuts, gutters, walkways, planters and medians;

c. painting and striping;

d. maintenance, repair, and replacement of all directional signs, markers, lighting facilities, including prompt replacement of fixtures and bulbs;

e. maintenance of all landscaped areas and periodic replacement of shrubbery, plantings, and flowers; and

f. maintenance of liability insurance of not less than One Million Dollars ($1,000,000) per occurrence which insurance shall name each Owner as an insured and delivering proof of such insurance to the Owner of the Office Building Parcel;

g. maintenance of casualty insurance of not less than full replacement value of all improvements which the Hotel Owner is obligated to maintain; and

h. promptly taking whatever action is reasonably necessary to prevent unauthorized parking in the Parking Areas.

4.3 Cost of Maintenance. Except for real property taxes and assessments levied on the Office Building Parcel (which taxes and assessments will be paid by the Owner of the Office Building Parcel), the Hotel Owner shall pay without limitation promptly when due and prior to delinquency all costs incurred in fulfilling its obligations of Sections 4.1 and 4.2, subject to reimbursement for certain capital costs described in Section 4.4. If the Hotel Owner fails to discharge its obligations under Section 4.1 or 4.2, then

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if such failure persists for more than thirty (30) days after notice from the Office Building Owner (or if such failure cannot reasonably be cured within thirty (30) days, within a reasonable time thereafter provided Hotel Owner has commenced to cure within such thirty (30) day period and thereafter diligently pursues to satisfy such obligation), the Office Building Owner will have the right to cause such default to be cured at the expense of the Hotel Owner. The Hotel Owner shall reimburse the Office Building Owner for all reasonable costs and expenses attributable to such cure, plus interest at the maximum legal rate from the date such expenses are incurred by Office Building Owner until repaid, within thirty (30) days after invoice and proof of payment.

4.4 Capital Repairs. The Office Building Owner shall reimburse the Hotel Owner for twenty-one and 7/10 (21.7%) of the costs of any capital repairs to the Parking Areas (including, without limitation, resealing and resurfacing of the Parking Areas, replacement of landscaping and replacement of light fixtures and facilities) provided that the Hotel Owner gives Office Building Owner at least thirty (30) days prior written notice of the nature and cost of such repairs and provided that any aesthetic landscape replacement is subject to the prior mutual agreement of the parties.

4.5 Liens. The Hotel Owner and the Office Building Owner shall each have security for the payment of amounts due them under Sections 4.3 and 4.4, plus attorneys' fees, interest at the maximum legal rate, and costs, by way of a lien on the other Owner's Parcel for the amount so paid until reimbursed. Any such lien shall be subject to and subordinate to, and shall in no way impair or defeat the lien or charge of any bona fide mortgage or deed of trust upon the such Parcel. Any lien may be enforced by judicial foreclosure or private power of sale. Such remedies are in addition to any other remedies available at law or in equity and exercise of one remedy shall not be deemed to preclude the exercise of other remedies for the same default and all remedies available may be exercised cumulatively. In addition, each Owner shall be personally liable during the period of its ownership for its obligations hereunder.

ARTICLE 5

FEES, CHARGES, AND DEPOSITS

5.1 Free Spaces. The Hotel Owner will at all times make available to tenants of the Office Parcel at no charge two hundred sixty-four (264) parking spaces.

5.2 Additional Spaces. On a monthly basis, the Office Building Owner and its Permittees will be entitled to purchase all parking spaces located on the Office Parcel in excess of the 264 spaces referenced in Section 5.1. The cost will be the present

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rate ($40 per unreserved space per month), payable monthly in advance. If Office Building Owner fails to pay, in advance, then such parking spaces will not be provided. On January 1, 2003, and each five (5) years thereafter (i.e., on January 1, 2008, January 1, 2013, etc.), the cost will increase in proportion to the CPI increase for the immediately preceding five (5) year period with a maximum increase of twenty-five percent (25%) on any adjustment date.

5.3 Validations. The Office Building Owner may purchase monthly up to $1,000 worth of parking validations at a 50% discount from the posted rate. The present posted rate shall remain in effect until December 31, 2002. Such rate shall be subject to increases on January 1, 2003, and each five years thereafter in proportion to the CPI increase for the immediately preceding five (5) year period with a maximum increase of twenty-five percent (25%) on any adjustment date. The Office Building Owner may not resell any discounted validations.

5.4 Service Vehicles. Vehicles belonging to persons performing routine and ordinary services to Permittees of the Office Building Owner will be entitled to free parking for so long as is reasonably necessary in connection with the performance of such services; provided that in the event the Office Building Owner is performing any construction work on the Office Parcel such that portions of the Parking Areas on the Office Parcel are required for construction staging or parking of construction vehicles or equipment in excess of 24 hours, such use of the Parking Areas shall not be made by the Office Building Owner without the prior written consent of the Hotel Owner, which consent shall not be unreasonably withheld or delayed.

5.5 Keycard Deposits. The Hotel Owner hereby assumes all liability and responsibility for existing keycard deposits. Concurrently herewith, the Office Building Owner has turned over to the Hotel Owner all such deposits, together with all records pertaining to the same.

ARTICLE 6

MISCELLANEOUS

6.1 No Dedication. Nothing contained in this Agreement shall be deemed a gift or dedication of any portion of either Parcel to the general public or for any public purpose whatsoever and this Agreement shall be strictly limited to and the purposes expressed herein.

6.2 Notices. Any notice, payment, demand, offer or communication required or permitted to be given by any provision of this Agreement shall be deemed to have been sufficiently given or served for all purposes if sent by registered or certified mail,

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postage and charges prepaid, or by Federal Express, or similar overnight carrier addressed to each Owner at the same address to which real estate tax bills are then sent and in the case of notices to the Hotel owner, with a copy of Strategic Hotel Capital Incorporated, 10 South Wacker Drive, Suite 3500, Chicago, Illinois 60606, Attn: Laurence S. Geller. Any such notice shall be deemed to be given on the date of delivery to the address set forth above as may be changed from time to time.

6.3 Binding Effect. All of the limitations, covenants, obligations, conditions, easements, and restrictions contained herein shall attach to and run with the Office Parcel and the Hotel Parcel, and shall benefit or be binding upon each successive Owner of said Parcels during the period of its ownership and each person having any interest therein derived through any Owner. This Agreement shall apply to and bind the respective successors in interest thereof and are imposed upon the Parcels as a mutual equitable servitude in favor of said Parcels and any portion thereof. If a Party conveys a portion of or all of its Parcel to a new Owner, such new Owner shall be the Party having rights and obligations hereunder as to the Parcel or portion thereof conveyed, except for those obligations of the conveying Party which exist on the date of such conveyance, which shall remain binding on the conveying Party until satisfied. The conveying Party shall be released from any future obligations with respect to the Parcel or portion thereof conveyed, from the date of such conveyance.

6.4 Duration. Except as otherwise provided herein, each easement, covenant, and restriction contained in this Agreement shall be in perpetuity.

6.5 Entire Agreement. This Agreement and the exhibits hereto contain all the representations and the entire agreement between the Parties with respect to the subject matter hereof. Any prior correspondence, memoranda, or agreements are superseded in total by this Agreement and exhibits hereto. The provisions of this Agreement shall be construed as a whole according to their common meaning and not strictly for or against any Party.

6.6 Excuse for Non-Performance. Each Party shall be excused from performing any obligation or undertaking provided in this Agreement, except any obligation to pay any sum of money under the applicable provisions hereof, in the event and so long as the performance of any such obligation is prevented or delayed, retarded, or hindered by act of God, fire, earthquake, floods, explosion, actions of the elements, war, invasion, insurrection, riot, mob violence, sabotage, inability to procure or general shortage of labor, equipment, facilities, materials, or supplies in the ordinary course on the open market; transportation strikes, lockouts, action of labor unions, condemnation, requisition, laws, orders of governmental or civil or military authorities; the inability to obtain governmental approvals or permits despite the exercise of due diligence and best efforts by a Party; or any other

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cause, whether similar or dissimilar to the foregoing, not within the reasonable control of such Party, other than the lack of or inability to obtain funds.

6.7 Waiver of Default. No waiver of any default by any Party to this Agreement shall be implied from any omission by any other Party to take any action in respect of such default if such default continues or is repeated. No express written waiver of any default shall affect any default or cover any period of time other than the default for the period of time specified in such express waiver. One or more written waivers of any default in the performance of any term, provision, or covenant contained in this Agreement shall not be deemed to be a waiver of any subsequent default in the performance of the same term, provision, or covenant, or any other term, provision, or covenant contained in this Agreement. The consent or approval by any Party to or of any act or request by any other Party requiring consent or approval shall not be deemed to waive or render unnecessary the consent of or approval of any subsequent similar acts or requests. The rights and remedies given to any Party by this Agreement shall be deemed to be cumulative and no one of such rights and remedies shall be exclusive of any of the others, or of any other right or remedy at law or in equity which any such Party might otherwise have by virtue of a default under this Agreement, and the exercise of one such right or remedy by any such Party shall not impair such Party's standing to exercise any other right or remedy.

6.8 Estoppel Certificate. Each Party hereby severally covenants that within ten (10) business days of the written request of the other Party it will issue to such other Party or to any prospective mortgagee, tenant, or purchaser of such Party's Parcel or portion thereof an Estoppel Certificate stating: (a) whether the Party to whom the request has been directed knows of any default under this agreement and if there are known defaults specifying the nature thereof; (b) whether to its knowledge this Agreement has been assigned, modified, or amended in any way (and if it has, then stating the nature thereof); and whether to the Party's knowledge this Agreement as of that date is in full force and effect. Should either Party sell or refinance its Parcel, the other Party will promptly respond to any reasonable requests in connection with such sale or refinancing at no cost to the responding party.

6.9 Breach Shall Not Permit Termination. It is expressly agreed that no breach of this Agreement shall entitle any Owner to cancel, rescind, or otherwise terminate this Agreement, and such limitations shall not affect in any manner any other rights or remedies which the Owners may have by reason of any breach of this Agreement.

6.10 Legal Action. If any Owner breaches any provision of this Agreement, then the other Owner may institute legal action against the defaulting Party for specific performance, injunction,

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EXHIBIT 1

declaratory relief, damages, or any other remedy provided by law. In addition to the recovery of any such sum or sums expended on behalf of the defaulting Owner, the prevailing Owner shall be entitled to recover from the other Owner such amount as the court may adjudge to be reasonable attorneys' fees for the services rendered to the prevailing Party in any such action.

6.11 Breach - Effect on Mortgagee. Breach of any of the covenants or restrictions contained in this Agreement shall not defeat or render invalid the lien of any mortgage or deed of trust made in good faith, but all of the foregoing provisions, restrictions, and covenants shall be binding and effective against any Owner, whose title is acquired by foreclosure or trustee's sale or by deed in lieu of foreclosure; provided, however, any such Owner whose title is acquired by foreclosure or trustee's sale or by deed in lieu of foreclosure shall take title free of any liens created or provided for hereunder existing at or prior to the time such title is acquired, though otherwise subject to the provisions hereof. The term "mortgagee," wherever used herein, shall be construed to include beneficiaries and trustees under deeds of trust. Notwithstanding any other provisions in this Agreement regarding notices of default, the mortgagee of any Owner in default hereunder shall be entitled to notice of said default, in the same manner that other notices are required to be given under this Agreement; provided, however, that said mortgagee shall have, prior to the time of the default, notified the Owner hereto giving said notice of default of the mortgagee's mailing address.

6.12 Effect on Third Parties. Except as herein specifically provided, no rights, privileges, or immunities conferred upon the Parties by this Agreement shall inure to the benefit of any tenant, customer, employee, or invitees of the Project or any other third party; nor shall any tenant, customer, employee, invitees, or any other third party be deemed to be a third party beneficiary of any of the provisions contained herein.

6.13 No Partnership. Neither this Agreement nor any acts of the Parties hereto shall be deemed or construed by the Parties hereto, or any of them, or by any third person, to create the relationship or principal and agent, or of partnership, or of joint venture, or of any association between any of the Parties to this Agreement.

6.14 Modification. No modification, waiver, amendment, discharge or change of this Agreement shall be valid unless the same is in writing and signed by the Owners of both Parcels. Any change, modification, amendment or rescission which is made without the written consent of both Owners shall be null and void and of no effect. No consent or approval of any Owner other than those Owners described in the first sentence hereof or their respective successors and assigns shall be required in order to modify or amend any provisions of this Agreement.

97-2019758

EXHIBIT 1

6.15 Severability. In the event any term, covenant, condition, provision, or agreement contained herein is held to be invalid, void, or otherwise unenforceable, by any court of competent jurisdiction, such holding shall in no way affect the other conditions, provisions, or agreements contained herein.

6.16 Governing Law. This Agreement and the obligations of the Parties hereunder shall be interpreted, construed, and enforced in accordance with the laws of the State of California.

6.17 Terminology. All personal pronouns used in this Agreement, whether used in the masculine, feminine, or neuter gender, shall include all other genders; the singular shall include the plural and vice versa.

6.18 Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed to be an original agreement, and all of which shall constitute one agreements.

6.19 Captions. Articles and section titles or captions contained herein are inserted as a matter of convenience and for reference, and in no way define, limit, extend, or describe the scope of this Agreement or any provisions hereof.

6.20 Exhibits. The following exhibits are attached to this agreement:

Exhibit A - Description of the Real Property.
Exhibit B - Preliminary Parcel Map.

6.21 City Approval. The parties may not permanently change or agree to change permanently parking, access, building locations, or driveways in violation of applicable laws and codes, including, without limitation, the provisions of Planned Development 89-1. To assure compliance with this Section 6.21, all such changes shall be approved by the Community Development Director of the City of Burbank.

Executed as of the date first written above.

"DECLARANT"

BURBANK PARTNERS, LLC
a California limited liability company

By: WOLFF SESNON BUTTERY,
a Management Corporation

By: Lewis N. Wolff

Lewis N. Wolff

97-2019758

EXHIBIT 1

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

On December 23, 1997 before me, Patricia M. Knott, a Notary Public, personally appeared LEWIS N. WOLFF, ☒ personally known to me OR ☐ proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

PATRICIA M KNOTT
COMM. 1086272
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
My Commission Expires Feb 4, 2000

Patricia M Knott
Notary Public

17

EXHIBIT "A"

Description of the Real Property

LOT 1 OF TRACT NO. 47420, IN THE CITY OF BURBANK, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, PER MAP RECORDED IN BOOK 1185 PAGES 60 TO 62, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

9511900103-687562.6

13 97-2019758

EXHIBIT 1

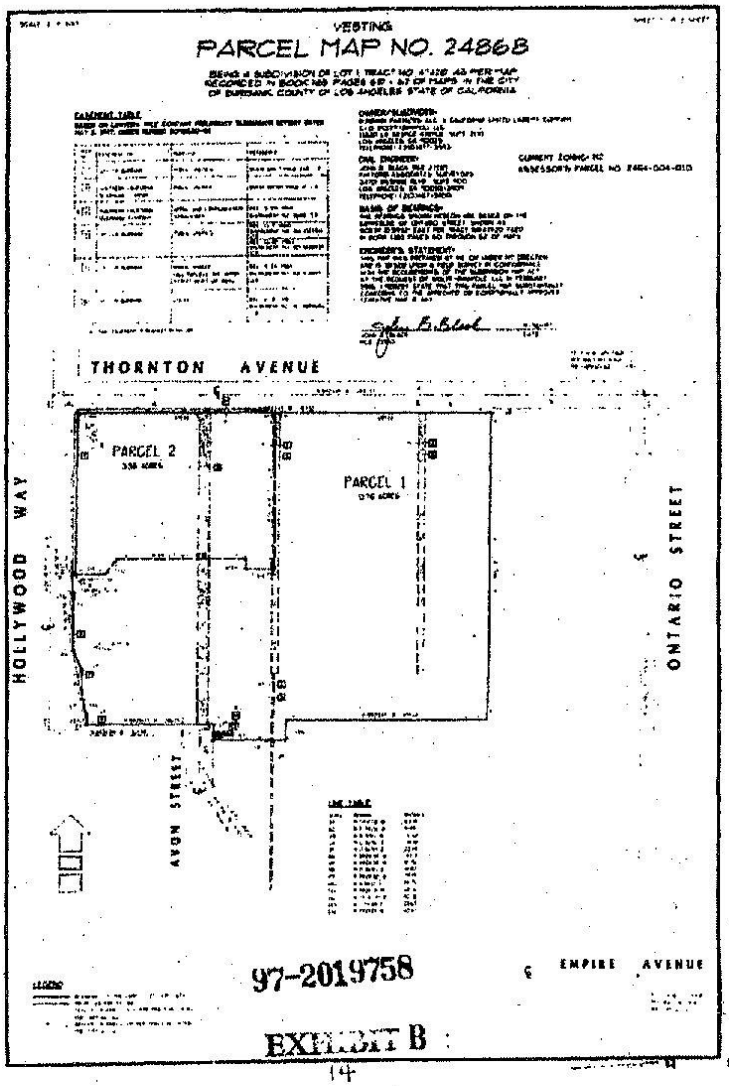

VESTING
PARCEL MAP NO. 24868
THORNTON AVENUE
PARCEL 2
PARCEL 1
HOLLYWOOD WAY
ONTARIO STREET
AVON STREET
EMPIRE AVENUE
97-2019758
EXHIBIT B

EXHIBIT 1

EXHIBIT 1

DOCUMENT NO. 98-165685 #9

GRANT DEED
DATE: January 29, 1998

	Incorporates parking easements in the Reciprocal Easement Agreement at Exception No. 9.

GSDOCS\1632034.1

EXHIBIT 1

RECORDED LAWYERS TITLE COMPANY.

98- 165685

RECORDING REQUESTED BY,
WHEN RECORDED MAIL TO AND
MAIL TAX STATEMENTS TO:

SHC Burbank, LLC
77 West Wacker Drive
Suite 4600
Chicago, Illinois 60601

RECORDED/FILED IN OFFICIAL RECORDS
RECORDER'S OFFICE
LOS ANGELES COUNTY
CALIFORNIA
4:21 PM JAN 30 1998

SURVEY, MONUMENT FEE $10. CODE 9 9

FEE $13 C
3

GRANT DEED

TRANSFER TAX
NOT A [illegible]

NOTIFICATION SENT-SAME

THE UNDERSIGNED GRANTOR declares: Documentary transfer tax is: ~~See Statement Attached~~.

FOR VALUABLE CONSIDERATION, BURBANK PARTNERS LLC, a California limited liability company,

HEREBY GRANTS TO: SHC BURBANK, LLC, a Delaware limited liability company, the following property in the County of Los Angeles, State of California:

See Legal Description attached hereto and incorporated herein by this reference.

(Commonly known as 2500 Hollywood Way, Burbank, CA)

APN: Portion of 2464-004-010

NOTE #1: This conveyance IS NOT exempt from Documentary Transfer Tax.

NOTE #2: This conveyance IS a change in ownership. Preliminary Change of Ownership Report filed herewith.

NOTE #3: By the acceptance of this Deed, the grantee herein covenants by and for himself, his heirs, executors, administrators, and assigns, and all persons claiming under or through them, that there shall be no discrimination against or segregation of, any person or group of persons on account of race, color, creed, religion, sex, marital status, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the land herein conveyed, nor shall the grantee himself or any persons claiming under or through him, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees or vendees in the land herein conveyed. The foregoing covenants shall run with the land.

DATED: January 29, 1998

BURBANK PARTNERS LLC,
a California limited liability company

By: WOLFF SESNON BUTTERY, A Management Corporation, a California corporation, Managing Member

By: [signature]
Its: Secretary

95179001B3-697149.1
5097960-33

EXHIBIT 1

NOTARIAL ACKNOWLEDGEMENT

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

On January 29, 1998, before me, Pamela S. Welton, Notary Public, personally appeared Rebecca M. Knoth ☒ personally known to me OR ☐ proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

PAMELA S. WELTON
Commission # 1125193
Notary Public — California
Los Angeles County
My Comm. Expires Feb 19, 2001

Pamela S. Welton
Notary Public

98 165685

SS1190010S-687148.1

EXHIBIT 1

LEGAL DESCRIPTION

PARCEL A:

PARCEL 1 OF PARCEL MAP NO. 24868, IN THE CITY OF BURBANK, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, FILED IN BOOK 279 PAGES 84-86 OF PARCEL MAPS.

RESERVING UNTO GRANTOR NON-EXCLUSIVE EASEMENTS FOR INGRESS, EGRESS, AND PARKING OVER SAID PARCEL 1 UPON AND SUBJECT TO THE TERMS AND CONDITIONS SET FORTH IN THE RECIPROCAL AGREEMENT DESCRIBED BELOW.

PARCEL B:

NON-EXCLUSIVE EASEMENTS OVER PARCEL 2 OF THE ABOVE REFERENCED PARCEL MAP SET FORTH IN RECIPROCAL PARKING AND MAINTENANCE AGREEMENT ("RECIPROCAL AGREEMENT") RECORDED DECEMBER 24, 1997 AS INSTRUMENT NO. 97-2019758 FOR PEDESTRIAN, VEHICULAR INGRESS AND EGRESS, AND PARKING ON THE TERMS AND CONDITIONS SET FORTH THEREIN.

98 165685

EXHIBIT "A"

05115000103-487149.1

EXHIBIT 1

279/84

279 PAGE 84

2 PARCELS
15.225 ACRES

SHEET 1 OF 3 SHEETS

PARCEL MAP NO. 24868

IN THE CITY OF BURBANK, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
BEING A SUBDIVISION OF LOT 1 TRACT NO. 47420 AS PER MAP FILED IN BOOK 1188 PAGES 4-8, 61 AND 62 OF MAPS, RECORDS OF LOS ANGELES COUNTY

FILED
JAN 09 1998
01 01 P.M.
BOOK 279
PAGE 84-86
FEE 1425

HAFFORD ASSOCIATES SURVEYORS

RBA PARTNERS, INC.

SM- 154264

98-154164

OWNER'S STATEMENT

ENGINEER'S STATEMENT

12/14/97

BASIS OF BEARINGS

CITY ENGINEER CERTIFICATE

1-20-98

CITY TREASURER'S CERTIFICATE

1-20-98

CITY COUNCIL'S CERTIFICATE

SIGNATURE OMISSIONS

Dec. 19, 1997

Michelle M. Towne

NOTARY PUBLIC
MY COMMISSION EXPIRES 2/14/00
MY PRINCIPAL PLACE OF BUSINESS IS IN LOS ANGELES COUNTY

STATE OF ARIZONA
COUNTY OF MARICOPA

December 19, 1997

Debbie Adamson

NOTARY PUBLIC
MY COMMISSION EXPIRES MAY 27, 2000
MY PRINCIPAL PLACE OF BUSINESS IS IN MARICOPA COUNTY

40(ANNS 2964-A-10)

EXHIBIT 1

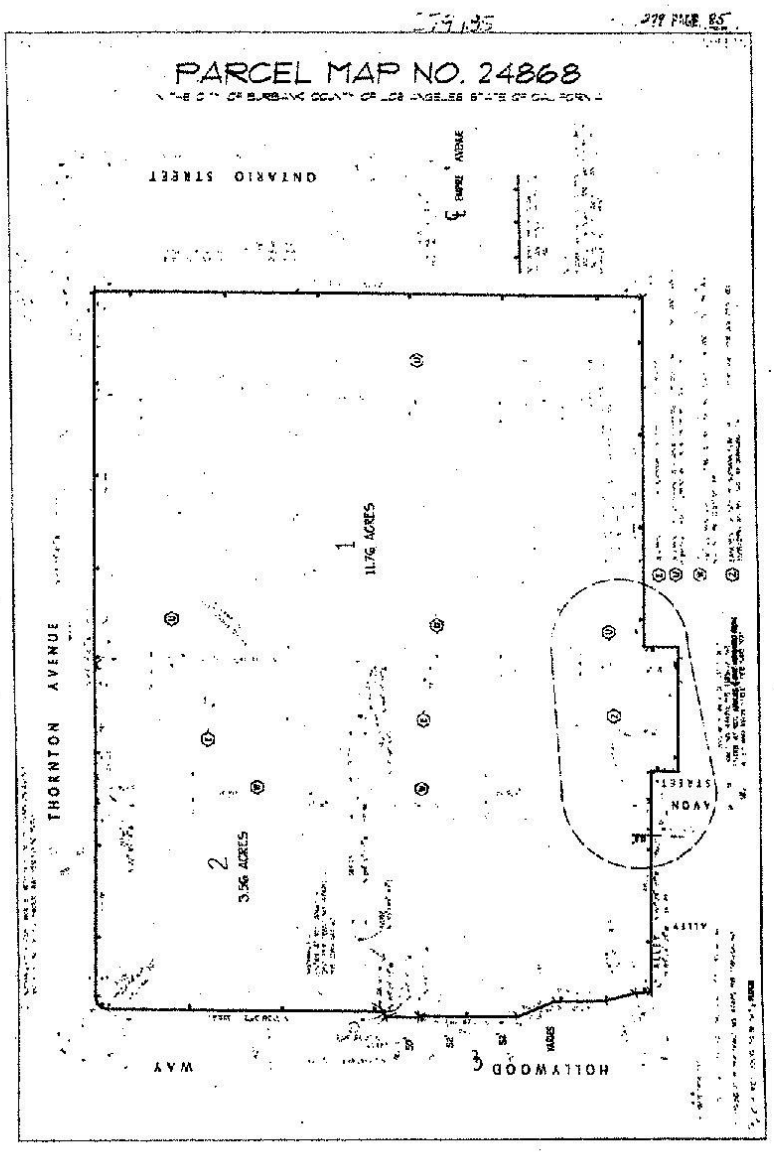

PARCEL MAP NO. 24868
ONTARIO STREET
EMPIRE AVENUE
THORNTON AVENUE
1
11.76 ACRES
2
3.56 ACRES
3
AVON STREET
ALLEY
HOLLYWOOD WAY

EXHIBIT 1

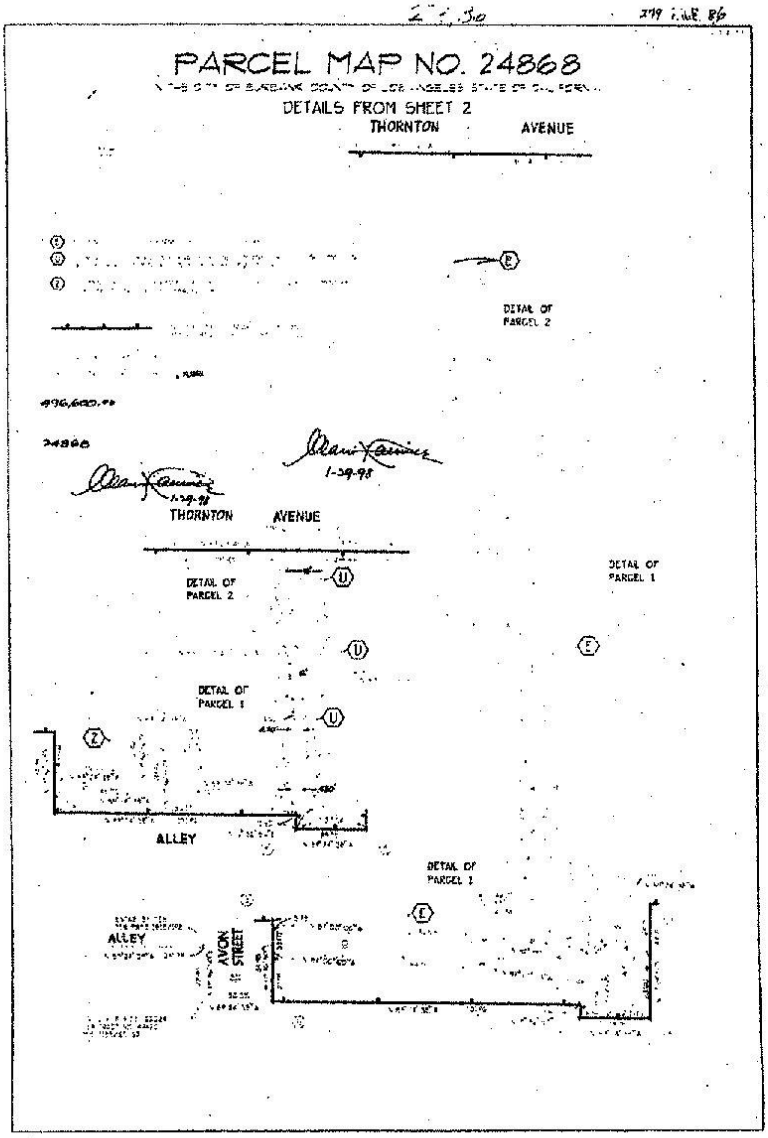

PARCEL MAP NO. 24868
DETAILS FROM SHEET 2
THORNTON AVENUE
DETAIL OF PARCEL 2
1-29-98
THORNTON AVENUE
DETAIL OF PARCEL 2
DETAIL OF PARCEL 1
DETAIL OF PARCEL 1
ALLEY
DETAIL OF PARCEL 1
ALLEY
AVON STREET

EXHIBIT 1

EXHIBIT B

Superior Court of the State of California

County of Los Angeles - North Central Division

Glendale Courthouse / Department E

FILED
LOS ANGELES SUPERIOR COURT
FEB 14 2020
SHERRI R. CARTER, EXECUTIVE OFFICER/CLERK
BY _____ Deputy
Dinora Quispe

AWH BURBANK HOTEL, LLC, a Delaware corporation, Plaintiff / Cross-Defendant, v. HOLLYWOOD WAY SHG, LLC, a California limited liability company, Defendant / Cross-Complainant.	Case No.: EC065699 STATEMENT OF DECISION

I.

INTRODUCTION

AWH Burbank Hotel, LLC ("AWH") is the owner of an L-shaped property across the street from the Burbank Airport containing a hotel, convention center, and large parking area ("Hotel Parcel"). Hollywood Way SHG, LLC ("SHG") is the owner of an adjacent property nestled by the L-shaped Hotel Parcel, which contains an office building ("Office Parcel"). The Hotel Parcel and Office Parcel were once part of a single, rectangular-shaped parcel. In 1997, that single parcel was subdivided into the two properties at issue. In connection with the subdivision, on December 14, 1997, the original owner of the parcel executed and recorded a Reciprocal Parking and Maintenance Agreement ("REA") "to establish certain reciprocal agreements, easements, covenants, and conditions with respect to both the Office Parcel and the Hotel Parcel." (Ex. 302 [REA at p.1, Section C].) The REA is binding on "all successor owners of any interest in either Parcel." (*See id.*) AWH became the owner of the Hotel Parcel on December 12, 2014. SHG became the owner of the Office Parcel on September 8, 2015.

This dispute arose when AWH sought SHG's consent under the REA in connection with AWH's plans to develop the Hotel Parcel. SHG did not give any such consent. AHW thus filed this action for declaratory relief. SHG thereafter cross-complained, seeking related declaratory relief and bringing additional causes of action relating to the properties. The matter proceeded to a Court trial on

AWH's Second Amended Complaint for Declaratory Relief and SHG's second cause of action for declaratory relief, sixth cause of action for public nuisance, and seventh cause of action for private nuisance in the operative Fifth Amended Supplemental Cross Complaint.[1] For the reasons that follow, the Court finds in favor of AWH on all claims.[2]

II.

DISCUSSION

A. AWH's Action for Declaratory Relief

In connection with its plans for development of the Hotel Property, on three occasions, AWH sought SHG's required consent under the REA concerning plans to relocate the driveway for access *and* parking, specifically: (1) by letter (Ex. 303), dated June 3, 2016 ("First Request"); (2) via email (Ex. 309) on October 20, 2017 ("Second Request"); and (3) by another letter (Ex. 37), dated May 18, 2018 ("Third Request"). With respect to all three requests, SHG did not give consent and/or

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[1] Per Order, dated August 28, 2018, the Court bifurcated for trial SHG's equitable cross-claims from its cross-claim for damages, namely, SHG's first cause of action for breach of contract. No trial date for SHG's cross-claim for breach of contract has yet been set. With respect to SHG's other cross-claims for equitable relief in the operative cross-complaint, i.e., breach of fiduciary duty (third cause of action), accounting (fourth cause of action), and unjust enrichment/restitution (fifth cause of action), the Court granted AWH's motion for summary adjudication as to those claims on July 19, 2019.

[2] In its Request for Statement of Decision, filed October 7, 2019, and Supplemental Request for Statement of Decision, filed October 8, 2019, SHG sets forth approximately 65 questions and/or issues it requests this Court address. This proposed statement of decision states the factual and legal basis for the Court's decision and discusses the principal controverted issues upon which the outcome of the case turns. (*See* CCP § 632; *Vukovich v. Radulovich* (1991) 235 Cal.App.3d 281, 295.) In so doing, the Court answers much of what SHG asks, but the Court does not address every legal and factual issue raised by SHG, respond point by point to all of the issues (however immaterial) in SHG's request, or identify and discuss every single piece of evidence that supports the Court's findings. (*Muzquiz v. City of Emeryville* (2000) 79 Cal.App.4th 1106, 1124-1125; *Golden Eagle Ins. Co. v. Foremost Ins. Co.* (1993) 20 Cal.App.4th 1372.) "A statement of decision is required only to state ultimate facts and the legal grounds upon which the judgment rests. . . . A statement of decision need not address all the legal and factual issues raised by the parties." (*Peak-Las Positas Partners v. Bollag* (2009) 172 Cal.App.4th 101, 112 [citations omitted].)

declined to give consent. (*See* Exs. 2, 33, 38.) Rather, in its responses to AWH's requests, SHG inserted an entirely different issue into the request for consent as to driveway relocation, namely, whether AWH is entitled to develop its property in other respects (including erecting additional buildings) without SHG's consent. (*See, e.g.*, Ex. 2 ["The Office Owner's consent is required for additional buildings to be placed on the Property. The Office Owner will oppose, by all legal means, any and all entitlement efforts to the extent the efforts seek to entitle additional building on property, which is subject to the REA"]; Ex. 33 ["Consent is not given. . . . you have no right to put up any structures that impedes right of way or takes away [*sic*]"].)

AWH thus seeks a declaration that the REA does not require AWH to secure SHG's consent to conduct additional development on AWH's property other than consent to relocate or alter driveways. AWH further seeks a declaration that SHG's refusal to give consent to its requests for driveway relocation were unreasonable and in violation of the REA, thereby rendering such requests approved by SHG per the REA. This Court's review of the REA's plain language and consideration of SHG's conduct in connection with AWH's requests begs the conclusion that AWH is entitled to both of its requests for declaratory relief.

1. *Analysis of the REA*

The only explicit reference in the REA for one parcel owner to obtain the consent of the other parcel owner is contained in Section 3.1, which relates to plans to alter or relocate driveways. That section states in its entirety:

> 3.1 Changes in Driveways. Neither Owner may change the location or configuration of any Driveway within its Parcel without the prior written consent of (i) the City of Burbank pursuant to Section 6.21, and (ii) the other Owner which consent shall not be unreasonably withheld or delayed; provided that if the Owner whose consent is requested fails to grant or withhold consent within ten (10) days of receipt of the other Owner's written request therefor, such consent shall be deemed to have been granted.

The Court thus find that the REA only requires a parcel owner to obtain the consent of the other parcel owner with respect to making changes to a driveway. The REA is unmistakably clear and unambiguous in this regard.

Consequently, the Court rejects SHG's position that the REA requires AWH to obtain SHG's consent for any changes, alterations, or development of the Hotel Parcel other than changes to the driveway. The Court finds no basis in the REA for that untenable position. To begin with, the REA ("Reciprocal Parking and Maintenance Agreement"), as its names suggests, is a reciprocal agreement between

the owners of the Hotel Parcel and the Office Parcel concerning their respective rights and obligations relating to "Parking" and to "Maintenance." The content of the REA matches its title in that it principally provides the parties with a non-exclusive easement over each other's properties for parking and for vehicular and pedestrian access; obligates the Hotel Parcel Owner to maintain and bear the costs of maintaining the parking areas, driveways, walkways, and landscaping (subject to some contribution from the Office Parcel Owner); and mandates that the Hotel Parcel Owner provide the tenants of the Office Parcel with at least 264 parking spaces at no charge.[3] To be sure, the REA contains other provisions and details, but they relate to and are in furtherance of the REA's general purpose of providing for *parking* and *maintenance*, not general plans to develop either parcel.

Specifically, Article 3 of the REA, entitled "Project Improvements," contemplates that, over time, one of the parcel owners might wish to make changes or alterations to that owner's property and sets forth certain limitations insofar as those changes may affect parking. (*See* Ex. 302-4.) As discussed above, Section 3.1 of Article 3 requires specific consent from the other parcel owner to make any changes to driveways (in addition to City approval), which seems logical given that the location and function of a driveway relates directly to ingress and egress for parking. Section 3.3 of Article 3 also provides limitations as they relate to parking for any contemplated project improvements for either parcel, stating in full:

> 3.3. Site Limitations. Subject to Section 6.21, each Owner may change at any time and from time to time the buildings and parking configurations on its Parcel subject to the restrictions and limitations set forth in this Agreement provided that the size, number, location, and uses of such replacement buildings (including the orientation of entrances thereto) are such that each Parcel will generally support its own parking needs in accordance with all legal requirements.

Notably, contrary to SHC's reading, Section 3.3 does not prevent AWH from erecting additional buildings on the Hotel Parcel. Rather, Section 3.3 explicitly provides that an owner "may change" the "size, number, location, and uses" of buildings on its parcel. Indeed, while this language is clear and unambiguous on this point, the Court also notes that this reading of Section 3.3 is entirely consistent

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[3] SHC takes the position that the REA's grant of a "non-exclusive easement" for parking and access somehow creates an obligation for AWH to obtain SHC's consent for any and all development on its property. "[B]ut the grantor [of an easement] retains every incident of ownership and may make any use of the land not inconsistent with the easement." (*Golden West Baseball Co. v. City of Anaheim* (1994) 25 Cal.App.4th 11, 35.) Thus, SHC's invocation of the easement grant in the REA means only that the limitations on AWH's ability to develop the Hotel Parcel are those limitations set forth in the REA, as discussed above.

with the testimony of Lewis N. Wolff, the owner of the initial parcel who executed the REA when he subdivided it in 1997. According to Wolff, there was no intent to limit development on either parcel forever, and Section 3.3 was not enacted for that purpose. Rather, consistent with the REA's purpose of creating rights concerning parking and maintenance, Section 3.3 clearly allows an owner to develop and change the owner's parcel so long as such change: (1) comports with Section 6.21 of the REA; (2) is otherwise in accord with the restrictions and limitations in the REA (e.g., obtaining consent to change any driveway under Section 3.1); and (3) will generally support parking needs as required by law. What is not present in Section 3.3 is any requirement that a parcel owner obtain the consent of the other parcel owner in order to make a change to the size, number, location, or use of any buildings on the owner's parcel.

Furthermore, and contrary to SHC's reading of the REA, both Section 3.1's and Section 3.3's reference to Section 6.21 of the REA has nothing to do with consent between the owners of the two parcels. Section 6.21, which relates to approvals from the City, reads as follows in its entirety:

> 6.21 City Approval. The parties may not permanently change or agree to change permanently parking, access, building locations or driveways in violation of applicable laws and codes, including, without limitation, the provisions of Planned Development 89-1.[4] To assure compliance with this Section 6.21, all such changes shall be approved by the Community Development Director of the City of Burbank.

Thus, the reference to Section 6.21 in Section 3.1 merely provides that, in obtaining prior written consent from the City to alter or relocate a driveway, a parcel owner must do so in accordance with Section 6.21. Likewise, the reference to Section 6.21 in Section 3.3 merely provides that any "change" an owner wishes to make to the "size, number, location, and uses" of buildings on that owner's parcel must be in accordance with the requirements for approval by the City set forth in Section 6.21. Notably, neither Section 6.21 itself nor the reference to Section 6.21 in Sections 3.1 and 3.3 contain any requirement that one parcel owner must obtain the consent of the other parcel owner to develop or make changes to that owner's parcel.

Accordingly, the Court concludes that AWH is entitled to the requested declaratory relief that the REA does not require AWH to secure SHC's consent for additional developments on AWH's property other than consent to relocate or alter driveways.

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[4] At trial, a Senior City Planner for Burbank explained that Planned Development 89-1, also referred to as "PD 89-1," is the zoning for the properties.

2. *SHG's Consent to Driveway Relocation*

Having concluded the only consent AWH is required by the REA to obtain from SHG is consent concerning the driveway, the Court next analyzes whether AWH's request for such consent was unreasonably withheld by SHG. As clarified by counsel for AWH during closing argument, the only request for consent for which AWH seeks declaratory relief is with respect to AWH's Third Request on May 18, 2018 (Ex. 37). For the reasons that follow, the Court finds that SHG unreasonably withheld such consent in violation of the REA.

In evaluating SHG's conduct in denying and/or withholding consent, the Court is guided by *Peak-Las Positas Partners v. Bollag* (2009) 172 Cal.App.4th 101, 106, in which the Court of Appeal held: "Where a contract confers on one party a discretionary power affecting the rights of the other, a duty is imposed to exercise that discretion in good faith and in accordance with fair dealing." Here, the Court does not find SHG exercised its consent right over driveway relocation under the REA in good faith. Rather, the evidence at trial supports the Court's finding that SHG operated in bad faith throughout.

While AWH only seeks declaratory relief as to the Third Request, SHG's conduct in connection with all three of AWH's requests for consent is illuminating. With respect to the First Request (Ex. 303) on June 3, 2016, SHG never actually granted or denied consent for the proposed driveway relocation. Instead, SHG simply—and unreasonably—delayed any response. As AWH's managing partner and co-founder Chad Cooley testified, the only response AWH ever received from SHG regarding the First Request was a June 8, 2016 email from Robert Bisno, counsel for SHG. (Ex. 2.) In it, SHG merely stated the following: "With regard to the revised driveways within the Hotel Owner parcel, we are studying the revisions and will respond promptly." (Ex. 2-3.) SHG neither promptly responded further nor responded at all to the First Request, which, in accordance with Section 3.1 of the REA, actually resulted in SHG's consent to the First Request. (Ex. 302-4 ["[I]f the Owner whose consent is requested fails to grant or withhold consent within ten (10) days of receipt of the Owner's written request therefor, such consent shall be deemed to have been granted".) However, what SHG did say in Bisno's June 8, 2016 email is telling, because it exposes SHG's interest in parlaying the limited consent right it does have under the REA concerning driveway approvals into a much broader consent right concerning any development on the Hotel Parcel, declaring: "With regard to your client's plans to further develop the Parking Lot with additional buildings, please be advised that Office Owner does not agree to, and fully opposes, the same." (Ex. 2-2 [emphasis in original].) Indeed, SHG goes on to press its manufactured, expanded consent right by threatening to "oppose, by all legal means, any and all entitlement efforts to the extent the efforts seeks [*sic*] to entitle additional buildings on property, which is subject to the REA." (Ex. 2.2.)

SHG persisted in its unsupported position when AWH again attempted to obtain consent for driveway relocation in its Second Request, which was communicated by email on October 20, 2017. (Ex. 309.) In the Second Request, AWH offered two proposals for driveway relocation from which SHG could choose, but, within 24 minutes, SHG responded with an email from one of its principals, Alex Ghassemieh, stating "Consent is not given." (Ex. 33.) The timing of SHG's response to the Second Request demonstrates that SHG's withholding of consent was merely reflexive and not the result of any reasonable consideration of the request. The fact that SHG's rapid rejection advances no reasons or explanation for the denial of consent also begs the conclusion that SHG had no reasonable basis to refuse either of the two driveway options presented. Moreover, the very next sentence in Ghassemieh's email – "Per the REA, PD-89 as well, you have no right to put up any structures that impedes [*sic*] the right of way or takes away [*sic*]" (Ex. 33) – again reflects SHG's true reason for withholding consent, *i.e.*, a bad faith desire to hold up all development by AWH of its parcel.

There was overwhelming evidence at trial that SHG withheld consent relating to driveways in bad faith because its goal was to interfere with all of AHW's development of the Hotel Parcel. Cooley credibly testified Ghassemieh told him there was "no fucking way" AWH would obtain SHG's approval and that approval would be obtained over Ghassemieh's dead body. At trial, Ghassemieh confirmed that, at his direction, Biano generated the June 8 email threatening to oppose any of AWH's attempts to develop its property. Ghassemieh also conceded that he may have cursed at Cooley during their interactions and told Cooley that SHG could hold them up in court proceedings for years. SHG's property manger for the Office Parcel, Chad Eshgoff, also testified that he heard Ghassemieh say he would never allow the hotel owner to develop its property and tell Cooley that "I'm not going to let you build on your land," using accompanying swear words.

The evidence at trial also clearly established SHG's motive for trying to prevent AWH's development plans by withholding consent under the REA. As Cooley testified, SHG tried to force AWH to pay off SHG so that SHG would refrain from interfering with AWH's development plans. Indeed, SHG sought as much as $8 million (*see* Ex. 74) and other similar amounts on various occasions. According to Cooley, during one such discussion about paying off SHG, Ghassemieh even asked Cooley why AWH would put itself through the hassle of enduring SHG's challenges in court to its development plans. Ghassemieh likewise acknowledged that he had sought $3-4 million from the Hotel Parcel Owners to refrain from blocking their development plans, which he thought was fair because he estimated AWH stood to make $60-70 million from the development project.

Thus, against the backdrop of SHG's shakedown of AWH, the Court turns to SHG's refusal to consent to AWH's Third Request on May 18, 2018 (Ex. 37). SHG's conduct with respect to the First and Second Request and demands for a payoff are

alone sufficient to support the Court's conclusion that SHG's withholding of consent as to the Third Request was likewise unreasonable and made in bad faith. A review of SHG's actual response to the Third Request confirms this view. The thrust of SHG's May 22, 2018 letter (Ex. 38) rejecting the Third Request was SHG's assertion that it had "no legal ability" to consent to AHW's request unless the City first "approves of the same." (Ex. 38-2.) The Court finds that position disingenuous. A simple read of the REA confirms that it does not dictate the order in which a parcel owner must obtain consent to driveway relocation from the City and the other parcel owner under Section 3.1. (*See* Ex. 302-4.) Moreover, no other evidence adduced at trial suggested that SHG lacked the legal ability to consent under Section 3.1 unless the City did so first. Rather, SHG's contrivance of this unreasonable explanation is best explained by Cooley's testimony that the City approval process might typically take two to three years, thereby unreasonably frustrating AWH's development efforts if the Office Parcel Owner could wait until after the Hotel Parcel Owner had gone through that lengthy process with the City only to have the Office Parcel Owner deny consent.

Finally, the Court rejects the various other reasons SHG proffered at trial as purportedly legitimate explanations for withholding consent as to the Third Request. To begin with, the additional reasons advanced at trial were not articulated by SHG when it actually refused to consent to the Third Request. In the Court's view, this renders those purported reasons pretextual and the denial of consent unreasonable, because the newly asserted reaasons did not motivate SHG at the time. Furthermore, these post-hoc justifications do not provide a reasonable basis to withhold the requested consent for driveway relocation in any event. Although the Court credits Eshagoff's testimony that relocating the driveway may very well inconvenience Office Parcel tenants due to noise, dust, and traffic disruption that might occur during the construction process, the Court finds that such mere inconvenience is not a sufficient basis to withhold consent. (*Peak-Las Positas*, 172 Cal.App.4th at 106 ["Denying consent solely on the basis of personal taste, convenience or sensibility is not commercially reasonable"].) Moreover, there would logically be some measure of inconvenience with respect to *any* construction to alter or relocate the driveway. Thus, without more, SHG's inconvenience rationale cannot constitute a reasonable justification for withholding consent because its invocation would block *every* proposed change to the existing driveway and render the right to make changes, as contemplated in REA Sections 3.1 and 3.3, illusory. (*See City of Atascadero v. Merrill Lynch, Pierce, Fenner & Smith, Inc.* (1998) 68 Cal.App.4th 445, 473 ["Courts must interpret contractual language in a manner which gives force and effect to *every* provision, and not in a way which renders some clauses nugatory, inoperative or meaningless"] [emphasis in original].)

The Court also finds unreasonable SHG's new assertion that AWH's proposed driveway relocation plans present a danger. Undoubtedly, a plan to move the

driveway to a location on the property that creates an actual dangerous condition would be reasonable grounds to withhold consent for that plan. Here, however, the Court fails to see how the Third Request does so, or that SHG reasonably so believed. The Court rejects Ghassemieh's self-serving conclusion that the proposed driveway relocation, as depicted in Ex. 212.6, creates a "danger zone" because the driveway would be closer to a nearby bus stop. There was no persuasive evidence adduced at trial to corroborate that assertion. To the contrary, the evidence at trial undermined Ghassemieh's claims about driveway dangers. As Cooley testified, Ghassemieh once indicated he would prefer AWH relocate the driveway closer to the office building. Yet, Ghassemieh inconsistently took the positions that he both wanted the driveway closer to the building and did not want it there because it was dangerous to do so. Also at trial, SHG advanced its newest position regarding driveway relocation, i.e., that moving the driveway further from the office building and closer to a bus stop was undesirable because of the danger it presented. Taken together, this evidence suggests that SHG's decision to withhold consent to relocate the driveway anywhere on the Hotel Parcel is not based on concerns about safety so much as it is driven by whim, caprice, and bad faith.

Accordingly, the Court finds that, in violation of the REA, SHG unreasonably withheld consent to the Third Request and that, consistent with the provisions of REA Section 3.1, SHG is deemed to have consented to the Third Request and/or SHG's consent to the Third Request is not required.

B. SHG's Cross-Claim for Declaratory Relief

SHG's cross-claim for declaratory relief is not altogether clear. In its second cause of action for declaratory relief in the operative cross-complaint, SHG makes the following broad-based claim for relief:

> Cross-Complainant requests the Court exercise it equitable jurisdiction to declare the rights of the parties under the REA and issue an injunction against Cross-Defendant further violating and failing to perform the REA, as Cross-Defendant has done and continue [*sic*] to . . . .

(6th Amend. Cross Compl. ¶ 50.) Insofar as SHG's cross-claim for declaratory relief seeks the Court's declaration regarding the rights of the parties under the REA concerning development of their respective parcels, the Court has done so with respect to AWH's request for declaratory relief. Insofar as SGH seeks a declaration concerning other actions by AWH purportedly in violation of the REA, the Court declines to do so. The Court does not find that SHG met its burden to prove AWH violated any provisions of the REA. Indeed, with respect to AWH's purported violations of the REA constituting an alleged nuisance, the Court rejects those specific claims below.

C. SHG's Nuisance Claims

In the operative cross-complaint, SHG alleges public and private nuisance in its sixth and seventh causes of action arising from AWH's purported violations of the REA and the City of Burbank zoning ordinances and codes. (*See* 5th Amend. Cross-Compl. at p. 19, ¶ 68 and p. 21, ¶ 70.) SHG thus seeks in both causes of action that this Court order AWH to "cease and desist" all such activities. (*See* 5th Amend. Cross-Compl. at p. 20, ¶¶ 70, 71 and p. 21, ¶¶ 71, 73.) In closing argument, SHG's counsel confirmed that both nuisance actions are essentially identical, resulting from AHG's purported violations of certain city ordinances.[5] (10/2/19 Tr. at 737-738.) More specifically, in response to the Court's direct questioning of SHG's counsel about what activity constituted a public and private nuisance, SHG's counsel identified three: (1) tents; (2) outside bar; and (3) mural. (10/2/19 Tr. at 738-739.) The Court finds none of those things support SHG's claims that AWH is liable for public or private nuisance.

Tents and Special Events. According to Richard Sandoval, the Vice President of Operations for the Hotel Parcel since 2013, AWH and the prior owner have for years held special events in the parking area of the Hotel Parcel, which has included the use of large tents. Such events have been held approximately four to six times per year and ordinarily have occurred on the weekends, which is when the office building is primarily vacant. There is no evidence these events violate any City codes or ordinances. As City of Burbank Senior Planner Daniel Villa testified, the municipal code does not prohibit such events, the general city policy is to allow for such events on a case-by-case basis, and the City does not even require AWH to obtain a permit for such events on the Hotel Parcel. (*See* Exs. 25, 27, 29.) As for the REA, it specifically contemplates that "special events are held in the Parking Areas of the Hotel Parcel." (Ex. 302.4 [Section 4.1].) The Court does not find that AWH's exercise of its undisputedly lawful right to hold special events with tents in the parking area has interfered with or obstructed the comfortable use of SHG's property, a required element for both a public and private nuisance cause of action. (*See* CACI No. 2020 [Public Nuisance—Essential Factual Elements]; No. 2021 [Private Nuisance—Essential Factual Elements].) Notably, the only complaints about the special events and tents have come from Ghassemieh. There is no competent evidence that any other member of the public has ever complained about

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[5] Consistent with the view that SHG's public and private nuisance claims are essentially the same is the fact that the allegations and wording of the private nuisance cause of action generally mirror that of the claim for public nuisance. Indeed, it appears SHG largely cut and pasted one cause of action into the other, as both causes of action use the same paragraph numbers. (*Compare* 5th Amend. Cross-Compl. at pp. 18-20, ¶¶ 65-71 [Sixth Cause of Action, Public Nuisance] *with* 5th Amend. Cross-Compl. at pp. 20-21, ¶¶ 65-73 [Seventh Cause of Action, Private Nuisance].)

the tents and special events, including any tenants or the prior owner of the Office Parcel. Moreover, Ghassemieh's complaints only came after AWH had broached with SHG the subject of developing the Hotel Parcel, which leads this Court to conclude that SHG has feigned its loss of enjoyment of its property due to AWH's occasional special events and tents in order to gain some perceived tactical advantage in its dispute and ensuing litigation with AWH over development of the Hotel Parcel.

Outside Patio Bar Area. The outside patio bar area was constructed approximately three years ago and is operated by the Daily Grill Restaurant, which is located in the hotel. The evidence at trial established that AWH complied with all City regulations and codes when erecting the area and went through the administrative process to obtain all required approvals. Burbank City Planner Daniel Villa specifically testified that the area was permitted in 2016 or 2017, which included a zoning review and approval. He further testified that, contrary to SHG's assertions, the creation of the patio bar required no additional parking, because the City considered the bar to be an ancillary amenity to the hotel. Contrary to SHG's other assertion that creation of the outdoor bar area reduced pre-existing parking, Cooley testified the bar was constructed on an existing patio and thus could not have eliminated any such parking. That testimony was undisputed. Even Ghassemieh admitted he did not know if there had been any parking previously at the site of the outdoor patio bar. The Court thus finds that the outside patio bar area does not violate any City code or ordinance, complies with the REA, and has not interfered with SHG's enjoyment of its property. SHG thus failed to prove it constitutes a public or private nuisance.

Mural. The mural at issue is on the side of the hotel and does not face the Office building. (*See* Ex. 65.) Identical or substantially similar murals are displayed in other nearby cities, including Beverly Hills and Hollywood. Consistent with the lawful, public display of the mural throughout the Los Angeles area, there was no evidence introduced at trial that any member of the public (including SHG's property manager Chad Eshagoff) finds it offensive, other than Ghassemieh. Under the circumstances, the Court finds Ghassemieh's testimony in this regard not credible. As Ghassemieh conceded at trial, no one else has ever told him the image on the mural is offensive and that same image is publicly displayed on a Beverly Hills hotel (called "Mr. C") over which Ghassemieh has control. Despite Ghassemieh's knowledge that the supposedly offensive image was plastered on one of his hotels for months prior to trial, it remained on display for the entire world to see as of the date of trial. Moreover, while SHG failed to produce evidence to prove the mural was offensive under any community standard, the evidence at trial firmly established that the mural on the Hotel Parcel did not otherwise violate any city codes, ordinances, or regulations. Specifically, in response to Ghassemieh's complaint, the City of Burbank investigated the mural, determined one aspect of the mural violated a City provision regarding advertising,

and directed AWH to remove the mural's advertising logo, which AWH did. SHG has thus failed to prove that the mural in question constitutes a public or private nuisance.

Accordingly, the Court finds that SHG has failed to prevail on the theories it specifically asserted at trial for AWH's public and private nuisance liability, namely, the tents, the outdoor bar, and the mural. Insofar as SHG believes it has not abandoned or waived as a basis for nuisance liability the smattering of grievances listed in the operative cross-complaint and touched upon at trial (*see, e.g.*, 5th Amend. Cross-Compl. at pp. 18-19, ¶¶ 66, 68 and pp. 20-21, ¶¶ 68), the Court additionally finds that SHG has otherwise failed to carry its burden to prove the elements of public or private nuisance under any theory of liability based on the evidence at trial. In this regard, the Court makes the following observations and findings.

- Airport Parking. Although AWH had previously allowed airport parking on the Hotel Parcel, that practice discontinued immediately after the City told AWH to stop. SHG produced no evidence that such airport parking disturbed its use of its property or that SHG was harmed by the now-discontinued practice of providing airport parking.

- Mobile Car Wash. Purportedly, on one or more unknown occasions, a mobile car wash operated in the parking area of either the Hotel Parcel or the Office Parcel. SHG failed to prove AWH ever approved of or even knew about the mobile car wash. Indeed, Ghassemieh testified that the mobile car wash stopped its operations and that he does not know if AWH was responsible for its operations.

- Landscaping. The evidence at trial established that AWH has met its obligation to provide for landscaping and maintenance under the REA. Indeed, the property managers for both the Hotel Parcel and the Office Parcel testified similarly that AWH has worked cooperatively with SHG and has been responsive to SHG's requests regarding landscaping, including, for example, by allowing SHG to choose among various landscaping options for the Office Parcel perimeter. Having reviewed the various photos of landscaping introduced at trial, the Court finds the attractive landscaping on both properties to be the very opposite of a nuisance.

- Monuments and Signage. It is not clear to the Court why evidence of signage and monuments containing signage was part of the trial. The REA contains no rights or restrictions concerning signage. There was no evidence that any particular sign or monument for which AWH was responsible (including the mural discussed *supra*) constitutes a nuisance. Indeed, the only evidence at trial of wrongdoing with respect to signs concerned the

display of one of the office building tenant's signs on a signage monument without AWI's permission.

- Parking Access Gates. SHG's complaint is that, although SHG's tenants have parking cards to access their parking which is protected by a parking gate, guests of SHG's tenants do not have parking cards to get past the access gates. Notably, the parking access gates protect the rights of SHG under the REA by restricting unfettered public access so that the required 264 free parking spaces are available to the Office Parcel tenants at all times. (*See* Ex. 302-6 [Section 5.1: Free Spaces].) The Court does not find that the parking access gates constitute an "obstruction" that "would prevent or impede vehicle access or pedestrian access from one Parcel to the other" in violation of REA Section 3.2 (*See* Ex. 302-4.) Indeed, as the name suggests, the gates provide and facilitate access to parking. Thus, while the need for a parking card may present some measure of inconvenience, the parking gates do not constitute a nuisance.

- Sufficiency of Parking. The REA requires the Hotel Parcel Owner to provide 264 parking spaces to the Office Parcel tenants (*see* Ex. 302-6), and there was no evidence at trial to suggest that such parking has not been provided. Moreover, the current parking capacity comports with all code and zoning requirements for the City. City Planner Daniel Villa testified that, when the City approved the building plans for the properties in 2008, that approval meant the properties met all City requirements, including parking requirements. As Villa further explained, to the extent parking requirements by the City have since changed or increased, the 2008 requirements for the properties at issue here would have been "grandfathered" so that the properties would still be considered in compliance. The Court rejects the opinion of SHG's expert Richard Choate that the City requires substantially more parking spaces than the properties currently have. Choate's opinion has no reasoned basis, as he admitted that his conclusion is based exclusively on the parking requirements contained on the occupancy certificates for the properties (*see* Exs. 205, 312 313) – all of which pre-date the 2008 City approvals for parking on the properties by many years. Further, it is hard to credit SHG's contention as a whole that there is insufficient parking when SHG advertises to prospective tenants that there is "Plenty" of parking available. (*See* Ex. 40-2.) Equally telling, Ghassemieh testified in his deposition that neither he nor his property manager had ever received any complaints about parking from SHG's tenants.

III.

CONCLUSION

For all of the foregoing reasons, the Court finds in favor of AWH on the above-discussed claims and cross-claims for equitable relief.

Clerk to provide Notice.

Dated: February 14, 2020

HON. CURTIS A. KIN
Los Angeles County Superior Court

EXHIBIT C

STATEMENT OF DECISION

Electronically Received 03/10/2021 04:17 PM

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FILED
Superior Court of California
County of Los Angeles
03/26/2021
[illegible] Executive Officer / Clerk of Court
By: M. Mort Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

NORTH CENTRAL DISTRICT (GLENDALE COURTHOUSE)

AWH BURBANK HOTEL, LLC, a Delaware corporation, Plaintiff, vs. HOLLYWOOD WAY SHG, LLC, a California limited liability company; and DOES 1 through 100, inclusive, Defendant.	Case No. EC065699 ASSIGNED FOR ALL PURPOSES TO Judge Curtis A. Kin - Dept. NC-E ~~[PROPOSED]~~ AMENDED FINAL JUDGMENT Complaint Filed: August 24, 2016 Trial Date: September 23, 2019

AND RELATED CROSS-ACTION.

IT HAVING BEEN STIPULATED, by and between Plaintiff/Cross-Defendant AWH BURBANK HOTEL, LLC ("AWH") and Defendant/Cross-Complainant HOLLYWOOD WAY SHG, LLC ("SHG") that the Judgment entered on August 10, 2020, may be amended to include an award of costs and an award of attorneys' fees to AWH, and the Court, having considered the Stipulations of the Parties dated August 7, 2020, September 14, 2020 and November 23, 2020, AND GOOD CAUSE APPEARING THEREFOR, hereby orders, adjudges and decrees as follows:

On August 28, 2018, the Court bifurcated the trial of this matter, ruling that equitable and legal issues would be tried separately. On July 19, 2019, the Court granted Plaintiff and Cross-Complainant AWH's motion for summary judgment or adjudication ("MSJ") as to Defendant/Cross-Complainant SHG's cross-claims for breach of fiduciary duty, accounting and unjust enrichment. AWH's single cause of action for declaratory relief in the Second Amended Complaint, and SHG's remaining causes of action for declaratory relief, public nuisance and private nuisance in the Fifth Amended Supplemental Cross-Complaint came on regularly for trial on September 23 through 25 and October 2, 2019 of in Department NC-E of the Los Angeles Superior Court, the Honorable Curtis A. Kin presiding.

Plaintiff and Cross-Defendant AWH appeared by its attorneys, Charles D. Jarrell and Melissa K. Zonne, of Allen Matkins Leck Gamble Mallory & Natsis LLP. Defendant and Cross-Complainant SHG appeared by its attorneys Robert H. Bisno of the Law Offices of Robert H. Bisno and Andrew D. Weiss of the Law Offices of Andrew D. Weiss. The remaining cross-claim for Breach of Contract was reserved for a jury trial at a later date.

The Court issued its Tentative Statement of Decision on January 16, 2020. SHG submitted objections to the Tentative Statement of Decision, AWH filed a response to SHG's objections, and SHG submitted a reply to AWH's response.

The Court, having read and considered the oral and written evidence, having observed the witnesses testifying in court, having heard and considered the arguments of counsel, and having considered the objections and responses to its Tentative Statement of Decision and good cause appearing therefore, issued its final Statement of Decision on February 14, 2020, which is incorporated by reference in this Judgment. AWH lodged a Proposed Judgment for Declaratory Relief with the Court on February 27, 2020.

On August 7, 2020, SHG and AWH entered into a Stipulation for Entry of Judgment as to Hollywood Way SHG LLC's First Cause of Action for Breach of Contract in the Fifth Amended Cross-Complaint, whereby subject to the terms of that stipulation the

parties agreed that judgment may be entered in favor of AWH on SHG's First Cause of Action for Breach of Contract.

On September 14, 2020, AWH and SHG entered into a Stipulation for Entry of Award of Costs in Favor of AWH, whereby the Parties agreed that AWH was entitled to an award of statutory costs in the amount of $12,904.30, and that the August 10, 2020 Judgment should be amended to include such award.

On November 23, 2020, AWH and SHG entered into a Stipulation for Entry of Award of Attorneys' Fees in favor of AWH, whereby the Parties agreed that AWH was entitled to an award of attorneys' fees in the amount of $1,413,369, and that the August 10, 2020 Judgment should be amended to include such award.

By reason of the final Statement of Decision and SHG's Request for Dismissal, and the Stipulations of the Parties as referenced above, the August 10, 2020 Judgment shall be amended, and an Amended Final Judgment entered in this manner as follows:

NOW, THEREFORE, IT IS ORDERED ADJUDGED AND DECREED that:

1. Judgment is entered in favor of Plaintiff and Cross-Defendant AWH and against Defendant and Cross-Complainant SHG as to AWH's single cause of action for declaratory relief in the operative Second Amended Complaint and as to the first through seventh causes of action in SHG's operative Fifth Amended Supplemental Cross Complaint.

2. SHG's refusal to give its consent to the May 18, 2018 Request for Consent to driveway relocation by AWH was unreasonable, and in violation of the Reciprocal Parking and Maintenance Agreement.

3. SHG is deemed to have consented to the May 18, 2018 Request for Consent to driveway relocations.

4. There is no provision contained in the Reciprocal Parking and Maintenance Agreement requiring SHG's consent for additional development on AWH's property, other than consent to changes to the location or configuration of any driveways as set forth in Section 3.1.

5. AWH is the prevailing party, and shall have and recover its costs and attorneys' fees in the aggregate amount of $1,426,273.30, which sum includes statutory costs in the amount of $12,904.30 and attorneys' fees in the amount of $1,413,369.

6. Interest on such amounts accruing at the rate of ten percent (10%) per annum from the date hereof on the principal sum of $1,426,273.30.

~~7. The Court reserves jurisdiction over the parties to enforce this Amended Judgment until performance in full of its terms.~~

IT IS SO ORDERED.

Dated: 03/26/2021

Curtis A. Kin / Judge

Curtis A. Kin
Judge of the Superior Court of the State of California

EXHIBIT D

93 Cal.App.5th 270
Court of Appeal, Fourth District, Division 3, California.

OLEN PROPERTIES CORP., Plaintiff and Appellant,
v.
CITY OF NEWPORT BEACH, Defendant and Respondent;
TPG (KCN) Acquisition, LLC, Real Party in Interest and Respondent;
YIMBY Law et al., Interveners and Respondents.

G061427
|
Filed June 8, 2023

Synopsis
Background: Commercial property owner brought action against city, challenging approval of residential development project without preparing a new environmental impact report (EIR) under California Environmental Quality Act (CEQA), and seeking a writ of mandate compelling city to void approval for violation of CEQA, and for injunctive relief, barring construction at site. The Superior Court, Orange County, No. 30-2021-01185991, William D. Claster, J., denied petition. Plaintiff appealed.

Holdings: The Court of Appeal, Sanchez, J., held that:

city's interpretation of development plan's land use policy requiring a residential village to contain a minimum of ten acres was within city's discretion;

city acted within its discretion in deeming 1.1-acre public park a "neighborhood park" that was consistent with land use policies;

reverse substantial evidence test did not apply;

substantial evidence supported city's determination that city was not required to undertake vehicle miles traveled (VMT) study;

city's expert's opinion was substantial evidence in support of city's position that hazardous waste would not create environmental problems;

substantial evidence supported city's determination that geotechnical recommendations did not constitute a substantial change to project; and

substantial evidence supported city's determination that shoring recommendations did not constitute a substantial change to project.

Affirmed.

Procedural Posture(s): On Appeal; Petition for Writ of Mandate.

****445** Appeal from a judgment of the Superior Court of Orange County, William D. Claster, Judge. Affirmed. (Super. Ct. No. 30-2021-01185991)

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Attorneys and Law Firms

Law Offices of Geoffrey Willis and Geoffrey Willis, Irvine, for Plaintiff and Appellant.

Richards, Watson & Gershon and Ginetta L. Giovinco, Los Angeles, for Defendant and Respondent.

Holland & Knight, Jennifer L. Hernandez, San Francisco, and Jessica Laughlin for Real Party in Interest and Respondent.

Miller Starr Regalia, Matthew C. Henderson, and Kenneth A. Stahl for Intervener and Respondent YIMBY Law.

Californians for Homeownership, Matthew P. Gelfand, and Allyson H. Richman for Intervener and Respondent Californians for Homeownership.

OPINION

SANCHEZ, J.

**446 *273 FACTS AND PROCEDURAL HISTORY

Plaintiff Olen Properties Corp. owns commercial property in the City of Newport Beach (the City) at 4910 Birch Street, within an area known as the *274 Koll Center. The Koll Center is a mixed-use development area, bounded by Campus Drive, Jamboree Road, and MacArthur Boulevard, and is near the John Wayne Airport, San Joaquin Freshwater Marsh Reserve, and the University of California, Irvine. It is located within the "Airport Area," a portion of the City adjacent to John Wayne Airport, governed by the City's Airport Business Area Integrated Conceptual Development Plan. In 2020 and 2021, the City considered and approved the request of Real Party in Interest TPG (KCN) Acquisition, LLC (TPG) to develop a five-story, 312-unit residential housing project (the Project) on an existing surface parking lot serving the Koll Center's existing commercial tenants. (See appendix A.)

In an effort to comply with the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.; CEQA),[1] the City obtained an addendum (the Addendum) to an existing environmental impact report prepared in 2006 (the 2006 EIR) as part of its general plan update. The Addendum considered a wide range of possible environmental impacts but concluded the Project's impacts "would either be the same or not substantially greater than those described by the [2006 EIR]." This finding enabled the City to approve the Project without preparing a new environmental impact report (EIR).

Plaintiff Opposes the Project

Plaintiff opposed approval of the Project before the City. Among other things, plaintiff argued the City could not rely upon an addendum to the 2006 EIR and was legally required to obtain a subsequent EIR. In support of this argument, plaintiff cited (again, among other things) traffic issues, hazardous materials, the Koll Center's covenants, conditions and restrictions (CC&Rs) of the existing development, geology and soil issues, and various land use policies of the City.

The City's Land Use Policies

Two of the land use policies cited by plaintiff relate to this appeal: land use policies 6.15.6 and 6.15.13, each of which applies to the mixed use horizontal 2 (MU-H2) land use category, which encompasses the Project. Policy 6.15.6 allows "development of mixed-use residential villages, each containing a minimum of 10 acres and centered on a neighborhood park and other amenities .... The first phase of residential development in each village shall encompass at least 5 gross acres of land, exclusive of existing rights-of-way. This acreage may include multiple parcels provided that they are contiguous or face one another across an existing street. At the discretion of the City, this acreage may also include part of a contiguous property in a different

land use *275 category, if the City finds that a sufficient portion of the contiguous property is used to provide functionally proximate parking, open space, or other amenity. The 'Conceptual Development **447 Plan' area ... shall be exempt from the 5-acre minimum, but a conceptual development plan described in Policy LU 6.15.11 shall be required."

Policy 6.15.13 states, "To provide a focus and identity for the entire neighborhood and to serve the daily recreational and commercial needs of the community within easy walking distance of homes, require dedication and improvement of at least 8 percent of the gross land area (exclusive of existing rights-of-way) of the first phase development in each neighborhood, or [one-half] acre, whichever is greater, as a neighborhood park. This requirement may be waived by the City where it can be demonstrated that the development parcels are too small to feasibly accommodate the park or inappropriately located to serve the needs of local residents, and when an in-lieu fee is paid to the City for the acquisition and improvement of other properties as parklands to serve the Airport Area. [¶] In every case, the neighborhood park shall be at least 8 percent of the total Residential Village Area or one acre in area, whichever is greater, and shall have a minimum dimension of 150 feet. Park acreage shall be exclusive of existing or new rights-of-way, development sites, or setback areas. A neighborhood park shall satisfy some or all of the requirements of the Park Dedication Ordinance, as prescribed by the Recreation Element of the General Plan."

Plaintiff contends the Project's residential village was comprised of only 3.41 acres, rather than the 10 acres required by policy 6.15.6, and the park was an irregular shape, with some dimensions of 20 feet or less, rather than the minimum 150 feet required by policy 6.15.13. An illustrative diagram of the park is reproduced and attached as appendix B.

Traffic Issues

Plaintiff raised two issues relating to traffic before the City, only one of which relates to this appeal. That issue involves a change in the appropriate method for determining traffic impact. In 2018, California adopted CEQA Guidelines section 15064.3, [2] which changed the measure of traffic impact from level of service (LOS) to vehicle miles traveled (VMT). The 2006 EIR used the LOS measure, as it predated the change to VMT by more than a decade. The traffic study for the Project was conducted in 2020, but also used the LOS measure because the purpose of the study was to compare the effects of the Project to the 2006 EIR.

*276 *Hazardous Materials*

Plaintiff's arguments about hazardous materials arose from the Project's proximity to the site of a preexisting semiconductor plant. Plaintiff provided the City with a letter from an environmental consulting firm describing potential problems for the Project, both in construction and after completion, arising from the presence of various chemicals released from the semiconductor plant. The City countered this letter with an expert report of its own, which indicated that plaintiff's expert was working from outdated information, and more recent testing of the groundwater demonstrated that there was no environmental issue.

The CC&Rs

Plaintiff argued to the City that the Addendum was inadequate because it failed to consider the CC&Rs, which plaintiff **448 contends barred this construction. The City concluded the CC&Rs were covenants between private parties, not the City, and were not environmental issues under CEQA.

Geology and Soil Issues

Plaintiff argued to the City that the Addendum was internally inconsistent on the geological mitigation conditions. Specifically, plaintiff argued the Addendum itself called for only "Standard Conditions" for handling soils on the Project, while appendix B to the Addendum, an analysis by a geotechnical engineer, described certain mitigation measures necessitated by the conditions of the Project site. Plaintiff also argued the Project violated the general plan by digging into previously undisturbed soil without an onsite paleontologist. The City rejected this contention.

Litigation

After the City's approval of the Project, plaintiff filed suit, seeking a writ of mandate compelling the City to void its approval for violation of CEQA, and for injunctive relief, barring construction at the site. Plaintiff alleged various violations of CEQA, including the arguments described above.[3] The trial court denied plaintiff's petition, and entered judgment for the City. The trial court explained its denial in an extensive written ruling, addressing and rejecting each of the arguments set forth above. Plaintiff timely appealed.

DISCUSSION

Plaintiff contends the trial court erred in denying its petition. Plaintiff raises two related but distinct arguments: first, that the Project's approval is ***277** inconsistent with the City's land use policies, and second, that new conditions, not addressed by the 2006 EIR, required the City to prepare a subsequent EIR, rather than relying on the Addendum. We begin with the land use policies.

Consistency with Land Use Policies

Cities in California must adopt general plans for development. (Gov. Code, § 65300.) These plans become the " ' "constitution for all future developments" within the city.' " (*Orange Citizens for Parks & Recreation v. Superior Court.* (2016) 2 Cal.5th 141, 152, 211 Cal.Rptr.3d 230, 385 P.3d 386.) The formation and amendment of these plans must follow a process prescribed by statute, including submission to other public entities and holding public hearings. (*Id.* at p. 153, 211 Cal.Rptr.3d 230, 385 P.3d 386.) Upon its adoption and unless amended, the plan binds the city in its consideration of subsequent proposals for land use and development. (*Ibid.*) In other words, a city's approval of a project for development is invalid if it is inconsistent with the general plan.

As part of its general plan, the City adopted certain land use categories, with different land use policies applicable to each category. Thus, these land use policies are part of the general plan, and the City's approval of the Project is valid only if the Project is consistent with the land use policies. We review a city's determination whether a project is consistent with its general plan for abuse of discretion. (*Orange Citizens for Parks & Recreation v. Superior Court, supra*, 2 Cal.5th at pp. 154-155, 211 Cal.Rptr.3d 230, 385 P.3d 386.) As plaintiff acknowledges, a city's determination of general plan consistency can only be reversed if, on the evidence before the city at the time of the determination, "no reasonable person ****449** could have reached the same conclusion." (*Endangered Habitats League, Inc. v. County of Orange* (2005) 131 Cal.App.4th 777, 782, 32 Cal.Rptr.3d 177.)

The two land use policies at issue here are policies 6.15.6 and 6.15.13, each of which applies to the MU-H2 land use category, which encompasses the Project. The text of each is reproduced above.

Plaintiff argues the Project is inconsistent with policy 6.15.6 (which requires a "residential village" to contain a minimum of 10 acres) because the City failed to make certain necessary findings to include adjacent and nearby land governed by a different land use category into the residential village. The Project itself spans only 3.41 acres. However, the term "residential village" is not defined by the City's policies, and the 10-acre minimum plainly may include land not actively being developed for housing, including the required neighborhood park, "functionally proximate parking, open space, or other amenity." The City's planning commission defined the "residential ***278** village" in question as encompassing the entirety of the Koll Center, including the office buildings and parking. The planning commission conceptualized the residential village as a "mixed-use environment where future residents could walk or bike to work, retail locations, and the transit." Because of the absence of a more specific limitation on the types of adjacent land to be included in a residential village to meet the 10-acre minimum, the City's interpretation of the policy was within its discretion.

Plaintiff also contends the City cannot now rely on the planning commission's reasoning, arguing that the City council itself must make the necessary findings. However, the City adopted the planning commission's resolution, which included this reasoning, as part of its own resolution approving the Project.

Plaintiff also argues the Project is inconsistent with policies 6.15.6 and 6.15.13 with respect to the Project's park. Plaintiff argues first that the park is a "public park," not a "neighborhood park," as required by policy 6.15.6. For this proposition, plaintiff relies on the language of the Addendum, which states, "The Project does not include a neighborhood park; it does include a 1.1-acre public park that would be accessible during daytime hours."

Just as the trial court was, we are puzzled by this statement. The only distinction between a public park and a "neighborhood park" within the meaning of the land use policy is the size and dimension requirements imposed by policy 6.15.13; a public park that complies with those requirements *is* a "neighborhood park." And the Addendum states, just two pages later, that the park complies with those requirements. Thus, we conclude this statement in the Addendum, standing alone, does not constitute some sort of irrevocable admission by the City that the Project is inconsistent with policy 6.15.6. Instead, we evaluate whether the park complies with the substantive requirements of policy 6.15.13.

Plaintiff does not appear to dispute that the park is sufficiently large in terms of area. Instead, plaintiff argues the park does not have a "minimum dimension" of 150 feet or greater. The term "minimum dimension" is not defined in the City's land use policies. A "dimension" is a "measure in one direction." (Webster's Collegiate Dict. (10th ed. 1996) p. 325.) The City is describing a park on a map, which is a two-dimensional space, having a length and a width. Thus, we conclude the "minimum dimension" is the lesser of the length or width of the park.

However, the policy is ambiguous as applied to parks having irregular (i.e., nonrectangular) shapes. As the trial court noted, ****450** even a simple triangular park poses problems for the City in determining compliance; is the width to be ***279** measured at the base of the triangle or at some other point? Plaintiff argues the minimum dimension must be "an outside perimeter dimension."[4] We reject that conclusion, as it creates absurd results.

Consider, for example, a park composed of two adjoining squares. The larger square is a mile long on each side, exceeding by many times the 150-foot requirement. The smaller square, however, is only 100 feet long on each side. Because this arrangement creates a portion of the perimeter spanning only 100 feet in length, under plaintiff's reading of the policy, this short span becomes the "minimum dimension," which disqualifies the park from being considered a "neighborhood park." Perversely, removing the smaller square, and therefore reducing the amount of park available for residents, would restore the park's status as a neighborhood park.

The purpose of policy 6.15.13 is "[t]o provide a focus and identity for the entire neighborhood and to serve the daily recreational and commercial needs of the community within easy walking distance of homes," not to create a specific geometric shape. We therefore conclude the "minimum dimension" requirement simply requires the park to contain a space that exceeds 150 feet in two dimensions, measured from any point within the park's space. The Project's park qualifies: it exceeds 150 feet in length along Von Karman and is more than 150 feet deep through the linear portion of the park. Accordingly, the City acted within its discretion in deeming the park a "neighborhood park" and concluding it was consistent with land use policies 6.15.6 and 6.15.13.

CEQA Compliance

Plaintiff argues new conditions required preparation of a subsequent EIR. Plaintiff argues we should, in making this determination, apply the reverse substantial evidence test described in *Sierra Club v. County of Sonoma* (1992) 6 Cal.App.4th 1307, 1319, 8 Cal.Rptr.2d 473 (*Sierra Club*). That test applies in limited circumstances—only where the initial EIR is a "program EIR" (as opposed to a more typical "project EIR")[5] and a subsequent project is ***280** proposed which is not "the same as or within the scope of the Project, program, or plan described in the program EIR." (*Sierra Club*, at p. 1321, 8 Cal.Rptr.2d 473.) The first of these circumstances is present here; the 2006 EIR is indeed a "program EIR." The latter circumstance is not. The

2006 EIR expressly contemplated the construction of higher density housing within the Airport Area. Accordingly, the *Sierra Club* standard does not apply here.

Instead, the appropriate standard is the deferential substantial evidence standard, applied to section 21166. (****451** *Santa Teresa Citizen Action Group v. City of San Jose* (2003) 114 Cal.App.4th 689, 703-704, 7 Cal.Rptr.3d 868.) Under that standard, we consider whether substantial evidence supports the City's determination that none of the three conditions for requiring a subsequent or supplemental EIR under section 21166 exist. (*Santa Teresa Citizen Action Group*, at p. 704, 7 Cal.Rptr.3d 868.) Those conditions are: "Substantial changes are proposed in the Project which will require major revisions of the [EIR]," "[s]ubstantial changes occur with respect to the circumstances under which the Project is being undertaken which will require major revisions in the [EIR]," or "[n]ew information, which was not known and could not have been known at the time the [EIR] was certified as complete, becomes available." (§ 21166.)

"We independently review the administrative record. [Citation.] We resolve reasonable doubts in favor of the administrative decision. [Citation.] 'We do not judge the wisdom of the agency's action in approving the Project or pass upon the correctness of the EIR's environmental conclusions. [Citation.] Our function is simply to determine whether the agency followed proper procedures and whether there is substantial evidence supporting the agency's determination that the changes in the Project (or its circumstances) were not substantial enough to require [a subsequent EIR].' " (*Santa Teresa Citizen Action Group v. City of San Jose, supra*, 114 Cal.App.4th at p. 704, 7 Cal.Rptr.3d 868.)

Plaintiff identifies five changes or items of new information that it contends require preparation of a subsequent EIR. The first of these, inconsistency with the City's land use policies, we addressed and rejected above. The remaining four are traffic issues, hazardous materials, the CC&Rs, and geology/soil issues. We address each in turn.

Traffic Issues

As described above, plaintiff argues the City erred by using the LOS measure of traffic impact, despite California's adoption of CEQA Guidelines section 15064.3, which requires use of the VMT method. The City used the LOS measure because that was the measure used in the 2006 EIR. Plaintiff admits the VMT measure is "completely incompatible with LOS." Nevertheless, plaintiff argues the City should have used the VMT method to measure ***281** traffic impacts in its Addendum. Plaintiff makes no attempt to explain how the City could compare LOS apples with VMT oranges to determine whether there have been substantial changes in the Project or the circumstances under which the Project was undertaken.

Moreover, CEQA Guidelines section 15064.3 operates only "prospectively." (Cal. Code Regs., tit. 14, § 15064.3, subd. (c).) And it is settled law in California that subsequent changes to the guidelines are not "new information" triggering section 21166, subdivision (c), so long as the underlying environmental issue was understood at the time of the initial EIR. (*Concerned Dublin Citizens v. City of Dublin* (2013) 214 Cal.App.4th 1301, 1318-1320, 154 Cal.Rptr.3d 682.) Indeed, the rule could hardly be any different—if each change to guidelines constituted "new information," section 21166 would require a new EIR nearly every time any change is made to a project, no matter how inconsequential.

Accordingly, we conclude the City was not required to undertake a VMT study of the traffic impact of the Project.

****452** *Hazardous Materials*

Plaintiff contends the hazardous waste associated with the Project's proximity to a preexisting semiconductor plant requires preparation of a subsequent EIR. As discussed above, the record contains two competing expert opinions, one from plaintiff's expert, and one from an expert retained by the City in response. Plaintiff's expert contends the Project will disturb hazardous waste and create environmental problems; the City's expert opines there is no environmental issue.

The standard of review determines the outcome here. If, as plaintiff contends, the *Sierra Club* standard applied, plaintiff's expert's opinion might constitute substantial evidence requiring preparation of a subsequent or supplemental EIR. But, as we

explain above, that standard does not apply. The City's expert's opinion is substantial evidence in support of the City's position that the hazardous waste will not create environmental problems for the Project.

The CC&Rs

Plaintiff argues the Project will violate the existing CC&Rs. Plaintiff contends this is more than "a private matter," because it involves "known use restrictions that are being ignored or improperly overridden by the City." Plaintiff argues the CC&Rs would protect the existing building owners from "disharmony through tiny setbacks, conflicting internal circulation, parking ***282** shortages, noise and concerns about quiet enjoyment, safety of children thrown into the middle of a commercial development, and many others."

These underlying concerns and policy goals may be environmental issues, but to the extent they are, they were discussed in the 2006 EIR and Addendum. The CC&Rs themselves, by contrast, are covenants between private parties conveying certain private property rights. Plaintiff identifies no authority, whether in the form of a statute, regulation, or published case, that requires consideration of CC&Rs in an EIR. Moreover, as TPG points out, the CC&Rs predate the 2006 EIR by several decades, meaning they cannot constitute changes in the Project or its circumstances since the 2006 EIR, or "new information" developed thereafter.[6]

Geology and Soil Issues

Lastly, plaintiff argues a subsequent EIR is required because of two geological or soil-related issues. The first issue involves a geotechnical report prepared as part of the Appendix. The geotechnical report identifies certain technical recommendations for the construction of the Project. These recommendations are based upon the soil conditions at the Project site and are designed to ensure that the Project's construction is successfully completed without issues arising from soil composition (e.g., structural issues caused by soil settlement, moisture, temperature, etc.).

Plaintiff contends these recommendations demonstrate that "impacts associated with geology and soils could be significant, and that Project-specific mitigation measures are required to reduce impacts to less than significant levels." However, other than certain shoring recommendations, which could potentially affect adjacent properties, the geotechnical recommendations are not aimed at mitigating environmental or soil issues, but rather at ensuring that the Project can be successfully built and remain intact. For example, the ****453** recommendation to encase buried metal materials with plastic or other corrosion-resistant material has nothing to do with protecting the environment from the Project; rather, it aims to protect the Project from the environment.

As to the shoring recommendations, as the trial court observed, shoring is a standard construction practice primarily designed to maintain a safe workplace and a functional construction site and is regulated principally by the California Division of Occupational Safety and Health, not through the CEQA process. The effects of shoring on adjacent properties (perhaps more accurately described as the protection to adjacent properties provided by ***283** shoring) are ancillary to the primary purpose of the shoring, and in any event, are minimal. Substantial evidence supported the City's determination that the shoring recommendations by the geotechnical engineer did not constitute a substantial change to the Project or its circumstances or new information requiring preparation of a subsequent or supplemental EIR.

The second (and final) issue relates to paleontological monitoring of the Project site. The City's general plan policy HR 2.2 requires "a qualified paleontologist/archeologist to monitor all grading and/or excavation where there is a potential to affect cultural, archeological or paleontological resources." The City's standard conditions and requirements, meanwhile, require anyone excavating previously undisturbed soil to "retain a qualified paleontologist to be available on-call during ground-disturbing activities onsite."

Plaintiff argues that these policies conflict, and that the City allowed TPG to adopt the standard conditions and requirements (with an on-call paleontologist) instead of requiring permanent on-site monitoring. However, the policies do not conflict. HR 2.2.'s requirement that a paleontologist "monitor" the site does not include a requirement for constant physical presence.

DISPOSITION

The judgment is affirmed. Respondents shall recover their costs on appeal.

WE CONCUR:

BEDSWORTH, ACTING P. J.

DELANEY, J.

***284** APPENDIX A

****454**



***285** APPENDIX B



All Citations

93 Cal.App.5th 270, 310 Cal.Rptr.3d 442, 23 Cal. Daily Op. Serv. 6858, 2023 Daily Journal D.A.R. 7097

Footnotes

1 All statutory references are to the Public Resources Code unless otherwise stated.

2 The term "CEQA Guidelines" refers to the regulations for the implementation of CEQA authorized by the Legislature (§ 21083), codified in title 14, section 15000 et seq., of the California Code of Regulations, and will be referred to as the "CEQA Guidelines."

3 Interveners YIMBY Law and Californians for Homeownership intervened in the litigation at the trial court level and have also appeared in this proceeding.

4 Plaintiff argues the trial court also adopted this view, but the trial court's written ruling suggests otherwise, as it discusses the possibility of a "dimension" measured through the interior of an equilateral triangle, which is not part of the "outside perimeter."

5 A program EIR is "an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either: [¶] (1) Geographically, [¶] (2) [a]s logical parts in the chain of contemplated actions, [¶] (3) [i]n connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or [¶] (4) [a]s individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways." (Cal. Code Regs., tit. 14, § 15168.) In plain English, a program EIR is an EIR about a broad program or plan, as opposed to a specific project.

6 Our opinion on this point has no bearing on whether plaintiff or other property owners in the Koll Center may have claims against other private parties arising from the Project based on the CC&Rs. Those questions are not before us.

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EXHIBIT E

2002 WL 1265632
Not Officially Published
(Cal. Rules of Court, Rules 8.1105 and 8.1110, 8.1115)
Only the Westlaw citation is currently available.

California Rules of Court, rule 8.1115, restricts citation of unpublished opinions in California courts.

Court of Appeal, First District, Division 1, California.

ANDERSON VALLEY ENVIRONMENTAL PROTECTION GROUP, Plaintiff and Appellant,
v.
COUNTY OF MENDOCINO, Defendant and Respondent;
Gary KALIHER et al., Real Parties in Interest and Respondents.

No. A095009.
|
(Mendocino County Super. Ct. No. 0083256).
|
June 7, 2002.

Synopsis
Environmental group filed petition for writ of mandate challenging county's modification of use permit issued to winery. The Superior Court, Mendocino County, denied petition, and group appealed. The Court of Appeal, Marchiano, P.J., held that county's negative declaration for proposed modification of use permit did not violate California Environmental Quality Act (CEQA).

Affirmed.

Opinion

MARCHIANO, P.J.

***1** This case involves the decision of the Mendocino County Board of Supervisors to modify a use permit to allow increased wine production, a tasting room, and retail wine sales at a small winery located within a residential subdivision between the Anderson Valley towns of Philo and Navarro. The Anderson Valley Environmental Protection Group appeals from a judgment denying its petition for writ of mandate challenging respondent County of Mendocino's modification of the use permit issued to Pepperwood Springs Winery. Appellant contends that the modification was approved in violation of the California Environmental Quality Act (CEQA) (Pub. Res.Code, § 21000 et seq.) and is inconsistent with the Mendocino County general plan and zoning ordinance. We disagree and affirm.

I. FACTS

We take the facts from the administrative record of proceedings before the Mendocino County Planning Commission (Commission) and the Mendocino County Board of Supervisors (Board), as well as from the detailed statements of fact in the trial court's order denying appellant's mandamus petition.

The Pepperwood Springs Winery is part of the Holmes Ranch subdivision, which was incorporated in May 1972 in a rural and unincorporated area of Mendocino County. The subdivision consists of 68 parcels, none of which are smaller than 20 acres. It

has a brief set of covenants, conditions and restrictions (CC & R's), which primarily provide for dues and assessments for the maintenance of the subdivision's private roads.

The subdivision is a beehive of diverse activity. The administrative record includes a 1993 letter from the Holmes Ranch Association, which maintains the private roads within the subdivision. According to that letter, 53 subdivision parcels were developed for residential use, while 15 were vacant. [1] Eleven homeowners operated cottage industries, which included dental labs, ceramic studios, a manufacturer of furniture or cabinets, and a "publishing press." Three homeowners bred and trained horses, at times offering public instruction. Two homeowners used their home workshops to teach classes for the Mendocino Community College and the Mendocino Office of Education Regional Occupation Program (ROP). In addition, according to a June 10, 1993 letter to the county from the president of the Holmes Ranch Association, the subdivision then included three wineries (including Pepperwood Springs): two with tasting rooms; five vineyards; and two apple orchards.

The Holmes Ranch subdivision is classified by the Mendocino County general plan as "Remote Residential: 20 acres." The parcels are zoned "UR," or "Upland Residential," with a minimum lot size of 20 acres.

The history of the Pepperwood Springs Winery (Winery) begins in 1975, three years after the creation of the Holmes Ranch subdivision, when a 10 acre vineyard was planted on the parcel that is the Winery's present site. As the trial court noted, the county's general plan and zoning ordinance permit the growing of grapes within the Holmes Ranch subdivision but a winery requires a use permit.

*2 Larry and Nicki Ann Parsons purchased the vineyard parcel in 1980. In 1981, the Parsonses applied to the Mendocino County Planning Department (Department) for a use permit to build and operate a winery. Their application contemplated the construction of a single wine cellar, with projected production of 1,000 gallons of wine in 1981 and 5,000 gallons per year by 1990. The Parsonses "want[ed] to make wine from the crops of grapes from the vineyard already existing on the property," but never indicated in their application that they would not import grapes from off-site if the need arose.

The Department's staff report on the Parsonses' application noted that the proposed winery operation would be "primarily wholesale with very little retail," since the winery would be two miles off the nearest highway, Highway 128. The staff report also noted the Parsonses' "plans do not include a tasting room." As the trial court found, the Department staff "made no recommendation with regard to [a] tasting room" and "made no comment concerning the source of the grapes to be used in the winery."

The use permit was issued but on one condition pertinent here: a one-page "Zoning Administrator Action Sheet" indicates, "Use is restricted by eliminating any retail sales of products and/or tasting facilities on site." Nevertheless, the Parsonses operated Pepperwood Springs Winery with a tasting room and made retail sales.

Larry Parsons died in an automobile accident in April 1986. Real parties in interest Gary and Phyllis Kaliher bought the winery in December of that year. Real parties began producing wine in 1987, and made less than 200 cases from grapes crushed in that year's September harvest.

In March 1989, real parties applied for a renewal of the Winery's Mendocino County Business License. Their application, plus a cover letter, indicated they conducted retail sales by appointment only, although their sales were primarily wholesale. Their application was granted.

For the next 10 years, real parties operated Pepperwood Springs Winery with a tasting room and on-site retail sales. As noted, wine tasting and retail sales were not permitted under the original use permit issued to the Parsonses for Pepperwood Springs Winery.

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In September 1999, real parties filed an application to modify the original use permit to allow a tasting room and retail sales.[2] Real parties asked that the use permit be modified "to allow: [¶][c]ontinued wine tasting and retail sales by appointment only" and an increase in permissible wine production from 5,000 to 7,500 gallons per year. Their application admits they "have been operating a winery with tasting and retail sales by appointment only for the last ten ... years."

The application described the winery site, i.e., the vineyard parcel originally purchased by the Parsonses, as including the 10-acre vineyard; a 1,600 square-foot house; a 1,450 square-foot agricultural building; a 1,774 square-foot winery; and a 200 square-foot storage shed. In a related letter to the Commission, real parties described Pepperwood Springs as "a very tiny operation," producing at most 3,000 cases of wine per year as compared to nearby wineries such as Navarro Vineyards (30,000 cases per year) and Handly Cellars (15,000 cases per year).

***3** The Commission's staff report on the proposed modification, dated December 2, 1999, conducted an environmental review of several issues. The staff observed that increased wine production would increase water demand, a "contentious" issue in Anderson Valley. But the staff concluded that "[m]uch of [the Winery parcel] is used for the production of grapes, which is a permitted use by zoning, and it is the vineyards that would likely utilize the majority of water, as opposed to the actual wine production and tasting. Staff does not find that the expansion of the winery production from 5,000 to 7,500 gallons per year and the wine tasting would significantly increase water usage."

The staff also noted the concern of other Holmes Ranch homeowners that tasting and retail sales would cause "increased traffic on [the] privately maintained roads." But the staff received a memo from the State Department of Transportation stating that the roads were "in relatively good condition."

The Commission had in its files an August 1981 letter from the Holmes Ranch Association, sent with regard to the Parsonses' use permit application, which stated that, "All roads in the subdivision are owned, operated, and maintained by the Association. Public access to said roads is not permitted, nor has the Board of Directors ever granted such permission." While noting that "the County does not enforce CC & Rs of subdivisions or otherwise regulate private roads," the staff indicated it was "concerned about the potential for increased traffic" on the private roads "serving the predominantly residential subdivision."

Accordingly, the staff recommended restrictions on vehicular traffic similar to those imposed on cottage industries in residential areas. Sales and tasting would be limited to "by appointment only" between 10:00 a.m. and 5:00 p.m., and would be further limited to a maximum of 10 customers per day. The Winery would be required to maintain a guest register clearly identifying the number of daily visitors.

The Commission staff recommended the application for modification be granted, subject to these limitations. The staff recommended that the Commission find "that no significant environmental impacts would result from the proposed [modification] which can not [*sic*] be adequately mitigated through the conditions of approval," and accordingly the Commission should adopt a negative declaration. The staff also recommended that the proposed modification was consistent with the "applicable goals and policies of the [g]eneral [p]lan," especially the encouragement of agricultural enterprises.

The Commission held a public hearing on December 2, 1999. A number of local property owners testified against the modification. At the conclusion of the public hearing, the Commission continued the matter to its meeting of January 7, 2000. At that meeting, the Commission approved the modification application and adopted a negative declaration, finding that the modification would not pose any significant environmental impacts that could not be mitigated by the conditions of approval. The Commission further found that the modification was consistent with the general plan.

***4** As part of the conditions of approval, the Commission ruled that real parties could *not* conduct on-site tasting or retail sales. But the glass was at least half-full: while denying the request for tasting and sales, the Commission did grant real parties' request for increased wine production. The Commission ruled that real parties could produce 10,000 gallons of wine per year-2,500 more than the 7,500 they had asked for.

Believing that a tasting room and sales were necessary for the Winery to prosper, real parties appealed the Commission's ruling to the Board. In an agenda summary submitted to the Board for its March 14, 2000 hearing on real parties' appeal, the Commission advised the Board that its staff originally supported the modification of the use permit, "with limitations that would keep the size and scale of the business at a level of a 'cottage industry .' The basis for that recommendation was that, in staff's opinion, a cottage industry level of activity would generally be compatible with surrounding residential development."

The Commission further advised the Board as follows: "However, after hearing [the] concerns of the majority of the property owners in the area and considering the Planning Commission's concerns with these and other recent cases which sought to place visitor related services in rural residential and resource lands, staff no longer supports the wine tasting aspect of [the proposed modification]. Staff concurs with the Commission's general position that rural and remote residential and resource areas should be protected from the intrusion of tourists and visitor related commercial uses where such uses generate noise, traffic, wear and tear on private roads, etc., adversely impacting the privacy, peace and comfort of the people who make their homes in the area. Such uses would be more appropriately located in more urbanized areas or along major transportation corridors where the related impacts are more acceptable and less likely to be significant. Therefore, staff recommends that the appeal be denied."

After a public hearing at which numerous people spoke for and against the proposed modification, the Board overturned the Commission's ruling. The Board granted real parties' request for modification of the use permit and reinstated the provisions allowing wine tasting and retail sales. The modification was subject to the following conditions pertinent to this appeal:

(1) On-site wine tasting and retail sales would be by appointment only, with a limit of 70 customers per week. The Winery would be required to maintain a guest register or appointment log clearly identifying the number of guests per day. The register or log would be subject to review upon request by the Department.

(2) Wine tasting and retail sales could only occur between 10:00 a.m. and 5:00 p.m.

(3) Maximum wine production would be limited to 10,000 gallons per year.

The Board also adopted a negative declaration, agreeing with the Commission's finding that the modification posed no significant environmental impact that would not be mitigated by the conditions on the modification.

***5** Appellant filed a petition for writ of mandate in the superior court, alleging the County's decision to modify the use permit violated CEQA and was inconsistent with the County's general plan and zoning ordinance.[3] In a lengthy order that included a detailed review of the facts, the superior court rejected appellant's arguments and found that the modification did not violate CEQA and was consistent with the general plan and applicable zoning laws. The court did find the 10,000 gallon wine production limit was invalid because the Board's notice of public hearing gave notice that the modification would permit only 7,500 gallons of wine per year. After the Board corrected its ruling to reduce the maximum wine production to the noticed amount of 7,500 gallons per year, the trial court denied appellant's mandate petition.

II. DISCUSSION

Appellant contends that the County's environmental review of the proposed modification was inadequate, because the County used the wrong baseline, failed to adequately consider numerous alleged environmental impacts, imposed insufficient mitigation measures, and allowed a modification in purported violation of the general plan and applicable zoning provisions.

The central issue of our review is the County's issuance of a negative declaration under CEQA for real parties' project, i.e., the modification of the use permit to allow tasting, retail sales, and increased wine production. Our review is carefully limited by settled law.

When it enacted CEQA, "the Legislature sought to protect the environment by the establishment of administrative procedures drafted to 'Ensure that the long-term protection of the environment shall be the guiding criterion in public decisions.' " (*No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 74, 118 Cal.Rptr. 34, 529 P.2d 66, quoting Pub. Resources Code, § 21001, subd. (d).)[4] In essence, CEQA requires local agencies to prepare an Environmental Impact Report (EIR) for any project which will have a significant effect on the environment. (§ 21151; *Citizen Action to Serve All Students v. Thornley* (1990) 222 Cal.App.3d 748, 753, 272 Cal.Rptr. 83.)

If a project is not exempt from CEQA and there is a reasonable possibility the project may have a significant environmental impact, the public agency must conduct an initial threshold study. If that study shows there will be no significant environmental impact, the agency may issue a negative declaration for the project. (*Citizen Action to Serve All Students v. Thornley, supra,* 222 Cal.App.3d at p. 753, 272 Cal.Rptr. 83; *Friends of "B" Street v. City of Hayward* (1980) 106 Cal.App.3d 988, 1000, 165 Cal.Rptr. 514; Guidelines, § 15070.)

"The decision to adopt a negative declaration and dispense with an EIR is essentially a determination that a project will have no meaningful environmental effect" and terminates the environmental review process. (*Citizen Action to Serve All Students v. Thornley, supra,* 222 Cal.App.3d at p. 754, 272 Cal.Rptr. 83; *Citizens of Lake Murray Area Assn. v. City Council* (1982) 129 Cal.App.3d 436, 440, 181 Cal.Rptr. 123.) Thus, CEQA imposes "a low threshold requirement for preparation of an EIR." (*No Oil, Inc. v. City of Los Angeles, supra,* 13 Cal.3d at p. 84, 118 Cal.Rptr. 34, 529 P.2d 66; see *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 309-310, 248 Cal.Rptr. 352.) An EIR must be prepared if "it can be fairly argued on the basis of substantial evidence that the project may have significant environmental impact." (*No Oil, Inc. v. City of Los Angeles, supra,* 13 Cal.3d at p. 75, 118 Cal.Rptr. 34, 529 P.2d 66.)

***6** "The standard of judicial review of an agency decision to adopt a negative declaration is whether there is substantial evidence in support of a 'fair argument' of potential environmental impact." (*Citizen Action to Serve All Students v. Thornley, supra,* 222 Cal.App.3d at p. 754, 272 Cal.Rptr. 83.) Substantial evidence " 'means enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion....' " (*Id.* at p. 755, 272 Cal.Rptr. 83, quoting Guidelines, § 15384, subd. (a).) Substantial evidence does not include argument, speculation, or unsubstantiated opinions or concerns about a project's environmental impact. (Guidelines, § 15384, subd. (a); *Citizen Action to Serve All Students v. Thornley, supra,* 222 Cal.App.3d at p. 756, 272 Cal.Rptr. 83; *Leonoff v. Monterey County Bd. of Supervisors* (1990) 222 Cal.App.3d 1337, 1352, 272 Cal.Rptr. 372.)

Appellant first contends that the County used the incorrect baseline when it evaluated the proposed modification. The term "baseline," in this context, essentially means the exact physical and environmental conditions that exist prior to a proposed project. Proper environmental review requires comparison of the significant environmental impacts and mitigation measures against the correct baseline conditions. (Guidelines, § 15125; see discussion in Remy et al., Guide to the Cal. Environmental Quality Act (10th ed.1999) pp. 162-171.)

The parties agree, as did the trial court, that the proper baseline in this case is the existing *authorized* winery operation: i.e., no wine tasting, no on-site retail sales, and yearly production of 5,000 gallons. It would be improper to review the impacts of the proposed project against a baseline of environmentally unauthorized activity, thus allowing the Winery to argue the modification poses no environmental impact because it essentially memorializes the status quo. This would allow the Winery to benefit from its 10 years of tasting and sales activity in violation of the use permit.

But that is not what happened here. Because real parties' application for modification refers to "continued" wine tasting and retail sales, appellant claims the County used the existing, unauthorized activity as a baseline, rather than a no tasting/no sales baseline. Examination of the record reveals that the County used the proper baseline of no tasting/no sales. The Commission staff report on the proposed modification clearly indicates the County's awareness that no tasting or sales were authorized by the use permit. As the trial court found, the staff report reviewed the impacts of the proposed modification based on the proper no tasting/no sales baseline.

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Next, appellant contends the County failed to analyze all significant environmental impacts of the project. The record does not support appellant's contention.

Traffic & Road Impacts

A tasting room and on-site retail sales will obviously increase vehicular traffic to and from the Winery, which is two miles from the nearest highway. Appellant claims that the County failed to consider the impact of increased traffic on the physical condition of the subdivision's private roads. Apparently, the County did not perform a study of the road conditions. But the trial court correctly found that appellant "cites no evidence in the [administrative] record that would lead to the conclusion that a potential increase of 70 cars per week or several truck loads of grapes during harvest would be detrimental to the road[s]."

***7** Appellant does cite the opinion of a Holmes Ranch resident that the roads "are not in satisfactory condition for the current residential and agricultural use by owners." But as we noted above, the State Department of Transportation reported to the County that the roads were "in relatively good condition." And "[c]onflicting assertions do not ipso facto give rise to substantial 'fair argument' evidence. [Citation.]" (*Citizen Action to Serve All Students v. Thornley, supra,* 222 Cal.App.3d at p. 755, 272 Cal.Rptr. 83.)

The record shows the roads are widely used by a variety of traffic. The 1993 letter from the Association, after describing the bustling activity on the subdivision, states the roads are used "by owners, tenants, guests, business and tradespeople, agricultural workers, loggers, employees, clients, customers, students of the community college or the ROP program and emergency responders." The Winery's tasting room and retail sales would add to this substantial traffic only 70 customers per week, an average of 10 per day-and it stands to reason that the 70 people would not all come in separate cars.

The trial court aptly concluded that the 1993 letter "makes it clear that at least at the time of writing the Holmes Ranch Association was of the opinion that the ranch roads were in a condition to adequately provide for a number of quasi-commercial uses. The court finds no evidence in the record that rebuts this claim by the [A]ssociation." We agree with the trial court's conclusion. There is simply no substantial evidence to support a fair argument that the project would result in a significant impact on the physical condition of the roads. [5]

Public Access

Appellant claims the project approval was flawed because it "requires travel by the public across a private road." As we have noted, the record contains a letter written to the Commission by the association's board of directors in 1981, in connection with the Parsonses' use permit application. That letter states that, "All roads in the subdivision are owned, operated, and maintained by the Association" and that, "Public access to said roads is not permitted nor does the Board of Directors grant such permission at this time."

But the question of public access is not pertinent to a CEQA analysis of the project. As the trial court properly concluded, if the association wants to enforce the private-road provisions of the subdivision CC & R's against real parties, they are free to take appropriate action. The public access issue is not before us, and we express no opinion thereon.

Importation of Grapes

Appellant claims the County failed to consider the impact caused by the importation of grapes from off-site, presumably by heavy trucks. This issue is a red herring. Appellant *assumes* that because annual wine production will increase from 5,000 to 7,500 gallons, the increase *must* require the importation of grapes i .e., that 5,000 gallons per year is the maximum wine yield of real parties' vineyard. There is no evidence to support this assumption. "Speculation is not evidence." (*Citizen Action to Serve All Students v. Thornley, supra,* 222 Cal.App.3d at p. 756, 272 Cal.Rptr. 83, fn. omitted .)

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***8** Furthermore, the County Code defines a winery as a place where grapes "grown on or off premises" are processed into wine. (Mendocino County Code, § 20.032.040, subd. (B).) Thus, a Mendocino winery operator has the right to make wine from grapes grown in other vineyards. Although the Parsonses said in their 1981 use permit application that they intended to use only grapes grown in their own vineyard, they did not give up their right to import. As the trial court correctly observed, importation of grapes "was a permitted activity, and the right to conduct that activity is not lost simply by not asserting it."

Water Supply

Appellant claims the County failed to consider the impact on the water supply of producing an additional 2,500 gallons of wine per year. Appellant claims the County concluded that the increase in annual wine production would not significantly increase water usage without knowing the amount of water needed to produce a given amount of wine. Appellant's argument is not supported by the record.

While the Commission was reviewing the modification application, County Planner Frank Lynch received a memo from Glenn McGourty, a viticulture and plant science advisor for the University of California Cooperative Extension. The McGourty memo states that it takes 178 gallons of water to make one gallon of wine. Lee Edmundson, who appeared at the Commission's public hearing and spoke against the project, also received a copy of the memo. The memo was discussed at the hearing, and an unidentified speaker-apparently Planner Lynch-indicated he had spoken to McGourty and that the 178 gallon figure referred to the amount of water needed to *grow grapes* sufficient for one gallon of wine, not to *process* the grapes into a gallon of wine. The speaker referred to a post-it note on the memo, which reads: "1 gal. of wine = 3 gallons of water for processing[,] per Fetzer."

It thus appears the County had information, which does not appear to be controverted by appellant, that it took only three gallons of water to *process* grapes into one gallon of wine. Based on this information, the Commission's staff report concluded that the increased wine production would not significantly affect the water supply. It is the *growing* of grapes, not their processing, which uses a great deal of water. The growing of grapes is a permitted use of the property and is not the subject of the modification; neither is it at issue here.

The trial court found that "[t]he only issue concerning water presented by this application was the difference in the amount of water that would be required to produce the permitted 5000 gallons and the amount that would be required to produce the applied for additional gallons.... The [County] reasonably deduced from [the] evidence that the amount of water used to produce wine is insignificant when compared to the amount of water used to produce grapes. [Appellant] points to no evidence in the record that would support a fair argument to the contrary."

***9** We agree with the trial court. Appellant has not shown substantial evidence of a fair argument that the increased wine production would significantly impact the available water supply.

Mitigation Measures

Appellant also contends that the mitigation measures are inadequate. Appellant claims the visitor log provision is inadequate to police the number of visitors to the winery per week. But appellant has failed to show substantial evidence of inadequacy. (See *Citizens' Com. to Save Our Village v. City of Claremont* (1995) 37 Cal.App.4th 1157, 1167, 44 Cal.Rptr.2d 288.) Appellant refers to comments about the difficulty of enforcing the visitor restrictions-but as the trial court pointed out, these comments are expressions of opinion, not evidence. The County retains the power to spot-check the visitor log, and the association is perfectly free to observe the public comings and goings of winery visitors. Should real parties violate the 70 visitor/week restriction, the association may take the appropriate steps. But appellant has failed to show by substantial evidence that the mitigation measures are inadequate. [6]

Finally, appellant contends the modification is inconsistent with the County's general plan and zoning laws. In essence, appellant claims the Winery's tasting room and retail sales amount to an impermissible commercial use of property that, under the plan and zoning laws, is limited to low-level agricultural uses.

The County's decision essentially interprets its own plan and zoning laws. As such, that decision comes to us "with a strong presumption of regularity." (*Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 717, 29 Cal.Rptr.2d 182; see *Families Unafraid to Uphold Rural etc. County v. Board of Supervisors* (1998) 62 Cal.App.4th 1332, 1338, 74 Cal.Rptr.2d 1.)

We see no inconsistency between the modification and the plan and zoning laws. The general plan classifies Holmes Ranch subdivision as "Remote Residential." As the trial court noted, the general plan provides that "Remote Residential" property can be used for cottage industries and agricultural uses. The zoning laws classify a winery as an agricultural use and specifically include winery tasting rooms. (Mendocino County Code, §§ 20.032.040, subd. (B), 20 .056.020, subd. (D).) Thus, the modification is entirely consistent with the plan and the zoning laws, and appellant's claim to the contrary is without merit. [7]

III. DISPOSITION

The judgment denying the petition for writ of mandate is affirmed.

We concur: SWAGER, and MARGULIES, JJ.

All Citations

Not Reported in Cal.Rptr.2d, 2002 WL 1265632

Footnotes

1 Fifty-three and fifteen, of course, total sixty-eight. For reasons not clear to us, elsewhere in the record the subdivision is described as consisting of 64 and of 75 parcels. The discrepancy is not material to the issues raised on appeal.

2 Real parties believed that tasting and retail sales were permitted when they bought the Winery. Apparently, real parties filed their application after they were informed that their sales and tasting room were not authorized under the original permit.

3 A few matters of procedural housekeeping need to be discussed.

(1) From this point forward we refer to the Commission and the Board as "County" when discussing the decision to approve the modification of the use permit.

(2) The mandate petition identifies appellant as a group of County residents and property owners, some of whose members participated in the administrative proceedings and objected to the proposed modification. The group includes Holmes Ranch subdivision homeowners.

(3) Apparently, the Kalihers sold the Winery in December 2000 to Eric Sterling. Mr. Sterling has not been added as a party to this appeal, but that is not material to the outcome of this case.

4 Subsequent statutory citations are to the Public Resources Code. The administrative guidelines promulgated under CEQA, California Code of Regulations, title 14, § 15000 et seq. are cited in this opinion as "Guidelines."

5 Appellant claims the County "ignored" a report published by the Mendocino County Resource Conservation District and the California Department of Fish & Game, which, according to appellant, concluded that sediment from the roads

adversely impacted the coho salmon spawning ground in nearby Mill Creek. Appellant cites only to a comment letter to the Commission, in which a project opponent referred to the report. There is no indication that the report does in fact exist and was submitted to the County.

6 Appellant briefly argues the County has failed to provide for a mitigation and monitoring program, as required by section 21081.6, subdivision (a)(1). But the County did not so fail; rather, it imposed the monitoring program centered around the visitors log and the County's right to inspect it.

7 Appellant also claims that even if the project is an agricultural use, it still is not permitted by the plan and zoning laws because of inadequate access and hazard exposure. We have discussed and rejected the access issue, and appellant's hazard exposure argument is based on an unestablished premise that the roads are in bad condition.

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Via Email

November 3, 2026

Honorable Mayor Tamala Takahashi and Members of the City Council
City of Burbank
275 East Olive Avenue
Burbank, California 91502

Re: 2500 N. Hollywood Way
Dual Brand Hotel Project (SCH No. 2019110032)
Response to October 12, 2026 Comment Letter Submitted On Behalf of UNITE HERE Local 11

Dear Honorable Mayor Takahashi and Members of the City Council,

We represent AWH Burbank Hotel, LLC ("**AWH**"), the applicant for the 2500 North Hollywood Way Dual Brand Hotel Project, Project No. 16-0003953 ("**Project**"), in the City of Burbank ("**City**"). As you know, the Planning Commission considered the Project at its October 12, 2026, meeting and unanimously recommended approval of the Project to the City Council. On the day of the Planning Commission meeting, Channel Law Group, LLP, on behalf of UNITE HERE Local 11 ("**Local 11**"), submitted a lengthy comment letter opposing the Project. While we believe that City staff and AWH adequately addressed Local 11's concerns at the public hearing, we submit this letter to further respond to Local 11's comments.

I. Greenhouse Gas Emissions Analysis

A. Background

The California Environmental Quality Act ("**CEQA**") requires that a lead agency analyze a project's potential greenhouse gas ("**GHG**") emissions.[1] CEQA does not set out a specific threshold of significance for GHG; a lead agency has discretion to establish this threshold.[2] The City's "City of Burbank California Environmental Quality Act (CEQA) Greenhouse Gas (GHG)

[1] Cal. Code Regs., tit. 14 ("**CEQA Guidelines**"), Appendix G.
[2] *Id.* §§ 15064.4, subd. (b)(2), 15064.7, subd. (c).

Emissions Thresholds and Guidance" ("**GHG Guidance**") document sets out the City's methodology for calculating and evaluating GHG impacts.

Where, as is the case here, a project requires a rezone and proposes new development that will generate GHG emissions that exceed existing conditions, the City evaluates GHG using an "efficiency threshold":

> An efficiency threshold is a threshold expressed as a per-person metric (e.g., per resident, per employee, or per service person). Efficiency thresholds are calculated by dividing the allowable GHG emissions inventory in a selected calendar year by the resident, employee, or service population in that year. The efficiency threshold identifies the quantity of GHG emissions that can be generated on a per-person basis without significantly impacting the environment.[3]

The City has established a significance threshold of 3.12 metric tons of carbon dioxide equivalents ("**MTCO2e**") per service person per year.[4]

A project's GHG efficiency is calculated by modeling total GHG emissions and dividing that number by the number of residents, employees, or service people.[5] Projects above the 3.12 MTCO2e threshold have a significant GHG impact; projects below this threshold have a less-than-significant impact.

B. The Project's GHG Emissions

As discussed in the Draft Environmental Impact Report ("**DEIR**"), the Project's GHG emissions were projected using the California Emissions Estimator Model, yielding a total of 4,751.66 MTCO2e per year.[6] This number was divided by the Project's "service population" of 673 people, which includes both employees (85) and hotel guests (588).[7] The resulting GHG efficiency is 7.06 MTCO2e per service person, which exceeds the City's significance threshold.[8] Though various Project design features and mitigation measures will lessen GHG emissions to the extent feasible, the DEIR concluded that the Project's GHG impact will be significant and unavoidable.[9]

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[3] GHG Guidance, p. 26.
[4] GHG Guidance, Table 7.
[5] GHG Guidance, pp. 34, 36-37.
[6] DEIR, pp. 5.5-14, -15.
[7] *Id.* at pp. 5.5-13, -15.
[8] *Id.* at p. 5.5-15.
[9] *Id.* at p. 5.5-24.

C. Local 11's Claims

Local 11 argues that the Project's service population should not have included hotel guests, and that such methodology artificially lowered the Project's GHG per service person.[10] Local 11's position fails for numerous reasons, as discussed below.

The GHG Guidance provides that GHG efficiency is "expressed as a per-person metric (e.g., per resident, per employee, or per service person)" and calculates a project's GHG emissions on a "per-person basis."[11] While GHG efficiency for non-residential uses is typically expressed on a per-employee basis, the Final Environmental Impact Report ("**FEIR**") explains that the Project warrants a different methodology. The Project's hotel guests are analogous to "residents" in that they generate similar emissions to long-term occupants of a dwelling unit. "Specifically, short-term occupants of the proposed Project, similar to long-term occupants of the City, would still generate mobile (trips departing and arriving [to] the Project site), energy (heating[,] cooling, lighting, etc.), and water (potable water and showers) demands."[12] As the hotel guests will generate emissions that are comparable to residents of a residential project, the EIR calculated the Project's GHG efficiency on a per-service person basis that accounts for both employees and guests.

Hotels differ from other non-residential uses in that they house occupants who spend prolonged periods of time there engaging in basic life activities (e.g., traveling, sleeping, eating, and showering). Rigidly calculating a hotel's GHG efficiency in the same manner as a retail or office building would ignore the practical realities of this use and result in a calculation that does not fully capture the nature of its GHG emissions. Accordingly, the EIR recognizes that a hotel contains both residential and non-residential elements and accounts for that by including both employees and guests in the service population. Such methodology is consistent with the underlying intent of the GHG Guidance, which is to calculate GHG emissions on a "per-person basis."

The FEIR also explains that removing hotel guests from the GHG calculation would result in a flawed equation:

> Excluding hotel guests/patrons from the service population without a corresponding reduction in the total project-related emissions would lead to an inaccurate GHG calculation. Specifically, the majority of the Project's GHG emissions are attributed to mobile source emissions, which are calculated using the net trips associated with the Project. Project mobile source emissions assumed 4,099 net daily trips, which accounts for and includes trips generated by hotel patrons. Removing hotel guests/patrons from the service population … would also require removing hotel guests/patrons from the

[10] October 12, 2026, Letter from Channel Law Group, LLP ("**Letter**"), pp. 3-5.
[11] GHG Guidance, p. 26.
[12] FEIR, pp. 2-56, -57.

> calculation of the Project's trips and corresponding mobile source emissions. Otherwise, the GHG calculation would include hotel guests/patrons in the numerator (emissions) but would exclude them from the denominator (service population), resulting in an imbalanced equation.[13]

Moreover, the EIR states that the Project will have a significant and unavoidable GHG impact and discloses the Project's gross emissions.[14] Even if the service population were reduced as the commenter suggests, the significance conclusion would remain the same and the Project's total emissions (the numerator of the equation) would not change. Thus, the EIR has properly disclosed the Project's GHG emissions to the public.[15]

While Local 11 may disagree with the methodology employed in the EIR, such disagreement is not indicative of a flaw in the environmental analysis. The City may exercise broad discretion in interpreting and applying its own GHG Guidance, and has appropriately done so here.[16]

II. Project Design Features

Local 11 points out that draft Condition of Approval ("**COA**") No. 16 mandates that the Project provide 10 percent of its power demand via an on-site photovoltaic system, while the EIR lists 11 percent as the relevant requirement.[17] At the Planning Commission hearing, AWH and City

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[13] FEIR, p. 2-57.
[14] DEIR, pp. 5.5-16, -24.
[15] *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439, 463 (holding that an omission is prejudicial only "if it deprive[s] the public and decision makers of substantial relevant information about the project's likely adverse impacts," and that "[i]nsubstantial or technical omissions are not grounds for relief").
[16] See CEQA Guidelines, § 15064.4, subd. (c) ("The lead agency has discretion to select the model or methodology it considers most appropriate to enable decision makers to intelligently take into account the project's incremental contributions to climate change"); *Center for Biological Diversity v. Department of Fish & Wildlife* (2015) 62 Cal.4th 204, 255 ("The new guidelines provide that a lead agency should attempt to 'describe, calculate or estimate' the amount of greenhouse gases the project will emit, but recognizes that agencies have discretion in how to do so"); *Ocean Street Extension Neighborhood Association v. City of Santa Cruz* (2021) 73 Cal.App.5th 985, 1028 (holding that it is appropriate to show deference to a city's interpretation of its own regulations); Burbank Municipal Code ("**BMC**"), § 9-3-105.A.11 (providing that the planning director may "[f]ormulate rules and regulations as [they] may determine are necessary or desirable to further the purposes of [CEQA]").
[17] Letter, p. 5; DEIR, p. 5.5-16; October 12, 2026, Planning Commission Staff Report ("**Staff Report**"), Attachment 1, p. 149.

staff agreed to modify COA No. 16 to reflect an 11 percent requirement, thereby aligning the COAs with the EIR.

Additionally, Local 11 states that, while the EIR indicates the Project will observe certain Tier 2 requirements from the 2022 CalGreen Code, COA No. 14 provides that the Project will comply with Tier 1.[18] The references to Tier 2 in the EIR were made in error and will be corrected via an errata to the EIR. City staff have confirmed that all relevant modeling and analysis for the Project was based on the assumption that the Project would comply with CalGreen Tier 1.

III. Mitigation Measure GHG-1

Local 11 claims that Mitigation Measure ("**MM**") GHG-1 constitutes impermissible, deferred mitigation, as it indicates that the Project's Transportation Demand Management Plan will be drafted subsequent to Project approval.[19] However, CEQA provides that "[t]he specifics of a mitigation measure ... may be developed after project approval when it is impractical or infeasible to include those details during the project's environmental review provided that the agency (1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will be considered, analyzed, and potentially incorporated in the mitigation measure."[20]

Here, the FEIR explains that "details regarding the Project's Transportation Demand Management Plan designed to reduce trips are still unknown and unquantifiable during this planning stage. Full details of the program would be finalized and identified prior to the operation of the proposed Project."[21] The Transportation Demand Management Plan will be a "living" document, intended to be designed, implemented, and subsequently adjusted over time based on achievement of the objective performance standard contained in the mitigation measure. Thus, it is "impractical or infeasible" to finalize the Transportation Demand Management Plan before the Project is ready to open, and moreover the Transportation Demand Management Plan is expected to be modified over time once the Project is operational.

Further, MM GHG-1 satisfies the other relevant criteria allowing for post-approval finalization:

- The City has "committed itself" to the mitigation. MM GHG-1 is memorialized in the Project's Mitigation Monitoring and Reporting Program ("**MMRP**") and is subject to multiple enforcement mechanisms: (1) prior to the issuance of building permits, AWH must provide documentation to the City indicating that the Project

[18] Letter, p. 5.
[19] Letter, p. 6; DEIR, p. 5.5-24.
[20] CEQA Guidelines, § 15126.4, subd. (a)(1)(B).
[21] FEIR, p. 2-61.

will comply with this MM; and (2) prior to issuance of a certificate of occupancy, the City will verify implementation of the corresponding requirements.[22]

- Local 11 indicates that the MMRP is faulty because "[t]here is no monitoring [of compliance with MM GHG-1] after the hotel opens."[23] As a threshold matter, CEQA does not universally require monitoring of all MMs during project operations. Further, Local 11's statement is incorrect. Pursuant to the City's Development Agreement procedures, the City will annually review the Project's compliance with the Development Agreement, which incorporates MM GHG-1 pursuant to COA No. 5.[24] Additionally, the City's Transportation Demand Management ("**TDM**") regulations require annual reporting of the "efforts made to reduce PM peak trips and the actual reduction achieved."[25]

- The Project is subject to a trip reduction goal, which is the operative performance standard. MM GHG-1 requires that AWH "join the Burbank Transportation Management Organization (TMO), which helps provide services to employees that encourage[] the use of public transit, carpooling, vanpooling, walking, and biking."[26] COA No. 42 further indicates that the corresponding trip reduction measures seek to "reduce peak hour commute trips by 38 percent."[27]

  - Local 11 claims that "[t]here is no consequence if the [trip reduction] target is never met."[28] This is incorrect. The City's TDM regulations provide as follows: "Should the annual reports indicate that the trip-reduction goals are not being met, the City may impose specific trip-reduction activities on employers individually or collectively and/or use the enforcement provisions of the Burbank Municipal Code to compel compliance with trip-reduction requirements."[29]

- MM GHG-1 identifies the "types of potential actions" that shall be incorporated into the Transportation Demand Management Plan. These actions include "voluntary and mandatory trip reduction measures such as discouraging single-occupancy vehicle

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[22] DEIR, p. 5.5-24.
[23] Letter, p. 6.
[24] BMC, § 10-1-19114.A; Staff Report, Attachment 1, pp. 127-128, 148.
[25] BMC, §§ 10-1-2135, -2137.
[26] DEIR, p. 5.5-24.
[27] Staff Report, Attachment 1, p. 158.
[28] Letter, p. 6.
[29] BMC, § 10-1-2139.

> trips and encouraging alternative modes of transportation such as carpooling, taking transit, walking, and biking, [and] implement[ing] employee parking cash-outs."[30]

Local 11 further claims that MM GHG-1 and the City's CEQA findings are incongruous. According to Local 11, the findings indicate that MM GHG-1 will incorporate carbon offsets, but "[t]he text of [MM] GHG-1 does not require carbon offsets."[31] The City has confirmed that the reference to carbon offsets was an error that will be corrected.

In sum, MM GHG-1 complies with CEQA and does not constitute deferred mitigation.

IV. Consistency With Advisory Plans

Local 11 states that the Project is inconsistent with various GHG reduction measures proposed by the California Air Pollution Control Officers Association ("**CAPCOA**") in its "Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity" ("**Handbook**").[32] The FEIR previously explained that the Handbook is an advisory document, and the Project need not comply with every measure enumerated therein:

> According to CAPCOA, the Handbook is intended for use as a "planning resource" and "should not be used to dictate public policy or private legal advice." Further, "the Handbook measures ... should not be automatically applied to a project without thoughtful consideration of project-specific circumstances." ... The CAPCOA Handbook ... provided helpful guidance to the City in its consideration and analysis of various GHG emissions reduction measures, many of which are incorporated into the Project Description or mitigation measures. However, the effectiveness of the suggested GHG emissions reduction measures depends on the specific project, and the CAPCOA Handbook ... [is a] non-binding guidance document[]. The Draft EIR appropriately identified mitigation measures applicable and practical for the proposed Project.[33]

Local 11 also states that the EIR must analyze the Project's purported inconsistency with the mixed-use development policies set out in the Handbook, the 2020 – 2045 Regional Transportation

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[30] DEIR, p. 5.5-24.
[31] Letter, p. 6.
[32] Letter, p. 7.
[33] FEIR, p. 2-59, citations omitted.

Plan/Sustainable Communities Strategy ("**RTP/SCS**"), and the City's Greenhouse Gas Reduction Plan ("**GGRP**").[34] The FEIR also dispensed with this claim:

> The CAPCOA Handbook, 2020-2045 RTP/SCS, and the City's GGRP encourage[] the development of mixed-use development. However, [these documents] do not specifically require the construction of mixed-use developments in any one area. Accordingly, the standards cited by the commenter are merely advisory and compliance is not required.[35]

Local 11 further argues that any conflict with these plans must be analyzed in the EIR pursuant to CEQA Guidelines section 15125, subdivision (d), which requires a discussion of "any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans." However, a plan is only "applicable" when it has been adopted and the project is subject to it.[36] As explained in the FEIR, the plans cited by Local 11 are advisory and only "apply" to the extent the City elects to impose them upon the Project. Further, the Project is not inconsistent with the mixed-use development policies referenced by Local 11, as they do not require mixed-use development on the Project site.

V. Mixed-Use Alternative

Local 11 claims that the EIR's alternatives discussion is faulty as it does not analyze the hotel/residential mixed-use ("**H/RMU**") alternative that Local 11 has proposed.[37] As further discussed below, the EIR's alternatives analysis is sufficient and inclusion of Local 11's suggested alternative is not required.

As a threshold matter, an EIR is required to "describe a reasonable range of alternatives to 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."[38] CEQA clearly states that "an EIR need not consider every conceivable alternative to a project."[39] Potential alternatives may be eliminated from consideration if they fail to meet most of the project objectives, are infeasible, or do not avoid any of the project's significant environmental impacts.[40]

Here, the DEIR considered six potential alternatives: (1) a "no project" alternative; (2) a reduced intensity alternative; (3) an alternate site alternative; (4) an office alternative; (5) a

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[34] Letter, p. 7.
[35] FEIR, p. 2-62.
[36] *Sierra Club v. City of Orange* (2008) 163 Cal.App.4th 523, 544.
[37] Letter, pp. 7-8.
[38] CEQA Guidelines, § 15126.6, subd. (a).
[39] *Ibid.*
[40] *Id.* § 15126.6, subds. (a), (c).

residential mixed-use alternative; and (6) a reduced parking alternative.[41] The DEIR concluded that the latter four alternatives would not achieve most of the Project objectives and were infeasible, and therefore dismissed them from further consideration.[42] The DEIR engaged in a comprehensive analysis of the remaining "no project" and reduced intensity alternatives.[43]

The FEIR indicates that the City does not need to consider Local 11's proposed H/RMU alternative for the following reasons:

- This alternative would achieve the Project objectives to a lesser extent than the Project. The FEIR analyzes each objective and outlines the corresponding disadvantages of this alternative as compared to the Project.[44]

- Lending uncertainty, rising costs, decreasing rents, and AWH's inexperience in developing residential projects render this alternative economically infeasible.[45] As AWH is a hotel developer, they are not equipped to undertake a project with a residential component. Any analysis of such an alternative would therefore be moot.[46]

- The proposed alternative would not lessen the Project's significant and unavoidable impacts.[47] Accordingly, it does not warrant inclusion in the alternatives analysis.[48]

The fact that Local 11 has suggested an H/RMU alternative does not mean that such alternative must be included in the EIR. Indeed, "CEQA does not require that an agency consider specific alternatives that are proposed by members of the public or other outside agencies.... [I]f an EIR discusses a reasonable range of alternatives, it is not rendered deficient merely because it excludes other potential alternatives."[49] Here, the DEIR analyzes a reasonable range of alternatives, and the FEIR explains that the H/RMU alternative fails to pass muster under CEQA. Nothing more is required.

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[41] DEIR, pp. 7-3 to 7-16.
[42] DEIR, pp. 7-3 to 7-6.
[43] *Id.* at pp. 7-6 to 7-15.
[44] FEIR, pp. 2-63 to 2-66.
[45] FEIR, p. 2-66.
[46] See CEQA Guidelines, § 15126.6, subd. (f)(3) ("An EIR need not consider an alternative . . . whose implementation is remote and speculative").
[47] FEIR, p. 2-67.
[48] See CEQA Guidelines, § 15126.6, subd. (b) ("[T]he discussion of alternatives shall focus on alternatives to the project . . . which are capable of avoiding or substantially lessening any significant effects of the project").
[49] *City of Maywood v. Los Angeles Unified School District* (2012) 208 Cal.App.4th 362, 420-421.

VI. Rejection of the Environmentally Superior Alternative

Local 11 argues that the City's Findings of Fact are deficient because they do not indicate that the Reduced Intensity Alternative is "infeasible" or provide support for this conclusion.[50] By way of background, CEQA provides that a lead agency must make a finding "with respect to each significant effect" that "[s]pecific economic, legal, social, technological, or other considerations ... make infeasible the mitigation measures or alternatives identified in the environmental impact report."[51]

Here, the City's findings include statements of infeasibility relating to each of the Project's significant and unavoidable impacts and the alternatives analyzed in the DEIR.[52] With respect to the Reduced Intensity Alternative, the DEIR and Findings of Fact explain that this alternative would meet the Project's objectives to a lesser extent than the Project and would not eliminate any of the Project's significant and unavoidable impacts:

> As shown in Table 7-1 of the [DEIR], 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 ... would not be eliminated. Additionally, the GHG impact would be slightly greater due to the increased MTCO2e per service population associated with the alternative.[53]

The City's Findings of Fact are sufficient.

VII. GHG Mitigation

Local 11 claims that the DEIR's analysis of GHG mitigation measures is insufficient because it does not address "performance-based trip reduction targets with monitoring and remedies, guest-oriented measures (such as transit and rail incentives tied to reservations, and parking pricing for guests), and ... carbon offsets."[54]

CEQA requires that an EIR "describe feasible measures which could minimize significant adverse impacts."[55] Here, the DEIR engages in a comprehensive discussion of Project design

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[50] Letter, p. 9.
[51] Pub. Resources Code, § 21081, subd. (a)(3).
[52] Staff Report, Attachment 1, pp. 44, 51, 52, 61, 64, 67, 69, 71, 73-75, 77.
[53] Staff Report, Attachment 1, p. 84.
[54] Letter, p. 9.
[55] CEQA Guidelines, § 15126.4, subd. (a)(1).

features and mitigation measures that will reduce GHG emissions. This analysis is based on the GHG reduction measures set out in the CAPCOA Handbook.[56] Relevant Project features include: (1) location within a Transit Priority Area and urbanized area that provides pedestrian circulation opportunities; (2) electric vehicle parking spaces; (3) sidewalk and bikeway improvements and bicycle parking that will encourage alternative modes of transportation; (4) onsite solar renewable energy generation; (5) energy efficient appliances; (6) high efficiency lighting; (7) drought tolerant landscaping; (8) low flow fixtures; (9) water efficient irrigation; and (10) electric landscaping equipment.[57]

The DEIR also sets out MM GHG-1, which requires that AWH:

- Develop a Transportation Demand Management Plan with the help of a certified traffic engineer that includes trip reduction measures that reduce Vehicle Miles Traveled and GHG emissions.

- Join the Burbank Transportation Management Organization, which provides services to employees that encourage the use of public transit, carpooling, vanpooling, walking, and biking.

- Demonstrate that new vehicles used by Project operators to provide transport between the Hollywood Burbank Airport and the Project will be clean-fuel vehicles.

- Prohibit wood-burning or gas-powered fireplaces.

- Provide that all major appliances shall be electric-powered EnergyStar-certified or of equivalent energy efficiency.[58]

Local 11 states that the GHG analysis is deficient because it does not include their preferred mitigation measures, and notes that "[t]he [City's] findings do not explain why [the suggested] measures are infeasible."[59] However, Local 11 asks too much. "Nothing in CEQA requires an EIR to explain why certain mitigation measures are infeasible. Rather, the statute directs agencies to propose feasible mitigation measures in an EIR."[60] Here, the EIR proposes feasible measures that address the Project's GHG impacts. This is sufficient to satisfy CEQA.

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[56] DEIR, pp. 5.5-19 to -25.
[57] *Id.* at pp. 5.5-19 to -23.
[58] DEIR, pp. 5.5-24, -25.
[59] Letter, p. 9.
[60] *Clover Valley Foundation v. City of Rocklin* (2011) 196 Cal.App.4th 200, 245.

VIII. Statement of Overriding Considerations

Local 11 claims that the City's Statement of Overriding Considerations ("**SOC**") is erroneous for several reasons, which are discussed below. Local 11's assertions are meritless.

- "Benefit 7 states that the Project 'enables business and leisure travelers to utilize regional passenger rail and air travel without relying on private automobiles.' The EIR, however, confirms that the Project will involve substantial use of, and impacts from, private vehicles."[61]

    - The SOC indicates that the Project will allow travelers to utilize rail and air travel without relying on private automobiles due to its proximity to two Metrolink rail stations, a planned California High-Speed Rail Station, and the Hollywood Burbank Airport.[62] While it is true that some Project guests and employees may continue to use automobiles to travel to and from the Project, this does not render the SOC's finding inaccurate. The Project will enable guests to forgo vehicular travel should they so choose.

- "Benefits 4, 5, and 6 rely on the all-electric design, the rooftop solar and battery system, and EV charging. As discussed above, the solar requirement is conditioned at a lower level than the EIR assumed and only to the extent feasible."[63]

    - As stated above, AWH and City staff have agreed to modify COA No. 16 to reflect an 11 percent requirement, thereby aligning the COAs with the EIR. Additionally, City staff will strike the feasibility language from this condition.

- "Benefit 9 states that the Project 'meets all project objectives.' According to the findings, so does the environmentally superior Reduced Intensity Alternative. This is a reason to adopt the alternative, not to override the Project's impacts."[64]

    - As discussed above, the Findings of Fact indicate that the Reduced Intensity Alternative meets the Project objectives to a lesser extent than the Project and does not eliminate any of the Project's significant and unavoidable impacts.[65]

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[61] Letter, p. 10, citations omitted.
[62] Staff Report, Attachment 1, p. 87.
[63] Letter, p. 10, citations omitted.
[64] Letter, p. 10, citations omitted.
[65] Staff Report, Attachment 1, p. 84.

- "The [SOC] also does not quantify the transient occupancy tax or other fiscal benefits it cites."[66]

    - The Staff Report provides that "the Project would provide community benefits and other public improvements through the Development Agreement with a total anticipated value of approximately $1,112,000."[67] Additionally, AWH testified at the Planning Commission hearing that it anticipates the Project will generate approximately $2.6 million annually in transient occupancy tax.

IX. General Plan Consistency

Local 11 claims that the City's General Plan Consistency Analysis ("**Consistency Analysis**") is deficient. As outlined below, these arguments are erroneous.

First, Local 11 claims that the Consistency Analysis fails to address Air Quality and Climate Change Element Goal 3, which provides for the reduction of GHG emissions.[68] However, the DEIR indicates that the City has implemented this goal on a citywide basis by adopting the GGRP.[69] The Project satisfies this goal via its compliance with the GGRP.

Local 11 also indicates that the Consistency Analysis neglects to address Policy 3.4, which encourages GHG reductions "by promoting water conservation and recycling; promoting development that is compact, mixed use, pedestrian-friendly, and transit-oriented; promoting energy-efficiency building design and site planning; and improving the job/housing ratio."[70] As acknowledged by the commenter, the DEIR indicates that the Project is consistent with this policy due to its array of energy efficiency and water conservation measures and its location near transit.[71] While Local 11 indicates that this analysis does not account for the "mixed-use or jobs/housing components of the policy," the Project need not incorporate every single provision of Policy 3.4 in order to be deemed consistent with such.[72]

The commenter attacks the Consistency Analysis as to Policy 1.5, repeating its arguments relating to the Project COAs and MM GHG-1. Such claims are addressed above.

Local 11 also indicates that the findings regarding Land Use Policy 1.1 are insufficient as the policy "calls for a mix of residential and non-residential uses," but the analysis "discusses only

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[66] Letter, p. 10.
[67] Staff Report, p. 15.
[68] Letter, p. 11.
[69] DEIR, p. 5.5-12.
[70] Letter, p. 11.
[71] DEIR, p. 5.8-11.
[72] Letter, p. 11.

visitor-serving and commercial uses."[73] However, Policy 1.1 does not require that every project is a mixed-use development or that development of the Project site, specifically, is mixed-use. The City properly found that the Project aligns with this policy as it provides additional hotel accommodations that are vital to the area.[74]

X. Design Criteria

Local 11 reiterates several of its previous arguments relating to the COAs and GHG mitigation.[75] These claims are sufficiently addressed above.

Local 11 further states that the City Council must find the proposed Planned Development to be consistent with the General Plan.[76] Such finding is included in the draft resolution approving the Planned Development.[77]

For all of the above reasons, Local 11's arguments are meritless. We respectfully request that the City Council adopt the Planning Commission's recommendation and approve the Project.

Very truly yours,

Emily L. Murray

elm

[73] Letter, p. 11.
[74] Staff Report, Attachment 7, p. 2.
[75] Letter, p. 12.
[76] Letter, p. 12.
[77] Staff Report, Attachment 1, p. 3.

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: October 14, 2026 at 01:42:19 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion at 2500 N Hollywood Way (Planning Commission Agenda 10/12/26, Item #1, Project No. 16-0003953)**

Burbank needs more housing near jobs and transit. That is why I encourage significant changes to the proposed Marriott Airport Hotel expansion at 2500 N Hollywood Way before approval.

The proposed expansion would add a 420-room dual-brand hotel with no additional housing. The proposed Planned Development zoning allows multifamily residential development, including housing combined with nonresidential uses. The current project represents a missed opportunity to develop a project that includes both housing and hotel uses.

Housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis.

Please decline to recommend certification of the Final Environmental Impact Report or approval of the project as proposed. Urge the developer to include housing and ask staff to revise the environmental analysis, meaningfully evaluate a hotel and housing alternative, and recirculate the revised analysis for public review.

Paula Grace
[redacted]
Burbank, CA Calif

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: October 13, 2026 at 04:46:46 PM ET

Subject: **Require Stronger Transit Benefits Before Recommending the Marriott Expansion (Planning Commission Agenda 10/12/26, Item #1, Project No. 16-0003953)**

Before recommending approval of the proposed 420-room Marriott expansion at 2500 North Hollywood Way, please require stronger, ongoing transit benefits for hotel employees and meaningful measures to reduce hotel guests' vehicle trips.

The proposed conditions would provide a subsidy covering only 75 percent of a monthly transit pass, available upon request and capped at 20 percent of hotel employees. Based on the environmental analysis's estimate of 85 employees, that would cover no more than 17 workers. Employees who need help getting to work without driving should not be excluded by this cap.

The proposed conditions also allow the developer to stop providing the transit subsidy and a transportation coordinator if a one-week employee survey shows that the hotel has achieved its 38 percent peak-hour commute trip reduction target. A short survey should not allow the hotel to end benefits that workers may depend on and that help sustain reduced driving.

Please require fully subsidized transit passes for every hotel employee who wants one, with ongoing monitoring and corrective action if trip-reduction targets are missed.
Vehicle trips account for approximately 87 percent of the project's estimated greenhouse gas emissions. Employee transit benefits should therefore be accompanied by measures addressing hotel guests, such as transit passes and rail incentives offered when guests book their rooms.

Please decline to recommend approval of the project as proposed until the transportation requirements provide lasting, enforceable benefits for workers and meaningful reductions in vehicle trips and greenhouse gas emissions.

Bill Chapman
[redacted]
Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: October 13, 2026 at 10:24:20 AM ET

Subject: **Add a Housing Component to the Burbank Marriott Expansion at 2500 N Hollywood Way (Planning Commission Agenda 10/12/26, Item #1, Project No. 16-0003953)**

Burbank needs more housing near jobs and transit. That is why I encourage significant changes to the proposed Marriott Airport Hotel expansion at 2500 N Hollywood Way before the Planning Commission recommends approval.

The proposed expansion would add a 420-room dual-brand hotel with no additional housing. The proposed Planned Development zoning allows multifamily residential development, including housing combined with nonresidential uses. The current project represents a missed opportunity to develop a project that includes both housing and hotel uses.

Housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis.

Please decline to recommend certification of the Final Environmental Impact Report or approval of the project as proposed. Urge the developer to include housing and ask staff to revise the environmental analysis, meaningfully evaluate a hotel and housing alternative, and recirculate the revised analysis for public review.

Hailey Hays
[redacted]
Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: October 13, 2026 at 09:45:17 AM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way) (Planning Commission Agenda 10/12/26, Item #1, Project No. 16-0003953)**

The proposed expansion at the Marriott Burbank Airport Hotel should be made more sustainable by incorporating housing. The developer is seeking a new Planned Development zone and a ten-year Development Agreement for a 420-room hotel at 2500 North Hollywood Way. Before recommending these approvals, the City should not miss an opportunity to build housing near transit and employment.

The City's Housing Element describes a nearly three-to-one jobs-to-housing imbalance, exacerbated by rapid employment growth and limited new housing production. Providing homes close to jobs can help shorten commutes and reduce associated greenhouse gas emissions. Yet the current proposal would add jobs without adding any residential units.

A ten-year Development Agreement should secure lasting benefits for Burbank. Please decline to recommend approval of the project as proposed and ask the developer to incorporate housing, along with enforceable measures to reduce greenhouse gas emissions and vehicle trips.

Karen Lisson

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: October 13, 2026 at 02:12:49 AM ET

Subject: **Do Not Miss an Opportunity to Include Housing in the Marriott Expansion (Planning Commission Agenda 10/12/26, Item #1, Project No. 16-0003953)**

The proposed Marriott expansion at 2500 North Hollywood Way should include housing. We should not miss the opportunity presented by this site to provide homes near jobs and transit.

The proposal would add 420 hotel rooms to the site of the existing 488-room Burbank Airport Marriott, but no residential units. The proposed Planned Development zoning allows multifamily housing, including housing combined with nonresidential uses. A hotel and housing development deserves serious consideration.

The combination of hotel and residential uses is not unusual for Burbank. The Front Street project, for example, was approved with 573 apartment units and 307 hotel rooms, among other uses. The City should meaningfully evaluate a similar combination of uses at this site.
The Final Environmental Impact Report rejects a hotel and housing alternative WITHOUT any specific analysis that doing so is infeasible on this site.

The City analysis must not rule out an alternative that could provide needed homes and reduce environmental impacts.

Please decline to recommend approval of the project as proposed. Ask staff and the developer to return with a meaningful hotel and housing alternative and revised environmental analysis for public review.

Simon Holden
[redacted]
Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: October 13, 2026 at 12:56:53 AM ET

Subject: **Do Not Miss an Opportunity to Include Housing in the Marriott Expansion (Planning Commission Agenda 10/12/26, Item #1, Project No. 16-0003953)**

The proposed Marriott expansion at 2500 North Hollywood Way should include housing. We should not miss the opportunity presented by this site to provide homes near jobs and transit.

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Please decline to recommend approval of the project as proposed. Ask staff and the developer to return with a meaningful hotel and housing alternative and revised environmental analysis for public review.

Nikki Parker Morgan
[redacted]
Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: October 13, 2026 at 12:01:34 AM ET

Subject: **Add a Housing Component to the Burbank Marriott Expansion at 2500 N Hollywood Way (Planning Commission Agenda 10/12/26, Item #1, Project No. 16-0003953)**

Burbank needs more housing near jobs and transit. That is why I encourage significant changes to the proposed Marriott Airport Hotel expansion at 2500 N Hollywood Way before the Planning Commission recommends approval.

The proposed expansion would add a 420-room dual-brand hotel with no additional housing. The proposed Planned Development zoning allows multifamily residential development, including housing combined with nonresidential uses. The current project represents a missed opportunity to develop a project that includes both housing and hotel uses.

Housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis.

Please decline to recommend certification of the Final Environmental Impact Report or approval of the project as proposed. Urge the developer to include housing and ask staff to revise the environmental analysis, meaningfully evaluate a hotel and housing alternative, and recirculate the revised analysis for public review.

Susan Frederick
[redacted]
Burbank, CA 91505-4966

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: October 12, 2026 at 10:58:12 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion at 2500 N Hollywood Way (Planning Commission Agenda 10/12/26, Item #1, Project No. 16-0003953)**

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Joyce Lifshin
[redacted]
Burbank, CA 91505-2413

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: October 12, 2026 at 09:31:56 PM ET

Subject: **Do Not Miss an Opportunity to Include Housing in the Marriott Expansion (Planning Commission Agenda 10/12/26, Item #1, Project No. 16-0003953)**

The proposed Marriott expansion at 2500 North Hollywood Way should include housing. We should not miss the opportunity presented by this site to provide homes near jobs and transit.

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The combination of hotel and residential uses is not unusual for Burbank. The Front Street project, for example, was approved with 573 apartment units and 307 hotel rooms, among other uses. The City should meaningfully evaluate a similar combination of uses at this site.
The Final Environmental Impact Report rejects a hotel and housing alternative WITHOUT any specific analysis that doing so is infeasible on this site.

The City analysis must not rule out an alternative that could provide needed homes and reduce environmental impacts.

Please decline to recommend approval of the project as proposed. Ask staff and the developer to return with a meaningful hotel and housing alternative and revised environmental analysis for public review.

Clayton Holt
[redacted], Burbank CA 91505
Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: October 12, 2026 at 09:19:08 PM ET

Subject: **Add a Housing Component to the Burbank Marriott Expansion at 2500 N Hollywood Way (Planning Commission Agenda 10/12/26, Item #1, Project No. 16-0003953)**

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Matthew Kim
[redacted]
Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: October 12, 2026 at 09:18:50 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion at 2500 N Hollywood Way (Planning Commission Agenda 10/12/26, Item #1, Project No. 16-0003953)**

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Laurie O'Leary
[redacted]
Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: October 12, 2026 at 08:40:21 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion at 2500 N Hollywood Way (Planning Commission Agenda 10/12/26, Item #1, Project No. 16-0003953)**

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Becky DePalma
[redacted]
Glendale, CA 91201

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: October 12, 2026 at 08:38:59 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion at 2500 N Hollywood Way (Planning Commission Agenda 10/12/26, Item #1, Project No. 16-0003953)**

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Irene Lingad

[redacted]

Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: October 12, 2026 at 08:21:43 PM ET

Subject: **Require Stronger Transit Benefits Before Recommending the Marriott Expansion (Planning Commission Agenda 10/12/26, Item #1, Project No. 16-0003953)**

Before recommending approval of the proposed 420-room Marriott expansion at 2500 North Hollywood Way, please require stronger, ongoing transit benefits for hotel employees and meaningful measures to reduce hotel guests' vehicle trips.

The proposed conditions would provide a subsidy covering only 75 percent of a monthly transit pass, available upon request and capped at 20 percent of hotel employees. Based on the environmental analysis's estimate of 85 employees, that would cover no more than 17 workers. Employees who need help getting to work without driving should not be excluded by this cap.

The proposed conditions also allow the developer to stop providing the transit subsidy and a transportation coordinator if a one-week employee survey shows that the hotel has achieved its 38 percent peak-hour commute trip reduction target. A short survey should not allow the hotel to end benefits that workers may depend on and that help sustain reduced driving.

Please require fully subsidized transit passes for every hotel employee who wants one, with ongoing monitoring and corrective action if trip-reduction targets are missed.
Vehicle trips account for approximately 87 percent of the project's estimated greenhouse gas emissions. Employee transit benefits should therefore be accompanied by measures addressing hotel guests, such as transit passes and rail incentives offered when guests book their rooms.

Please decline to recommend approval of the project as proposed until the transportation requirements provide lasting, enforceable benefits for workers and meaningful reductions in vehicle trips and greenhouse gas emissions.

Anabel Casillas
[redacted]
Burbank, CA 91502

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: October 12, 2026 at 08:12:49 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way) (Planning Commission Agenda 10/12/26, Item #1, Project No. 16-0003953)**

The proposed expansion at the Marriott Burbank Airport Hotel should be made more sustainable by incorporating housing. The developer is seeking a new Planned Development zone and a ten-year Development Agreement for a 420-room hotel at 2500 North Hollywood Way. Before recommending these approvals, the City should not miss an opportunity to build housing near transit and employment.

The City's Housing Element describes a nearly three-to-one jobs-to-housing imbalance, exacerbated by rapid employment growth and limited new housing production. Providing homes close to jobs can help shorten commutes and reduce associated greenhouse gas emissions. Yet the current proposal would add jobs without adding any residential units.

A ten-year Development Agreement should secure lasting benefits for Burbank. Please decline to recommend approval of the project as proposed and ask the developer to incorporate housing, along with enforceable measures to reduce greenhouse gas emissions and vehicle trips.

Julia Chan-Lopez
[redacted]
Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: October 12, 2026 at 08:00:04 PM ET

Subject: **Require Stronger Transit Benefits Before Recommending the Marriott Expansion (Planning Commission Agenda 10/12/26, Item #1, Project No. 16-0003953)**

Before recommending approval of the proposed 420-room Marriott expansion at 2500 North Hollywood Way, please require stronger, ongoing transit benefits for hotel employees and meaningful measures to reduce hotel guests' vehicle trips.

The proposed conditions would provide a subsidy covering only 75 percent of a monthly transit pass, available upon request and capped at 20 percent of hotel employees. Based on the environmental analysis's estimate of 85 employees, that would cover no more than 17 workers. Employees who need help getting to work without driving should not be excluded by this cap.

The proposed conditions also allow the developer to stop providing the transit subsidy and a transportation coordinator if a one-week employee survey shows that the hotel has achieved its 38 percent peak-hour commute trip reduction target. A short survey should not allow the hotel to end benefits that workers may depend on and that help sustain reduced driving.

Please require fully subsidized transit passes for every hotel employee who wants one, with ongoing monitoring and corrective action if trip-reduction targets are missed.
Vehicle trips account for approximately 87 percent of the project's estimated greenhouse gas emissions. Employee transit benefits should therefore be accompanied by measures addressing hotel guests, such as transit passes and rail incentives offered when guests book their rooms.

Please decline to recommend approval of the project as proposed until the transportation requirements provide lasting, enforceable benefits for workers and meaningful reductions in vehicle trips and greenhouse gas emissions. Also priority should be building affordable housing there for our own City residents rather than creating more profits for the Marriott

Bridgette Baca
[redacted]
Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: October 12, 2026 at 07:54:13 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way) (Planning Commission Agenda 10/12/26, Item #1, Project No. 16-0003953)**

The proposed expansion at the Marriott Burbank Airport Hotel should be made more sustainable by incorporating housing. The developer is seeking a new Planned Development zone and a ten-year Development Agreement for a 420-room hotel at 2500 North Hollywood Way. Before recommending these approvals, the City should not miss an opportunity to build housing near transit and employment.

The City's Housing Element describes a nearly three-to-one jobs-to-housing imbalance, exacerbated by rapid employment growth and limited new housing production. Providing homes close to jobs can help shorten commutes and reduce associated greenhouse gas emissions. Yet the current proposal would add jobs without adding any residential units.

A ten-year Development Agreement should secure lasting benefits for Burbank. Please decline to recommend approval of the project as proposed and ask the developer to incorporate housing, along with enforceable measures to reduce greenhouse gas emissions and vehicle trips.

Bob Heiffer

[redacted]

Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: October 12, 2026 at 07:53:20 PM ET

Subject: **Add a Housing Component to the Burbank Marriott Expansion at 2500 N Hollywood Way (Planning Commission Agenda 10/12/26, Item #1, Project No. 16-0003953)**

Burbank needs more housing near jobs and transit. That is why I encourage significant changes to the proposed Marriott Airport Hotel expansion at 2500 N Hollywood Way before the Planning Commission recommends approval.

The proposed expansion would add a 420-room dual-brand hotel with no additional housing. The proposed Planned Development zoning allows multifamily residential development, including housing combined with nonresidential uses. The current project represents a missed opportunity to develop a project that includes both housing and hotel uses.

Housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis.

Please decline to recommend certification of the Final Environmental Impact Report or approval of the project as proposed. Urge the developer to include housing and ask staff to revise the environmental analysis, meaningfully evaluate a hotel and housing alternative, and recirculate the revised analysis for public review.

Sherri French
[redacted]
Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: October 12, 2026 at 07:40:31 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way) (Planning Commission Agenda 10/12/26, Item #1, Project No. 16-0003953)**

The proposed expansion at the Marriott Burbank Airport Hotel should be made more sustainable by incorporating housing. The developer is seeking a new Planned Development zone and a ten-year Development Agreement for a 420-room hotel at 2500 North Hollywood Way. Before recommending these approvals, the City should not miss an opportunity to build housing near transit and employment. Priority should be single residence or small unit apartments, not mega hotels.

The City’s Housing Element describes a nearly three-to-one jobs-to-housing imbalance, exacerbated by rapid employment growth and limited new housing production. Providing homes close to jobs can help shorten commutes and reduce associated greenhouse gas emissions. Yet the current proposal would add jobs without adding any residential units.

A ten-year Development Agreement should secure lasting benefits for Burbank. Please decline to recommend approval of the project as proposed and ask the developer to incorporate housing, along with enforceable measures to reduce greenhouse gas emissions and vehicle trips.

Single residence housing is preferred over more apartments that add more cars to the road. However, small unit apartments are better than hotels. Out family is 3rd generation in Burbank and there are more and more strangers, unhoused individuals, and increased crime.

Burbank is losing is small hometown feel that made it Burbank.

Cindy Evangelista
[redacted]
Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: October 12, 2026 at 07:37:05 PM ET

Subject: **Require Stronger Transit Benefits Before Recommending the Marriott Expansion (Planning Commission Agenda 10/12/26, Item #1, Project No. 16-0003953)**

Before recommending approval of the proposed 420-room Marriott expansion at 2500 North Hollywood Way, please require stronger, ongoing transit benefits for hotel employees and meaningful measures to reduce hotel guests' vehicle trips.

The proposed conditions would provide a subsidy covering only 75 percent of a monthly transit pass, available upon request and capped at 20 percent of hotel employees. Based on the environmental analysis's estimate of 85 employees, that would cover no more than 17 workers. Employees who need help getting to work without driving should not be excluded by this cap.

The proposed conditions also allow the developer to stop providing the transit subsidy and a transportation coordinator if a one-week employee survey shows that the hotel has achieved its 38 percent peak-hour commute trip reduction target. A short survey should not allow the hotel to end benefits that workers may depend on and that help sustain reduced driving.

Please require fully subsidized transit passes for every hotel employee who wants one, with ongoing monitoring and corrective action if trip-reduction targets are missed.
Vehicle trips account for approximately 87 percent of the project's estimated greenhouse gas emissions. Employee transit benefits should therefore be accompanied by measures addressing hotel guests, such as transit passes and rail incentives offered when guests book their rooms.

Please decline to recommend approval of the project as proposed until the transportation requirements provide lasting, enforceable benefits for workers and meaningful reductions in vehicle trips and greenhouse gas emissions.

Ellen Green
[redacted]
Burbank, CA 91501

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: October 12, 2026 at 07:35:42 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion at 2500 N Hollywood Way (Planning Commission Agenda 10/12/26, Item #1, Project No. 16-0003953)**

Burbank needs more housing near jobs and transit. That is why I encourage significant changes to the proposed Marriott Airport Hotel expansion at 2500 N Hollywood Way before approval.

The proposed expansion would add a 420-room dual-brand hotel with no additional housing. The proposed Planned Development zoning allows multifamily residential development, including housing combined with nonresidential uses. The current project represents a missed opportunity to develop a project that includes both housing and hotel uses.

Housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis.

Please decline to recommend certification of the Final Environmental Impact Report or approval of the project as proposed. Urge the developer to include housing and ask staff to revise the environmental analysis, meaningfully evaluate a hotel and housing alternative, and recirculate the revised analysis for public review.

Alissandra Valdez

[redacted]

Burbank, CA 91501

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: July 11, 2026 at 10:40:23 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Paula Grace
[redacted]
Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: March 9, 2026 at 10:46:41 AM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

Please require that the developer add a housing component to the project.

Lynn Harrill

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: February 4, 2026 at 07:52:39 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

I have lived in Burbank, as a homeowner, for 16 years and am raising two children here. I vote in every election, have voted for many of you, and have met a few of you around town from time to time. I appreciate all that you do and your commitment to this city, and I want to urge you to prioritize housing over new hotels.

Burbank is currently rezoning wide swathes of the City in order to produce more housing and meet state targets for housing production, including in the area by the Burbank Airport as part of the proposed Golden State Specific Plan which would allow housing and mixed-use projects near the airport.

That is why I encourage significant changes to the proposed Mariott Airport Hotel expansion at 2500 N Hollywood Way. The proposed expansion would add two new hotels to the Marriott and a total of 420 rooms with no additional housing. However, the Draft EIR states that the site's zoning allows for unique development opportunities, outside of the airport noise contours, and designated Regional Commercial under the City's General Plan, which allows the combination of residential and other uses. Additionally, the conceptual map proposed for the Golden State Specific Plan would allow housing at a density of 58-120 dwelling units per acre on this site, and specifically includes this site in a graphic identifying "mixed use TOD." The current project proposal represents a missed opportunity to develop a project that includes both housing and hotel uses.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis.

Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

Please urge the developer to include a housing option.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis. Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

Please urge the developer to include a housing option

Colin Doty

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: February 4, 2026 at 04:04:47 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

Please require that the developer add a housing component to the project.

Judith Brealey

[redacted]

Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: February 2, 2026 at 12:12:54 AM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Margo Rowder

[redacted]

Burbank, CA 91501

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 31, 2026 at 03:36:18 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

Please require that the developer add a housing component to the project.

Christine Torrance

[redacted]

Burbank, CA 91505-1417

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 31, 2026 at 03:33:21 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

Please require that the developer add a housing component to the project.

Christine Torrance

[redacted]

Burbank, CA 91505-1417

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 30, 2026 at 02:53:02 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

Please require that the developer add a housing component to the project.

We URGENTLY need more affordable housing in beautiful Burbank. Please, please advocate for housing.

Hermila Fernandez
[redacted]
Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 28, 2026 at 10:26:32 AM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

Burbank is currently rezoning wide swathes of the City in order to produce more housing and meet state targets for housing production, including in the area by the Burbank Airport as part of the proposed Golden State Specific Plan which would allow housing and mixed-use projects near the airport.

That is why I encourage significant changes to the proposed Mariott Airport Hotel expansion at 2500 N Hollywood Way. The proposed expansion would add two new hotels to the Marriott and a total of 420 rooms with no additional housing. However, the Draft EIR states that the site's zoning allows for unique development opportunities, outside of the airport noise contours, and designated Regional Commercial under the City's General Plan, which allows the combination of residential and other uses. Additionally, the conceptual map proposed for the Golden State Specific Plan would allow housing at a density of 58-120 dwelling units per acre on this site, and specifically includes this site in a graphic identifying "mixed use TOD." The current project proposal represents a missed opportunity to develop a project that includes both housing and hotel uses.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis.

Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

Please urge the developer to include a housing option.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis. Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

Please urge the developer to include a housing option

Hermila Fernandez

[redacted]

Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 27, 2026 at 09:49:03 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Juan Riojas
[redacted]
Burbank, CA 91501

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 27, 2026 at 03:05:15 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

Housing first.
I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Chela Fiorini
[redacted]
Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 27, 2026 at 11:23:44 AM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Pablo Milian Gutierrez
[redacted]
Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 27, 2026 at 02:07:57 AM ET

Subject: **The Marriott Expansion at 2500 N Hollywood Way should be saved for affordable housing**

I learned three things about Burbank's hotels by patrolling their parking lots each morning looking for ICE:

1. They sometimes collaborate with ICE! Not cool. Marriott in particular has been confirmed to have hosted ICE agents several times across the country, and I feel that it would go against the morals of many proud members of our community to reward a company that has been so hospitable towards this country's secret police

2. None of Burbank's hotels are unionized. I find this to be especially damming in Marriott's case because of their union-busting practices, their reliance on undocumented workers and their aforementioned willingness to work with deportation agents. Any jobs that this expansion would create would be non-union and possibly rely on exploiting people for their immigration status

3. Burbank's hotels have room to spare. By visiting numerous hotels and documenting their parking lots early in the mornings (the time of day hotel parking lots are most full, I assume) I can reasonably guess that Burbank has slack hotel room capacity. By my own estimation, our community is not in need of more hotel capacity at all.

By now I hope I've made a compelling case against the Marriott expansion, and I'm sure that you are well aware of the urgent need for more affordable housing in this community, so I will not belabor those points.
Please rule against the expansion, thank you for your time.

Max Meserve
[redacted]
Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 26, 2026 at 10:37:51 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

Burbank is currently rezoning wide swathes of the City in order to produce more housing and meet state targets for housing production, including in the area by the Burbank Airport as part of the proposed Golden State Specific Plan which would allow housing and mixed-use projects near the airport.

That is why I encourage significant changes to the proposed Mariott Airport Hotel expansion at 2500 N Hollywood Way. The proposed expansion would add two new hotels to the Marriott and a total of 420 rooms with no additional housing. However, the Draft EIR states that the site's zoning allows for unique development opportunities, outside of the airport noise contours, and designated Regional Commercial under the City's General Plan, which allows the combination of residential and other uses. Additionally, the conceptual map proposed for the Golden State Specific Plan would allow housing at a density of 58-120 dwelling units per acre on this site, and specifically includes this site in a graphic identifying "mixed use TOD." The current project proposal represents a missed opportunity to develop a project that includes both housing and hotel uses.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis.

Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

Please urge the developer to include a housing option.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis. Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

Please urge the developer to include a housing option

Amanda Sanchez

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 26, 2026 at 03:19:11 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

Please require that the developer add a housing component to the project.

Sousanna Keshishian

[redacted]

Burbank, CA 91502

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 24, 2026 at 07:05:50 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Joshua Berg

[redacted]

RANCHO PALOS VERDES, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 24, 2026 at 12:10:40 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Zachary Hagen-Smith

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 23, 2026 at 04:16:27 AM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

Please require that the developer add a housing component to the project.

Markk DrNunzio

[redacted]

Reseda, CA 91335

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 23, 2026 at 02:06:03 AM ET

Subject: **A letter from Bob, one of your concerned constituent: Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

I hope this letter finds you well.

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

Please require that the developer add a housing component to the project!

Bob C

[redacted]

Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 22, 2026 at 04:02:08 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Nicole Brannon

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 22, 2026 at 01:46:50 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

Please require that the developer add a housing component to the project.

Marina Cuevas

[redacted]

Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 21, 2026 at 10:08:01 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

Simple, hotel rooms do not qualify as housing. 400 more hotel rooms will only increase traffic, noise and pollution. The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

Please require that the developer add a housing component to the project.

yolanda borner

[redacted]

burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 21, 2026 at 08:13:10 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Mildred Outlaw

[redacted]

Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 21, 2026 at 07:14:52 PM ET

Subject: **The Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should absolutely include housing. We cannot miss the opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Sarah MacMillan
[redacted]
Burbank, CA 91501

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 21, 2026 at 03:26:00 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Ruby Cardona
[redacted]
Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 21, 2026 at 02:47:34 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

London Outlaw
[redacted]
Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 21, 2026 at 12:52:51 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

Burbank is currently rezoning wide swathes of the City in order to produce more housing and meet state targets for housing production, including in the area by the Burbank Airport as part of the proposed Golden State Specific Plan which would allow housing and mixed-use projects near the airport.

That is why I encourage significant changes to the proposed Mariott Airport Hotel expansion at 2500 N Hollywood Way. The proposed expansion would add two new hotels to the Marriott and a total of 420 rooms with no additional housing. However, the Draft EIR states that the site's zoning allows for unique development opportunities, outside of the airport noise contours, and designated Regional Commercial under the City's General Plan, which allows the combination of residential and other uses. Additionally, the conceptual map proposed for the Golden State Specific Plan would allow housing at a density of 58-120 dwelling units per acre on this site, and specifically includes this site in a graphic identifying "mixed use TOD." The current project proposal represents a missed opportunity to develop a project that includes both housing and hotel uses.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis.

Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

Please urge the developer to include a housing option.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis. Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

Please urge the developer to include a housing option

Madalaine Brooks-Kinder

[redacted]

Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 21, 2026 at 12:43:32 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Dylan Sognalian

[redacted]

Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 21, 2026 at 10:11:36 AM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Kathryn Hagen

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 21, 2026 at 09:20:02 AM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

Please require that the developer add a housing component to the project.

Debbiee Palaski

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 21, 2026 at 02:29:26 AM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

Burbank is currently rezoning wide swathes of the City in order to produce more housing and meet state targets for housing production, including in the area by the Burbank Airport as part of the proposed Golden State Specific Plan which would allow housing and mixed-use projects near the airport.

That is why I encourage significant changes to the proposed Mariott Airport Hotel expansion at 2500 N Hollywood Way. The proposed expansion would add two new hotels to the Marriott and a total of 420 rooms with no additional housing. However, the Draft EIR states that the site's zoning allows for unique development opportunities, outside of the airport noise contours, and designated Regional Commercial under the City's General Plan, which allows the combination of residential and other uses. Additionally, the conceptual map proposed for the Golden State Specific Plan would allow housing at a density of 58-120 dwelling units per acre on this site, and specifically includes this site in a graphic identifying "mixed use TOD." The current project proposal represents a missed opportunity to develop a project that includes both housing and hotel uses.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis.

Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

Please urge the developer to include a housing option.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis. Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

Please urge the developer to include a housing option

Nyah Beck

[redacted]

Burbank, CA 91504-4244

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 21, 2026 at 01:32:32 AM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

Please require that the developer add a housing component to the project.

Simon Holden

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 21, 2026 at 01:19:31 AM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

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Please require that the developer add a housing component to the project.

Javier Solis

[redacted]

Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 21, 2026 at 01:14:17 AM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

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Please require that the developer add a housing component to the project.

Ryan Pena

[redacted]

Burbank, CA 91501

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 21, 2026 at 12:31:00 AM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Rick Costello

[redacted]

Burbank, CA 91501

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 11:59:52 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Diana Abasta

[redacted]

Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 11:50:14 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

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Please require that the developer add a housing component to the project.

BRENDA Robles

[redacted]

Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 11:04:30 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

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Please require that the developer add a housing component to the project.

Susan Freder

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 10:37:39 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Rhiana Villasenor
[redacted]
Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 09:53:16 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress),which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Mark Lnad

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 09:32:41 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

David Carliner

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 09:32:15 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

Burbank is currently rezoning wide swathes of the City in order to produce more housing and meet state targets for housing production, including in the area by the Burbank Airport as part of the proposed Golden State Specific Plan which would allow housing and mixed-use projects near the airport.

That is why I encourage significant changes to the proposed Mariott Airport Hotel expansion at 2500 N Hollywood Way. The proposed expansion would add two new hotels to the Marriott and a total of 420 rooms with no additional housing. However, the Draft EIR states that the site's zoning allows for unique development opportunities, outside of the airport noise contours, and designated Regional Commercial under the City's General Plan, which allows the combination of residential and other uses. Additionally, the conceptual map proposed for the Golden State Specific Plan would allow housing at a density of 58-120 dwelling units per acre on this site, and specifically includes this site in a graphic identifying "mixed use TOD." The current project proposal represents a missed opportunity to develop a project that includes both housing and hotel uses.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis.

Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

Please urge the developer to include a housing option.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis. Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

Please urge the developer to include a housing option

Sierra Pall

[redacted]

Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 09:22:57 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Paula Grace
[redacted]
Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 08:45:11 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

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Please require that the developer add a housing component to the project.

Charline Mcmurray

[redacted]

Burbank, CA 91501

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 08:39:29 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

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Please require that the developer add a housing component to the project.

Cristina Torres

[redacted]

Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 08:33:51 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

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Please require that the developer add a housing component to the project.

George Saikali

[redacted]

Burbank, CA 91501

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 08:23:50 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Nastasha DeJesus
[redacted]
Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 08:11:04 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

Please require that the developer add a housing component to the project.

Jessica Rosales

[redacted]

Burbank, CA 91502

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 08:05:51 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.
Housing only,we don't need hotels/motels in Burbank. Too much traffic and no parking anywhere.

Patricia Crownover
[redacted]
Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 07:58:11 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

Burbank is currently rezoning wide swathes of the City in order to produce more housing and meet state targets for housing production, including in the area by the Burbank Airport as part of the proposed Golden State Specific Plan which would allow housing and mixed-use projects near the airport.

That is why I encourage significant changes to the proposed Mariott Airport Hotel expansion at 2500 N Hollywood Way. The proposed expansion would add two new hotels to the Marriott and a total of 420 rooms with no additional housing. However, the Draft EIR states that the site's zoning allows for unique development opportunities, outside of the airport noise contours, and designated Regional Commercial under the City's General Plan, which allows the combination of residential and other uses. Additionally, the conceptual map proposed for the Golden State Specific Plan would allow housing at a density of 58-120 dwelling units per acre on this site, and specifically includes this site in a graphic identifying "mixed use TOD." The current project proposal represents a missed opportunity to develop a project that includes both housing and hotel uses.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis.

Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

Please urge the developer to include a housing option.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis. Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

Please urge the developer to include a housing option

Susan Masback

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 07:47:08 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

Burbank is currently rezoning wide swathes of the City in order to produce more housing and meet state targets for housing production, including in the area by the Burbank Airport as part of the proposed Golden State Specific Plan which would allow housing and mixed-use projects near the airport.

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Please urge the developer to include a housing option

Izalina Bittencourt

[redacted]

Burbank, CA 91501

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 07:45:59 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

Burbank is currently rezoning wide swathes of the City in order to produce more housing and meet state targets for housing production, including in the area by the Burbank Airport as part of the proposed Golden State Specific Plan which would allow housing and mixed-use projects near the airport.

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Please urge the developer to include a housing option.

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Please urge the developer to include a housing option

Lori Pastor

[redacted]

Burbank, CA 91504-2614

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 07:44:00 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

Burbank is currently rezoning wide swathes of the City in order to produce more housing and meet state targets for housing production, including in the area by the Burbank Airport as part of the proposed Golden State Specific Plan which would allow housing and mixed-use projects near the airport.

That is why I encourage significant changes to the proposed Mariott Airport Hotel expansion at 2500 N Hollywood Way. The proposed expansion would add two new hotels to the Marriott and a total of 420 rooms with no additional housing. However, the Draft EIR states that the site's zoning allows for unique development opportunities, outside of the airport noise contours, and designated Regional Commercial under the City's General Plan, which allows the combination of residential and other uses. Additionally, the conceptual map proposed for the Golden State Specific Plan would allow housing at a density of 58-120 dwelling units per acre on this site, and specifically includes this site in a graphic identifying "mixed use TOD." The current project proposal represents a missed opportunity to develop a project that includes both housing and hotel uses.

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Please urge the developer to include a housing option.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis. Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

Please urge the developer to include a housing option

Oscar Castrellon

[redacted]

Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 07:37:54 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Ani Yeghnazar
[redacted]
Burbank, CA 91501

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 07:26:19 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Ricardo Molina
[redacted]
Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 07:23:51 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

Please require that the developer add a housing component to the project.

Norma Smith

[redacted]

Burbank, CA 91501

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 07:20:40 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Pam Johnson
[redacted]
Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 07:13:52 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

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Please require that the developer add a housing component to the project.

Steve Dealph

[redacted]

Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 06:59:15 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Rosalyn Greenhaw

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 06:47:50 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

Burbank is currently rezoning wide swathes of the City in order to produce more housing and meet state targets for housing production, including in the area by the Burbank Airport as part of the proposed Golden State Specific Plan which would allow housing and mixed-use projects near the airport.

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Please urge the developer to include a housing option.

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Please urge the developer to include a housing option

Felipe Batista

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 06:29:35 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component.

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Please require that the developer add a housing component to the project.

roy perez
[redacted]
Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 06:27:49 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

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Please urge the developer to include a housing option

Arpine Gulgulyan

[redacted]

Burbank, CA 91501

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 06:15:33 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Keith Matten
[redacted]
Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 06:11:32 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

Please require that the developer add a housing component to the project.

Greg Myers

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 06:05:53 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Kim Bonaccorso

[redacted]

Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 06:00:00 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

Hello,

Burbank has fallen short in creating affordable housing. Many are upset by the expensive properties that landed on the old ice rink at Riverside Drive. This was not an affordable solution for Burbank.

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Thank you,

Beth Hilton

Beth Hilton
[redacted]
Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:58:59 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

Burbank is currently rezoning wide swathes of the City in order to produce more housing and meet state targets for housing production, including in the area by the Burbank Airport as part of the proposed Golden State Specific Plan which would allow housing and mixed-use projects near the airport.

That is why I encourage significant changes to the proposed Mariott Airport Hotel expansion at 2500 N Hollywood Way. The proposed expansion would add two new hotels to the Marriott and a total of 420 rooms with no additional housing. However, the Draft EIR states that the site's zoning allows for unique development opportunities, outside of the airport noise contours, and designated Regional Commercial under the City's General Plan, which allows the combination of residential and other uses. Additionally, the conceptual map proposed for the Golden State Specific Plan would allow housing at a density of 58-120 dwelling units per acre on this site, and specifically includes this site in a graphic identifying "mixed use TOD." The current project proposal represents a missed opportunity to develop a project that includes both housing and hotel uses.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis.

Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

Please urge the developer to include a housing option.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis. Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

Please urge the developer to include a housing option

Calvin Jung

[redacted]

Burbank, CA 91505-3450

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:56:56 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

Burbank is currently rezoning wide swathes of the City in order to produce more housing and meet state targets for housing production, including in the area by the Burbank Airport as part of the proposed Golden State Specific Plan which would allow housing and mixed-use projects near the airport.

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Please urge the developer to include a housing option

Christine Ginty

[redacted]

Burbank, CA 91501

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:55:19 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

Burbank is currently rezoning wide swathes of the City in order to produce more housing and meet state targets for housing production, including in the area by the Burbank Airport as part of the proposed Golden State Specific Plan which would allow housing and mixed-use projects near the airport.

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Please urge the developer to include a housing option.

Pavithra Menon
[redacted]
Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:53:21 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

Please require that the developer add a housing component to the project.

McKenzie Alexander

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:50:18 PM ET

Subject: **Strong Support: Proposed Marriott Expansion (2500 N Hollywood Way)**

As a homeowner in Burbank, I support the expansion of the Marriott.

We DO NOT need more housing in Burbank. We need to support the economy/revenue in our city by providing great revenue generation like hotels to support visitors to come and stay when flying into Burbank. We don’t want them to stay at a hotel outside of the city. When they stay at the hotel, they shop at our shops, and eat at our restaurants. This supports economic growth and revenue generation in Burbank without putting increased housing burden on our infrastructure.

Please do not let special interest groups disrupt the right economic expansion in our city.

Carrie He

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:49:36 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Michele Higginbotham
[redacted]
Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:49:02 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

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Please require that the developer add a housing component to the project.

Danielle Oberg

[redacted]

Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:48:56 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Deirdre Doherty
[redacted]
Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:45:42 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

Burbank is currently rezoning wide swathes of the City in order to produce more housing and meet state targets for housing production, including in the area by the Burbank Airport as part of the proposed Golden State Specific Plan which would allow housing and mixed-use projects near the airport.

That is why I encourage significant changes to the proposed Mariott Airport Hotel expansion at 2500 N Hollywood Way. The proposed expansion would add two new hotels to the Marriott and a total of 420 rooms with no additional housing. However, the Draft EIR states that the site's zoning allows for unique development opportunities, outside of the airport noise contours, and designated Regional Commercial under the City's General Plan, which allows the combination of residential and other uses. Additionally, the conceptual map proposed for the Golden State Specific Plan would allow housing at a density of 58-120 dwelling units per acre on this site, and specifically includes this site in a graphic identifying "mixed use TOD." The current project proposal represents a missed opportunity to develop a project that includes both housing and hotel uses.

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Please urge the developer to include a housing option

Vivian sampson

[redacted]

Burbank, CA 91502

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:35:12 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Nancy Pickering

[redacted]

Burbank, CA, CA 91501

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:31:20 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Jason Bell
[redacted]
Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:29:16 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is NOT flawed. I would prefer to see the hotel expansion instead of more housing with the Fry's project and 2814 Empire and the additional projects in the 2800-3000 blocks of Empire the area will be flooded with too much housing and not enough parking. Please allow the Marriott to expand.

Kerry McAloon

[redacted]

Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:28:22 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Seth Williams

[redacted]

Burbank, CA 91501

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:25:54 PM ET

Subject: **Please Consider Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component too include multiple units of various economic levels, from low to mid-income, to high income.
And additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Tammi DeMasters
[redacted]
Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:25:42 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Beth Trussell

[redacted]

Burbank, CA 91502

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:24:33 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Furthermore, finding the right balance is important. There has to be some commercial developments, but at the same time to me it's important to preserve homes, that maybe aren't the most modern constructions, but that doesn't mean they don't carry value. I don't want to think of the future, where there is only super modern designs and nothing else. It's good to preserve homes that once belonged to our ancestors.

Mariann Dib

[redacted]

Burbank, CA 91501

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:23:47 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Angel Martinez

[redacted]

Burbank, CA 91505-2007

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:21:26 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

Please require that the developer add a housing component to the project.

Claudia Ellis

[redacted]

Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:18:28 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

Burbank is currently rezoning wide swathes of the City in order to produce more housing and meet state targets for housing production, including in the area by the Burbank Airport as part of the proposed Golden State Specific Plan which would allow housing and mixed-use projects near the airport.

That is why I encourage significant changes to the proposed Mariott Airport Hotel expansion at 2500 N Hollywood Way. The proposed expansion would add two new hotels to the Marriott and a total of 420 rooms with no additional housing. However, the Draft EIR states that the site's zoning allows for unique development opportunities, outside of the airport noise contours, and designated Regional Commercial under the City's General Plan, which allows the combination of residential and other uses. Additionally, the conceptual map proposed for the Golden State Specific Plan would allow housing at a density of 58-120 dwelling units per acre on this site, and specifically includes this site in a graphic identifying "mixed use TOD." The current project proposal represents a missed opportunity to develop a project that includes both housing and hotel uses.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis.

Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

Please urge the developer to include a housing option.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis. Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

Please urge the developer to include a housing option

Michale McGee

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:18:17 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

Please require that the developer add a housing component to the project.

Hollis Trainor

[redacted]

Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:18:09 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Dolly Brittan

[redacted]

Burbank, CA 91502

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:17:46 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

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Please require that the developer add a housing component to the project.

Emma Berrelleza O'Brien

[redacted]

Burbank, CA 91501

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:17:32 PM ET

Subject: **Marriott expansionPlease Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

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Please require that the developer add a housing component to the project.

Carolyn Grogan
[redacted]
Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:15:47 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

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Please require that the developer add a housing component to the project.

Lisa Bottari

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:12:31 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Jennifer Hawkins

[redacted]

Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:12:11 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Erin Regan

[redacted]

Burbank, CA 91501

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:12:00 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Annabella Goff
[redacted]
Burbank, CA 91502

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:11:17 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

Burbank is currently rezoning wide swathes of the City in order to produce more housing and meet state targets for housing production, including in the area by the Burbank Airport as part of the proposed Golden State Specific Plan which would allow housing and mixed-use projects near the airport.

That is why I encourage significant changes to the proposed Mariott Airport Hotel expansion at 2500 N Hollywood Way. The proposed expansion would add two new hotels to the Marriott and a total of 420 rooms with no additional housing. However, the Draft EIR states that the site's zoning allows for unique development opportunities, outside of the airport noise contours, and designated Regional Commercial under the City's General Plan, which allows the combination of residential and other uses. Additionally, the conceptual map proposed for the Golden State Specific Plan would allow housing at a density of 58-120 dwelling units per acre on this site, and specifically includes this site in a graphic identifying "mixed use TOD." The current project proposal represents a missed opportunity to develop a project that includes both housing and hotel uses.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis.

Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

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Please urge the developer to include a housing option

Tim Heinrich

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:10:37 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Karin Costa
[redacted]
Glendale, CA 91201

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:10:14 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Celia Needum
[redacted]
Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:09:47 PM ET

Subject: **The proposed Marriott expansion should include housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Please do not support the project unless it is changed to incorporate a housing component.

Adam Reese
[redacted]
BURBANK, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:09:29 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Mary Beth Kedzior

[redacted]

Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:09:27 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Karen Lisson
[redacted]
Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:08:42 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

David Brandt
[redacted]
Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:08:03 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

Burbank is currently rezoning wide swathes of the City in order to produce more housing and meet state targets for housing production, including in the area by the Burbank Airport as part of the proposed Golden State Specific Plan which would allow housing and mixed-use projects near the airport.

That is why I encourage significant changes to the proposed Mariott Airport Hotel expansion at 2500 N Hollywood Way. The proposed expansion would add two new hotels to the Marriott and a total of 420 rooms with no additional housing. However, the Draft EIR states that the site's zoning allows for unique development opportunities, outside of the airport noise contours, and designated Regional Commercial under the City's General Plan, which allows the combination of residential and other uses. Additionally, the conceptual map proposed for the Golden State Specific Plan would allow housing at a density of 58-120 dwelling units per acre on this site, and specifically includes this site in a graphic identifying "mixed use TOD." The current project proposal represents a missed opportunity to develop a project that includes both housing and hotel uses.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis.

Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

Please urge the developer to include a housing option.

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Please urge the developer to include a housing option

Laurie Kilmartin

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:07:07 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

Please require that the developer add a housing component to the project.

Alexi Stein

[redacted]

Burbank, CA 91502

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:06:14 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Jocelyn Oliveros
[redacted]
Burbank, CA 91502

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:05:58 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

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Berhta Gonzalez
[redacted]
Burbank, CA 91502

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:04:14 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

John Urena

[redacted]

Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:03:39 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

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Julia Chan-Lopez
[redacted]
Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:02:30 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

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Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Delbert Howison

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:02:20 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

Burbank is currently rezoning wide swathes of the City in order to produce more housing and meet state targets for housing production, including in the area by the Burbank Airport as part of the proposed Golden State Specific Plan which would allow housing and mixed-use projects near the airport.

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Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis.

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Please urge the developer to include a housing option.

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Please urge the developer to include a housing option

Hannah Berg

[redacted]

Burbank, CA 91502

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:02:14 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

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Please urge the developer to include a housing option

Mike Van Gorder

[redacted]

Burbank, CA 91502

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:02:09 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

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Xilonen Oreshnick
[redacted]
Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:02:01 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

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Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Rachel Bibb

[redacted]

Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:01:46 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

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Please urge the developer to include a housing option

Bruce Muller

[redacted]

Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:01:37 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

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Amy Martínez

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:01:20 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

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Please urge the developer to include a housing option

BRIAN T MORIN

[redacted]

Burbank, CA 91502

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:01:15 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

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That is why I encourage significant changes to the proposed Mariott Airport Hotel expansion at 2500 N Hollywood Way. The proposed expansion would add two new hotels to the Marriott and a total of 420 rooms with no additional housing. However, the Draft EIR states that the site's zoning allows for unique development opportunities, outside of the airport noise contours, and designated Regional Commercial under the City's General Plan, which allows the combination of residential and other uses. Additionally, the conceptual map proposed for the Golden State Specific Plan would allow housing at a density of 58-120 dwelling units per acre on this site, and specifically includes this site in a graphic identifying "mixed use TOD." The current project proposal represents a missed opportunity to develop a project that includes both housing and hotel uses.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis.

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Please urge the developer to include a housing option.

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Please urge the developer to include a housing option

Walter Bost

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:00:58 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

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Please urge the developer to include a housing option.

brandon jarratt
[redacted]
Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:00:39 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

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Please urge the developer to include a housing option

Patrick Duncan

[redacted]

Burbank, CA 91501

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:00:09 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

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Please urge the developer to include a housing option

Shirley Waters

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:00:09 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

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Please urge the developer to include a housing option

Laura Ahern

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 05:00:08 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

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Please urge the developer to include a housing option

Adrienne May

[redacted]

Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:59:54 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

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Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

Please require that the developer add a housing component to the project.

Dale Chung

[redacted]

Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:59:52 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Mark Okumori

[redacted]

Burbank, CA 91502

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:59:30 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

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Please require that the developer add a housing component to the project.

Nicole Brannon

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:59:12 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

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Please require that the developer add a housing component to the project.

John Atkison

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:59:03 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

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Please urge the developer to include a housing option.

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Please urge the developer to include a housing option

Melissa Zeigler

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:59:01 PM ET

Subject: **Do Not Miss a Golden Opportunity - the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Gabriella Lassos
[redacted]
Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:59:00 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Zoe DeVore
[redacted]
Burbank, CA 91501

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:58:35 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

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Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

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Please require that the developer add a housing component to the project.

James Alexander
[redacted]
Burbank, CA 91502

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:58:29 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

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Kelli Fish

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:58:25 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

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That is why I encourage significant changes to the proposed Mariott Airport Hotel expansion at 2500 N Hollywood Way. The proposed expansion would add two new hotels to the Marriott and a total of 420 rooms with no additional housing. However, the Draft EIR states that the site's zoning allows for unique development opportunities, outside of the airport noise contours, and designated Regional Commercial under the City's General Plan, which allows the combination of residential and other uses. Additionally, the conceptual map proposed for the Golden State Specific Plan would allow housing at a density of 58-120 dwelling units per acre on this site, and specifically includes this site in a graphic identifying "mixed use TOD." The current project proposal represents a missed opportunity to develop a project that includes both housing and hotel uses.

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Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

Please urge the developer to include a housing option.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis. Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

Please urge the developer to include a housing option

Paulette Villanueva

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:57:59 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

NO to the approval of the proposed 420-room Marriot expansion.

Burbank is being destroyed one development project aftet another. ENOUGH IS ENOUGH!!

Keep Burbank Burbank.

Beverly Benton

[redacted]

Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:57:56 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

Burbank is currently rezoning wide swathes of the City in order to produce more housing and meet state targets for housing production, including in the area by the Burbank Airport as part of the proposed Golden State Specific Plan which would allow housing and mixed-use projects near the airport.

That is why I encourage significant changes to the proposed Mariott Airport Hotel expansion at 2500 N Hollywood Way. The proposed expansion would add two new hotels to the Marriott and a total of 420 rooms with no additional housing. However, the Draft EIR states that the site's zoning allows for unique development opportunities, outside of the airport noise contours, and designated Regional Commercial under the City's General Plan, which allows the combination of residential and other uses. Additionally, the conceptual map proposed for the Golden State Specific Plan would allow housing at a density of 58-120 dwelling units per acre on this site, and specifically includes this site in a graphic identifying "mixed use TOD." The current project proposal represents a missed opportunity to develop a project that includes both housing and hotel uses.

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Please urge the developer to include a housing option

Robert Amirian

[redacted]

Burbank, CA 91502

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:57:32 PM ET

Subject: **PLEASE Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component. There are so many people who need housing in the LA area instead of creating more hotel spaces.

Alexandra Hershey
[redacted]
Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:57:31 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

Please require that the developer add a housing component to the project.

Max Klein

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:57:19 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Tiana Camacho

[redacted]

Burbank, CA 91501-2438

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:57:18 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Jonas Janisse

[redacted]

Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:57:14 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Archini Nayak
[redacted]
Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:56:59 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

Burbank is currently rezoning wide swathes of the City in order to produce more housing and meet state targets for housing production, including in the area by the Burbank Airport as part of the proposed Golden State Specific Plan which would allow housing and mixed-use projects near the airport.

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Please urge the developer to include a housing option.

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Please urge the developer to include a housing option

Joseph Camarota

[redacted]

Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:56:56 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Elsa Zelada

[redacted]

Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:56:33 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Emily Marsh

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:56:32 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Barbara Regan
[redacted]
Burbank, CA 91501

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:56:30 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

Please require that the developer add a housing component to the project.

Saric Cooper

[redacted]

Burbank, CA 91501

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:56:28 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

McKenna Smack
[redacted]
Burbank, CA 91502

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:56:27 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Isabel Garcia
[redacted]
Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:56:11 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

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Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

For a young Gen Z adult like myself, being able to stay and live in my beloved hometown of Burbank would only be possible with the help of city council and the creation of housing, not hotels, for the people.

Please require that the developer add a housing component to the project.

Taylor Paterra

[redacted]

Burbank, CA, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:56:07 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

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Please require that the developer add a housing component to the project.

Kevin Thorsen

[redacted]

Burbank, CA 91502

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:55:59 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Nathan Adair
[redacted]
Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:55:51 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

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Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Jess Sims
[redacted]
Burbank, CA 91502

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:55:50 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

Burbank is currently rezoning wide swathes of the City in order to produce more housing and meet state targets for housing production, including in the area by the Burbank Airport as part of the proposed Golden State Specific Plan which would allow housing and mixed-use projects near the airport.

That is why I encourage significant changes to the proposed Mariott Airport Hotel expansion at 2500 N Hollywood Way. The proposed expansion would add two new hotels to the Marriott and a total of 420 rooms with no additional housing. However, the Draft EIR states that the site's zoning allows for unique development opportunities, outside of the airport noise contours, and designated Regional Commercial under the City's General Plan, which allows the combination of residential and other uses. Additionally, the conceptual map proposed for the Golden State Specific Plan would allow housing at a density of 58-120 dwelling units per acre on this site, and specifically includes this site in a graphic identifying "mixed use TOD." The current project proposal represents a missed opportunity to develop a project that includes both housing and hotel uses.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis.

Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

Please urge the developer to include a housing option.

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Please urge the developer to include a housing option

Sincerely,

Vicky Stafford

Vicky Stafford

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:55:48 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Benedectus Juwono
[redacted]
Burbank, CA 91605

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:55:48 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

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Please urge the developer to include a housing option.

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Please urge the developer to include a housing option

Trailokya Shrestha

[redacted]

Burbank, CA 91504-3557

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:55:45 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project at 2500 N Hollywood Way should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

James Lin

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:55:43 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Bryan Villa
[redacted]
Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:55:39 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion (2500 N Hollywood Way)**

Burbank is currently rezoning wide swathes of the City in order to produce more housing and meet state targets for housing production, including in the area by the Burbank Airport as part of the proposed Golden State Specific Plan which would allow housing and mixed-use projects near the airport.

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Please urge the developer to include a housing option

Deana Duvall

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:55:33 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

Please require that the developer add a housing component to the project.

Michael Duarte

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:55:29 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

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Please require that the developer add a housing component to the project.

Harrison Kyriacou

[redacted]

BURBANK, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:55:28 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion (2500 N Hollywood Way))**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion at 2500 N Hollywood Way. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Tyson Martin
[redacted]
Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: January 20, 2026 at 04:55:18 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion (2500 N Hollywood Way)**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel at 2500 N Hollywood Way is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

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Please require that the developer add a housing component to the project.

Gustavo Hemstreet

[redacted]

Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 27, 2025 at 01:06:59 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

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Please require that the developer add a housing component to the project.

Stephen Sollitto

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 20, 2025 at 02:50:46 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

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Please require that the developer add a housing component to the project.

Maria Roque

[redacted]

Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 4, 2025 at 02:51:26 AM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion**

Burbank is currently rezoning wide swathes of the City in order to produce more housing and meet state targets for housing production, including in the area by the Burbank Airport as part of the proposed Golden State Specific Plan which would allow housing and mixed-use projects near the airport.

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Please urge the developer to include a housing option

Daniel Hernandez

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 4, 2025 at 01:20:18 AM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

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Please require that the developer add a housing component to the project.

Kristina Agraviador

[redacted]

Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 4, 2025 at 12:05:28 AM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Yannira Gutierrez

[redacted]

Burbank Calif, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 3, 2025 at 09:27:24 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Michael Charteris

[redacted]

Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 3, 2025 at 07:42:28 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion**

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That is why I encourage significant changes to the proposed Mariott Airport Hotel expansion. The proposed expansion would add two new hotels to the Marriott and a total of 420 rooms with no additional housing. However, the Draft EIR states that the site's zoning allows for unique development opportunities, outside of the airport noise contours, and designated Regional Commercial under the City's General Plan, which allows the combination of residential and other uses. Additionally, the conceptual map proposed for the Golden State Specific Plan would allow housing at a density of 58-120 dwelling units per acre on this site, and specifically includes this site in a graphic identifying "mixed use TOD." The current project proposal represents a missed opportunity to develop a project that includes both housing and hotel uses.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis.

Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

Please urge the developer to include a housing option.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis. Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

Please urge the developer to include a housing option

Paula Grace

[redacted]

Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 3, 2025 at 06:31:38 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

Please require that the developer add a housing component to the project.

Rachel Daniels

[redacted]

north hollywood, CA 91605

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 3, 2025 at 04:52:51 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Kay Bennett

[redacted]

Long Beach, CA 90805

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 3, 2025 at 03:55:42 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Gabrielle Mitchell-marell

[redacted]

BURBANK, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 3, 2025 at 03:47:01 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion**

Burbank is currently rezoning wide swathes of the City in order to produce more housing and meet state targets for housing production, including in the area by the Burbank Airport as part of the proposed Golden State Specific Plan which would allow housing and mixed-use projects near the airport.

That is why I encourage significant changes to the proposed Mariott Airport Hotel expansion. The proposed expansion would add two new hotels to the Marriott and a total of 420 rooms with no additional housing. However, the Draft EIR states that the site's zoning allows for unique development opportunities, outside of the airport noise contours, and designated Regional Commercial under the City's General Plan, which allows the combination of residential and other uses. Additionally, the conceptual map proposed for the Golden State Specific Plan would allow housing at a density of 58-120 dwelling units per acre on this site, and specifically includes this site in a graphic identifying "mixed use TOD." The current project proposal represents a missed opportunity to develop a project that includes both housing and hotel uses.

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Please urge the developer to include a housing option.

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Please urge the developer to include a housing option

Javier Ramirez

[redacted]

Los Angeles, CA 90018

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 3, 2025 at 03:45:31 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

Additionally, adding housing would improve the City's jobs-housing balance. The City's Housing Element notes that the City has a nearly 3:1 jobs-to-housing imbalance that has been exacerbated in recent years by rapid employment growth and limited new housing production. The project site is located within the proposed Golden State Specific Plan (in progress) that would rezone this area of the city to allow additional housing, which would serve the goal of addressing the City's jobs-housing imbalance. Additionally, applicable land use plans identify the goal of improving jobs/housing balance and reducing commutes. Here, however, the current proposal would add no residential units and only jobs, which could worsen the jobs-housing balance.

Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

Please require that the developer add a housing component to the project.

John Hammond

[redacted]

Canoga Park, CA 91303

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 3, 2025 at 02:37:00 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

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Please require that the developer add a housing component to the project.

Bryan Orozco

[redacted]

Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 3, 2025 at 02:04:02 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

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Please require that the developer add a housing component to the project. Perhaps even a split between the 2 would benefit the city better.

Cammeron Ellis Darling

[redacted]

Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 3, 2025 at 01:56:32 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Kathyrn Arriaga-Alva
[redacted]
Burbank, CA 91504

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 3, 2025 at 01:46:14 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Katryna Wuest
[redacted]
Burbank, CA 91501

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 3, 2025 at 12:51:14 PM ET

Subject: **The Marriott Expansion Should NOT Include Housing**

The proposed Marriott Expansion project shouldn’t include housing. This is a bad idea to jam more housing into spaces not designed to support and further erode the small town feel that makes Burbank an attractive place to live and why I decided to live here over 20 years ago.

Greg Grill

[redacted]

Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 3, 2025 at 12:43:16 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

John Atkison
[redacted]
Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 3, 2025 at 12:42:37 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

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Please require that the developer add a housing component to the project.

Paulette Villanueva

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 3, 2025 at 12:41:28 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion**

Dumb idea. Burbank is now so crowded and housing is so expensive. And all the city can think of is adding more hotel space. Look around and see the homeless use the money for housing. How about adding a new modern animal shelter or replace the old library on Glenoaks. .

joyce minor

[redacted]

Burbank, CA 91502

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 3, 2025 at 12:35:37 PM ET

Subject: **Please Add a Housing Component to the Burbank Marriott Expansion**

Burbank is currently rezoning wide swathes of the City in order to produce more housing and meet state targets for housing production, including in the area by the Burbank Airport as part of the proposed Golden State Specific Plan which would allow housing and mixed-use projects near the airport.

That is why I encourage significant changes to the proposed Mariott Airport Hotel expansion. The proposed expansion would add two new hotels to the Marriott and a total of 420 rooms with no additional housing. However, the Draft EIR states that the site's zoning allows for unique development opportunities, outside of the airport noise contours, and designated Regional Commercial under the City's General Plan, which allows the combination of residential and other uses. Additionally, the conceptual map proposed for the Golden State Specific Plan would allow housing at a density of 58-120 dwelling units per acre on this site, and specifically includes this site in a graphic identifying "mixed use TOD." The current project proposal represents a missed opportunity to develop a project that includes both housing and hotel uses.

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Please urge the developer to include a housing option.

Indeed, housing uses can have fewer impacts than hotels on traffic and associated greenhouse gas emissions (GHGs). For example, as compared to a residential apartment dwelling unit, hotels tend to have higher trip generation per hotel room, which means more vehicle trips, vehicle miles traveled (VMTs) and associated mobile emissions on a unit for unit basis. Additionally, because the average hotel room (e.g., 300 square feet) is about half the size of the average apartment unit (e.g., 600 square feet), roughly two hotel rooms can fit within a single dwelling unit size, which can mean even more VMTs and mobile emissions on a square footage basis too.

Please urge the developer to include a housing option

Felipe Batista

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 3, 2025 at 12:15:10 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

CLARA BANDA

[redacted]

Burbank, CA 91501

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 3, 2025 at 12:15:09 PM ET

Subject: **STOP ADDING HOUSING IN BURBANK!!!**

WE ARE NOT SARDINES AND YOU ARE TURNING BURBANK INTO A CITY BURBANK HADD WORKING FAMILIES DO NOT RECOGNIZE AND CANNOT AFFORD!!!

THIS IS NOT A SUPPLY AND DEMAND ISSUE —WE ALL KNOW THAT IS A SCAM FUNDED BY THE REALTORS LOBBY GROUPS!

ENOUGH IS ENOUGH!!!!!

YOU ARE PRICING US ALL OUT!!!!

FOCUS ON THE FAMILIES WHO HAVE MADE BURBANK WHAT IT IS.

Jade Hamdan
[redacted]
Burbank, CA 91502

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 3, 2025 at 12:12:32 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Amanda Walling
[redacted]
Burbank, CA 91501

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 3, 2025 at 12:11:15 PM ET

Subject: **Please Consider the Environment and Good Planning Practices, Add a Housing Component to the Proposed Marriott Expansion**

The current proposal to build a new hotel expansion to the current site of the Marriott Burbank Airport Hotel is flawed and should be made more sustainable, which could easily be accomplished by adding a housing component. The developer is seeking an amendment to the development agreement to allow for the proposed expansion of the hotel. The City should ensure we do not miss an excellent opportunity to build more housing near transit. Providing housing close to jobs and reducing the housing-jobs imbalance in Burbank can help shorten commute times and reduce associated greenhouse gas emissions.

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Furthermore, the project likely underestimates the number of employees by suggesting the addition of 420 rooms will only add an additional 85 full-time employees, roughly 0.2 jobs per room. This is much lower than the 0.5 jobs per room estimated for hotels in the City of Los Angeles, or the roughly 0.80 jobs per room ratio assigned for the La Terra mixed-use development located at 777 N. Front Street, which anticipated 244 employees for a 307-room hotel.

Please require that the developer add a housing component to the project.

Laura Sympson

[redacted]

Burbank, CA 91506

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 3, 2025 at 12:10:50 PM ET

Subject: **Do Not Miss a Golden Opportunity- the Marriott Expansion Should Include Housing**

The proposed Marriott Expansion project should include housing. We cannot miss the golden opportunity presented by this site. The Draft EIR states the Site's zoning (i.e., PD Zone) allows for unique development opportunities, including the combination of residential and other uses. Additionally, the Site is outside of the Burbank Airport noise contours (suggesting noise compatibility) and is designated Regional Commercial under the City's General Plan that allows high-density, mixed-use housing. Also, the project site is within the "mixed use TOD" area of the Golden State Specific Plan (in progress), which would allow housing at a density of 58-120 dwelling units per acre. Furthermore, the combination of hotel and residential uses within a development site is not uncommon for Burbank (e.g., the Front Street project with 573 apartment units and 307 hotel rooms, among other uses) or other areas near convention centers like downtown Los Angeles.

Do not miss this golden opportunity. Please do not support the project unless it is changed to incorporate a housing component.

Ethan Strong

[redacted]

Pasadena, CA 91106

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 3, 2025 at 12:09:24 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Rosalyn Greenhaw

[redacted]

Burbank, CA 91505

From: [redacted]

To: Honorable Mayor and City Council <citycouncil@burbankca.gov>

Date: December 3, 2025 at 12:03:37 PM ET

Subject: **Please Consider More Environmental Mitigations, Including the Addition of a Housing Component, in the Proposed Marriott Expansion**

I encourage the addition of a housing component and additional environmental measures prior to approval of the proposed 420-room Marriott Expansion. The City's greenhouse gas (GHG) efficiency standard is 3.12 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) per service population (sp). The project admittedly does not conform to these environmental standards with an estimated efficiency level of 6.94 MTCO2e/yr/sp (i.e., more than double the City's threshold). However, the impact may be greater than estimated because the developer includes hotel guests and patrons as part of its service population even though the City's Greenhouse Gas Reduction Plan only allow the consideration of residents and employees. Taking out the hotel guests would balloon the efficiency level to 54.9 MTCO2e/yr/sp (i.e., more than 17x the City's threshold). While residents and employees typically live or work at locations on a semi-permanent basis, hotel guests do not and are considered transient. Even extended stays are transient in nature (i.e., 217 of the 420 rooms), which may be offered at discount rates for stays longer than five days, and do not preclude stays of a single night (akin to a traditional hotel stay). Additionally, the Draft EIR's estimated service population assumes 100% occupancy year-round, which is unrealistic. At more realistic occupancy levels and assuming the guests of the 217 extend-stay rooms are akin to residents (which they are not), the project's efficiency level would be roughly 14.9 MTCO2e/yr/sp (i.e., more than 4x the City's threshold).

By including housing, the service population would increase and thus improve the project's GHG efficiency level. Please do not approve the project without a housing component.

Kayla Santos

[redacted]

Los Angeles, CA 90027

City Council Meeting

Meeting Time: 11-17-26 16:00

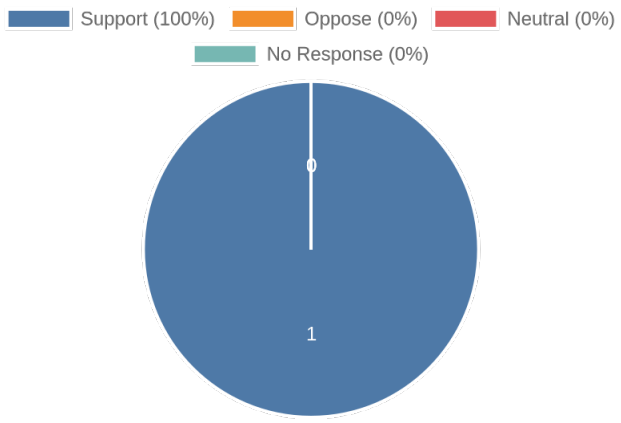
eComments Report

Meetings	Meeting Time	Agenda Items	Comments	Support	Oppose	Neutral
City Council Meeting	11-17-26 16:00	30	1	1	0	0

Sentiments for All Meetings

The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment



City Council Meeting

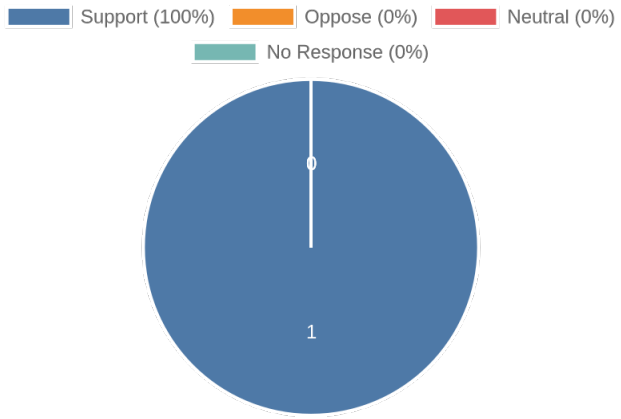
11-17-26 16:00

Agenda Name	Comments	Support	Oppose	Neutral
P.1) Adoption of a Resolution Certifying the Final Environmental Impact Report and Adopting the Mitigation Monitoring and Reporting Program, Statement of Overriding Considerations, and Findings of Fact Pursuant to the California Environmental Quality Act for the 2500 North Hollywood Way Dual-Brand Hotel Project (Project No. 16-0003953); and Introduction of an Ordinance Approving a Planned Development, Development Agreement, and Development Review for the Project – Community Development Department	1	1	0	0

Sentiments for All Agenda Items

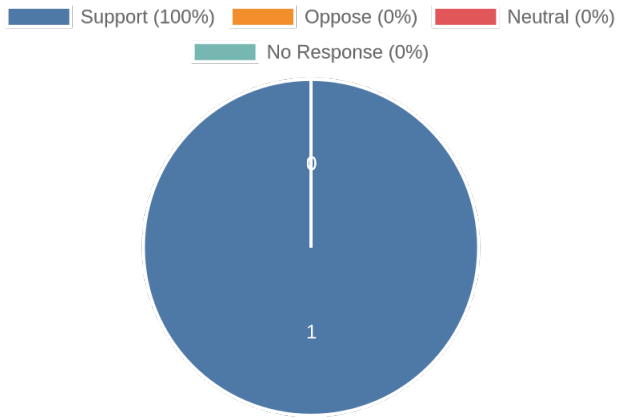
The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment



Agenda Item: eComments for P.1) Adoption of a Resolution Certifying the Final Environmental Impact Report and Adopting the Mitigation Monitoring and Reporting Program, Statement of Overriding Considerations, and Findings of Fact Pursuant to the California Environmental Quality Act for the 2500 North Hollywood Way Dual-Brand Hotel Project (Project No. 16-0003953); and Introduction of an Ordinance Approving a Planned Development, Development Agreement, and Development Review for the Project – Community Development Department

Overall Sentiment



Hind Baki
Location:
Submitted At: 2:06pm 11-16-26

Dear Daniel Villa:
On behalf of the Western States Regional Council of Carpenters (“Western Carpenters” or “WSRCC”), my Office is submitting these comments for the City of Burbank’s November 17, 2026, City Council meeting addressing the Marriott Hotel Expansion Project located at 2500 North Hollywood Way (“Project”).
WSRCC would like to express its support for this Project. After further reviewing this Project, WSRCC believes that the Project will benefit the environment and the local economy by practicing protocols that will protect worker health and safety and will incorporate adequate environmental mitigation.
Should the City have any questions or concerns, the City should feel free to contact my office.

Sincerely,
Jeremy Herwitt
Attorneys for Western States Regional Council of Carpenters