

October 4, 2024

BOLADarck

BOLADARCK DESIGN & N. BATTLE A.I.A. ARCHITECT, INC.

Patrick Prescott

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

Re: SB 35 – Revised Formal Application Pursuant to SB 35 for 910 S. Mariposa Project

Dear Mr. Prescott:

The applicant, Butterfly Gardens LLC, is requesting approval of the 910 S. Mariposa project (Project) pursuant to Senate Bill (SB) 35. This letter is to accompany the Full Application pursuant to SB 35 and to serve as the Eligibility Checklist specified in that application.

Project Description

The Project site is located at 910 S. Mariposa Street in the City of Burbank and is 1 acre in size. As shown in Exhibit 1, *Site Aerial*, the Project site is currently a vacant lot with a single structure of 240 square feet, containing a restroom and storage room. The existing site does not include any residential uses. Easements and existing site encumbrances are identified in the Topographic Land Survey contained within the architectural plan set.



Exhibit 1, Site Aerial

408 S. Pasadena Ave.
Suite 6
Pasadena, CA 91105

TEL: (626) 381-9677

The Project site will be demolished and cleared.

The Project consists of 40 condominium units with an average of two (2) bedrooms each in a single, five story building with Rancho style architecture. The units range from 946 to 2,122 square feet in size. A semi subterranean garage level contains 45 parking spaces. The units will contain private open space in the form of patios and/or balconies. Common open space areas are provided throughout the building and the site to create inviting passive outdoor spaces.

The General Plan designates the site as "Rancho Commercial," which allows for a density up to 20 units per acre. With the project size of 43,689 square feet, or 1 acre, the maximum number of units is 20 dwelling units. The Project proposes three (3) Very Low Income units ("VLI"), three (3) Moderate Income units ("MI"), and 34 unrestricted units. By providing 15% VLI units and 15% MI units, as calculated on the base density, the Project is allowed a 100% density bonus per Section 65915 and 65915(v) ("AB 1287") of the CA Government Code, resulting in a total maximum allowable density of 40 dwelling units.

The Project is surrounded by existing development, allowing for an infill development and allows for access to City services and infrastructure, while being in close proximity to amenities, shops, restaurants, and jobs.

SB 35 Eligibility Checklist

Criterion #1: Number and Type of Units

The Project meets this criterion. The Project is a multi family housing development consisting of 40 residential dwelling units. The Project site is allowed up to a maximum density of 20 dwelling units per acre. The Project includes three (3) Very Low Income units and three (3) Moderate Income units which, as calculated on the base density, equates to 30% of the total units being affordable. The Project is allowed a 100 percent density bonus per Section 65915 and 65915(v) ("AB 1287") of the CA Government Code and increases the maximum allowable number of dwelling units to 40 on the 1 acre Project site. The Project proposes 40 dwelling units.

Criterion #2: Affordability

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

More specifically, as calculated on the base density, the Project will dedicate 15% of the units (3) as VLI units AND another 15% of the units (3) as MI units [a total of 30% (6 total) affordable units], and a covenant or other restriction shall be recorded against these units to ensure that they will remain affordable for a period of not less than 45 years.

Criterion #3: Urban Infill

According to CA Government Code Section 65913.4(k)(12), "Urban uses" means any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses. Based on the site plan and survey data, the perimeter of the site totals 922.12 feet.

To the north of the Project is a legal parcel identified by the address 820 N. Mariposa (APN 2443 004 020). This property is currently used for industrial and commercial uses, as identified by the Los Angeles County Assessor's records. As a property used for commercial purposes, it is considered an urban use. The northerly side of the Project measures approximately 357.5 linear feet, which represents 38.8 percent of the Project boundary.

To the west of the Project, across Mariposa Street, are two legal parcels identified by the addresses 1300 Morningside Dr. (APN 2443 026 001) & 1305 W. Valleyheart Dr (APN 2443 026 026). As verified by the Assessor, these properties are both improved with single family dwellings, which are considered residential urban uses. The westerly side of the Project measures approximately 144 linear feet, which represents 15.6 percent of the Project boundary.

To the south of the Project is a legal parcel identified by the address 914 S. Mariposa St (APN 2443 004 018). This property is currently improved with Studio Horse Rental, which is considered a commercial urban use. The southerly side of the Project measures approximately 254.5 feet, which represents 27.6 percent of the Project boundary.

To the east of the Project is a legal parcel identified by the address 480 W. Riverside Dr (APN 5581 001 906) which is technically in the jurisdiction of the City of Los Angeles. This property is zoned for Open Space by the City of Los Angeles but is improved with multiple buildings that make up the Los Angeles Equestrian Center. According to the Los Angeles Equestrian Center's website, the property contains a variety of uses that can be considered commercial or retail including "Over 500 boarding stalls, 19 horse trainers of different disciplines, Equestrian gift & coffee shop, A VIP hospitality lounge & wine bar, Full service catering and banquet facilities for events and conferences." As demonstrated by these uses, this property meets the definition of an urban use. The length of the easterly property line is 166.10 feet which represents 18 percent of the Project perimeter boundary.

The Project is surrounded entirely by urban uses as defined by SB 35 and the Project meets this criteria.

Criterion #4: Zoned or Planned Residential Uses

The Project meets this criterion. According to the City's General Plan (2013) and the General Plan's Land Use Diagram (General Plan, Exhibit LU 2), the General Plan designation for the property is Rancho Commercial. This designation allows for a maximum of 20 units per acre. The designation is described in the General Plan as allowing for "a variety of low intensity, multi

family residential and commercial uses.” (General Plan, p. 3-16.) Thus, the City’s General Plan Rancho Commercial designation allows residential uses.

According to the City’s Zoning Map (2019), the Property is zoned M 1 (Zoning Code Art. 8, Div. 1). Pursuant to Section 10-1-801.5 of the Burbank Municipal Code and as applicable, in the M 1 Zone all uses shall be consistent with the maximum residential density, as prescribed in the General Plan, which allows up to 20 units per acre. However, Section 10-1-502 identifies that residential uses are not permitted in the M 1 Zone. Nevertheless, pursuant to Government Code Section 65913.4(a)(5)(B), in the event that objective zoning general plan, subdivision, or design review standards are mutually inconsistent, a development shall be deemed consistent with the objective zoning and subdivision standards if the development is consistent with the standards set forth in the general plan. As the residential use of the proposed Project is consistent with the General Plan, the proposed Project is consistent with this provision.

Criterion #5: Consistent with Objective Standards

The Project meets this criterion. The Project Plans submitted with this Full SB35 Application are consistent with objective development standards contained in the Burbank Municipal Code.

Criterion #6: Parking

The Project meets this criterion. The Project provides a total of 45 spaces for 40 units within a semisubterranean garage level for resident and guest parking. SB 35 requires 1 parking space per unit. The project exceeds this requirement.

Criterion #7: Location

The Project meets this criterion. The project is not located within any area designated as farmland, wetlands, very high fire severity zone, hazardous waste site, delineated earthquake fault zone, flood plain, floodway, conservation lands, habitat for protected species, or lands under conservation easement. Moreover, the site does not require the demolition of housing and it did not previously contain housing occupied by tenants. The site also does not require demolition of an historic structure, and the site is not governed by the Mobilehome Residency Law, the Recreational Vehicle Park Occupancy Law, the Mobilehome Parks Act, or the Special Occupancy Parks Act.

Criterion #8: Subdivision

The Project meets this criterion. The Project includes a Subdivision application and a Tentative Tract Map. The project will satisfy, as applicable,

the prevailing wage and skilled and trained workforce requirements identified in the Eligibility Checklist.

Criterion #9: Prevailing Wage

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

Criterion #10: Skilled and Trained Workforce

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

* * *

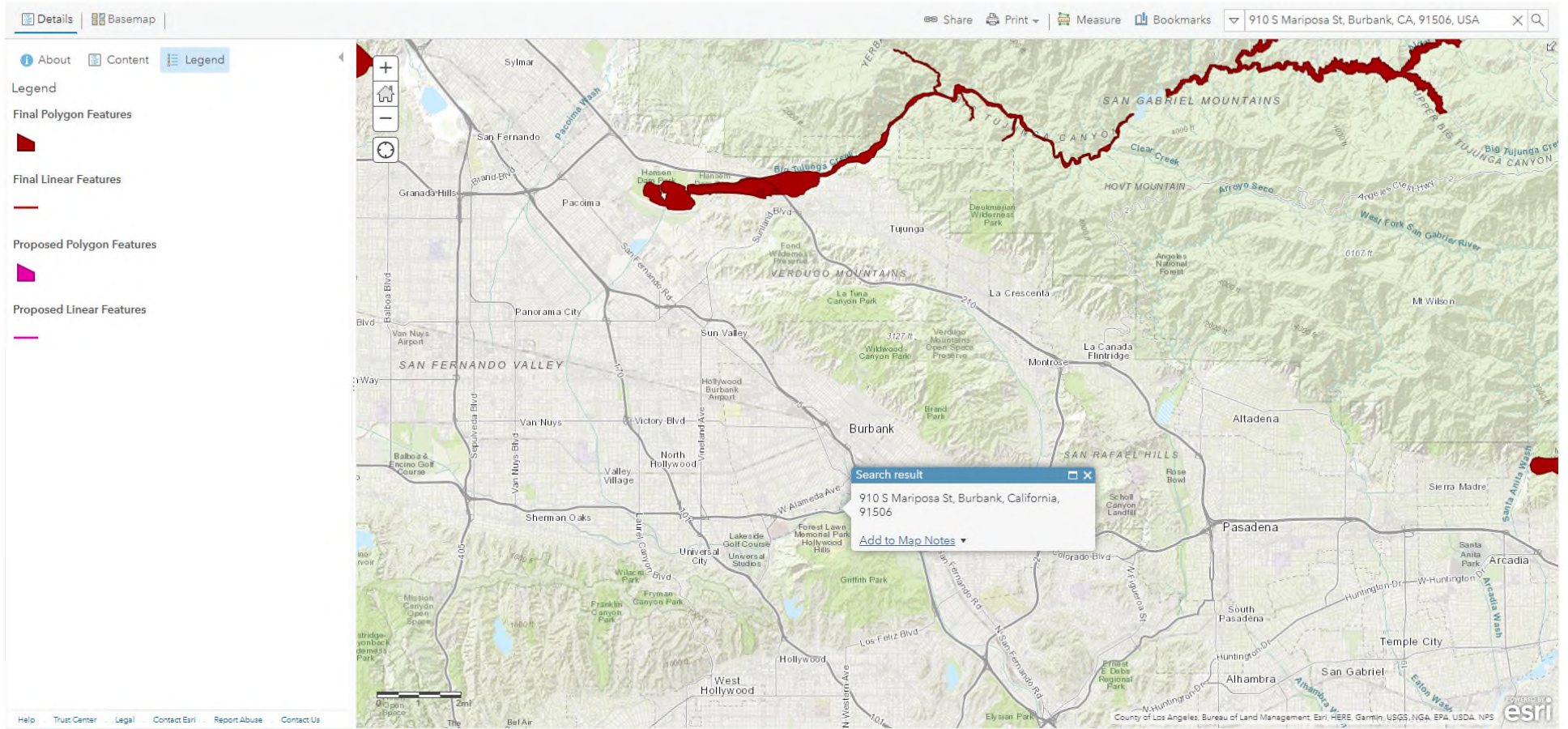
If you have any questions regarding this letter, please contact me at Jp@boladarck.com or at 626.381.9677. Thank you.

Sincerely,

Jean Pierre Boladian
Principal
BOLADarck Design Corp.

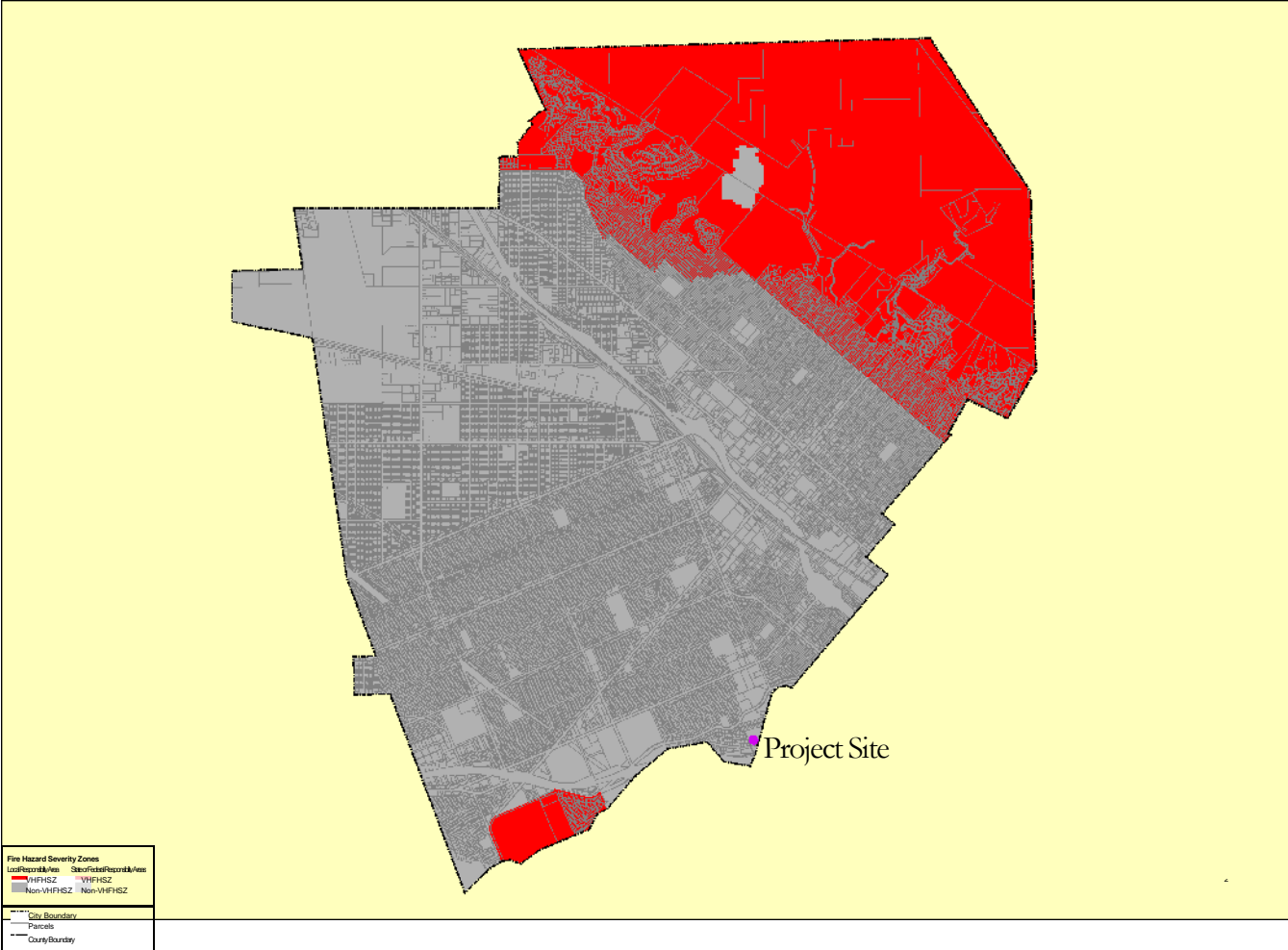
Attachments

- Attachment A - Critical Habitat for Threatened & Endangered Species Map
- Attachment B - Very High Fire Hazard Severity Zones
- Attachment C - United States Fish and Wildlife Service Wetlands Mapper
- Attachment D - GeoTracker Database Map
- Attachment E - EnviroStor Database Map
- Attachment F - FEMA's National Flood Hazard Map
- Attachment G - Fault Activity, California Geological Society



ATTACHMENT A - CRITICAL HABITAT FOR THREATENED & ENDANGERED SPECIES

Very High Fire Hazard Severity Zones in LRA
As Recommended by CAL FIRE



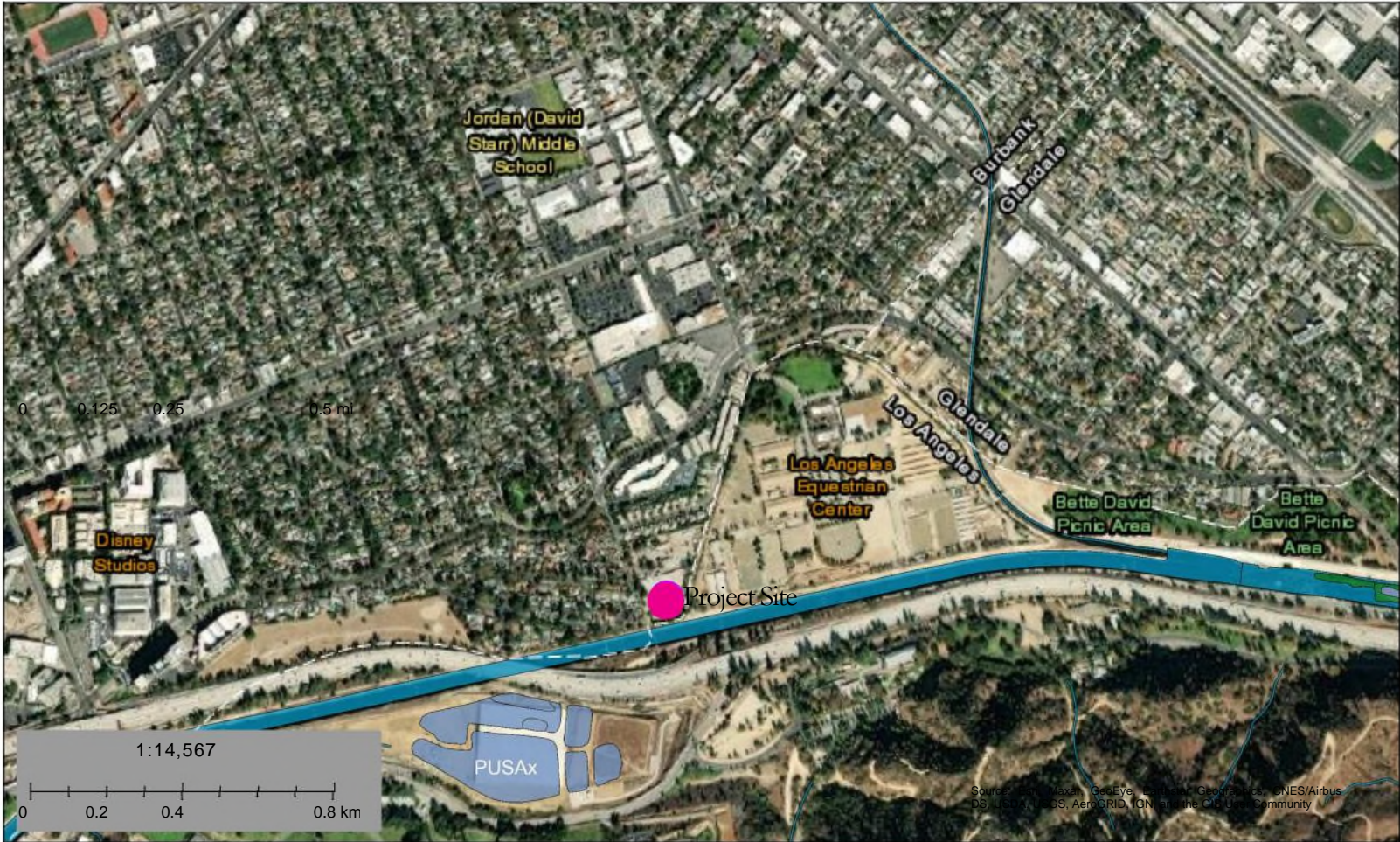
The State of California and the Department of Forestry and Fire Protection make no representations or warranties regarding the accuracy of data or maps. Neither the State nor the Department shall be liable under any circumstances for any direct, special, incidental, or consequential damages with respect to any claim by any user or third party on account of, or arising from, the use of data or maps.

Obtain FRAP maps, data, metadata and publications on the Internet at <http://rap.cd.ca.gov>.
For more information, contact CAL FIRE-FRAP, PO Box 944246, Sacramento, CA 94244-2460, (916) 327-3339.

Jerry Brown, Governor,
State of California
John Laird, Secretary for Resources,
The Natural Resources Agency
Kathryn B. Besser,
Department of Forestry and Fire Protection

M4-1314246X
CAL FIRE Fire Hazard Severity Zones (FHSSZ) - 1
CAL FIRE Very High Fire Hazard Severity Zones in LRA - Los Angeles (c19hsz106.5)

ATTACHMENT B - VERY HIGH FIRE HAZARD SEVERITY ZONE



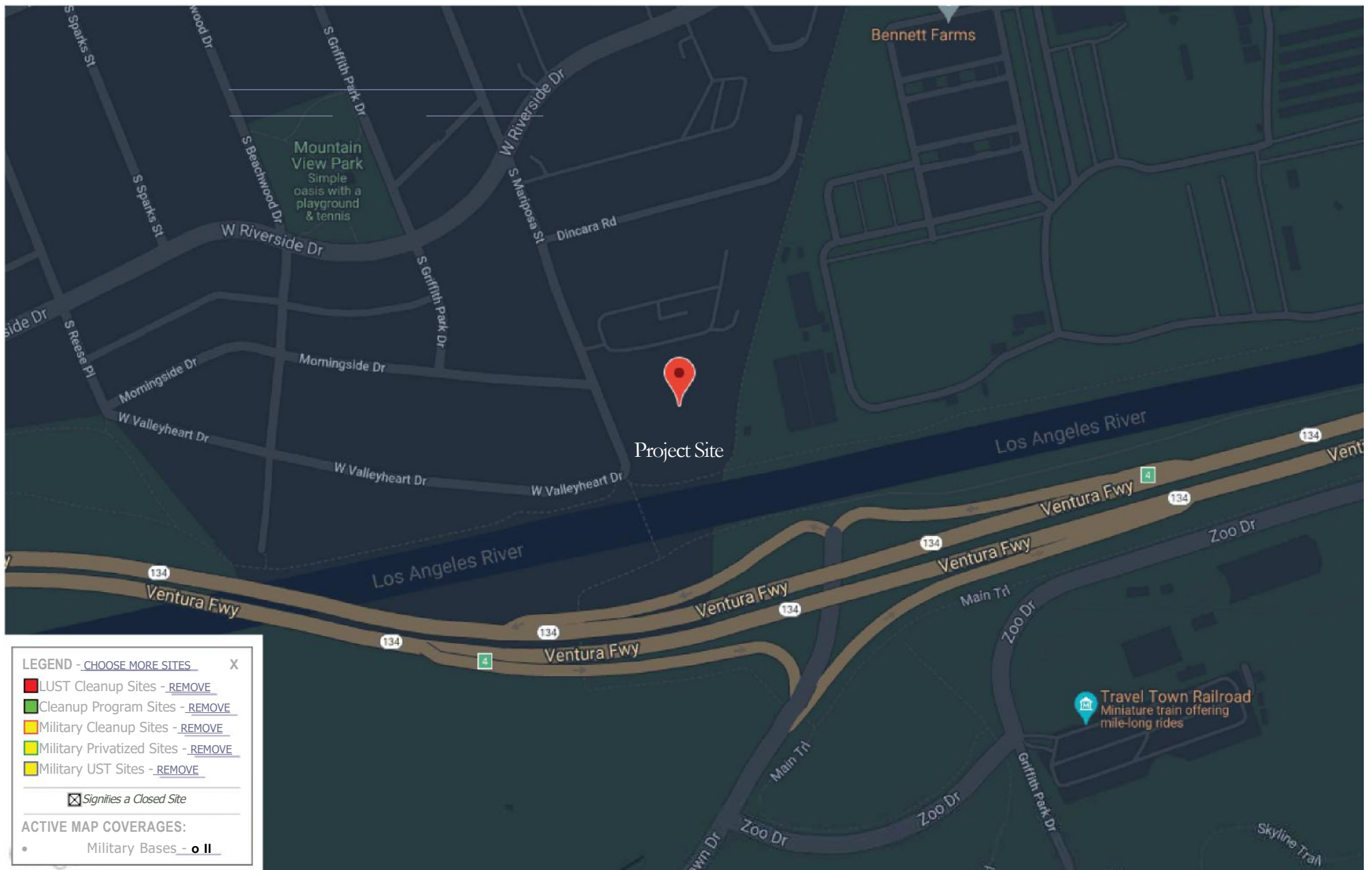
June 1, 2021

Wetlands	Freshwater Emergent Wetland	Lake
Estuarine and Marine Deepwater	Freshwater Forested/Shrub Wetland	Other
Estuarine and Marine Wetland	Freshwater Pond	Riverine

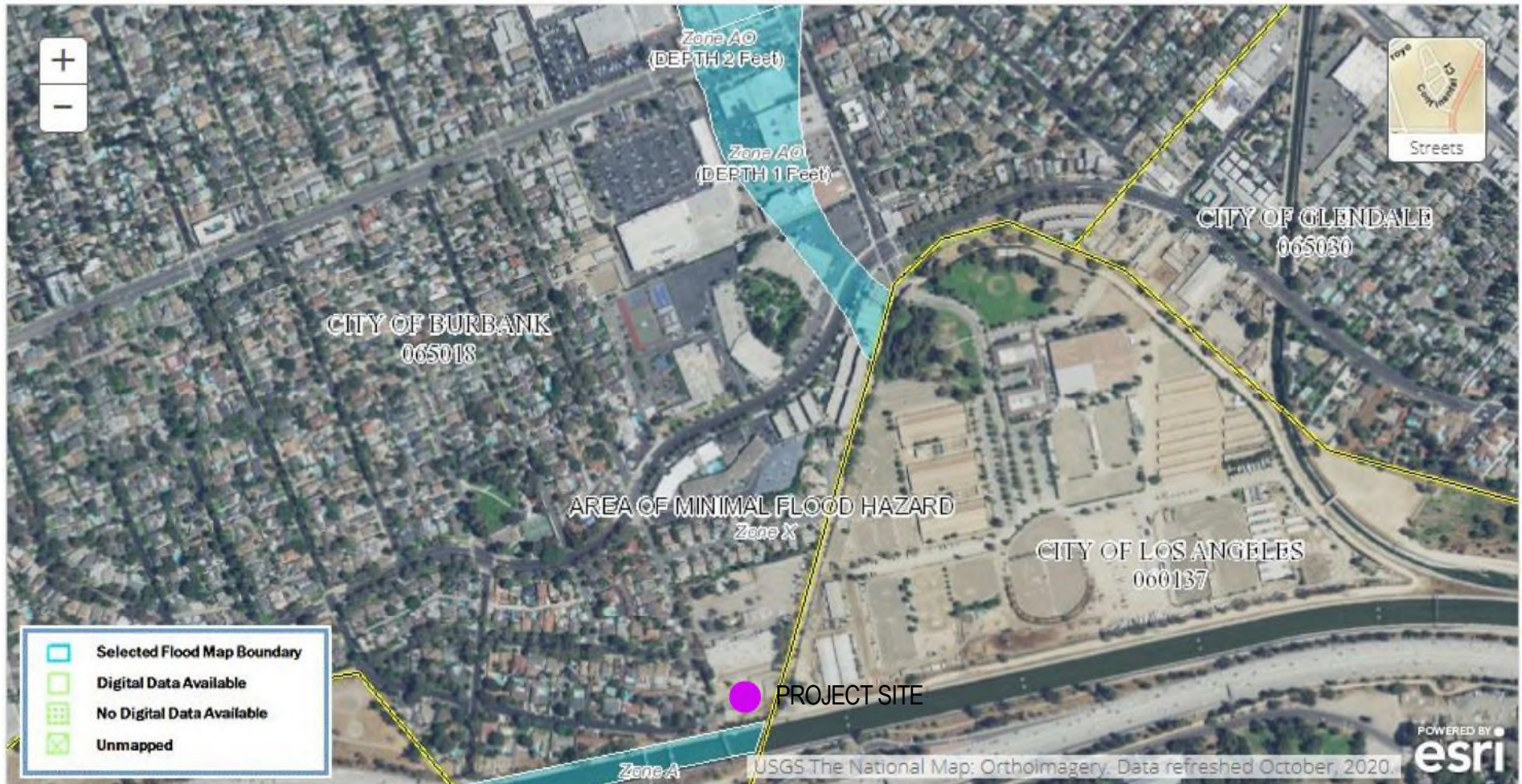
This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

ATTACHMENT C - UNITED STATES FISH AND WILDLIFE SERVICE WETLANDS MAPPER

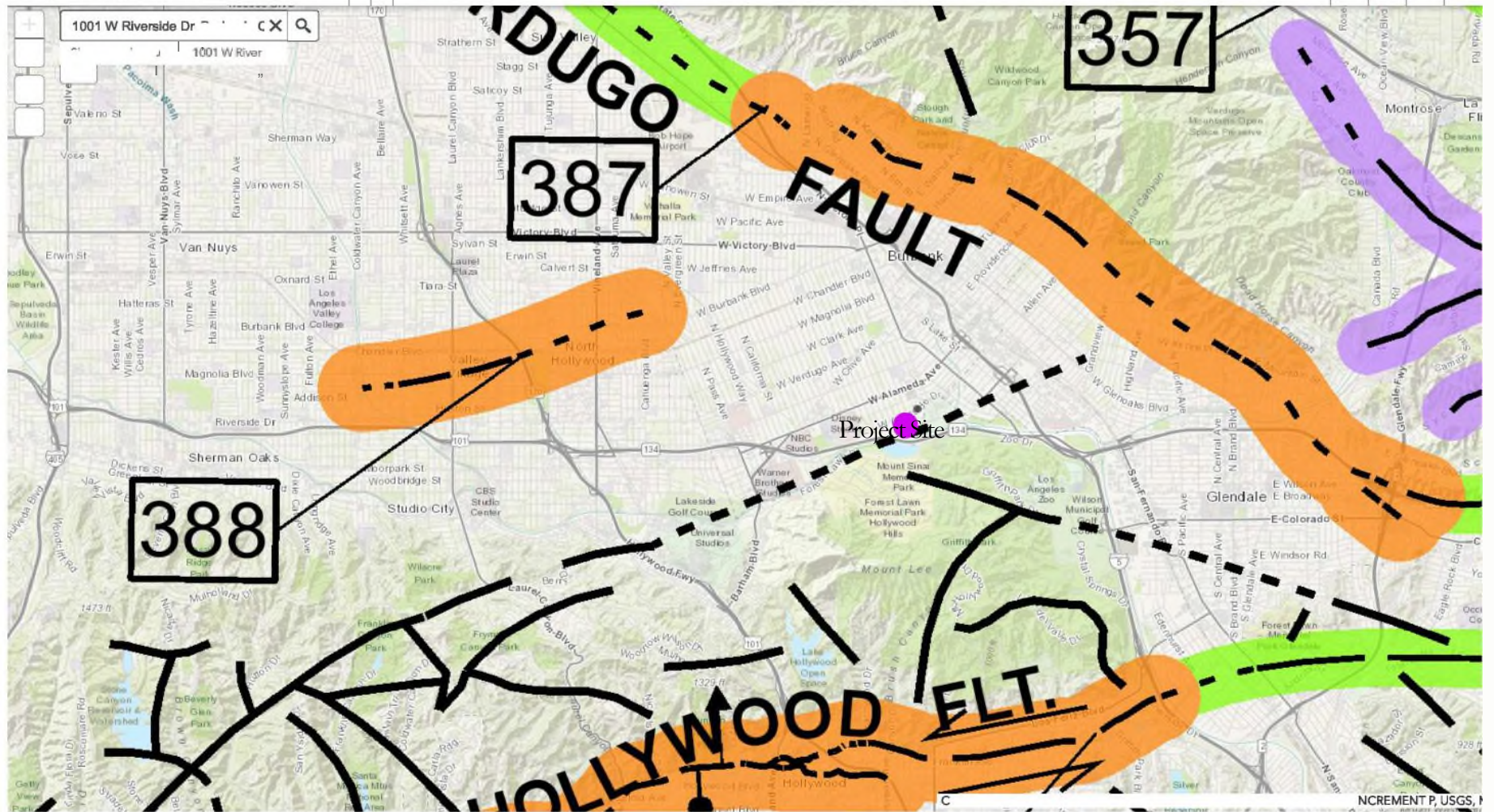


ATTACHMENT D - GEOTRACKER DATABASE MAP



ATTACHMENT F - FEMA'S NATIONAL FLOOD HAZARD MAP

Fault Activity Map of California



ounty of Los Angeles, r a f t, i, i, l

<https://maps.gov/cgs/fam/app/>

-118° 33' 34" 219 Degrees

ATTACHMENT G - FAULT ACTIVITY, CALIFORNIA GEOLOGICAL SOCIETY