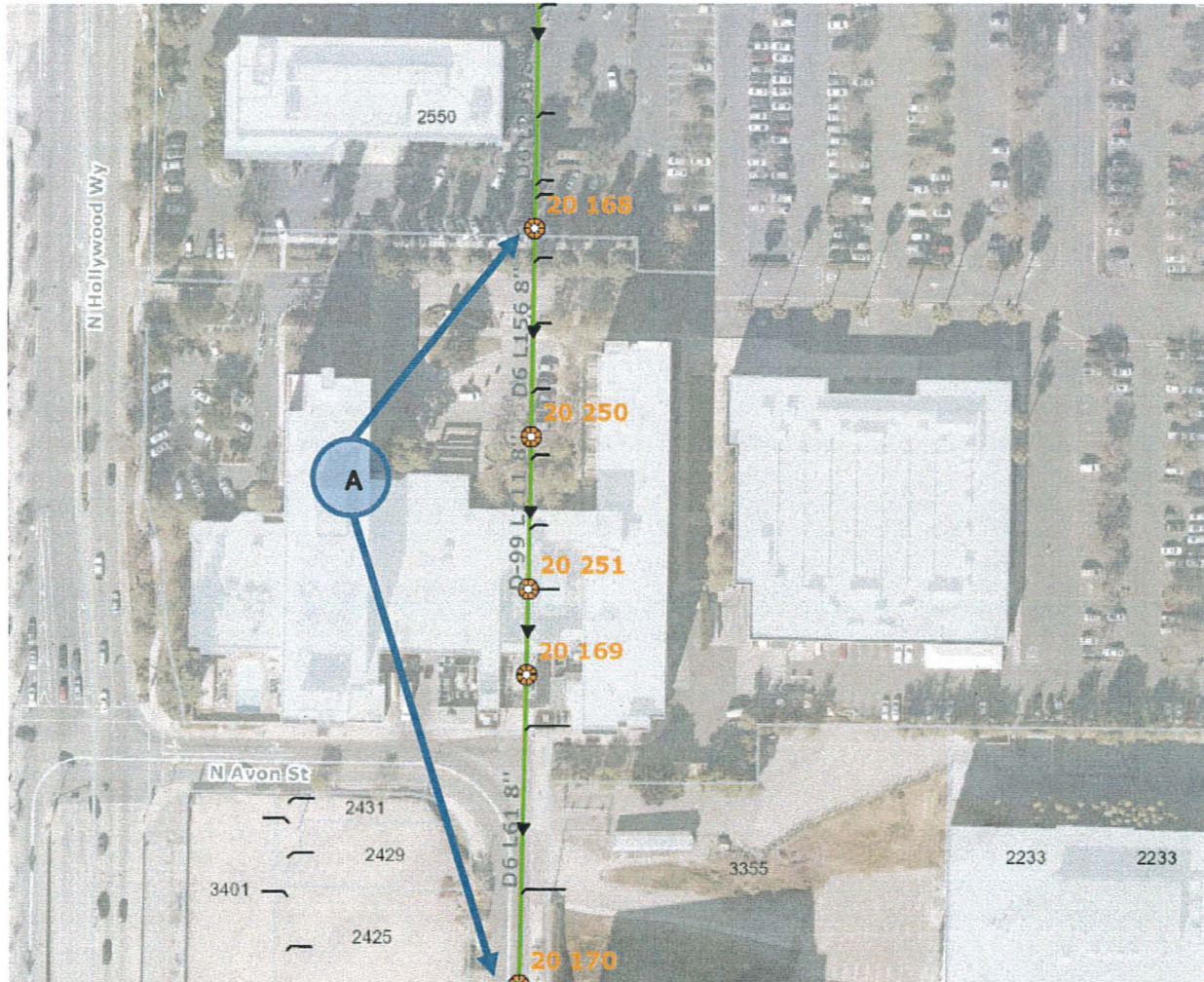


Appendix K
Sewer Capacity Analysis

2500 N Hollywood Way - Sewer Capacity Analysis (Addendum No. 1)



Modifications to the Sewer Capacity Analysis (Revision 2), Performed on 10/19/2021:

The City of Burbank (City) has conducted a Sewer Capacity Analysis (SCA Rev 2) that was completed on October 19, 2021, and has determined that the proposed development at 2500 N. Hollywood Way, hereby referred to as the Development, will be responsible for constructing offsite sewer improvement upgrades. Please note that SCA Rev 2, had an expiration date of October 19, 2023 and the Development has requested an extension to the expiration date because the design of the offsite sewer improvements is currently underway. In order to process an extension in this unique situation, the City has required a letter of intent for cost-sharing between the Development and NHW Investors, LLC, who is in the process of planning/constructing a separate project located at 2311 N. Hollywood Way, which will utilize the same downstream portion of offsite sewer that necessitates improvements, located

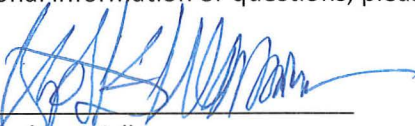
approximately along Wyoming Ave. from N. Ontario St. to N. Frederic St. Please refer to Attachment A for a copy of the fully executed Letter of Intent for Cost-sharing the Wyoming Ave. Sewer Improvements.

Addendum No. 1 herein extends the duration of SCA Rev 2 to **November 28, 2025**. If the Development does not obtain a Building Construction Permit by November 28, 2025 (2 years from the date of completion of SCA Addendum No. 1) a new revision to the SCA will be required at cost to the Development per the currently adopted Citywide Fee Schedule.

Addendum No. 1 does not relieve the Developer of the Sewer Facility Charges determined in the latest Development Review, which is subject to change per the currently adopted Citywide Fee Schedule and is due prior to the issuance of a Building Permit [BMC 8-1-802 and BMC 8-1-806]. Under the current rate structure, pulling the Building Permit for the proposed development is subject to a Sewer Facilities Charge estimated at **\$630,522.54**.

As long as the developer agrees to all of the conditions specified in SCA Rev 2, and the modifications as specified in Addendum No. 1, then connection to the City's sanitary sewer system may occur between maintenance holes (MH) 20-168 to MH 20-250, and MH 20-169 to 20-170 marked as 'A' in the above map.

For additional information or questions, please contact Kenneth Kozovich at (818) 238-3932.



Stephen Walker
Assistant Public Works Director -
Wastewater Systems

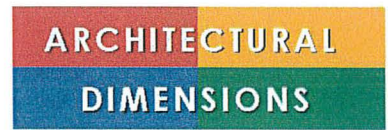
Processed by: Kenneth Kozovich

Attachments:

Attachment A – Letter of Intent for Cost Sharing Wyoming Sewer Improvements
Sewer Capacity Analysis (Revision 2) 10/19/21

Attachment A

Letter of Intent for Cost Sharing Wyoming Sewer Improvements



801 Ygnacio Valley Rd, Ste 230
Walnut Creek, CA
94596

www.archdim.com

James M. Heilbronner
Architect C 11531

October 10, 2023

Ms. Alice Anderson
NHW Investors, LLC
1880 Century Park East, Suite 1017
Los Angeles, CA 90067

Ms. Jodi Mensen, P.E., QSD
David Evans and Associates, Inc.
201 S. Figueroa Street, Suite 240
Los Angeles, CA 90012

Re: NHW Investors, LLC and AWH Partners Developments
2311 N. Hollywood Way & 2500 N. Hollywood Way
Burbank, CA 91505

Subject: Letter of Intent for Cost-sharing Agreement for Wyoming Ave. Sewer Improvements

Dear Ms. Anderson,

AWH Partners, through its subsidiary AWH Burbank Hotel LLC, (collectively "AWH") is the Owner of the property at 2500 N. Hollywood Way in Burbank, which includes the existing Los Angeles Marriott Burbank Airport Hotel and the Convention Center which are both located on the parcel. AWH is now in the entitlements process for the development of an additional new dual-brand Marriott Aloft and Residence Inn Hotel and multi-story parking garage on the same parcel and is expecting entitlement approval in Spring/Summer 2024 (Project # 16-0003953).

Background

Over the past year it came to our attention that the NHW Investors, LLC project at 2311 N. Hollywood in Burbank, and our new hotel project share an overlapping Condition of Approval that requires sewer improvements on Wyoming Ave. in Burbank. That overlapping condition reads as follows:

"The Developer shall design and construct ... sewer main infrastructure improvements (see Attachment A). The reaches include the sewer from the intersection of Wyoming Ave. / N. Ontario St. to the intersection of W. Burbank Blvd. / N. Frederick St."

Per discussions between AWH and NHW Investors, LLC, and AWH and NHW Investors, LLC (separately) with the City of Burbank Sewer Department, the Sewer Dept. confirmed that AWH and NHW Investors, LLC can share joint responsibility for the Wyoming Ave. sewer improvements – thus enabling potential cost savings for both developments by jointly providing those improvements. Per the Sewer Dept., in order for the City to accept this shared arrangement, between the 2500 N. Hollywood and the 2311 N. Hollywood projects, an agreement between the projects is needed.

For AWH the Sewer Capacity Analysis (SCA) that contains the overlapping condition above is set to expire on 10/19/23 at which point a new SCA be needed, that could risk new/different improvement requirements for the AWH project – thus losing the overlapping condition. However, the Sewer Dept. has indicated that if AWH and NHW Investors, LLC can provide evidence of an agreement – or **progress**



and efforts towards an agreement – to share responsibility for the Wyoming Ave. sewer improvements, the sewer district would be willing to ‘renew’ the overlapping sewer improvement requirements for an additional 2-year term. In order to comply with the Sewer Dept.’s requirement for renewal of the current SCA condition of approval, this Letter of Intent is evidence of ongoing efforts by both AWH and NHW Investors, LLC to come to a cost-sharing or shared-responsibility agreement for the Wyoming Ave. sewer improvements.

Intention

It is our continuing intention to reach an agreement for shared responsibility for construction of the sewer improvements on Wyoming Avenue, as described above, to mitigate the impacts of each project on the existing sewer system. A formal agreement memorializing this intention will be provided to the Sewer Department upon its execution at the earliest possible date.

NHW Investors, LLC by:

Sign: Lauren Boyd
57740C950965471...

By: Authorized Signatory for NHW Investors, LLC

Date: 10/10/23

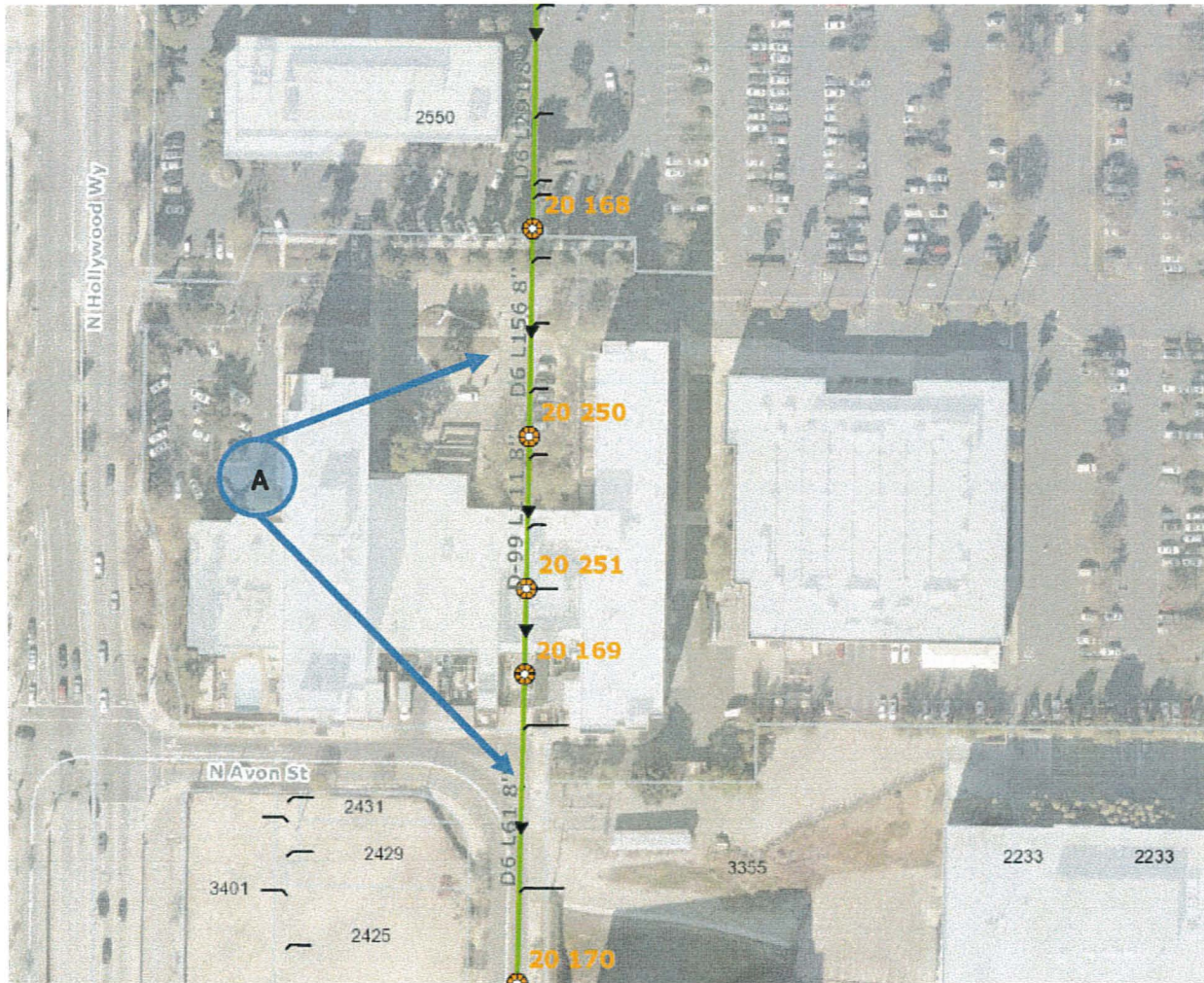
AWH Burbank Hotel LLC

Sign: Timothy Osiecki

By: Timothy Osiecki
President Development AWH Partners
Agent for Owner

Date: 10/13/2023

2500 N Hollywood Way - Sewer Capacity Analysis (Revision 2)



Executive Summary:

The City of Burbank (City) has conducted a Sewer Capacity Analysis (SCA) and has determined that the proposed development at 2500 N. Hollywood Way, hereby referred to as the Development, will require additional capital improvements to the existing City sewer infrastructure. There are approximately 16,450 lineal feet of tributary City sewer main between the subject project site and the Burbank Water Reclamation Plant (BRWP). The SCA discovered approximately 8,800 feet of impacted sanitary sewer pipelines that are tributary to the proposed Development and are generally located along Wyoming Avenue from Ontario Street to Frederic Street, and Chandler Boulevard. However, the Development will only be responsible for upgrading approximately 1,580 feet of City sewer main in order to directly serve the sewage capacity demands of the project.

Conclusions:

The project located at 2500 N. Hollywood Way is hereby granted permission to connect to the City's sanitary sewer system contingent upon the following:

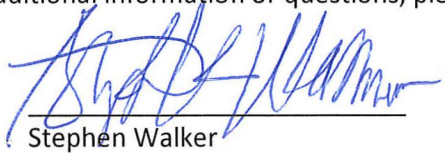
1. Prior to issuance of a Building Permit, the Developer shall pay \$256,831.58 in Sewer Facilities Charges (SF), based on the most recently submitted plans.¹
2. The Developer shall design and construct approximately 1,580 feet of sewer main infrastructure improvements (see Attachment A). The reaches include the sewer from the intersection of Wyoming Ave. / N. Ontario St. to the intersection of W. Burbank Blvd. / N. Frederick St.
3. The sewer mains must be upsized to accommodate the additional flow from the development. Design plans for the sewer infrastructure upgrades must be approved by the Public Works Director prior to issuance of permits for construction. In addition to obtaining all necessary permits, the Developer shall pay for construction inspection services.
4. The Development shall not exceed a peak wastewater discharge rate of 117.8 gallons per minute, which is the currently calculated peak discharge rate based on the information submitted with the most recent Development Review.
5. No Temporary or Final Certificate of Occupancies shall be issued until the public sewer improvements are completed and accepted by the City, upon which time the facilities will be turned over to the City for operation and maintenance purposes.
6. The Development is required to connect to the City's sanitary sewer system along the reaches marked as 'A' in the above map, meaning between maintenance holes (MH) 20-168 to MH 20-250, and MH 20-169 to 20-170.

The required infrastructure improvements to be completed by the Development encompass a portion of the total impact to the City sewer mains. The City shall pursue the remainder of the infrastructure upgrades separately (not required of the Development) at its earliest convenience but may not be initiated or completed at the time of the Development's completion.

If the Development does not obtain a Building Construction Permit by October 19, 2023, (2 years from the date of completion of this SCA) a new revision to the SCA will be required at cost to the developer per the currently adopted Citywide Fee Schedule.

As long as the developer agrees to all of the aforementioned conditions, then connection to the City's sanitary sewer system may occur between the manholes as described in Item No. 6 above.

For additional information or questions, please contact Kenneth Kozovich at (818) 238-3932.



Stephen Walker
Assistant Public Works Director -
Wastewater Systems

10/19/21
Date

Processed by: Kenneth Kozovich

¹ Per the most recent Development Review, the project entails a hotel with 420 rooms, a 5,260 SF café, a 2,022 SF Restaurant, 2,490 SF of Office space, a 1,370 SF fitness center, and a 4,194 SF Bar.

2500 N Hollywood Way – Attachment A

Table 1 below lists the reaches of City sewer main that the Developer will be responsible for upsizing, based on the resulting capacity deficiencies associated with the additional and proportional sewer flows from the proposed project. The final column of Table 1 indicates the minimum required pipe diameter for City sewer mains based on the capacity demands of the proposed development. For reference, the subject reaches of City sewer mains are delineated in Figure 1 (next page). Please note that a relief sewer may also be an option but the Developer would need to design, and the City would need to review/approve the proposed alignment.

Table 1:

From MH	To MH	Existing Pipe Diameter (in)	Length (ft)	Slope	Minimum Required Upgraded Pipe Diameter (in)
14-032	14-053	12	307.14	0.007	15
14-053	14-058	12	157.14	0.007	15
14-058	14-064	12	150	0.007	15
14-064	14-077	12	311.25	0.003	18
14-077	14-084	12	327	0.01	15
14-084	14-085	12	202	0.01	15
14-085	14-091	12	126	0.01	15

