

TUESDAY, FEBRUARY 8, 2005, 2005

A regular meeting of the Council of the City of Burbank was held in the Council Chamber of the City Hall, 275 East Olive Avenue, on the above date. The meeting was called to order at 5:09 p.m. by Mrs. Ramos, Mayor.

CLOSED SESSION

Present- - - - Council Members Campbell, Golonski, Murphy, Vander Borcht and Ramos.

Absent - - - - Council Members None.

Also Present - Ms. Alvord, City Manager; Mr. Barlow, City Attorney; and, Mrs. Campos, City Clerk.

Oral Communications There was no response to the Mayor's invitation for oral communications on Closed Session matters at this time.

5:09 P.M. Recess The Council recessed at this time to the City Hall Basement Lunch Room/Conference Room to hold a Closed Session on the following:

Public Employee Performance Evaluation:

Pursuant to Govt. Code §54957

Title of Employee's Position: City Manager and City Attorney.

Regular Meeting Reconvened in Council Chambers The regular meeting of the Council of the City of Burbank was reconvened at 6:42 p.m. by Mrs. Ramos, Mayor.

Invocation The invocation was given by Mr. Kramer, Community Assistance Coordinator.

Flag Salute The pledge of allegiance to the flag was led by Mrs. Wilson, Deputy City Clerk.

ROLL CALL

Present- - - - Council Members Campbell, Golonski, Murphy, Vander Borcht and Ramos.

Absent - - - - Council Members None.

Also Present - Ms. Alvord, City Manager; Mr. Barlow, City Attorney; and, Mrs. Campos, City Clerk.

406 Airport Authority Meeting Report Commissioner Lombardo reported on the January 31, 2005 Airport Authority meeting. He stated the Authority approved the amended and restated Escrow and Trust Agreement.

Reporting on the February 7, 2005 meeting, he stated that the Authority approved Resolution 400 pertaining to revisions to the proposed Development Agreement between the City of Burbank and the Authority; Resolution 399 adopting the first amendment to the Fiscal Year 2004-05 budget for \$3.1 million primarily due to higher construction costs and/or changes in project scope for Airport projects, including the in-line baggage system and the bomb detecting equipment; modified the Investment Policy to disallow re-purchase agreements; approved a first amendment to the month-to-month ground lease with Studio Services Inc. which will generate an additional \$40,000 in rental income; awarded contracts for various parking services; and, responded to public comment with regard to easterly take-offs. He also expressed appreciation for the Council's approval of the Airport Development Agreement.

Reporting on Closed Session Mr. Barlow reported on the items considered by the City Council during the Closed Session meeting.

Initial Open Public Comment Period of Oral Communications Mrs. Ramos called for speakers for the initial open public comment period of oral communications at this time.

Citizen Comment Appearing to urge that the Council adopt a resolution in support of a 301(a) petition to curb runaway production were: Mark Seay; Emzy Veazy III; Earl Brendlinger; Tim McHugh; Gene Warren, Jr.; Robert Amico; Don Newman; Ari Jacobs; Judi Townsend; Scott Kaye; Paul Ahrens; Kent McCord; and, David Piroli.

Also, Melissa DiMeglio, introduced herself as the new President of the Burbank Animal Shelter; Paul Cornish and Chris Warren suggested ways to reduce runaway production; Gary Clair, expressed support for the Platt Project; Cecil Selman, expressed support for the Council Members; David Gordon, commented on campaign signs posted at apartment buildings; Esther Espinoza, recognized former civil rights leader Thomas Kennedy; Eden Rosen, commented in support of the 301(a) petition, and on traffic issues; Theresa Karam and Ron Vanderford commented in support of the 301(a) petition and on the upcoming election; Michael Bergfeld, commented on a Council candidate's response to questions posed in the Burbank Leader; and, C.L. Stack, commented on renaming the Airport.

Staff Response Members of the Council and staff responded to questions raised.

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Agenda Item Oral Communications Mrs. Ramos called for speakers for the agenda item oral communications at this time.

Citizen Comment Appearing to comment in support of the Platt Project were: Bubba; Charles Zembillas; Lewis Bowers; Yvette Salmon; Gene McKenzie; Roger Easterwood; Roger Sampson; Eugene Koon; Wayne Schulze; Brenda Bowers; Andrew Harlow; Craig Bullock; Stella Rodgers; Margaret Taylor; Barbara Tuuri; Dan Humfreville; Robert Hooven; Chris Baer; Michael Bladstrom; Karen Ames; Erik Lofstrand; and, Dale Goldsmith, representing the applicant, who outlined the changes made to the project pursuant to the Council's direction at the December 7, 2004 Council meeting.

Commenting in opposition to the project were: Patrika Darbo; Rick Lacher; Frank Kaden; Nancy Lacher; Michael Bergfeld; Theresa Karam; Lauren Lacher; Mary Ann Christ; Joseph Ricciardella; Michael Anderson; James Schad; Ken Hoaglund; Debra Scarlata; Alice Howell; Jennifer Sprow; and, Rolf Darbo, reading a statement on behalf Jean Myers, a resident unable to attend the meeting and voicing his own opposition to the project.

Also, David Gordon, Don Elsmore and Rose Prouser commented on Airport issues; Ron Vanderford, Eden Rosen and David Piroli, commented in opposition to the Platt project and on Airport issues; and, Mark Barton presented a model of the Platt project in perspective to the surrounding area.

Staff Response Members of the Council and staff responded to questions raised.

Motion It was moved by Ms. Murphy and seconded by Mr. Vander Borgh that "the following items on the consent calendar be approved as recommended."

902 PSA w/Accord Engineering for Robert R. Ovrom Park Project
RESOLUTION NO. 26,902:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF BURBANK AND ACCORD ENGINEERING, INC.

903 Verdugo Fire Comm. Svcs. Agmt. with City
RESOLUTION NO. 26,903:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE VERDUGO FIRE COMMUNICATIONS SERVICE AGREEMENT BETWEEN THE CITIES OF GLENDALE,

Of Monterey
Park

BURBANK, AND PASADENA AND THE CITY OF MONTEREY
PARK.

Adopted

The consent calendar was adopted by the following vote:

Ayes: Council Members Campbell, Golonski, Murphy,
Vander Borgh and Ramos.

Noes: Council Members None.

Absent: Council Members None.

1702
Platt Project
(PD 2003-1

Mrs. Forbes, Principal Planner, Community Development Department, requested the Council consider the second reading of an ordinance to approve a mixed use development in the Media District. She reported that on December 7, 2004, the Council held a public hearing to consider a proposal by PW, LLC to construct a mixed use project. She noted that following public testimony, rebuttal from the applicant and Council deliberation, the Council voted 41 to: adopt the Water Supply Assessment, certify the Environmental Impact Report, amend the General Plan for this site to allow for residential uses; and, approve a vacation of the street and alleys surrounding the subject property and vesting tentative tract map, both contingent upon approval of the project. She also stated that the Council completed a first reading to adopt the ordinance approving the Planned Development with the accompanying Development Agreement and conditions.

Mrs. Forbes informed the Council that the modified project consists of: 250 condominium units, a decrease from 298 units; a church; child care facility for 72 children; and, approximately 20,500 square feet of retail restaurant space. She also noted that the public health club facility was eliminated.

Mrs. Forbes added that at the continued public hearing of January 11, 2005, the Council considered additional modifications which, although not voted on, generally pertained to reducing the height of the tallest building to 93 feet and reducing the number of units to 220. Additionally, the Council discussed defining height as a maximum envelope requiring all mechanical equipment and roof features to be within the envelope thereby lowering the height of all buildings which are traditionally measured only to the ceiling. Mrs. Forbes stated that the Council ultimately agreed to continue the second reading to allow the applicant time to develop a massing model to better visualize the project in relation to other residential development within the area. She added that the applicant is required to complete the project within one or a maximum of two phases and must contribute

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\$500,000 towards a Media District shuttle service program and \$1.7 million towards affordable housing within the City.

Mrs. Forbes noted that an addendum to the Environmental Impact Report that was previously certified by the Council has been prepared, stating that the modifications made to the project at the December 7, 2004 and January 11, 2005 public hearings have been adequately studied and do not result in new or greater significant impacts than those already identified. Additionally, she stated that should the Council move a second reading of the ordinance, staff has prepared a resolution modifying the California Environmental Quality Act findings to more accurately depict the modified project.

Following Council deliberation, Mr. Vander Borght suggested that the project be approved at 93-foot, 73-foot and 50-foot building height envelopes; with a maximum of 220 units; that the associated mitigation fees be paid; a 15-foot minimum setback be required along Olive Avenue and the minimum unit size be established at 1100 square feet.

Mr. Golonski, Mr. Campbell and Mrs. Ramos concurred with Mr. Vander Borght.

Ms. Murphy stated she would not support the project due to the R-5 density standard.

Motion It was moved by Mr. Vander Borght and seconded by Mr. Golonski that "the following resolution and Ordinance No. 3664 be adopted with a building height limit of 93 feet, 70 feet and 50 feet; a 15-foot setback along Olive Avenue; and, a minimum unit size of 1100 square feet. Also, the development was required to contribute funds equal to 10 percent of the number of units to the affordable housing fund."

1702 RESOLUTION NO. 26,904:
Burbank Media A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Center Project MODIFYING THE FINDINGS OF ENVIRONMENTAL EFFECT OF
(Platt) THE BURBANK MEDIA CENTER PROJECT (PW LLC,
APPLICANT).

1702 ORDINANCE NO. 3664:
PD 2003-1 AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK
(Burbank Media APPROVING PLANNED DEVELOPMENT NO. 2003-1 AND A
Center Project – DEVELOPMENT AGREEMENT RELATED THERETO (BURBANK
Platt) MEDIA CENTER PROJECT – PW LLC, APPLICANT).

Adopted The resolution and ordinance were adopted by the following vote:

Ayes: Council Members Campbell, Golonski, Vander Borgh and Ramos.
Noes: Council Member Murphy.
Absent: Council Members None.

Ordinance Submitted It was moved by Ms. Murphy and seconded by Mr. Campbell that "Ordinance Nos. 3665 and 3666 be read for the second time by title only and be passed and adopted with the amendment that the landscape plan be brought back for Council approval." The title to the following ordinances were read:

1702 PD 2003-3 (Burbank Medical Plaza) ORDINANCE NO. 3665:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK APPROVING PLANNED DEVELOPMENT NO. 2003-3 AND A DEVELOPMENT AGREEMENT RELATED THERETO (BURBANK MEDICAL PLAZA).

1702 Amend Chp. 31 To Eliminate the MDC-3(M) Zone (ZTA 2004-177) ORDINANCE NO. 3666:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING CHAPTER 31 OF THE BURBANK MUNICIPAL CODE TO ELIMINATE THE MDC-3(M) ZONE (PROJECT NO. 2004-177 – ZONE TEXT AMENDMENT).

Adopted The ordinances were adopted by the following vote:

Ayes: Council Members Campbell, Golonski, Murphy, Vander Borgh and Ramos.
Noes: Council Members None.
Absent: Council Members None.

Final Open Public Comment Period of Oral Communications There was no response to the Mayor's invitation for speakers for the final open public comment period of oral communications at this time.

301-2 Memorial Adjournment There being no further business to come before the Council, the meeting was adjourned at 10:50 p.m. in memory of Richard Dumhoff.

Margarita Campos, CMC
City Clerk

APPROVED AUGUST 9, 2005
Mayor of the Council
of the City of Burbank