



COUNCIL AGENDA - CITY OF BURBANK
TUESDAY, JANUARY 30, 2007

CITY COUNCIL CHAMBER – 275 EAST OLIVE AVENUE

This agenda contains a summary of each item of business which the Council may discuss or act on at this meeting. The complete staff report and all other written documentation relating to each item on this agenda are on file in the office of the City Clerk and the reference desks at the three libraries and are available for public inspection and review. If you have any question about any matter on the agenda, please call the office of the City Clerk at (818) 238-5851. This facility is disabled accessible. Auxiliary aids and services are available for individuals with speech, vision or hearing impairments (48-hour notice is required). Please contact the ADA Coordinator at (818) 238-5021 voice or (818) 238-5035 TDD with questions or concerns.

6:30 P.M.

INVOCATION:

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The Courts have concluded that sectarian prayer as part of City Council meetings is not permitted under the Constitution.

FLAG SALUTE:

ROLL CALL:

PROCLAMATION:

AMERICAN HEART ASSOCIATION “WEAR RED FOR “WOMEN” DAY.

COMMENDATION:

MOLLY STRETTEN - VOLUNTEERS OF THE BURBANK ANIMAL SHELTER PRESIDENT.

RECOGNITION:

BE A SANTA TO A SENIOR.

RECOGNITION:

SUMMER CREST PROGRAM.

COUNCIL COMMENTS: (Including reporting on Council Committee Assignments)

INTRODUCTION OF ADDITIONAL AGENDA ITEMS:

At this time additional items to be considered at this meeting may be introduced. As a general rule, the Council may not take action on any item which does not appear on this agenda. However, the Council may act if an emergency situation exists or if the Council finds that a need to take action arose subsequent to the posting of the agenda. Govt. Code §54954.2(b).

6:30 P.M. PUBLIC HEARING:

1. TOBACCO RETAILERS LICENSING ORDINANCE:

The issue of licensing businesses which engage in the sale of tobacco products first came to the Council's attention in June 2003, and has remained of interest to the Council since that time. Most recently, on September 12, 2006, the Council directed staff to prepare an ordinance to license the sale of tobacco products in the City. In accordance with this direction, a proposed ordinance has been prepared to provide for the licensing of all businesses that sell tobacco products in Burbank, including smoking lounges. The purpose of this ordinance is to further reduce the illegal sale of tobacco products to minors. The proposed ordinance will provide a process that temporarily and/or permanently deprives a business of the privilege of selling tobacco products when they are less than vigilant in enforcing the age restrictions for purchasing tobacco products.

The primary goal of the ordinance is to reduce the number of illegal tobacco sales to underage children (under the age of 18) thereby creating less of an environment for children to begin a life-long addiction to tobacco products. The primary components of the ordinance are:

- Establishing a licensing requirement;
- Creating a license application process;
- Establishing grounds for approval or denial of a license;
- Creating license renewal and expiration periods;
- Formulating a fee structure for the license and licensing process;
- Requiring a license to be maintained in "good standing" in order for the license to remain valid;
- Allowing for compliance monitoring;
- Creating a license revocation/suspension process based on a threshold number of violations;
- Establishing a re-application process for expired licenses and revoked/suspended licenses;
- Setting penalties for violations of the ordinance; and,
- Allowing tobacco sales only at fixed locations (no mobile sales such as from catering trucks).

Staff is recommending the Council introduce this ordinance with an effective date of July 1, 2007. This date is recommended because it coincides with the annual fiscal year renewal date of the City's other regulatory licenses. In addition, an ordinance effective date of July 1, 2007 will provide staff with sufficient time to educate the business community on the requirements of this new ordinance. Although both the issuance of this regulatory license and the administration of the license will be the responsibility of the License and Code Services Division of the Community Development Department, the enforcement of the ordinance will be shared with the Burbank Police Department. Enforcement will be conducted both proactively through youth decoy "stings" in addition to reactive investigations in response to public complaints.

Recommendation:

Introduction of ordinance entitled:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK ADDING ARTICLE 25 TO CHAPTER 8 OF THE BURBANK MUNICIPAL CODE ESTABLISHING LICENSING REQUIREMENTS AND PROCEDURES FOR ALL BUSINESSES WHO ENGAGE IN THE SALE OF TOBACCO PRODUCTS.

INITIAL OPEN PUBLIC COMMENT PERIOD OF ORAL COMMUNICATIONS: (Two minutes on any matter concerning City Business.)

There are four segments of Oral Communications during the Council Meeting. The first precedes the Closed Session items, the second and third segments precede the main part of the City Council's business (but follow announcements and public hearings), and the fourth is at the end of the meeting following all other City business.

Closed Session Oral Communications. During this period of oral communications, the public may comment only on items listed on the Closed Session Agenda(s). A **PINK** card must be completed and presented to the City Clerk. Comments will be limited to **three** minutes.

Initial Open Public Comment Period of Oral Communications. During this period of Oral Communications, the public may comment on any matter concerning City Business. A **BLUE** card must be completed and presented to the City Clerk. NOTE: Any person speaking during this segment may not speak during the third period of Oral Communications. Comments will be limited to **two** minutes.

Agenda Item Oral Communications. This segment of Oral Communications immediately follows the first period, but is limited to comments on action items on the agenda for this meeting. For this segment, a **YELLOW** card must be completed and presented to the City Clerk. Comments will be limited to **four** minutes.

Final Open Public Comment Period of Oral Communications. This segment of oral communications follows the conclusion of agenda items at the end of the meeting. The public may comment at this time on any matter concerning City Business. NOTE: Any member of the public speaking at the Initial Open Public Comment Period of Oral Communications may not speak during this segment. For this segment, a **GREEN** card must be completed and presented to the City Clerk. Comments will be limited to **two** minutes.

City Business. City business is defined as any matter that is under the jurisdiction of the City Council. Although other topics may be of interest to some people, if those topics are not under City Council jurisdiction, they are not City business and may not be discussed during Oral Communications.

Videotapes/Audiotapes. Videotapes or audiotapes may be presented by any member of the public at any period of Oral Communications or at any public hearing. Such tapes may not exceed the time limit of the applicable Oral Communications period or any public comment period during a public hearing. The playing time for the tape shall be counted as part of the allowed speaking time of that member of the public during that period.

Videotapes must be delivered to the Public Information Office by no later than 10:00 a.m. on the morning of the Council meeting in a format compatible with the City's video equipment. Neither videotapes nor audiotapes will be reviewed for content or edited by the City prior to the meeting, but it is suggested that the tapes not include material that is slanderous, pornographic, demeaning to any person or group of people, an invasion of privacy of any person, or inclusive of material covered by copyright.

Printed on the videocassette cover should be the name of the speaker, the period of oral communication the tape is to be played, and the total running time of the segment. The Public Information Office is not responsible for "cueing up" tapes, rewinding tapes, or fast forwarding tapes. To prevent errors, there should be ten seconds of blank tape at the beginning and end of the segment to be played. Additionally, the speaker should provide the first sentence on the tape as the "in cue" and the last sentence as the "out cue".

As with all Oral Communications, videotapes and audiotapes are limited to the subject matter jurisdiction of the City and may be declared out of order by the Mayor.

Disruptive Conduct. The Council requests that you observe the order and decorum of our Council Chamber by turning off or setting to vibrate all cellular telephones and pagers, and that you refrain from making personal, impertinent, or slanderous remarks. Boisterous and disruptive behavior while the Council is in session, and the display of signs in a manner which violates the rights of others or prevents others from watching or fully participating in the Council meeting, is a violation of our Municipal Code and any person who engages in such conduct can be ordered to leave the Council Chamber by the Mayor. Once an individual is requested to leave the Council Chamber by the Mayor, that individual may not return to the Council Chamber for the remainder of the meeting. BMC §2-216(b).

Individuals standing in the Council Chamber will be required to take a seat. Also, no materials shall be placed in the aisles in order to keep the aisles open and passable. BMC §2-217(b).

Your participation in City Council meetings is welcome and your courtesy will be appreciated.

COUNCIL AND STAFF RESPONSE TO THE OPEN PUBLIC COMMENT PERIOD OF ORAL COMMUNICATIONS:

AGENDA ITEM ORAL COMMUNICATIONS: (Four minutes on Action Agenda items only.)

COUNCIL AND STAFF RESPONSE TO AGENDA ITEM ORAL COMMUNICATIONS:

RECESS for the Redevelopment Agency and Parking Authority meetings.

RECONVENE for the City Council meeting.

CONSENT CALENDAR: (Items 2 through 6)

The following items may be enacted by one motion. There will be no separate discussion on these items unless a Council Member so requests, in which event the item will be removed from the consent calendar and considered in its normal sequence on the agenda. A **roll call** vote is required for the consent calendar.

2. ANNUAL REPORT OF FINANCIAL TRANSACTIONS OF THE REDEVELOPMENT AGENCY – FISCAL YEAR 2005-06:

The purpose of this report is to present the Council and Redevelopment Agency (Agency) Board the Annual Report of Financial Transactions (Annual Report) of the Agency and to ratify the transmittal of the Annual Report to the State Controller's Office.

As required by California Redevelopment Law (Health and Safety Code Section 33080), staff presented for its legislative body's review the Annual Report of the Agency on December 19, 2006. The Council requested staff return with the item at a later date in order to allow additional time to review the documents provided. In the meantime, in order to meet filing deadline obligations, the Annual Report was submitted to the State Controller's Office on December 22, 2006.

The Annual Report contained the following essential elements:

Fiscal Statement of Previous Year's Achievements

The Annual Report includes information about the amount of tax increment generated by each project area, the amount of indebtedness and other fiscal information.

Independent Financial Audit Report

The Annual Report had attached an independent financial audit report. The City engaged an independent certified public accounting firm, Mayer, Hoffman, McCann, P.C. (formerly Conrad and Associates), to perform the annual audit of the City and its components; including the Agency. The results of the audit performed are formally published in the Fiscal Year (FY) 2005-06 Comprehensive Annual Financial Report (CAFR). On December 12, 2006, the CAFR was formally submitted to the Council. The Agency Audit is an extract from the CAFR, and includes additional information such as an independent auditor's opinion of the Agency's operation, conformance with laws and administrative standards of the Agency, as well as the Agency's financial position. The Auditor found the Agency met all compliance and internal control obligations.

Activities Affecting Housing and Displacement

The Annual Report identifies Agency activities during the reporting period that affect housing affordable to elderly and non-elderly households, who are very low-, lower or

moderate-income. In summary, the Agency met all of its obligations of the Low and Moderate Income Housing Fund and has not accumulated any surplus housing funds. A copy of the Annual Report was available a second time for public review beginning January 8, 2007 at the Agency public counter at 141 North Glenoaks Boulevard.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ACCEPTING AND RATIFYING THE TRANSMITTAL OF THE REDEVELOPMENT AGENCY OF THE CITY OF BURBANK'S ANNUAL REPORT OF FINANCIAL TRANSACTIONS TO THE STATE CONTROLLER.

3. APPROVING CONTRACT DOCUMENTS, AWARDED A CONSTRUCTION CONTRACT, ALLOCATING ADDITIONAL FUNDS FOR BID SCHEDULE NO. R-1228, CONSTRUCTION OF TRASH ENCLOSURE IN AMC GARAGE, AND APPROVAL OF A COOPERATIVE AGREEMENT:

The Collection development was approved with vehicular and pedestrian access to the existing AMC parking garage. The existing trash enclosure in the AMC parking garage, which services the businesses located within the 200 block of North San Fernando, conflicts with one of the Collection project access routes, therefore, it is necessary to relocate it. As part of the Collection development program there is a condition for the project to remove the existing trash enclosure to provide safer access to their parking. The City agreed to construct a similar trash enclosure away from the Collection project parking access.

A proper location was selected for the new trash enclosure and bids were solicited for the construction. Bid Schedule No. R-1228 was advertised on December 6 and 9, 2007. A bid opening was conducted on January 2, 2007. Four contractors submitted bids ranging from \$58,700 to \$189,194. One contractor, TLC Construction, was disqualified because of bid bond discrepancies. Omega Construction was found to be the lowest responsible bidder with their bid of \$58,700, which is \$18,700 above the engineer's estimate. Staff evaluated Omega Construction's bid proposal and determined that the company has the requisite qualifications to satisfactorily complete the project.

Redevelopment Agency (Agency) funds in the amount of \$40,000 have been budgeted for this project based upon the initial engineer's estimate. Staff is requesting an appropriation of an additional \$30,440 in Agency funds bringing the project total to \$70,440 to cover the bid amount, plus a 20 percent project contingency.

A Cooperation Agreement (Agreement) between the Agency and Parking Authority (Authority) is required to allow the Agency to enter the parking structure and to hire a contractor to make improvements to the Authority-owned structure.

The specific actions to be considered are:

1. Agency approval of a contract with Omega Contractors to construct a trash enclosure;
2. Agency approval of a budget amendment to increase the construction budget for a trash enclosure by \$30,440;
3. Agency approval of appropriate findings relative to Health and Safety Code Section 33445 to enable the use of Agency funds;
4. Agency approval of the Agreement with the Authority and authorization for the execution of the Agreement by the Assistant Executive Director of the Agency to allow the Agency's contractors to work on property owned by the Authority;
5. Authority approval of the Agreement with the Agency and authorization for the execution of the Agreement by the Assistant Executive Director of the Authority; and,
6. Council consent as to the Agency's expenditures of funds and approval of appropriate findings of Health and Safety Code Section 33445 to enable the use of Agency funds for the construction project.

Recommendation:

Adoption of proposed resolutions entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK CONSENTING TO THE REDEVELOPMENT AGENCY OF THE CITY OF BURBANK EXPENDITURE FOR CERTAIN PUBLIC IMPROVEMENTS ON THE PARKING AUTHORITY PROPERTY (TRASH ENCLOSURE - 133 EAST ORANGE GROVE AVENUE).

4. APPROVAL OF FINAL MAP NO. 64157 – 2318 NORTH FAIRVIEW STREET:

Staff is requesting Council approval of Final Map No. 64157, a one-lot subdivision totaling 6,799 square feet located at 2318 North Fairview Street. The property is in the R-4 Multiple Family Medium Density Residential Zone and is owned by 2813 Fairview LLC, a California Limited Liability Company.

On October 27, 2005, the property owner requested City approval to subdivide a two-story, five-unit multi-family residential building over one lot, to be converted to multi-family residential condominiums with a subterranean parking garage. Final Map No. 64157 finalizes the condominium subdivision.

All requirements of the State Subdivision Map Act have been met. The following is a summary of information pertinent to the approval of Final Map No. 64157:

1. The tentative tract map was approved by the Community Development Director on February 9, 2006 pursuant to Burbank Municipal Code Section 27-323 (Director's Decision on Tentative Map);
2. The Final Map contains five condominium units at 2318 North Fairview Street, which is located in the R-4 Multiple Family Medium Density Residential Zone;
3. This project is Categorically Exempt from the provisions of the California Environmental Quality Act pursuant to Section 15268(b) (3) pertaining to approval of final subdivision maps;

4. Conditions of Approval for Tentative Tract Map No. 64157 have been cleared by the Planning Division for the purpose of Final Map approval. The condition of approval relating to Covenants, Conditions and Restrictions (CC&Rs) will be satisfied when the applicant submits two recorded copies of the CC&Rs to the Planning Division (applicant cannot record the CC&Rs until this tract map is approved by the City Council and recorded at the Los Angeles County Recorder's Office); and,
5. According to the State Subdivision Map Act, Chapter 3, Article 4, Section 66458, and the provisions of Chapter 27 of the Burbank Municipal Code, the City Council must approve Final Map No. 64157 if it conforms to all the requirements. If such conformity does not exist, the Council must disapprove the map at the meeting it receives the map, or at its next regular meeting. If the City Council has not authorized an extension to allow more time to disapprove the map, and the map conforms to all requirements, the map shall be deemed approved by operation of law.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING FINAL MAP OF TRACT NO. 64157 (2318 North Fairview Street).

5. APPROVING THE FINAL CHANGE ORDER FOR BID SCHEDULE NO. 1209 - SIDEWALK REPAIR PROJECT:

Staff is requesting Council approval of the final change order for Bid Schedule No. 1209 – Sidewalk Repair Project, to add \$110,103.30 to the contract with KALBAN Inc. of Sun Valley, California.

Bid Schedule No. 1209 completed the third year of the City's ten-year sidewalk repair program. The Sidewalk Repair Project included repairs to sidewalk, curb, gutter and driveways damaged by City trees. During the course of the project, it became apparent that more concrete repair was needed in the designated project area than originally contemplated. In addition, due to drainage problems and a lack of sidewalk on Peyton Avenue, the Community Development Department (CDD) requested that a length of new gutter on the north side and new sidewalk on the south side be constructed using CDD funds.

The additional work increases the contract by \$110,103.30, which is an increase of 20.6 percent. The revised contract total will be \$645,333.30.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING FINAL CHANGE ORDER IN THE AMOUNT OF \$110,103.30 FOR THE STREET REPAIR PROJECT, BID SCHEDULE NO. 1209 AND APPROVING THE PROJECT AS MODIFIED.

6. AGREEMENT FOR SERVICES BETWEEN THE CITY AND THE MAGNOLIA PARK PARTNERSHIP INC.:

As part of the City's efforts to improve the Magnolia Park area, the City initiated the formation of the Property-based Business Improvement District (P-BID), which is now formally called the Magnolia Park Partnership Inc., to fund a variety of improvements in partnership with Magnolia Park property owners. A Management Plan was developed outlining the major components of the P-BID, such as: boundaries; service plan; budget; assessment formula; and, governance of the organization. The specific services outlined in the plan include: parking improvements; additional maintenance; promotions; advertising; special events; business recruitment; and, administration.

Property owners representing more than 50 percent of the owners by assessment signed a petition to form a business improvement district. Subsequently, a majority of property owners voted to approve the P-BID on August 8, 2006. With the approval of the P-BID, the Council appointed the first Board of the Magnolia Park Partnership Inc. on October 10, 2006.

Since the formation of the P-BID, the Board has met three times and has approved the by-laws; filed and received their Articles of Incorporation; filed and received the non-profit status under 501c6 with the Internal Revenue Service; and, appointed an Executive Board. In addition, the Board has approved the Agreement with the City that is presented for the Council's consideration.

The proposed Agreement outlines the responsibilities of the City and the Magnolia Park Partnership Inc. The City is responsible for receiving the assessments from the Los Angeles County Assessors Office and forwarding the funds to the Magnolia Park Partnership Inc. The P-BID's responsibility is to carry out the Management Plan, provide and maintain certain insurance requirements, and provide an annual report to the Council.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AN AGREEMENT WITH THE MAGNOLIA PARK PARTNERSHIP, INC. FOR THE ADMINISTRATION OF THE MAGNOLIA PARK PROPERTY AND BUSINESS IMPROVEMENT DISTRICT.

END OF CONSENT CALENDAR *** *** ***

REPORTS TO COUNCIL:

7. SMOKING REGULATION ORDINANCE OPTIONS:

This report presents various options for Council consideration for regulating smoking in the City. Staff seeks direction from the Council regarding the content of a draft smoking regulation ordinance and on the proposed process and schedule for public

outreach and stakeholder input. On December 5, 2006, the Council directed staff to return with options for an ordinance to regulate smoking and to provide stakeholder outreach and opportunities for public input. On January 16, 2007, staff indicated to the Council that the direction provided on December 5 could result in a long process over a period of several months as options are formulated and public outreach is conducted. Some Council members expressed concern about a prolonged process, and the Council directed staff to return as quickly as possible with information about approaches used by other cities, to be used as a basis for outlining the options available to Burbank.

Staff is recommending that the Council provide direction on the content of a draft smoking regulation ordinance. Staff would then prepare a draft ordinance for public review. The ordinance would be considered by the Council for modification and adoption following a noticed public hearing. This approach would still provide the public with an opportunity to provide input directly to the Council on this issue, and on the content of the draft ordinance itself.

The State law regulating smoking in places of employment became effective in 1995. The purpose of the State law is to reduce employee exposure to secondhand smoke. The State law generally provides that smoking is prohibited in enclosed spaces at places of employment, but provides for a number of exceptions. In addition to the workplace smoking law, other sections of California law also regulate smoking. A number of California cities have their own smoking ordinances that supplement State smoking laws. While Calabasas and Santa Monica have two of the most recently-adopted smoking ordinances in California and have recently received media attention, numerous other cities have smoking regulation ordinances.

Based upon Council direction on December 5, 2006, the restrictions already in place under State law, and the approaches used by other cities, staff has compiled a list of locations where smoking could be prohibited or otherwise restricted within the City of Burbank. Smoking could be prohibited or restricted in a variety of indoor and outdoor locations, including parks, pedestrian plazas, elevators, outdoor dining areas at restaurants and bars, outdoor service lines where people wait for goods or services, transit stations and stops, Downtown Burbank, Magnolia Park, and the Chandler Bikeway.

Staff will prepare a draft smoking regulation ordinance based upon direction received from the Council. The draft ordinance will be made available on the City's web site and in City offices and libraries. In addition, staff will provide copies of the draft ordinance to community business groups and other stakeholders. Following public review of the draft ordinance, a public hearing will be scheduled for the Council to receive input from the community. Staff has developed a proposed schedule that would lead to a public hearing in late March. Notice of the hearing would be provided to stakeholder groups and businesses most affected by the proposed ordinance, and possibly through a Citywide mailing, pending direction from the Council.

Staff seeks direction from the Council as to the indoor and outdoor locations where the Council desires to prohibit or otherwise regulate smoking. Staff further seeks

direction regarding whether the proposed outreach effort and hearing schedule proposed by staff are adequate and appropriate, and whether the Council desires to conduct a Citywide mailing or a targeted mailing to specific stakeholders.

Recommendation:

Staff recommends Council direction to prepare a draft ordinance for public review to regulate smoking in the City. Staff also seeks direction from the Council on the content of the ordinance and the public outreach and noticing process.

8. SELECTION OF AN ARTIST/ART INSTALLATION FOR THE INTERSECTION OF BURBANK AND VICTORY BOULEVARDS AND VICTORY PLACE:

The purpose of this report is to request the Council select an artist to design and fabricate a gateway public art installation at the intersection of Burbank and Victory Boulevards and Victory Place, formerly known as Five Points.

At the October 18, 2005 meeting, the Council requested that staff bring back a discussion on the potential of developing a gateway public art installation on the one-acre vacant parcel at the intersection of Burbank and Victory Boulevards and Victory Place, formerly known as Five Points. On November 22, 2005, the Council directed staff to initiate an artist search. On March 14, 2006, the Council approved the development of a gateway art project and appropriated a total of \$300,000. The Council also appointed a Site Specific Art Committee.

In May 2006, staff released a Request for Proposal/Request for Qualifications for the Five Points Art Installation. Twenty-five proposals were received. The Committee carefully reviewed all proposals and selected seven semi-finalists. The semi-finalists were interviewed by the Committee, and ultimately three finalists were selected to develop a proposal and presentation material, including a maquette. The three finalists are Andrea Favilli, Gordon Huether and Beverly Precious.

Mr. Andrea Favilli, a South Pasadena artist, proposes a slightly larger-than-life bronze sculpture of Dr. David Burbank standing in front of a flagpole on a large pedestal. Mr. Gordon Huether, a Napa Valley artist, is proposing a twenty-foot painted steel film reel, with a film stripe of twenty to thirty photographic images in glass panels representing the history of Burbank. The third finalist, Ms. Beverly Precious from Indianapolis, Indiana, is proposing films strips arcing over a stainless steel reel forming a gateway or bridge to the City.

There is currently \$285,000 in the Five Points Art Installation Project fund. There will be no additional fiscal impact.

Recommendation:

Staff recommends that the Council select an artist to design and fabricate a bronze sculpture for the Five Points Art Installation Project.

9. UNIVERSAL PARKING STALL SIZE:

At the Council meeting of March 21, 2006, the Council directed staff to prepare a report on universal parking stall dimensions. This report responds to that request and recommends that the Council take no action at this time to modify the City's existing parking stall standards.

The Burbank Municipal Code requires a minimum width for parking stalls, depending upon land use. All parking stalls are required to have a length of 18-feet. The existing parking requirements ensure that land uses having higher traffic and parking generation characteristics (retail and commercial services, banks and savings and loan institutions and medical offices) be required to have nine-foot stalls to accommodate drivers entering and exiting the business with greater frequency. Land uses having lower traffic and parking generation characteristics (residential, general office and industrial) are allowed to provide eight-foot, six-inch stalls to accommodate the less frequented uses.

Study of adjacent communities and relevant research materials indicate that, if a universal stall size were to be adopted, the eight-foot, six-inch by 18-foot stall would be most appropriate. However, if adopted, the width requirement for higher intensity uses would actually be decreased from nine-feet to eight-feet, six-inches, providing less maneuverability for vehicles entering and exiting the parking stall. Staff believes that it is not necessary, at this time, to consider modifying the existing stall requirements. The current dimension requirements provide a balance by providing developers with greater flexibility and lower development costs for low turnover uses while providing the benefit of wider spaces for higher turnover uses.

Recommendation:

Staff recommends the Council note and file this report and not pursue any changes to the City's parking stall size standards at this time. If the Council wishes to proceed with any changes, staff seeks further direction from the Council regarding the regulation of parking stall dimensions.

RECONVENE the Redevelopment Agency and Parking Authority meetings for public comment.

FINAL OPEN PUBLIC COMMENT PERIOD OF ORAL COMMUNICATIONS: (Two minutes on any matter concerning the business of the City.)

This is the time for the Final Open Public Comment Period of Oral Communications. Each speaker will be allowed a maximum of **TWO** minutes and may speak on any matter concerning the business of the City. However, any speaker that spoke during the Initial Open Public Comment Period of Oral Communications may not speak during the Final Open Public Comment Period of Oral Communications.

For this segment, a **GREEN** card must be completed, indicating the matter to be discussed, and presented to the City Clerk.

COUNCIL AND STAFF RESPONSE TO THE FINAL OPEN PUBLIC COMMENT PERIOD OF ORAL COMMUNICATIONS:

ADJOURNMENT: To Wednesday, January 31, 2007 at 6:30 p.m. in the City Council Chamber, 275 East Olive Avenue, for a Joint Council/Board of Education Meeting.

**For a copy of the agenda and related staff reports,
please visit the
City of Burbank's Web Site:
www.ci.burbank.ca.us**