

Planning Board Minutes

November 14th, 2022

CALL TO ORDER 6:00 p.m.

INVOCATION None.

FLAG SALUTE None.

ROLL CALL

Present- - - - Planning Board Members: Chair, Christopher Rizzotti and Board Members, Michael Elric, and Samantha Wick.

Absent- - - - Vice Chair, Apraham Atteukenian and Board Member, Robert Monaco.

Also Present- Senior Assistant City Attorney, Lisa Kurihara; Assistant Community Development Director, Fred Ramirez; Planning Manager, Scott Plambaeck; Senior Planner, Daniel Villa; Associate Planner, Maciel Medina, and Planning Clerk, Kyle Joffee.

ANNOUNCEMENTS None.

HEARINGS

1. Project No.21-0000841 | 2202 North Glenoaks Boulevard | Resolution

PROJECT DESCRIPTION:

The Applicant, Jake Lee of Life Rooted Restaurant, has submitted a request for a Conditional Use Permit (CUP) to authorize the incidental sale of beer and wine for on- and off-site consumption at a bona fide public eating place/restaurant, the existing Life Rooted Restaurant at 2202 North Glenoaks Boulevard in the C-2 (Commercial Limited Business) Zone. ENVIRONMENTAL REVIEW: In accordance with the California Environmental Quality Act (CEQA), the Planning Board will determine if the proposed Project is Categorically Exempt from the California Environmental

Quality Act (CEQA) pursuant to Section 15301, Class 1 of the State CEQA Guidelines pertaining to an existing facility and the negligible expansion of an existing use. This exemption is applicable because the Project involves no interior or exterior alterations, and the nature of the current operations will remain the same.

Meeting Disclosures:

None.

Notices Given:

Mr. Ramirez informed the board that the notices have been given.

Staff Report:

Daniel Villa presented this item to the Board.

Applicant Presentation:

The applicant, Jake Lee expressed his support for the item and added that the temporary outdoor seating area that was added as a result of the COVID-19 Urgency Ordinance has been removed.

The restaurant owner, Peter Gonzalez thanked the Board and staff for their time and stated that the restaurant would operate in full compliance with the conditions of approval that staff has proposed.

Public Comment:

Joel Schlossman expressed his support for the project and requested that restrictions on dancing be removed from the conditions of approval.

Response to Public Comment:

Mr. Villa stated that in the City of Burbank Municipal Code, dancing is prohibited under the definition of restaurants with incidental alcohol sales.

Board Q&A:

Mr. Elric inquired about whether there will be alcohol served in the restaurant's outdoor dining area.

Mr. Villa clarified that the outdoor seating area that was added as a result of the COVID-19 Urgency Ordinance has been removed and there will not be alcohol served there. However, there is a second outdoor seating area where alcohol will be served.

Ms. Wick asked whether any special events such as weddings or anniversary parties will be held at the property?

Mr. Gonzalez stated that any special events held at the property will be similar to those seen at other restaurants and will stay within the property's established occupancy limit.

Ms. Wick inquired about whether the restaurant will have any televisions in the outdoor seating area for sports events.

Mr. Gonzalez clarified that there will not be any televisions in the outdoor seating area. However, the restaurant is planning to start serving brunch.

Ms. Wick asked if the beer and wine will be served solely out of bottles, or will it also be sold out of taps?

Mr. Gonzalez stated that he has not looked into that yet as it is dependent on negotiations with alcohol distributors.

Mr. Rizzotti inquired about the owner's knowledge and experience in terms of serving alcohol in the restaurant industry.

Mr. Gonzalez answered by saying that he has worked in the restaurant industry previously and that all employees will be trained in how to serve alcohol and handle any unruly customers.

Deliberation:

Mr. Elric made a motion to approve Project 21-0000841, a request for a conditional use permit to allow the incidental sale of beer and wine for on- and off-site consumption at 2202 North Glenoaks Boulevard, as amended. Seconded by Ms. Wick, carried by a vote of 3-0, the motion passes.

PROJECT DESCRIPTION:

- 2. Project No.22-0003178 | 1521 East Alameda Avenue | Resolution

The Applicant, James V. Coane, on behalf of the property owners, Ara Abrahamian, and Anita Moradian, submitted a request for a Conditional Use Permit (CUP) to allow the height of the top plate of a proposed single-family dwelling located at 1521 E. Alameda Avenue to be measured from the average grade rather than from existing grade pursuant to Burbank Municipal Code (BMC) Section 10-1-603(C)(1). ENVIRONMENTAL REVIEW: In accordance with the California Environmental Quality Act (CEQA), the Planning Board will determine if the proposed Project is Categorically Exempt from CEQA pursuant to Section 15303(a), Class 3 of the State CEQA Guidelines pertaining to the construction of a new single-family dwelling in a residential zone. The Class 3, categorical exemption is applicable because the Project involves the ultimate construction of

a new single-family dwelling unit on a property located at 1521 E. Alameda Avenue in the R-1 (Single Family Residential) zone.

Meeting Disclosures:

None.

Notices Given:

Mr. Ramirez informed the Board that the notices have been given.

Staff Report:

Maciel Medina presented this item to the Board.

Applicant Presentation:

The applicant, James Coane expressed his support for the project and stated that the project is well intentioned and non-harmful.

The owner, Ara Abrahamian provided background on his project and informed the board of why he is requesting the Conditional Use Permit.

Public Comment:

Pat Tomski stated that she does not want an out of character home and that the proposed project will invade her property's light, view, and privacy.

Lydia Mather expressed her support for the previous speaker's position.

Alina Moradyan stated that the project makes sense due to the property being on a slope and requested the Board's support for the project.

Soseh Markarian stated that the property owners have been great members of the community and requested that the Board take that into consideration when making their decision.

Albert Abrahamian expressed that he feels everything is positive regarding this project and he hopes that the Board approves it.

Armen Abrahamian said that no one should get in the way of such a well-considered plan and encouraged the Board to approve the project as proposed.

Emma Abrahamian stated that the proposed house is not out of character for the neighborhood.

Harry Berberian requested that the Board be child conscious and understand that the applicant is trying to raise a family when making their decision.

Joel Schlossman expressed his support for the project and thanked the Board for considering the project.

Ashley Gambourian said that the proposed project that the addition of eighteen inches to the height of the property is negligible doesn't exceed the applicable city code and that the owners should be allowed to obtain a CUP.

Jim Casey expressed that approving this CUP would be the granting of a variance and that it would set a precedent for future applicants to use the average lot height rather than the lowest existing elevation to determine the maximum top plate height and that he requests the Board deny this request.

Steve Baghoomian stated that the entire project is consistent with the Burbank codes and that the proposed building is thirty-six feet away from any neighboring property.

Betty Amaya expressed that if all provisions are being met then the applicant should not be stopped from building their home.

Alina voiced her support for the project and that she welcomes those who plan to build homes that are energy inefficient.

Jennifer Landon stated that she was pleased that the property did not fall into a developer's hands and that she feels the homeowners should be allowed to build their home as intended.

Response to Public Comment:

Mr. Medina stated that the applicant is required to provide privacy hedges along the house's side property lines as part of the project's conditions of approval.

Mr. Medina also clarified that the request being made is not a deviation from the code to exceed the maximum plate height, but that CUP request allows for the plate height to be measured from the average grade instead of the existing grade. Further, he noted that the maximum roof height is thirty feet, and the applicant is proposing their roof height to be twenty-fix feet and nine inches; below the maximum allowable building height.

Mr. Medina then stated that the project being proposed is a Conditional Use Permit and not a Variance and the request is a permitted objective standard in the height section of the City's Zoning Code with the approval of a CUP.

Mr. Ramirez clarified that the request is not for a deviation from the City's Development Standards. The request is for a Conditional Use Permit to measure the top plate from the average grade instead of the existing grade, which is consistent with all standards listed in the City's Zoning Code.

Applicant Response to Public Comment:

Mr. Abrahamian stated that he has received support for his project from many of his neighbors and that he wanted to provide this context to the Board for their decision-making process.

Board Q&A:

Mr. Rizzotti inquired about the difference between the red line and the yellow line on the top plate on Exhibit C-12.

Mr. Coane said it is either one foot and eight inches or one foot and nine inches.

Mr. Rizzotti asked if the owner could build up to a maximum height of thirty feet if he wanted to.

Mr. Coane answered that yes, the homeowner could build up to thirty feet.

Ms. Wick inquired that if the lot was not sloped and the top plate was in compliance, would a CUP be necessary?

Mr. Medina clarified that if the request for this project is approved, the top plate will be in compliance due to it being measured from the average grade.

Mr. Ramirez added that if the lot was flat, staff would still take a measurement for top of plate to not exceed twenty feet. The CUP simply allows for the starting point of the measurement to be based on the average grade and not the existing grade.

Deliberation:

Mr. Elric made a motion to approve Project 22-0003178, a request for a Conditional Use Permit to allow the top plate height of a proposed single-family dwelling located at 1521 E. Alameda Avenue to be measured from the average grade in lieu of being measured

from the existing grade pursuant to Burbank Municipal Code Section 10-1-603(C)(1). Seconded by Mr. Rizzotti, carried by a vote of 3-0, the motion passes.

ORAL
COMMUNICATIONS

Pat Tomski voiced her opposition to Item Number Two.

BOARDS AND
COMMISSIONS
TEAM
DEVELOPMENT
TRAINING

Jim Uhl presented this item to the Board.

REPORTS

None.

APPROVAL OF
MINUTES

Mr. Elric made a motion to approve the minutes from the Planning Board meetings of September 12, 2022. Seconded by, Mr. Rizzotti, carried by a vote of 2-0, with Ms. Wick abstaining, the motion passes.

ITEMS FROM THE
PLANNING BOARD

Mr. Elric inquired whether staff can examine the Commercial Equestrian zoning in the City of Glendale and determine if staff can implement something similar in the Rancho area.

Mr. Ramirez stated that staff will examine the Commercial Equestrian zoning in Glendale as a possible zoning land-use that could be considered in a possible update to the Rancho Master Plan that will be considered by the City Council in early 2023.

CITY PLANNER
COMMENTS

Mr. Ramirez welcomed Ms. Wick to the Board and commended and thanked the Board for their hard work and dedication to building a Safe, Beautiful and Thriving Community.

ADJOURNMENT
TO THE PLANNING
BOARD MEETING
OF DECEMBER 12,
2022.

Respectfully Submitted,

Secretary of the Planning Board