



APPEAL APPLICATION

Case No. PDR 002532-2023

Date 04/25/24

Submit this form on the Glendale Permits site at www.glendaleca.gov/permits (Click "Apply," "Skip..." and then search for "Appeal of Planning Decision"). For more information about this form and related fees, please call the Planning Division at (818) 548-2115. Please complete (PRINT or TYPE) the following information:

PART 1 – NOTICE TO APPELLANT (please read carefully)

- A. This form must be prepared **and filed, within 15 days of the date of the decision being appealed. Sub-division applications must be appealed within 10 days of the date of decision.**
- B. Every question must be answered.
- C. If a question does not apply, you must answer "does not apply" or words to that effect.
- D. Failure to properly fill out this notice or failure to make a sufficient statement of a case in this notice, even if in fact you have valid and sound grounds for appeal, may cause your appeal to be dismissed forthwith.
- E. Attach additional pages for long answers.
- F. Prior to completing this form, read the Glendale Municipal Code, Title 2, Chapter 2.88 Uniform Appeal Procedure on the City's webpage at https://library.qcode.us/lib/glendale_ca/pub/municipal_code/item/title_2-chapter_2_88

PART 2 – APPELLANT INFORMATION

A. Christopher	Smee	christophersmee@gmail.com		
First Name	Last Name	Email Address		
B. 1332 Loreto Drive	Glendale	CA	91207	747-218-3606
Street Address	City	State	Zip Code	(Area Code) Phone Number

PART 3 – APPEAL BACKGROUND INFORMATION

- A. State the name or title of the board, commission, or officer from which this appeal is taken Design Review Board
- B. Were you given written notice of the action, ruling or determination? Yes ☐ No ☒
- If "Yes," attach a copy of the written notice and write the date you received it here _____
- If "No," give the following information concerning your receipt of notice of the action, ruling or determination.
- Date 04/25/24 Time 9:30pm Location Online DRB meeting Manner Watching online
- C. State generally what kind of permit, variance, ruling, determination, or other action was the basis for the decision from which the appeal is taken New construction
- _____
- _____
- D. State the specific permission or relief that was originally sought from the board, commission, or officer _____
- Design review / planning approval
- _____
- E. Were you the party seeking the relief that was originally sought? Yes ☐ No ☒
- If "No," how are you involved with the permit, variance, ruling, determination, or other action referred to above?
- Member of the community _____
- F. Does this matter involve real property? Yes ☒ No ☐
- If "Yes," give the address, or describe the real property affected 1000 Sandringham Drive
- (listed as 1000 Balmoral Drive in the Glendale Planning Portal)
- _____

PART 4 – STATEMENT OF ERROR

A. Do you contend that there was a violation of a specific provision of law, which forms the basis for this appeal? Yes ☒ No ☐

If "Yes", state each specific provision of law that you contend was violated: _____

Yes – see attached letter _____

B. Do you contend that the board, commission, or officer exceeded its authority by virtue of any of the provisions of law given in answer "A"? Yes ☒ No ☐ If "Yes", state which provisions, and state specifically each act that was in excess of authority:

Yes - see attached letter _____

C. Do you contend that the board, commission, or officer failed to fulfill a mandatory duty by any provision of law given in answer "A"? Yes ☒ No ☐ If "Yes", state which provision, and the specific duty that it failed to exercise:

Yes - see attached letter _____

D. Do you contend that the board, commission, or officer refused to hear or consider certain facts before rendering its decision? Yes ☒ No ☐ If "Yes", state each such fact, and for each fact, state how it should have changed the act, determination, or ruling: _____

Yes – see attached letter _____

E. Do you contend that the evidence before the board, commission or officer was insufficient or inadequate to support its action, determination or ruling or any specific finding in support thereof? Yes ☒ No ☐ If "Yes", state what evidence was necessary, but lacking: _____

Yes – see attached letter _____

F. Do you contend that you have new evidence of material facts not previously presented, which if considered should change the act, determination or ruling? Yes ☒ No ☐ If "Yes", state each new material fact not previously presented to the board, commission, or officer. For each fact, state why it was not available, or with the exercise of reasonable diligence could not have been discovered and previously presented by the appellant: _____

Yes – see attached letter _____

Statement of additional facts related to the appeal: See attached letter _____

The foregoing statements, contained in PARTS 2, 3 and 4 above, are true and correct to the best of my knowledge and belief.

Christopher Smee

Appellant's Name – **Please Print**



Appellant's Signature

05/10/24

Date Signed

FOR STAFF USE ONLY

Date Stamp

Date received in Permit Services Center _____ Received by _____

Fee paid _____ Receipt No. _____

1332 Loreto Drive
Glendale, CA, 91207
747-218-3606

Re: Case number PDR-002532-2023

To the Appeals Application Department,

I object to the development proposal at 1000 Sandringham Drive and I am filing an appeal of the DRB decision dated 25 April 2024.

Reasons for appeal:

1) This two-story project provided inadequate notice to neighbors. The City has a requirement for story-poles to be erected at least 10 days prior to the date of the Design Review Board hearing to allow neighbors enough time to view the property and the staff report.

The property owner did NOT give the neighborhood 10 days to view the story poles, along with the project plans. The story poles were barely up 3 days prior to the DRB hearing, so many neighbors, including myself, were not able to view them prior to the DRB meeting. This is a clear procedural violation. Staff should have mandated that this item be continued to a future DRB meeting to allow residents to view the story poles for at least 10 days. Why did staff proceed in taking this case to a hearing when there was a clear procedural violation, that denied the public opportunities to review this project?

I am depositing the \$2,000 for the appeal under protest because the hearing date was set prematurely by the city.

2) The property APN 5650-001-017 has an irregular shape; it does not follow a clear lot line as required by subdivision codes. Does it have the required 100 feet of frontage for a newly created lot in the R1R zone or was a variance granted? How come this property does not match the shape and square footage of the parcel description shown in the Los Angeles County Tax Assessor maps (PM GLN No. 1377 Parcel A, as recorded in PM 144 Pages 4-5 County of Los Angeles) that was recorded in 1981?

<https://pw.lacounty.gov/sur/nas/landrecords/parcel/PM144/PM144-004.pdf>

How was this lot created and when did it first appear as a separate lot, under separate ownership from the remainder of Parcel A? Was this lot subdivided legally?

3) There is a fire access easement across the driveway portion of the property that the applicant has gated off (see PM 144 4-5, Instrument N. 81-691511 recorded 7-10-1981). Does the Fire Department know that their access to the wildlands surrounding this property has been blocked by this developer? Why is this allowed in a very high fire severity zone?

4) It appears that a portion of Parcel A was given to the City of Glendale as open space, whether legally or illegally subdivided is unclear. CEQA review is required for the City to accept lands for public purpose, which I am assuming is open space and habitat protection. When was the land donation cleared through CEQA? Where is that document?

5) However the City obtained the open space, the entire original parcel, including this land, should be in public ownership as open space given that this property is a known wildlife corridor. This property is part of a critical wildlife corridor leading from the San Rafael Hills to the Verdugo Mountains. As such, it is important that any development on this property be designed with habitat protection and animal movement in mind. It should be noted that protection of wildlife habitat and corridors and natural resource protection is policy in the City's sustainability plans (adopted Greener Glendale Plan) as well as in Glendale's General Plan. The importance of preserving wildlife habitat and corridors is also in state law (AB 498 (2015), SB 790 (2022), AB 2344 (2022) and currently AB 2320(2023-2024). Therefore, project design that accommodates, while protecting wildlife corridors, falls under the purview of the Design Review Board, as well as other City Boards and Commissions to implement on a case-by-case basis.

This project should be modified to accommodate the existing critical wildlife corridor, as well as provide for adequate fire department access. The following design modifications and conditions are recommended:

A) The northerly 15 feet of the property (and the area along the driveway) should be designated for wildlife passage, rather than the 10-foot minimum interior setback permitted in the R1R Zone. This additional 5 feet is necessary to accommodate wildlife passage and to minimize human interference. Given the size of the slope to the north of this property, a 15-foot interior setback should also remove the need for additional grading and stepped walls or impact walls along the northerly side of the property.

B) Fencing and retaining walls should be limited to no more than 3 feet in height along the northerly 15 feet of the property to allow open access for migrating wildlife. The driveway shall not be fenced, walled or otherwise blocked with structures so as to impede access for migrating animals. This also has the benefit of unimpeded access for fire personnel. This direction is consistent with Hillside Design Guidelines, Section E, Subsection 2 which also states "driveway slope should be limited to allow easy pedestrian access and trash collection."

C) No buildings, accessory structures, such as ADUs, garages, temporary buildings or structures, or fences, or walls shall be constructed within fifteen feet of the northerly property line, within the area designated as a wildlife passage.

D) No outdoor lighting or "spill-over" lighting is permitted within the northerly 15 feet of the property, within the wildlife passage. This direction is also consistent with dark skies and privacy requirements prohibiting light spillage.

E) While Chapter 3 Hillside Design Guidelines (Residential) often recommend minimizing grading through use of retaining walls, given the nature of this property as a wildlife passage, and also a fire department access to adjacent wildlands, it is recommended that use of retaining walls be limited and that grading resulting in slopes with 15% or less grade be encouraged. A 15% maximum grade is the same maximum grade established in the Glendale Municipal Code for driveways and roadways and will allow access for not only wildlife, but also quick access for firefighters during emergency events. This is in keeping with the spirit of Hillside Design Guidelines, Section D. Retaining Walls, Subsection 3. which states that "use of retaining walls to create backyards in hillside areas is not appropriate."

F) The second story of the house should be setback from the slope along the northern edge of the property, adjacent to the wildlife passage. This design will allow light and air flow adjacent to the natural slope on the northern edge of the property and reduce the “tunneling” effect that would impede animal migration.

G) The applicant should use native landscaping, particularly within the northerly 15 feet of the property, within the wildlife passage. Native landscaping should be chosen from a fire-wise pallet and approved by the Fire Department.

H) HVAC equipment and/or any pool or spa equipment shall not be located within the northerly 15 feet of the property, within the wildlife passage. Preferably, such outdoor equipment will be located as far from the northerly property line as practical.

I) No trash enclosures or trash storage should be permitted within the northerly 15 feet of the property, within the wildlife passage.

J) Any walls, including retaining walls, along the northerly property line should be required to use decorative, natural materials such as rock, to blend into the landscape. (Hillside Design Guidelines, Section D, Subsection 3).

K) Any areas proposed to be walled should include an area with steps or terraces to allow residents, fire personnel, and animals to escape during emergency events. The northerly 15 feet of the property shall not be fenced or blocked for any reason. Maintaining open access to the wildland fire area and adjacent publicly owned property will ensure access is available for fuel modification and other necessary public facility maintenance.

L) Any required drainage facilities such as swales, catch basins and impact walls shall be colored to match the hillside and use rock, decorative block or other durable decorative treatment. Paint and stucco are unacceptable.

Thank you for your consideration of these critical design considerations.

Sincerely,

Christopher Smee