

Appeal

Case No. _____

Date _____

Submit 3 copies of this application, along with the required fee, to:

Permit Services Center (PSC), 633 East Broadway, Rm. 101, Glendale, California, 91206 (Monday thru Friday, 7:00 am to 12:00 pm);

Or to:

Community Development Department (CDD), 633 East Broadway, Rm 103, Glendale, California, 91206 (Monday thru Friday, 12:00 pm to 5 p.m.).

For more information please call the PSC at 818.548.3200, or 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 3 copies filed, within 15 days of the date of the decision being appealed.
- B. Every question must be answered.
- C.
- 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 www.ci.glendale.ca.us/gmc/2.88.asp

PART 2 – APPELLANT INFORMATION

A.	<u>Aram</u>	<u>Alajajian</u>	<u>Aram@amaincs.com</u>		
	First Name	Last Name	Email Address		
B.	<u>320 W. Arden Ave #120</u>	<u>Glendale</u>	<u>CA</u>	<u>91203</u>	<u>(818) 551-1613</u>
	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 Historic Preservation Commission
- B. Were you given written notice of the action, ruling or determination? Yes ☐ No ☒
write the date you received it here _____
Date 02/16/23 Time Approx. 7 PM Location Council Chambers Manner Verbal
Receipt of notice of the action, ruling or determination.
- 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 Project Design Review and Environmental Impact Report (EIR) Determination.
- D. State the specific permission or relief that was originally sought from the board, commission, or officer Approval of Design Review Application (DR # PDR2017612) and Certification of Final EIR Adopting a Statement of Overriding Considerations; and Mitigation Monitoring and Reporting Program (MMRP).
- E. Were you the party seeking the relief that was originally sought? Yes ☒ No ☐
_____, ruling, determination, or other action referred to above? _____
- F. Does this matter involve real property? Yes ☒ No ☐
_____ al property affected 1642 S. Central Ave and 1608 Gardena Ave

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, specify the provision of law that you contend was violated:

B. Do you contend that the board, commission or officer exceeded its authority by virtue of any of the provisions of the state constitution? X If so, state specifically each act that was in excess of authority:

C. Do you contend that the board, commission or officer failed to fulfill a mandatory duty by any provision of law
X e which provision, and the specific duty that it failed to
exercise:

D. Do you contend that the board, commission or officer refused to hear or consider certain facts before
☒ ate each such fact, and for each fact, state how it should
 have changed the act, determination or ruling:
 See Attached Information

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 XNo
t lacking: _____

F. Do you contend that you have new evidence of material facts not previously presented, which if considered should change the act, determination or X 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:

Statement of additional facts related to the appeal: The HPC recommended Alternative #3 from the EIR to replace the proposed Transit Oriented Density Bonus Housing Project. Alternative #3 would greatly reduce the number of housing units provided, is NOT economically feasible, and would be unrealistic to achieve without Variances and Modifications to the Glendale Municipal Code.

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

Aram Alajajian

Please Print

02/24/2023

Date Signed _____

Date received in Permit Services Center _____ Received by _____
 Fee paid _____ Receipt No. _____

Date Stamp

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- 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 www.ci.glendale.ca.us/gmc/2.88.asp

PART 2 – APPELLANT INFORMATION

A.	Rodney	Khan	khanconsulting@aol.com		
	First Name	Last Name	Email Address		
B.	PO Box 816	Montrose	CA	91021	818-216-5315
	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 _____
Historic Preservation Commission
- 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 02/16/23 Time Approx. 7 PM Location Council Chambers Manner Verbal
- 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 Project Design Review and Environmental Impact Report (EIR) Determination.
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Approval of Design Review Application (DR # PDR2017612) and Certification of Final EIR Adopting a Statement of Overriding Considerations; and Mitigation Monitoring and Reporting Program (MMRP).
- 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? _____
- F. Does this matter involve real property? Yes ☒ No ☐
If "Yes," give the address, or describe the real property affected 1642 S. Central Ave and 1608 Gardena Ave

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: _____
- 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: _____
- 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: _____
- 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:
See Attached Information
- 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: _____
- 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: _____

Statement of additional facts related to the appeal: The HPC recommended Alternative #3 from the EIR to replace the proposed Transit Oriented Density Bonus Housing Project. Alternative #3 would greatly reduce the number of housing units provided, is NOT economically feasible, and would be unrealistic to achieve without Variances and Modifications to the Glendale Municipal Code.

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

Rodney V. Khan

Appellant's Name - Please Print



Appellant's Signature

02/23/2023

Date Signed

FOR STAFF USE ONLY

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Fee paid _____ Receipt No. _____

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☒ Yes ☐ No
 If Yes, specify the provision of law that you contend was violated: _____

B. Do you contend that the board, commission or officer exceeded its authority by virtue of any of the provisions of state specifically each act that was in excess of authority: X

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X e which provision, and the specific duty that it failed to
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Date Signed _____

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PART 4 - STATEMENT OF ERROR

D. Do you contend that the board, commission, or officer refused to hear or consider certain facts before rendering its decision? YES If YES state each such fact, and for each fact, state how it should have changed the act, determination or ruling:

1.) The proposed Roadway Apartments is a Density Bonus, Transit Oriented Housing Project located directly across the street from the Larry Zarian Transportation Center – Glendale’s main transit hub. The project consists of 31 residential dwelling units, which include 3 very low-income affordable rental housing units. The Historic Preservation Commission (HPC) failed to recognize the importance of creating much needed market rate and affordable housing units at this strategic location. No consideration was given to the Regional Housing Needs Assessment (RHNA) report which details the thousands of housing units that the City of Glendale needs to provide at all income levels. Instead, the HPC recommended Alternative #3 from the EIR which would greatly reduce the number of housing units provided, is NOT economically feasible and would be unrealistic to achieve without Variances and Modifications to the Glendale Municipal Code.

Also the HPC refused to consider that the development of this property will be consistent with the goals and policies of the Housing Element that emphasizes the need to create a wide range of housing opportunities, and the City’s direction to encourage housing in and around the Transportation Center.

Had the Historic Preservation Commission recognized the importance of this information they would have changed their determination and recommendation for the Project.

2.) The Project meets all of the development standards as called out in the current Zoning Ordinance and the State of California requirements for a Density Bonus Housing Project. The Historic Preservation Commission failed to recognize the importance of these requirements.

Had the Historic Preservation Commission recognized the importance of City Staff’s comments they would have changed their determination and recommendation for the Project.

3.) The architectural design of the building, Modern / Contemporary was appropriate for the site location and adjacency to the Transportation Center. The mass and scale of the New Density Bonus, Transit Oriented Housing Project reflects the new Multiple Family Housing Projects recently built in the immediate area.

This proposed Transit Oriented Housing Project will further establish an identity for the area and encourage other properties in the neighborhood to invest and modernize. The surrounding land uses consist of warehouse uses to the north, a residential land use to the south, an automobile body shop to the east, and the Larry Zarian Transportation Center to the west. The Project is well located in the City to enable the residents to walk to a variety of nearby transit opportunities, retail businesses, restaurants, banks, and a multitude of shops and businesses.

Had the Historic Preservation Commission recognized the importance of this information they would have changed their determination and recommendation for the Project.

4.) The Historic Preservation Commission tried to impose language and mitigation measures to the Environmental Impact Report (EIR) that were unachievable and did not follow the industry requirements for such documents. The City Staff tried to correct Commissioners and redirect their unrealistic requirements. Unfortunately, Staff was not successful in eliminating the unrealistic requirements.

Had the Historic Preservation Commission recognized the importance of City Staff's comments they would have changed their determination and recommendation for the Project.