

Appeal

CITY OF GLENDALE
CDD PLANNING DIVISION
RECEIVEDCase No. PDBP2120753Date 7-21-2022

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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. 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. GRANT MICHAELS (GHCC) GRANT@MICHAELS.COM
First Name Last Name Email Address

B. 2710 PIEDMONT AVE. #12 MONTROSE CA 91020
Street Address City State Zip Code Area Code Phone Number 818 987-5518

PART 3 – APPEAL BACKGROUND INFORMATION

- A. State the name or title of the board, commission or officer from which this appeal is taken PLANNING HEARING OFFICER
- 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 7-11-2022 Time 7 PM Location GHCC MEETING MANNER WEB SITE
- 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 DENSITY BONUS, CONCESSIONS/ WAIVERS AND CEQA EXEMPTION
- D. State the specific permission or relief that was originally sought from the board, commission, or officer REJECTION OF DENSITY BONUS, CONCESSIONS/ WAIVERS
- 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? REPRESENTED BY GHCC DELEGATE CATHERINE JURCA
- F. Does this matter involve real property? Yes ☒ No ☐
If "Yes," give the address, or describe the real property affected 246 N. JACKSON ST.

PART 4 - STATEMENT OF ERROR *SEE ATTACHED*

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

GRAINT MICHAELS PRESIDENT GHCC

Appellant's Name - Please Print

Grainth Michaels

Appellant's Signature

7-21-2022

Date Signed

FOR STAFF USE ONLY

Date received in Permit Services Center _____ Received by _____

Fee paid _____ Receipt No. _____

Date Stamp

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

Gov. Code § 65915, provisions regarding calculation of replacement units, incentives and waivers, CEQA Guidelines § 15332 and § 15300.2.

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

Granting of density bonus, concessions and waivers, despite limitations in Gov. Code § 65915 above, and CEQA exemption.

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

See B.

D. Do you contend that the board commission or officer refused to hear or consider certain facts before rendering its decision? Yes

Council direction re: Density Bonus projects; misapplication of § 65915; relevance of GMC 9.30.

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

Pro forma.

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

Calculations of affordable replacement unit not included in staff report.
