



# APPEAL APPLICATION

Case No. \_\_\_\_\_

Date \_\_\_\_\_

Submit this form on the Glendale Permits site at [www.glendaleca.gov/permits](http://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](https://library.qcode.us/lib/glendale_ca/pub/municipal_code/item/title_2-chapter_2_88)

### PART 2 – APPELLANT INFORMATION

A. **David** **Brody** **central@bwbrody.com**  
 First Name Last Name Email Address

B. **14140 Moorpark St #400** **Sherman Oaks** **CA** **91423** **(818)981-1151 ex 203**  
 Street Address City State Zip Code (Area Code) Phone Number

Representatives for appellant: Benjamin Reznik and Daniel Freedman, JMBM, BMR@JMBM.COM & DFF@JMBM.COM

### PART 3 – APPEAL BACKGROUND INFORMATION

- A. State the name or title of the board, commission, or officer from which this appeal is taken \_\_\_\_\_  
Erik Krause, Deputy Director of Community Development
- 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 October 28, 2024, See attached.  
 If "No," give the following information concerning your receipt of notice of the action, ruling or determination.  
 Date \_\_\_\_\_ Time \_\_\_\_\_ Location \_\_\_\_\_ Manner \_\_\_\_\_
- 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 \_\_\_\_\_  
See attached. Determination finding that appellant's proposed density bonus project is not exempt from the California Environmental Quality Act; Determination found that the Project site contains a historic resource; Determination concluded that the project required the preparation of an Environmental Impact Report.
- D. State the specific permission or relief that was originally sought from the board, commission, or officer \_\_\_\_\_  
See attached. Applicant has submitted multiple studies which show that the project qualifies for a Class 32 exemption from the California Environmental Quality Act.
- 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 \_\_\_\_\_  
1303-1315 N. Central Avenue, Glendale ("Site")

**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: Government Code Sec. 65913.10; Government Code Sec. 65589.5; Public Resources Code 21159.25; Public Resources Code 21084.1; Government Code Sec. 65920 et. seq.

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:

See attached. Director of Planning failed to comply with Government Code Sec. 65913.10; Actions in bad faith and in violation of the California Housing Accountability Act.

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. The Determination ignores expert evidence and substantial evidence in the record that determined the Site does not contain any historic resource.

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:

See attached. The Determination ignores expert evidence and substantial evidence in the record that determined the Site does not contain any historic resource.

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:

See attached. The Determination ignores expert evidence and substantial evidence in the record that determined the Site does not contain any historic resource. Additional evidence will be presented to the City Council.

Statement of additional facts related to the appeal: See attached. Appellant reserves the right to supplement this appeal in advance of a properly noticed hearing.

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

**David Brody**

Appellant's Name – Please Print

David Brody  
Appellant's Signature

**11/07/2024**

Date Signed

**FOR STAFF USE ONLY**

**Date Stamp**

Date received in Permit Services Center \_\_\_\_\_ Received by \_\_\_\_\_

Fee paid \_\_\_\_\_ Receipt No. \_\_\_\_\_