



# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • (562) 570-6194 FAX (562)570-6068

August 21, 2014

CHAIR AND PLANNING COMMISSIONERS  
City of Long Beach  
California

## RECOMMENDATION:

Approve a Local Coastal Development Permit and Vesting Tentative Parcel Map No. 72651 for the conversion of two existing apartment units to condominiums at 9 and 11 Temple Avenue and accept Categorical Exemption 14-024. (District 3)

## APPLICANT:

Steve Powell  
c/o Armen Ross  
1308 Sartori Avenue, Suite 109  
Torrance, CA 90501  
(Application No. 1403-04B)

## DISCUSSION

The subject site is located on the west side of Temple Avenue between Ocean Boulevard and First Street (Exhibit A-Location Map). The site is approximately 8,000 square feet (80' x 100') in area and is improved with a two-story, two-unit apartment building with four garage parking spaces. The applicant is requesting conversion of two residential units into condominiums.

The project consists of two four-bedroom, three-bathroom units in a two-story building with a full basement and rooftop deck constructed in 2009. A two-car garage is attached to each unit with vehicle access provided from the east/west alley north of the site (Exhibit B-Plans and Photographs). This contemporary townhouse style apartment building has large expanses of plate glass windows on the front elevation and varying geometric shaped windows on the remaining elevations. A one-story common garage wall attaches the two units. Each unit has independent pedestrian access with a walkway leading to the public sidewalk. The building is in very good condition, having been built within the past five years. Its construction was preceded by Lot Line Adjustment and Local Coastal Development Permit approved in 2005 (Case No. 0404-22). Although the site is located in the Bluff Heights Historic District, a Certificate of Appropriateness is not required for the requested permits as no exterior alterations are proposed.

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The current action requested is the approval of a Vesting Tentative Parcel Map for the purpose of converting two residential apartment units to condominium units. In order to grant approval of the Parcel Map, the Planning Commission must find that the proposed action is consistent with the requirements of the Subdivision Regulations and that adequate provisions are made for the long-term maintenance of the structure. The structure currently conforms, or will conform, to all requirements set forth by the Subdivision Regulations (Exhibit C-Conditions of Approval and Findings).

The City of Long Beach Building Bureau conducted a Special Inspection for compliance with the minimum condominium conversion requirements on June 2, 2014. No code deficiencies were found during the City inspection. In addition, a state licensed contractor inspected the heating, plumbing and roofing systems and found all systems to be in good condition. The structure has also been inspected for termites and does not require any treatment or repairs due to dry rot and/or infestation of drywood termites (Exhibit D-Inspection Letters). If any repairs are required, the Conditions of Approval require that the building be brought into full compliance with the condominium requirements prior to approval of the Final Map. In addition, the applicant is required to pay a condominium conversion permit fee.

Planning staff believes that adequate provisions for the long term maintenance of the building can be achieved through the creation of a Homeowner's Association and the collection of association fees. This will be strengthened by on-site maintenance responsibility. As a Condition of Approval, the applicant is required to submit a copy of the Covenants, Conditions, and Restrictions (CC&Rs) of the Homeowner's Association, which set forth requirements for the collection of fees and the maintenance of the structures and common areas.

The Housing Services Bureau has reviewed the request to determine if the residential units that will be converted to condominiums qualify as affordable and/or are occupied by low or very low income households in accordance with Municipal Code Section 21.60. The Housing Services Bureau has confirmed that the conversion of two or fewer residential units to condominiums is exempt from the replacement requirements for low income households. Additionally, the owner has submitted a letter stating that 11 Temple Avenue has been vacant since 2009 when the Certificate of Occupancy was issued.

The subdivision will provide additional home ownership opportunities within the Coastal Zone of the City. Based upon the above analysis and the attached findings, Planning staff concludes the request should be approved.

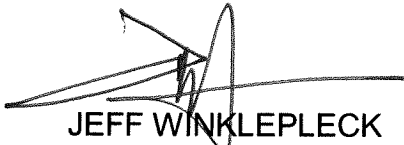
**PUBLIC HEARING NOTICE**

Notices of Public Hearing were mailed on July 31, 2014 to owners and tenants within a 750-foot mailing radius, the Bluff Park Neighborhood Group, and the elected representative of the 3rd Council District. At the time of preparation of this report, no responses have been received.

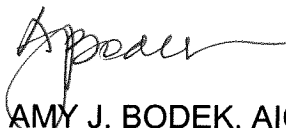
**ENVIRONMENTAL REVIEW**

In accordance with Guidelines for Implementation of the California Environmental Quality Act, the proposed action has been determined to be categorically exempt under Section 15301, Existing Facilities, Class 1, Item (k). This section states that the division of multiple-family residences into common-interest ownership where no physical changes occur can be considered Categorical Exempt (CE). Therefore, CE 14-024 (Exhibit E-Categorical Exemption) was prepared for this project and is attached for review.

Respectfully submitted,



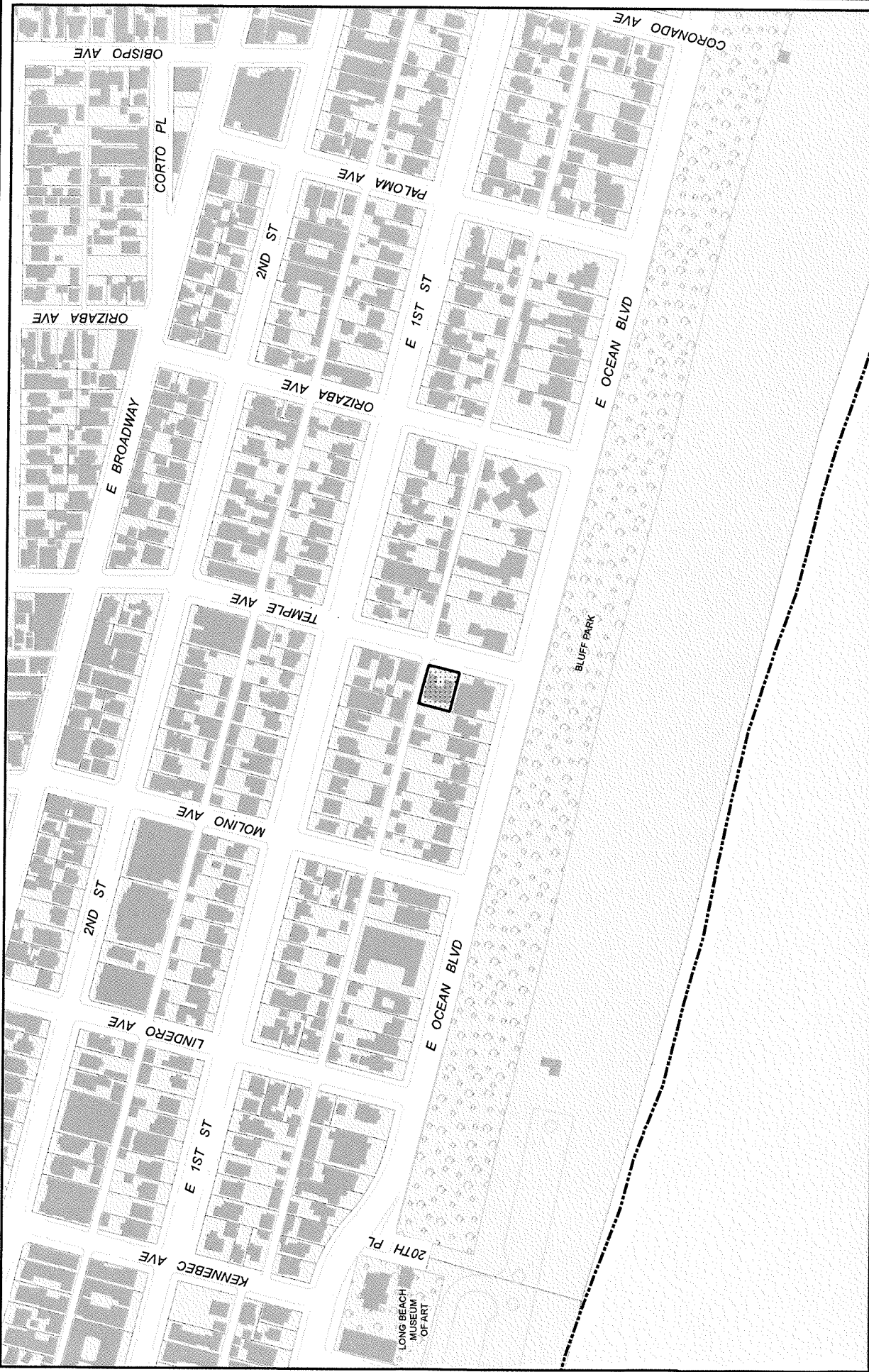
JEFF WINKLEPLECK  
ACTING PLANNING ADMINISTRATOR



AMY J. BODEK, AICP  
DIRECTOR OF DEVELOPMENT SERVICES

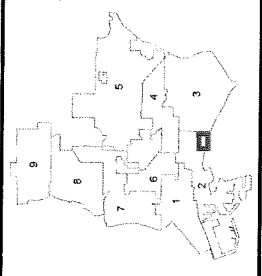
AJB:JW:LF

Attachments:      Exhibit A-Location Map  
                         Exhibit B-Plans and Photographs  
                         Exhibit C-Conditions of Approval and Findings  
                         Exhibit D-Inspection Letters  
                         Exhibit E-Categorical Exemption



**Subject Property:**  
 9 & 11 Temple Ave  
 Application No. 1403-04  
 Council District 3  
 Zoning Code : R-2-L

**Exhibit A**



**VESTING TENTATIVE PARCEL MAP NO. 72651  
LOCAL COASTAL DEVELOPMENT PERMIT  
CONDITIONS OF APPROVAL  
Case No. 1403-04B  
Date: August 21, 2014**

1. The Final Map is to be prepared in accordance with the approved Tentative Parcel Map and shall be filed within thirty-six (36) months from the date of approval by the Planning Commission of the Tentative Map, unless prior to expiration of the thirty-six month period, the Planning Bureau has received a written request from the subdivider for an extension of time in writing and receives approval by the Zoning Officer.
2. Unless specifically waived by the Planning Commission, as per Section 21.42.080 of the Long Beach Municipal Code, the Final Map shall be prepared to conform to all conditions, exceptions and requirements of Title 20 (Subdivision Ordinance) of the City of Long Beach.
3. The final map shall be based upon criteria established by the Director of Public Works.
4. Prior to final map approval, the Subdivider shall obtain utility clearance letters for any public entity or public utility holding any interest in the subdivision as required by the Subdivision Map Act.
5. All required facilities required by the Department of Public Works not in place and accepted prior to final map approval must be guaranteed by instrument of credit or bond to the satisfaction of the Director of Public Works.
6. The Subdivider shall construct all off-site improvements needed to provide full ADA accessibility compliance within the adjacent public right-of-way to the satisfaction of the Director of Public Works. If a dedication of additional right-of-way is necessary to satisfy ADA requirements, the right-of-way dedication way shall be provided.
7. The Subdivider shall provide easements to the City of Long Beach for proposed public utility facilities to the satisfaction of the concerned City Department or public agency and shall show on the map.
8. Unless approved by the Director of Public Works, easements shall not be granted to third parties within areas proposed to be granted, dedicated, or offered for dedication to the City of Long Beach for public streets, alleys, utility or other public purposes until the final map filing with the County Recorder. If easements are granted after the date of tentative map approval and prior to final map recordation, a notice of subordination must be executed by the third-party easement holder prior to the filing of the final map filing.

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9. The Subdivider shall be responsible for the maintenance, repair and replacement of off-site improvements abutting the project boundary during construction of the on-site improvements until final inspection of the on-site improvements by the City. Any such off-site improvements found damaged by the construction of the on-site improvements shall be repaired or replaced by the Subdivider to the satisfaction of the Director of Public Works.
10. The Subdivider shall remove unused driveways and replace with full-height curb, curb gutter and sidewalk to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete. The size and configuration of all proposed driveways serving the project site shall be subject to review and approval of the City Traffic Engineer. Contact the Traffic and Transportation Bureau at (562) 570-6331 to request additional information regarding driveway construction requirements.
11. No cross-lot drainage will be permitted. Existing cross-lot drainage problems shall be corrected to the satisfaction of the Director of Public Works prior to approval of the final map approval.
12. The Subdivider and successors shall be responsible for the maintenance of the site drainage system and for the operation and maintenance of the private sewer connection to the public sewer in the abutting public right-of-way, and for the maintenance of the sidewalk, parkway, street trees and other landscaping, including irrigation, within and along the adjacent public right-of-way. Such responsibilities shall be enumerated and specified in the project "Conditions, Covenants and Restrictions (CC&Rs)", and a recorded copy of said document shall be provided to the Director of Public Works.
13. The applicant shall cause to be prepared CC&Rs for this project. A copy of the CC&Rs are to be provided the Director of Development Services for approval prior to being sent to the Department of Real Estate and recorded with the County Recorder.
14. The applicant shall file a final plot plan with the Department of Public Works and shall meet all criteria established by the Director of Public Works.
15. A certificate of compliance shall be filed for recording with the county recorder when the final plot plan is approved by the Director of Public Works.
16. The CC&Rs shall be executed and recorded against the title of the parcel and shall contain the following provisions (provisions shall also be noted on the final map):
  - a. The subject condominium project consists of two (2) residential units;

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- b. A minimum of four (4) parking spaces will be permanently maintained as parking facilities for the project. The spaces shall be permanently assigned to a specific unit and labeled thusly or assigned as guest parking and labeled thusly. Parking spaces must be used solely for the parking of personal vehicles. Parking spaces may not be leased, subleased, sold or given to others not a resident(s) of the condominium unit within the development. These statements shall also be noted on the final map;
  - c. The common areas and facilities for the condominium shall be clearly described including a parking assignment plan;
  - d. The Homeowner's Association shall be responsible for the operation and maintenance of the private sewer connection to the public sewer in the public right-of-way, the site drainage system, the maintenance of the common areas and facilities, the exterior of the building, the abutting street trees, parkways and any costs or corrections due to building or property maintenance code enforcement actions. Such responsibilities shall be provided for in the CC&Rs;
  - e. Graffiti removal shall be the responsibility of the Homeowner's Association and shall be removed within 24 hours; and
  - f. A clear, detailed and concise written description of the common areas and facilities of the condominium shall be provided. This information shall be included on the final map.
17. Separate building permits are required for signs, fences, retaining walls, trash enclosures, flagpoles, pole-mounted yard lighting foundations and planters.
18. Site development, including landscaping, shall conform to the approved plans on file in the Department of Development Services. At least one set of approved plans containing Planning, Building, Fire, and Health Department stamps shall be maintained at the job site, at all times for reference purposes during construction and final inspection.
19. Approval of this development project is expressly conditioned upon payment (prior to building permit issuance or prior to Certificate of Occupancy, as specified in the applicable Ordinance or Resolution for the specific fee) of impact fees, connection fees and other similar fees based upon additional facilities needed to accommodate new development at established City service level standards, including, but not limited to, sewer capacity charges, Park Fees and Transportation Impact Fees.
20. The Director of Development Services is authorized to make minor modifications to the approved design plans or to any of the Conditions of Approval if such modifications shall not significantly change/alter the approved design/project and if no detrimental effects to neighboring properties are caused by said

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modifications. The Zoning Officer or Planning Commission shall review any major modifications, respectively.

21. The applicant shall file a separate plan check submittal to the Long Beach Fire Department for their review and approval prior to the issuance of a building permit.
22. The Subdivider shall repair or cause to be repaired any items called out in the special inspection report and/or items called out by other contractors reporting on termite damage, combustion detection, security, and mechanical system condition prior to approval by the Department of Development Services of the Final Map. Building Permits and/or verification of those repairs will be obtained and provided to the Department of Development Services. A building permit will be required to convert the apartment building to a condominium prior to the signing of the Final Map. This permit shall be finalized prior to approval of the final map. If electrical and plumbing repairs are required, separate permits are necessary from the Department of Development Services.
23. The Applicant shall review and provide all public safety and crime prevention requirements to the satisfaction of the Chief of Police. Contact the Long Beach Police Department representative at (562) 570-5835 for approvals.
24. The Applicant to provide language in the CC&Rs stating that the individual homeowners shall be jointly liable and responsible for any costs of corrections due to building or property maintenance code enforcement actions.
25. Per Section 21.42.030 of the Long Beach Municipal Code, all required yards and setback areas shall be attractively landscaped primarily with live plant material. All landscaped and paved areas shall be maintained in a neat and orderly condition with healthy landscaping free of weeds and litter. The replace all worn and/or dead existing landscaping at the subject property to the satisfaction of the Director of Planning and Building prior to the signing of the Final Map.
26. If any exterior alterations are proposed, the applicant shall obtain a Certificate of Appropriateness from the Planning Bureau. The site is located in the Bluff Park Historic District.
27. Prior to approval of the Final Map, the applicant shall contact the Oil & Gas Department at (562) 570-2038 to determine if there are any improvements that are required.
28. The Department of Public Works submits the following requirements for the proposed development at 9 & 11 Temple Avenue. It is the recommendation of this department that a final parcel map be processed for this subdivision project. For additional information regarding off-site improvements, contact the Plan Check Coordinator, Jorge Magana, at (562) 570-6678.



GENERAL REQUIREMENTS

- a. The final map shall be based upon criteria established by the California Subdivision Map Act and/or Title 20 of the Long Beach Municipal Code.
- b. Prior to final map approval, the Subdivider shall obtain utility clearance letters for any public entity or public utility holding any interest in the subdivision as required by the Subdivision Map Act.
- c. All required facilities required by the Department of Public Works not in place and accepted prior to final map approval must be guaranteed by instrument of credit or bond to the satisfaction of the Director of Public Works.
- d. Prior to the start of any on-site/off-site construction, the Subdivider shall submit a construction plan for pedestrian protection, street lane closures, construction staging, shoring excavations and the routing of construction vehicles (excavation hauling, concrete and other deliveries, etc.).

PUBLIC RIGHT-OF-WAY

- e. The Subdivider shall construct all off-site improvements needed to provide full ADA accessibility compliance within the adjacent public right-of-way to the satisfaction of the Director of Public Works. If a dedication of additional right-of-way is necessary to satisfy ADA requirements, the right-of-way dedication way shall be provided.

ENGINEERING BUREAU

- f. The Subdivider shall be responsible for the maintenance of the off-site improvements during construction of the on-site improvements. All off-site improvements found damaged as a result of construction activities shall be reconstructed or replaced by the Subdivider to the satisfaction of the Director of Public Works.
- g. The Subdivider shall remove unused driveways and replace with full-height curb, curb gutter and sidewalk to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete.
- h. Public improvements shall be constructed in accordance with approved plans. Detailed off-site improvement plans shall be submitted to the Department of Public Works for review and approval.

TRAFFIC & TRANSPORTATION BUREAU

- i. The Subdivider shall salvage and reinstall all traffic signs that require temporary removal to accommodate new construction within the public right-of-way. All traffic signs shall be reinstalled to the satisfaction of the City Traffic Engineer.
  - j. The Subdivider shall replace all traffic signs and mounting poles damaged or misplaced as result of construction activities to the satisfaction of the City Traffic Engineer.
  - k. The Subdivider shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
  - l. All traffic control device installations, including pavement markings within the private parking lot, shall be installed in accordance with the provisions of the Manual On Uniform Traffic Control Devices (MUTCD), 2012 or current edition (i.e., white parking stalls, stop signs, entry treatment signage, handicapped signage, etc.).
  - m. The Subdivider shall contact the Traffic & Transportation Bureau, at (562) 570-6331, to modify the existing curb marking zones, adjacent to the site.
29. The Applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the applicant of any such claim, action or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach.

**VESTING TENTATIVE PARCEL MAP FINDINGS**  
**9 & 11 Temple Avenue**  
**Case no. 1403-04B**

Pursuant to Section 20.12.100 of the Long Beach Municipal Code, the Planning Commission shall approve a Tentative Map if it complies with State and Local regulations. The Tentative Map can be granted only when positive findings are made consistent with the following criteria set forth in the Subdivision Regulations. These findings and staff analysis are presented for consideration, adoption and incorporation into the record of proceedings:

**A. THAT THE PROPOSED MAP IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS;**

The General Plan states:

“A proposed subdivision is ‘consistent’ when the proposed use and density of development are within the guidelines set forth herein for that property. Subdivisions of airspace for condominium conversion of the already-erected building shall not be ‘consistent’ if the density of development exceeds that which is permitted by this Land Use Element, unless the City Planning Commission makes a finding that the proposed conversion is in the best interest of the involved neighborhood and the City as a whole.”

The General Plan Land Use Designation (LUD) for the subject site is LUD No. 2-Mixed Style Homes District. This section of the General Plan states that the purpose of LUD No. 2 was created to maintain a mixture of low density housing types such as single-family homes, duplexes, triplexes, etc., usually mixed together on the same block faces. The maximum permitted density for LUD No. 2 is fourteen (14) dwelling units per acre, while the existing development accommodates approximately eleven (11) dwelling units per acre, which is less than the permitted density.

Staff believes that the conversion of a two unit apartment building to a condominium project contributes positively to the stability and quality of a neighborhood in part through the resulting increase in home ownership. The Conditions of Approval require the execution and recordation of CC&Rs and the establishment of a Homeowner’s Association to collect dues and provide for the long-term maintenance of all common areas of the site and buildings, including building exteriors and all landscaped areas.

The Housing Element of the General Plan states that one of the City’s goals is to provide increased opportunities for home ownership. The Element also addresses the importance of home ownership over absentee ownership, as absentee ownership may result in a decline in both home maintenance and

concern for neighborhood character. Approval of the Tentative Parcel Map will allow the individual sale of two (2) condominium units on a single lot.

**B. THAT THE DESIGN OR IMPROVEMENT OF THE PROPOSED SUBDIVISION IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS;**

This section of the General Plan states that the purpose of LUD #2 is to allow a mixture of housing types, including the higher density residential development on the subject site, to remain. The subject property meets all of the intended uses for a residential development within this LUD.

**C. THAT THE SITE IS PHYSICALLY SUITABLE FOR THE TYPE OF DEVELOPMENT;**

The subject site is fully developed with a two unit residential project. Multifamily residential is an appropriate type of development at this site, given surrounding development patterns and the intent of the Zoning Regulations and the General Plan, as described in Section A of these Findings.

**D. THAT THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT;**

The subject site is improved with a residential building containing two (2) apartment units and four (4) parking spaces. Subdivision Regulations require a minimum of one (1) parking space for every dwelling unit with one (1) bedroom or less and one-and-a-quarter (1.25) parking spaces for each dwelling unit with two (2) bedrooms or more. The two apartment units have four (4) bedrooms; therefore, the conversion would require a minimum of three (3) parking spaces. Since the subject site has four (4) parking spaces, the proposed conversion meets the parking requirements for a condominium conversion. Therefore, staff believes that the site is suitable for the density of development.

**E. THAT THE DESIGN OF THE SUBDIVISION OR THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIAL AND AVOIDABLE INJURY TO FISH AND WILDLIFE OR THEIR HABITAT;**

The site is fully developed and no new construction is proposed. No fish or wildlife habitat exists on the site, which is already improved with a two-story apartment building and attached garage.

**F. THAT THE DESIGN OF THE SUBDIVISION OR THE TYPE OF IMPROVEMENT IS NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH OR SAFETY PROBLEMS; AND**

No impacts detrimental to the general welfare of the public are foreseen from the approval of the Tentative Parcel Map to allow the conversion of two (2)

apartment units to be sold individually as condominiums. In accordance with the CEQA Guidelines, Categorical Exemption CE 14-024 has been prepared for the project and is attached for your review.

**G. THAT THE DESIGN OF THE SUBDIVISION OR THE TYPE OF IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.**

All concerned City departments have reviewed the Tentative Parcel Map. The applicant will be required to provide all necessary public access easements as required in the conditions of approval for the project. Therefore, no conflict with respect to easements will result from the condominium conversion.

**CONDOMINIUM CONVERSION FINDINGS**

Pursuant to Section 20.32.170 of the Long Beach Municipal Code the conversion of all projects for which buildings permits were issued after August 4, 1978, shall be consistent with the General Plan. The Planning Commission or City Council, on appeal, may waive consistency with the General Plan if it finds that adequate provisions are made for the long-term maintenance of the building and determines that the conversion is in the best interest of the involved neighborhood and City as a whole.

**A. Adequate provisions are made for the long-term maintenance of the building.**

The State of California Department of Real Estate requires a monthly association fee to provide for the maintenance of the building. This fee is calculated using such factors as the age and condition of building.

In addition, a Condition of Approval has been included requiring the applicant to provide language in the CC&Rs stating that the individual homeowners shall be jointly liable and responsible for any costs or corrections due to building or property maintenance code enforcement actions.

Based upon the analysis presented above, positive findings can be made; thus, staff is recommending approval of the proposed condominium conversion.

**WAIVER OF PARCEL MAP**

The Planning Commission may determine that the recordation of a (final) map may be waived after a tentative map is approved if it makes all of the following findings:

- 1. No unusual impact to public health, safety, or welfare is anticipated;**

No unusual impacts to public health, safety or welfare are anticipated by the conversion of two residential rental units to two condominium units.

**2. All required dedication of public rights-of-way and public improvements have been provided for;**

The Public Works Department has not required any dedications or off site public improvements at this site.

**3. The parcel map shall consist of four lots/units or less; and**

The parcel map is for two units.

**4. If a tentative map is for condominium conversion, all requirements as specific in the condominium regulations shall be complied with in full.**

As required by the conditions of approval, the applicant will be required to comply with all condominium regulations.

**B. Final Plot Plan. When a parcel map is waived, the applicant shall file a final plot plan with the department of public works and shall meet all criteria established by the director of public works.**

This requirement is incorporated in the conditions of approval.

**C. Certificate of Compliance. When a parcel map is waived, a Certificate of Compliance shall be filed for recording with the county recorder when the final plot plan is approved by the director of public works and when there is compliance with all requirements of the tentative map.**

This requirement is incorporated in the conditions of approval.

## **LOCAL COASTAL DEVELOPMENT PERMIT FINDINGS**

**1. THE PROPOSED DEVELOPMENT CONFORMS TO THE CERTIFIED LOCAL COASTAL PROGRAM INCLUDING BUT NOT LIMITED TO ALL REQUIREMENTS FOR REPLACEMENT OF LOW AND MODERATE-INCOME HOUSING; AND**

A positive finding can be made for this item.

The site is located in Area B – Bixby Park of the Local Coastal Plan. This area consists of a variety of housing styles from single family to high-rise apartments. The zoning designation is R-2-L (Two Family Residential District with Large Lots), which allows a residential density of up to 14 dwelling units per acre. The existing improvements consist of two dwelling units in a two-story building with four on-site parking spaces. The conversion of two existing dwelling units to condominiums is consistent with the Local Coastal Plan.

The Housing Services Bureau has reviewed the request to determine if the residential units that will be converted to condominium households qualify as affordable and/or are occupied by low or very low income households in accordance with Municipal Code Section 21.60. The Housing Services Bureau has confirmed that the conversion of two or fewer residential units to condominiums is exempt from the replacement requirements for low-income households.

**2. THE PROPOSED CONFORMS TO THE PUBLIC ACCESS AND RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT. THE SECOND FINDING APPLIES ONLY TO DEVELOPMENT LOCATED SEAWARD OF THE NEAREST PUBLIC HIGHWAY TO THE SHORELINE.**

A positive finding can be made for this item.

The property is located north of the nearest public highway, Ocean Boulevard.



# CITY OF LONG BEACH

## EXHIBIT D

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Boulevard, 4th Floor • Long Beach, CA 90802 • (562) 570-6038 FAX (562) 570-6205

July 2, 2014

Armen D. Ross  
1308 Sartori, Suite 109  
Torrance, ca 90501

SUBJECT: 9 & 11 TEMPLE AVENUE, LONG BEACH, CA 90813

Mr. Armen,

On Monday, June 2, 2014, a special inspection was performed by Oscar Marquez regarding the existing duplex at the subject address listed above. The purpose of this inspection was to verify if there was any code compliance concerns needed to be resolved prior to allowing the conversion of the duplex into condominiums per the zoning letter application 1403-04. Mr. Marquez determined that there were no known code deficiencies present and has granted approval.

Even though Building has approved, there may be additional requirements per the condominium conversion project package needing further review and approval from the Planning Bureau. All the Planning requirements shall be completed and permits obtained for the conversion of the duplex into condominiums. Once completed, a new Certificate of Occupancy will be issued reflecting the change.

Should you have any building related questions, please contact me at (562) 570-6165. For planning questions, contact staff at (562) 570-6194 Monday through Friday.

Sincerely,

Evan Zeisel  
Inspection Services Manager  
Building & Safety Bureau



Mark Mitchell  
Bay Harbor Construction  
(310) 493-9498  
Mark.bayharbor@gmail.com

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May 14, 2014

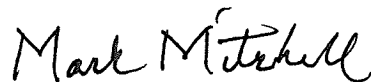
Application No.: 1403-04

Applicant: Armen Ross  
1308 Sartori Ave. Ste. 109  
Torrance, CA 90501

Project Address: 9 & 11 Temple Ave.  
Long Beach, CA

To Whom It May Concern:

Mark Mitchell (Bay Harbor Development / Construction Co.) License #453749 has inspected the heating, plumbing, and roofing at 9 & 11 Temple Ave, Long Beach and certifies that the systems were in good working condition on the inspection date of April 8, 2014.



Mark Mitchell  
Bay Harbor Development / Construction Co. (License #453749)  
28205 Hazelridge Drive  
Rancho Palos Verdes, CA 90275

# WOOD DESTROYING PESTS AND ORGANISMS INSPECTION REPORT



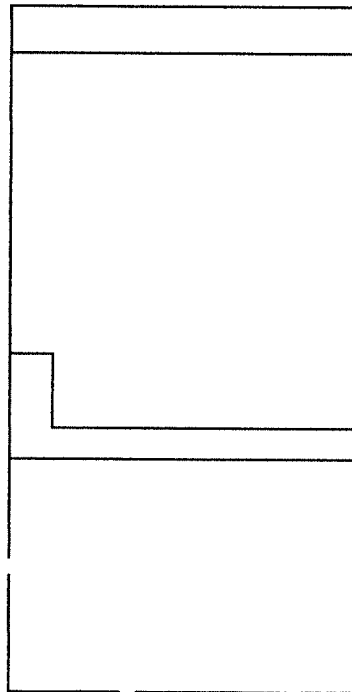
Building No. 9	Street Temple Ave	City Long Beach	Zip 90803	Date of Inspection 5/28/2014	Number of Pages 3
<b>Vital Signs Professional Real Estate Services, Inc.</b> 1647 W. Sepulveda Blvd., Suite #10 Torrance, CA 90501 (310) 326-6939 PR 4659 Company Report # 13660			PROUD MEMBER OF THE   PEST CONTROL OPERATORS OF CALIFORNIA		
Ordered by: Steve Powell		Property Owner and/or Party of Interest:		Report sent to: None	
COMPLETE REPORT <input checked="" type="checkbox"/>		LIMITED REPORT <input type="checkbox"/>		SUPPLEMENTAL REPORT <input type="checkbox"/>	
REINSPECTION REPORT <input type="checkbox"/>		General Description: Three story single family residence, furnished and occupied.		Inspection Tag Posted: Kitchen sink	
				Other Tags Posted: None	
An inspection has been made of the structure(s) shown on the diagram in accordance with the Structural Pest Control Act. Detached porches, detached steps, detached decks and any other structures not on the diagram were not inspected.					
Subterranean Termites <input type="checkbox"/> Drywood Termites <input type="checkbox"/> Fungus / Dryrot <input type="checkbox"/> Other Findings <input type="checkbox"/> Further Inspection <input type="checkbox"/>					
If any of the above boxes are checked, it indicates that there were visible problems in accessible areas. Read the report for details on checked items.					

Diagram is not to scale.



Inspected by: Brennan Berry State License No. FR 17964 Signature Brennan Berry  
 You are entitled to obtain copies of all reports and completion notices on this property reported to the Structural Pest Control Board during the preceding two years. To obtain copies contact:  
 Structural Pest Control Board, 2005 Evergreen Street, Suite 1500, Sacramento, California, 95815-3831.  
 NOTE: Questions or problems concerning the above report should be directed to the manager of the company. Unresolved questions or problems with services performed may be directed to the Structural Pest Control Board at (916) 561-8708, (800) 737-8188 or www.pestboard.ca.gov. 43M-41 (REV. 10/01)

**PAGE 2 OF STANDARD STRUCTURAL PEST CONTROL INSPECTION REPORT**

**NOTICE: Reports on this structure prepared by various registered companies should list the same findings (i.e. termite infestations, termite damage, fungus damage, etc.). However, recommendations to correct these findings may vary from company to company. You have a right to seek a second opinion from another company.**

A. This inspection pertains only to the specific addresses indicated and does not include any attached or adjacent units.

B. The Structural Pest Control Act requires inspection of only those areas, which are visible and accessible at the time of inspection. Many areas of the structure are not accessible to inspection, such as the interior of hollow walls, spaces between floors, areas concealed by insulation, carpeting, appliances, furniture or cabinets. Infestations or infections may be active in these areas without visible and accessible evidence. If you desire information about areas that were not inspected, a further inspection may be performed at an additional cost. Carpets, furniture, appliances or personal items are not moved and windows are not opened during a routine inspection. Slab floor construction is common. Floor coverings may conceal cracks in the slab that can allow infestation and infection to enter. Infestations and infections in the walls may be concealed by plaster so that a diligent inspection will not disclose the true condition. These areas are not practical to inspect because of health hazards, damage to the structure, or inconvenience. They were not inspected unless described in this report. Inspection is limited to disclosure of wood destroying pests or organisms as set forth in the Structural Pest Control Act. Unless otherwise specified in this report, we do not inspect fences, sheds, doghouses, detached patios, detached wood decks, wood retaining walls or wood walkways.

C. **The exterior surface of the roof was not inspected. If you want the water tightness of the roof determined, you should contact a roofing contractor who is licensed by the contractor's state license board.**

D. Unless otherwise stated, stall showers are tested. Exception: stall showers over finished ceilings are inspected but not water tested unless specifically requested. Owner's permission in writing and a signed release of damages must be received prior to water testing.

E. Should any party in interest desire further information pertaining to the condition of the PLUMBING or ROOF, we recommend the employment of a licensed contractor, as this is not within the scope of our license and we do not issue certifications in these areas.

F. During the course of/for opening walls or any previously concealed areas, should any damage or infestation be found, an inspection by this company will be necessary and a supplementary report will be issued. Any work completed in these areas would be at Owner's direction and additional expense.

G. This company is not responsible for work completed by others, recommended or not, including by Owner. Contractor bills should be submitted to Escrow as certification of work completed by others.

H. Reinspection of repair items (Only for items that this company makes a bid on): This company will reinspect repairs done by others within four months of the original inspection. A charge, if any, can be no greater than the original inspection fee for each reinspection. The reinspection must be done within ten (10) working days of request. The reinspection is a visual inspection and if inspection of concealed areas is desired, inspection of work in progress will be necessary. Any guarantees must be received from parties performing repairs.

I. When fumigation is recommended, all fumigation work will be subcontracted to a qualified, and properly licensed third party. This company will recommend the third party. You may accept this company's bid or you may contract directly with another registered company licensed to perform the work. If you choose to contract directly with another registered company, this company will not be responsible for any act or omission in the performance of work that you directly contract with another to perform.

J. Your termite report and clearance pertain only to any existing infestation or infection, which is outlined in this report. If the Owner of the property desires coverage of new infestations, contact this company regarding a Control Service Agreement to cover any new infestations.

K. This inspection report has a value of \$150.00. This company may "waive" invoicing for this value (i.e. agree not to invoice the fee even though the charge for this value still exists). This company retains the right to invoice the owner up to this amount as a fee for this report, even if originally waived. In addition, up to the same fee amount may be charged for each additional report, and or certification written.

L. If this report is used for escrow purposes then it is agreed that this Inspection Report, Work Agreement and Completion, if any, is part of the ESCROW TRANSACTION. If any charges are to be billed to an escrow transaction, the property owner will still be responsible for payment in the event that escrow is prolonged, closes, or is cancelled without payment being made for all costs incurred by this company. A limited inspection should not be used for an escrow transaction; a full inspection should be performed.

M. Though not common, there exists a fast moving wood destroying fungus called "Poria incrassata" that can remain hidden until serious damage has already occurred. This company will endeavor to, but does not guarantee to, identify this type of infestation when evidence is visible. This company cannot be held responsible for eradication of this serious pest or correction of damages caused by it.

N. This Wood Destroying Pests and Organisms Report DOES NOT INCLUDE MOLD or any mold-like condition. Reference in any documents by the company to moisture conditions or wood destroying fungus should not be construed as an indication of anything other than what is stated. Wood destroying fungi should not be confused with mold. This company does not inspect for or render any opinion on the existence of any mold in the structures inspected. If the customer has any questions about molds in the structure they should direct their questions to a properly credentialed professional.

O. If you should have any questions regarding this report, please call (310) 326-6939, any weekday between 8:00 A.M. and 5:00 P.M. We also provide additional services for the control of General Household pests (ants, rats, etc.)

P. References: Structural Pest Control Act, Business and Professions Code, Division 3, Chapter 14. & CCR Title 16, Division 19.

State law requires that you be given the following information: CAUTION-PESTICIDES ARE TOXIC CHEMICALS. Structural Pest Control Companies are registered and regulated by the Structural Pest Control Board, and apply pesticides which are registered and approved for use by the California Department of Pesticide Regulation and the United States Environmental Protection Agency. Registration is granted when the state finds that based on existing scientific evidence there are no appreciable risks if proper use conditions are followed or that the risks are outweighed by the benefits. The degree of risk depends upon the degree of exposure, so exposure should be minimized. If within 24 hours following application you experience symptoms similar to common seasonal illness comparable to the flu, contact your physician or poison control center (800) 876-4766 and your pest control company (310) 326-6939 immediately.

**For further information, contact any of the following:**

**For Health questions:** County Health Department -

Los Angeles (213) 240-8117; Orange (714) 834-8180.

**For Application info:** County Agriculture Comm. -

Los Angeles (626) 575-5466; Orange (714) 447-7100.

**For Regulatory Info:** Structural Pest Control Board: 2005 Evergreen St., #1500, Sacramento, CA 95815, (800) 737-8188.

**PAGE 3 OF STANDARD STRUCTURAL PEST CONTROL INSPECTION REPORT**

Address of property inspected: 9 Temple Ave, Long Beach, CA 90803  
Date of inspection: 05-28-2014

**Notes**

1. Unless otherwise specified, the guarantee on this company's work is for one year from the date of completion. This guarantee covers eradication for infestations of the treated species of termites in any portion of the structure(s). A continuing warrantee which extends coverage for both Drywood termites and Subterranean termites may be available. Please contact us for details.
2. Prices quoted are valid for 60 days from the date of inspection.

**Findings and Recommendations**

This is a separated report which is defined as Section I / Section II conditions evident on the date of the inspection. **Section I** contains items where there is visible evidence of active infestation, infection or conditions that have resulted in or from infestation or infection.

**Section II** items are conditions deemed likely to lead to infestation or infection but where no visible evidence of such was found.

**Further inspection** items are defined as recommendations to inspect area(s) which during the original inspection did not allow the inspector access to complete the inspection and cannot be defined as Section I or Section II.

**This is to certify that the above property was inspected on 05-28-2014 in accordance with the Structural Pest Control Act and rules and regulations adopted pursuant thereto, and that no evidence of active infestation or infection was found in the visible and accessible areas.**

**Pricing**

For item(s): Termite Inspection Fee . . . . . \$85.00

Note: Prices listed are based on whole job contract. Prices subject to change if individually contracted for.

Abbreviations B = Wood boring beetles  
C = Conducive conditions (Moisture leaks and termite attracting construction for example.)  
F = Wood decay fungus  
K = Drywood termites (From the latin Kalotermitidae, archaic but still used in the industry.)  
S = Subterranean termites

# WOOD DESTROYING PESTS AND ORGANISMS INSPECTION REPORT



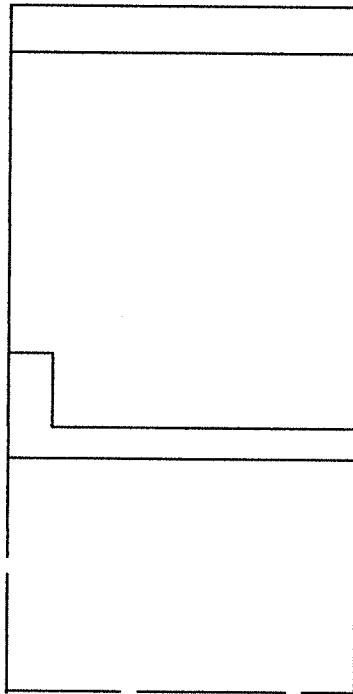
Building No. 11	Street Temple Ave	City Long Beach	Zip 90803	Date of Inspection 5/28/2014	Number of Pages 3
<b>Vital Signs Professional Real Estate Services, Inc.</b> 1647 W. Sepulveda Blvd., Suite #10 Torrance, CA 90501 (310) 326-6939 PR 4659 Company Report # 13661			PROUD MEMBER OF THE   PEST CONTROL OPERATORS OF CALIFORNIA		
Ordered by: Steve Powell		Property Owner and/or Party of Interest:		Report sent to: None	
COMPLETE REPORT <input checked="" type="checkbox"/>		LIMITED REPORT <input type="checkbox"/>		SUPPLEMENTAL REPORT <input type="checkbox"/>	
REINSPECTION REPORT <input type="checkbox"/>		General Description: Three story single family residence, unfurnished and vacant		Inspection Tag Posted: Kitchen Sink	
				Other Tags Posted: None	
An inspection has been made of the structure(s) shown on the diagram in accordance with the Structural Pest Control Act. Detached porches, detached steps, detached decks and any other structures not on the diagram were not inspected.					
Subterranean Termites <input type="checkbox"/> Drywood Termites <input type="checkbox"/> Fungus / Dryrot <input type="checkbox"/> Other Findings <input type="checkbox"/> Further Inspection <input type="checkbox"/>					
If any of the above boxes are checked, it indicates that there were visible problems in accessible areas. Read the report for details on checked items.					

Diagram is not to scale.



Inspected by: Brennan Berry State License No. FR 17964 Signature Brennan Berry

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## PAGE 2 OF STANDARD STRUCTURAL PEST CONTROL INSPECTION REPORT

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- M. Though not common, there exists a fast moving wood destroying fungus called "Poronia incrassata" that can remain hidden until serious damage has already occurred. This company will endeavor to, but does not guarantee to, identify this type of infestation when evidence is visible. This company cannot be held responsible for eradication of this serious pest or correction of damages caused by it.
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**For Regulatory Info:** Structural Pest Control Board: 2005 Evergreen St., #1500, Sacramento, CA 95815, (800) 737-8188.

**PAGE 3 OF STANDARD STRUCTURAL PEST CONTROL INSPECTION REPORT**

Address of property inspected: 11 Temple Ave, Long Beach, CA 90803  
Date of inspection: 05-28-2014

**Notes**

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S = Subterranean termites



# NOTICE of EXEMPTION from C

# EXHIBIT E

DEPARTMENT OF DEVELOPMENT SERVICES | PLANNING BUREAU  
333 W. OCEAN BLVD., 5<sup>TH</sup> FLOOR, LONG BEACH, CA 90802  
(562) 570-6194 FAX: (562) 570-6068  
lbs.longbeach.gov

TO:  Office of Planning & Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

FROM: Department of Development Services  
333 W. Ocean Blvd, 5<sup>th</sup> Floor  
Long Beach, CA 90802

L.A. County Clerk  
Environmental Fillings  
12400 E. Imperial Hwy. 2<sup>nd</sup> Floor, Room 2001  
Norwalk, CA 90650

Categorical Exemption CE- 14-024

Project Location/Address: 9411 TEMPLE AVENUE, LONG BEACH, CA 90803

Project/Activity Description: CONDO CONVERSION FOR TWO RESIDENTIAL UNITS FROM RENTAL TO CONDO OWNERSHIP

Public Agency Approving Project: City of Long Beach, Los Angeles County, California

Applicant Name: STEVE POWELL

Mailing Address: P.O. Box 823, Rancho, CA 91065

Phone Number: 760 271-9400  
760 789-5493

Applicant Signature: [Signature]

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 1403-04 Planner's Initials: SL

Required Permits: Local Coastal Dev. Permit, Parcel Map

THE ABOVE PROJECT HAS BEEN FOUND TO BE EXEMPT FROM CEQA IN ACCORDANCE WITH STATE GUIDELINES SECTION Class 1, Item K 1930, Existing Facilities

Statement of support for this finding: Conversion of two existing homes on one lot to condominiums. No new construction.

Contact Person: Craig Chalfant

Contact Phone: 562-570-6368

Signature: [Signature]

Date: 8/5/14