

**Appeal to  
Application 0803-05**

**City Council Hearing  
October 7, 2008**

**Named appellants:**

**Scott ~~Fitzpatrick~~ Fitzgerald**

**Donald Smith**

**Odette Perreault**

The enclosures contain therein are the written materials for consideration of the Appeal to Application 0803-05 from three of the names appellants. The other appellant's materials are being submitted separately for consideration.

## **Appeal to Application 0803-05**

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26 September 2008

Scott Fitzgerald  
3716 Elm Avenue  
Long Beach, CA 90807

Attn: Members of The City Council of Long Beach

District 1 Bonnie Lowenthal  
District 2 Suja Lowenthal  
District 3 Gary DeLong  
District 4 Patrick O'Donnell  
District 5 Gerrie Schipske  
District 6 Dee Andrews  
District 7 Tonia Reyes Uranga  
District 8 Rae Gabelich  
District 9 Val Laerch

Re: Senior Housing at 3635 Elm Avenue. Case No. 0803-05

Dear Council Members,

My name is Scott Fitzgerald, an appellant to the project proposed for 3635 Elm Avenue. My family and I have lived at 3716 Elm Avenue since 1970 (approximately 200' from the proposed Senior Housing). We appellants are all residents living in close proximity to the proposed project and are enthusiastically in favor of the project use but in complete opposition to the height, mass and density of the proposed building. The proposed building is to be 65' high and includes 65 living units or 75 beds (for required parking).

The building site is at the corner of Elm Avenue and 37th Street. Included in this submittal package is a site plan that includes Beth Shalom Temple and its adjacent presently-owned building site south of 37th Street plus Elm Avenue north of 37th Street up to Bixby Road at the north end of the block. The plan includes a number keyed to a numbered photo of the area that is also included in this submittal. The photo has superimposed yel. lines that depict the proposed building to illustrate the size in relation to the neighborhood. The residents on and between Elm Avenue and Linden Avenue from 37th Street North are almost unanimously opposed to the size of the project which would only be accomplished by the City granting a leap of 5 zone changes from R3S to R4U. The definition of R4U as presented by Long Beach Development Services is: HIGH DENSITY, MULTI-FAMILY RESIDENTIAL, INTENDED TO PROVIDE HOUSING OPPORTUNITES IN AN URBAN CONTEXT AND DESIGN STYLE TO SUPPORT DOWNTOWN ACTIVITY CENTER EMPLOYMENT WITH ADJOINING HOUSING. THIS IMPLEMENTS LAND USE DISTRICT NO. 5 OF THE GENERAL PLAN. I have also included several photos of similar 5 story housing projects in downtown Long Beach in close proximity to City Hall for your use in comparing to the proposed project size.

In the recent Planning Commission Hearing, the Commission's reaction to the project was unanimously of concern for the "height and mass" of the building in relation to the scale of our R1 residential properties yet it was still approved. For comparison of lot size to density: our R1 lots are 12,600 sq. ft. or 3.5 units per acre. The proposed project lot is 24,300 sq. ft. (less than twice the size of our R1 lots) or 117 units per acre, made possible by granting the spot zoning change from R3S to R4U. This not only sets a precedent for our neighborhood but sets a dangerous precedent and would require an amendment to the City's General Plan.(Would Council Members approve this size building on the edge of their neighborhoods)?

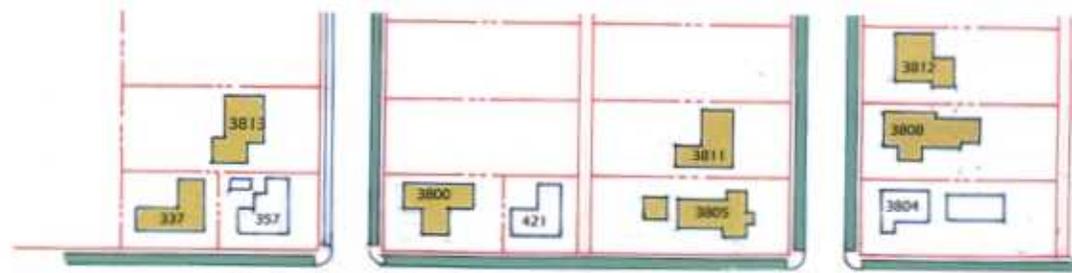
I don't know of one neighbor who lives within the boundaries of Linden & Elm, North of 37th that approves of this project as presented. There will be compelling evidence supporting the neighborhood's strong opposition to this 5-story building in our R1 neighborhood that will be provided at the appeal hearing.

I have hopes that you will take these facts and assertions into consideration and come to our common conclusion that the existing R3S zoning should be the guideline that must be adhered to for this project. The compelling precedent factor will hopefully weigh heavily in your decision. Thank you for your attention to this matter.

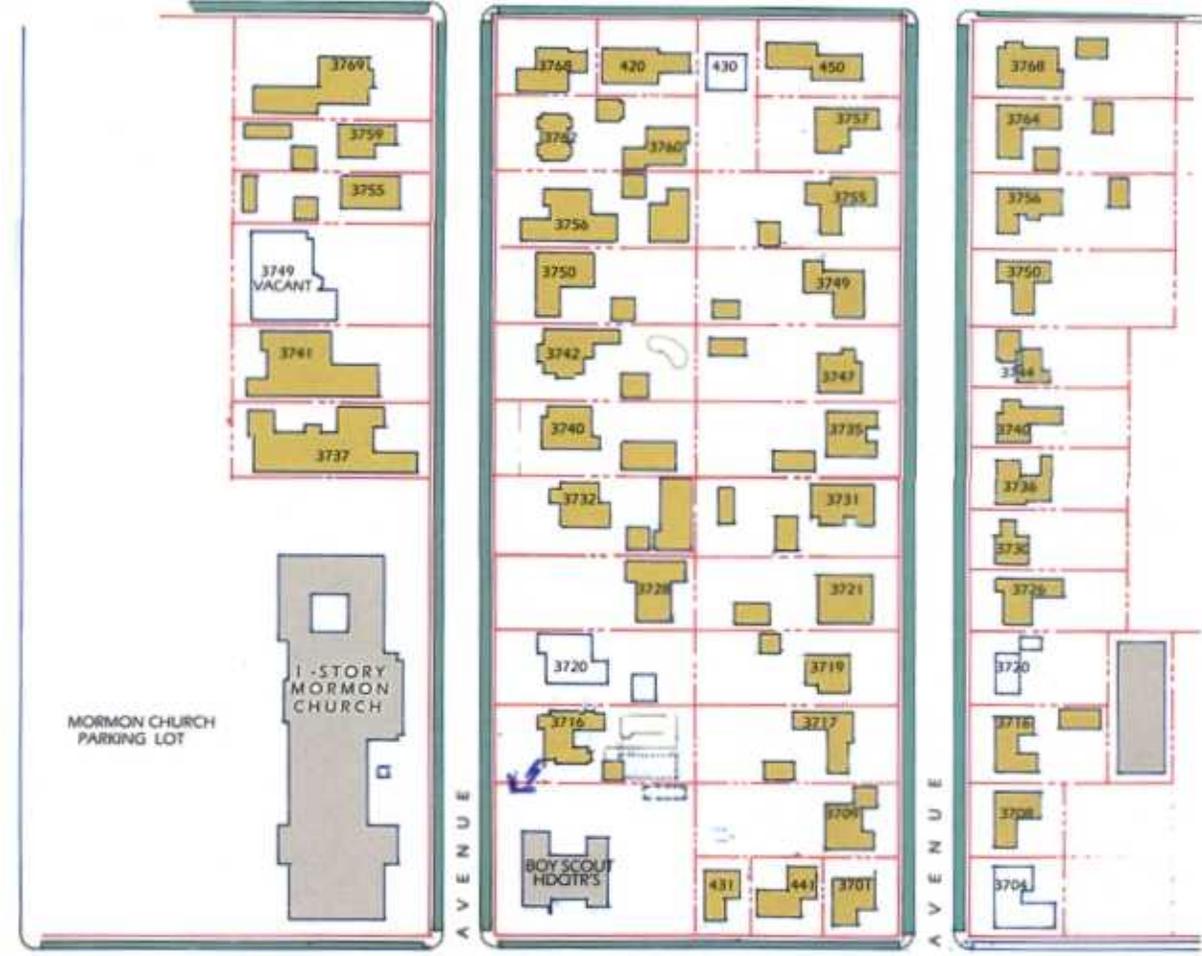
Sincerely,

Scott Fitzgerald

LONG BEACH BOULEVARD



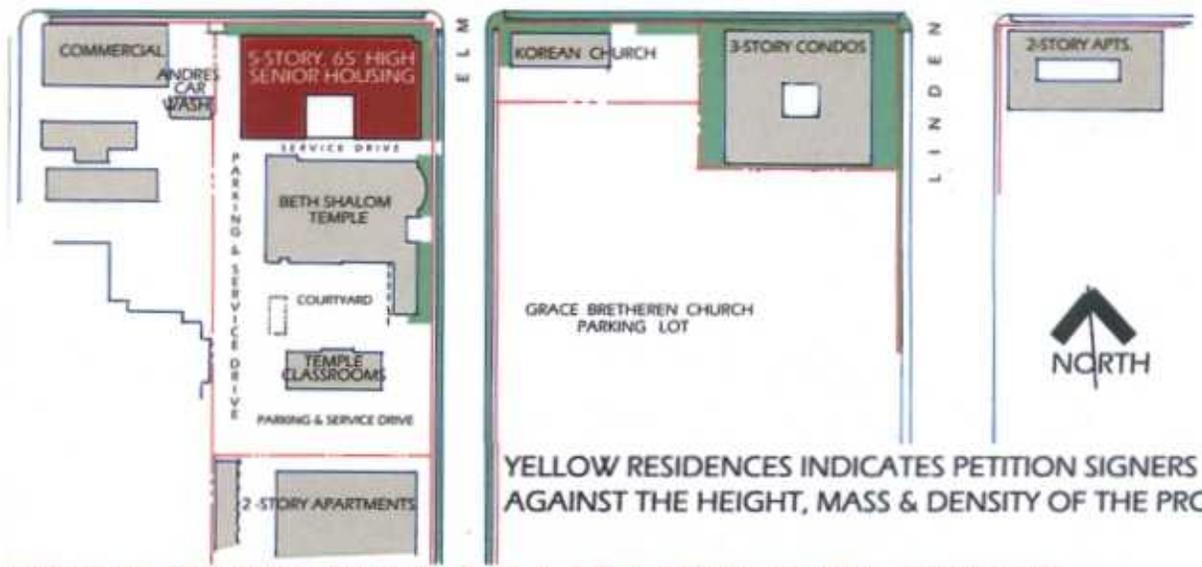
BIXBY ROAD



AVENUE

AVENUE

37TH STREET



YELLOW RESIDENCES INDICATES PETITION SIGNERS AGAINST THE HEIGHT, MASS & DENSITY OF THE PROJECT

# PROPOSED SENIOR HOUSING PROJECT

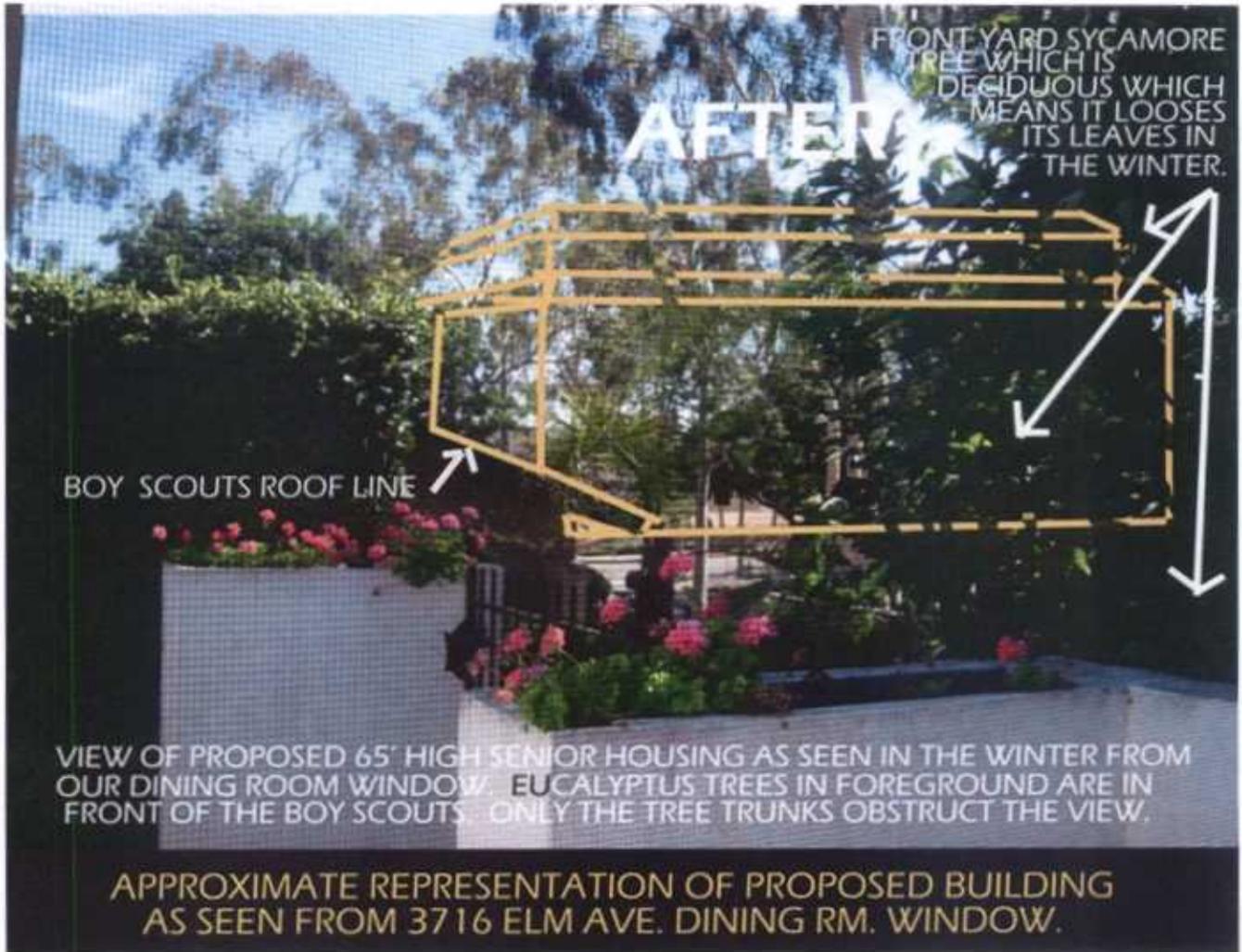


Photo looking @ building site with proposed building yellow linework approximating the size & exposure from the dining room window of the home of Scott & Marcia Fitzgerald @ 3716 Elm Avenue.

**RESPONSE TO THE  
MITIGATED NEGATIVE DECLARATION ND 11-08  
FOR SENIOR COMMUNITY HOUSING  
3635 ELM AVENUE  
LONG BEACH, CA 90807**

**PREPARED BY  
SCOTT FITZGERALD  
3716 ELM AVENUE  
LONG BEACH, CA 90807**

**I PREFACE THIS NEG. DEC. RESPONSE BY SAYING  
THAT THE FOLLOWING COMMENTS ARE MINE ALONE  
BUT GENERALLY REFLECT THE VIEWS OF MOST OF  
THE RESIDENTS IN THE GENERAL VICINITY OF THIS  
PROPOSED PROJECT. I WOULD ALSO LIKE TO MAKE  
IT VERY CLEAR THAT NONE OF THE PEOPLE MENTIONED  
ABOVE ARE AGAINST THE PROJECT EXCEPT FOR THE  
MASSIVE SIZE AND THE SPOT ZONING CHANGE FROM R3S  
TO R4U (WHICH IS URBAN OR "CITY" IN SCALE. IT IS NOT  
COMPATIBLE WITH THE R1 SINGLE FAMILY RESIDENCE  
SCALE THAT THE CITY IMPOSED ON WE FORMER R2  
HOME OWNERS ON ELM AVENUE & LINDEN AVENUE  
IN THE 1990's.. THE FOLLOWING ARE RESPONSES  
TO SOME OF THE CITY- PLANNING-APPROVED  
NEG. DEC SUBJECTS.**

**PAGE 4: "ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED"  
ITEMS CHECKED: 1. AESTHETICS 2. AIR QUALITY 3. WATER QUALITY 4. NOISE  
ITEMS NOT CHECKED: LAND USE/PLANNING 2. POPULATION/HOUSING  
3. PUBLIC SERVICES 4. TRANSPORTATION 5. UTILITIES.  
COMMENT: THESE "NOT CHECKED" ITEMS ARE ITEMS THAT THIS PROPOSED  
PROJECT (PP) HAS A POTENTIAL IMPACT ON & WILL BE DISCUSSED LATER  
IN THIS REVIEW/REPORT.**

PAGE 4: "DETERMINATION"

THE MITIGATED NEG. DEC. (MND) WAS PREPARED BECAUSE "REVISIONS IN THE PROJECT WERE AGREED UPON BY THE PROJECT PROPONENT" TO LEAD TO THE CONCLUSION THAT "IMPACT LESS THAN SIGNIFICANT".

QUESTION: WHAT CORRECTIONS OR MITIGATIONS WERE MADE TO MOVE FROM AN EIR TO AN MND:

PAGE 7(c): "AESTHETICS"

"WOULD THE PROJECT SUBSTANTIALLY DEGRADE THE VISUAL CHARACTER OR QUALITY OF THE SITE AND ITS SURROUNDINGS"?

COMMENT: DEGRADATION APPLIES TO THE AFFECT THE PROJECT HAS ON SURROUNDING AREA (ie) THE BUILDING IS TOO TALL AND TOO MASSIVE (ALMOST COMPLETE LOT COVERAGE) FOR A RESIDENTIAL NEIGHBORHOOD. A BUILDING OF THIS SCALE BELONGS ON THE L.B. BLVD. OR ATLANTIC BLVD. BUSINESS/URBAN SCALE CORRIDOR.

PAGE 7(d): "AESTHETICS"

"CREATE A NEW SOURCE OF LIGHT OR GLARE WHICH WOULD ADVERSLY AFFECT DAY OR NIGHTTIME VIEWS IN THE AREA".

COMMENT: THIS SHOULD ADDRESS A NEW SOURCE OF NORTH SHADOWS WHICH WOULD ADVERSLY AFFECT DAY VIEWS AND POSSIBLY ADVERSLY AFFECT LANDSCAPING IN THE PATH OF THE LARGE WINTER SHADOWS.

PAGE 13(e): VIII. "HYDROLOGY & WATER QUALITY"

"CREATE OR CONTRIBUTE RUNOFF WATER WHICH WOULD EXCEED THE CAPACITY OF EXISTING OR PLANNED STORM WATER DRAINAGE SYSTEMS OR PROVIDE SUBSTANTIAL ADDITIONAL SOURCES OF POLLUTED RUNOFF".

COMMENT: AT THE INTERSECTION OF ELM AVENUE AND 37TH STREET, DURING THE RAINY SEASON, FLOODING OCCURS THAT OFTEN SPILLS OVER TO THE SURROUNDING PUBLIC SIDEWALKS. THE REASON: THE INTERSECTION IS A LOW SPOT OR WATER RECEPTOR FOR DRAINAGE FROM THE NORTH & SOUTH ENDS OF ELM AVE. AND DRAINAGE FROM THE WEST FROM LONG BEACH BLVD., CONVERGING AT THIS INTERSECTION. THE NEAREST STORM DRAIN THAT EXISTS NOW IS TWO BLOCKS AWAY AT 37TH & ATLANTIC. THIS NEEDS TO BE RECTIFIED IF THE PROJECT IS TO PROCEED AT SOME MITIGATED SCALE. I EXPLAINED THIS PROBLEM TO THE ARCHITECT. HE TOLD ME THAT THE PROBLEM WAS NOT HIS RESPONSIBILITY. IF HE IS ALERTED TO THIS PROBLEM IT SHOULD BE HIS RESPONSIBILITY TO AT LEAST CALL THIS TO THE ATTENTION OF THE CITY OR PUBLIC WORKS.

PAGE 14(a): XI "LAND USE & PLANNING"

"WOULD THE PROJECT PHYSICALLY DIVIDE AN ESTABLISHED COMMUNITY?"  
COMMENT: THE PROJECT ZONING OF R4U ESTABLISHES A DEFINITE DIVIDING LINE BETWEEN OUR RESIDENTIAL, 1-STORY HOUSES NORTH OF 37TH ST. AND THE CONDOMINIUM BUILDINGS, CHURCHES AND CHURCH SCHOOL IMMEDIATELY SOUTH OF 37TH STREET.

PAGE 14(b) XI:

"WOULD THE PROJECT CONFLICT WITH ANY APPLICABLE LAND USE PLAN, POLICY OR REGULATION OR AN AGENCY WITH JURISDICTION OVER THE PROJECT (BUT NOT LIMITED TO THE GENERAL PLAN, SPECIFIC PLAN OR ZONING ORDINANCE) ADOPTED FOR THE PURPOSE OF AVOIDING OR MITIGATING AN ENVIRONMENTAL EFFECT?"

COMMENT: THERE IS NO OTHER R4U ZONING AREA OR SPOT ZONING FOR OVER A MILE THAT REMOTELY RESEMBLES THE SCALE OR DENSITY OF THIS PROPOSED PROJECT.

PAGE 15 (a): XI "NOISE"

"WOULD THE PROJECT RESULT IN EXPOSURE OF PERSONS TO A GENERATION OF NOISE LEVEL IN EXCESS OF STANDARD ESTABLISHED IN THE LOCAL GENERAL PLAN OR NOISE ORDINANCE OR APPLICABLE STANDARDS OF OTHER AGENCIES?"

COMMENT: BECAUSE OF THE DENSITY OF HOUSING UNITS IN THE PROJECT AND 1. BEING THE RESIDENTS ARE OF ADVANCED AGE, SEVERAL POTENTIAL CONTRIBUTORS TO THE EXCESS OF NOISE ARE: POTENTIAL HEALTH PROBLEMS OF RESIDENTS CREATING A NEED FOR FREQUENT AMBULANCE SERVICE, ACCOMPANIED BY PARAMEDICS AND FIRE DEPT. 2. STAFF PERSONNEL SERVICING THIS PROJECT ARE A MAJOR CONTRIBUTOR TO THE NOISE LEVEL. FROM PAST EXPERIENCE, UP UNTIL A YEAR AGO WHEN THERE WAS A TENANT CHANGE, MANAGEMENT WAS ASKED REPEATEDLY TO MONITOR STAFF TRAFFIC & PARKING IN FRONT OF OUR HOUSE (NOT THEIRS) AT ALL HOURS OF THE NIGHT, OFTEN WITH CAR RADIOS (BOOM BOXES) BLARING, EATING AND DISCARDING MEAL-TRASH IN OUR FRONT YARD, CONVERSATIONS OUTSIDE BETWEEN SHIFT CHANGES THAT WERE LOUD ENOUGH TO HEAR FROM INSIDE OUR HOUSE WITH THE WINDOWS CLOSED, TO MENTION A FEW. OCCASIONALLY CORRECTIONS WERE MADE AND THINGS WOULD IMPROVE ONLY TO SEE A MANAGEMENT OR PERSONNEL CHANGE AND THEN THE PROBLEM WOULD START ALL OVER.

(continued next page)

WE SEE THE SAME PROBLEM WITH THIS PROJECT. IN A RECENT MEETING IN RAE GABELICH'S OFFICE WE WERE ASSURED BY THE PROJECT MANAGEMENT TEAM THAT THIS WOULD NOT HAPPEN WITH THIS PROJECT. WE HEARD THIS PROMISE OVER AND OVER FROM THE HOUSING OPERATION I MENTIONED NEXT DOOR. THE MINIMAL TANDEM PARKING ACCOMODATION IN THIS PROJECT WOULD ONLY ADD TO THE STREET PARKING PROBLEM AND BECOME EVEN WORSE ON WEEKENDS DURING CHURCH PEAK-ACTIVITY HOURS AND THE TIME THAT FAMILY MEMBER MEMBERS WOULD VISIT THE SENIOR RESIDENTS. **BASED ON PAST EXPERIENCE, WE KNOW THIS PROBLEM WILL EXIST.** WE LIVE IN A QUIET RESIDENTIAL PART OF LONG BEACH AND INSIST ON KEEPING IT THAT WAY. THE SIZE OF THIS PROJECT IS TOO BIG FOR AN R-1 RESIDENTIAL NEIGHBORHOOD. WE WOULD SUPPORT A SMALLER SCALE PROJECT, REALIZING THAT THE PROBLEMS MENTIONED ABOVE WOULD STILL EXIST BUT ON A MUCH SMALLER SCALE.

PAGE 15 (c): "NOISE"

"WOULD THE PROJECT RESULT IN A SUBSTANTIAL PERMANENT INCREASE IN AMBIENT NOISE LEVELS IN THE PROJECT VICINITY ABOVE LEVELS EXISTING WITHOUT THE PROJECT?"

COMMENT: THE ABOVE ANSWER APPLIES TO THIS ITEM. THESE ARE NOT ASSUMPTIONS OF WHAT COULD HAPPEN. BASED ON OUR EXPERIENCE SINCE OWNING OUR HOUSE SINCE 1970, AND LIVING NEXT DOOR TO RENTERS A MAJORITY OF THAT TIME, WE KNOW THESE ISSUES WILL EXIST. MANAGEMENT CAN ONLY CONTROL SO MUCH. WHAT HAPPENS OUTSIDE THE PROPERTY SEEMS TO ALWAYS BE "THE OTHER PEOPLE'S PROBLEM".

PAGE 15 (d): "NOISE"

A SUBSTANTIAL TEMPORARY OR PERIODIC INCREASE IN AMBIENT NOISE LEVELS IN THE PROJECT VICINITY ABOVE LEVELS EXISTING WITHOUT THE PROJECT. SAME ANSWER AS ABOVE.

PAGE 16 (d): XII "POPULATION & HOUSING"

"WOULD THE PROJECT INDUCE SUBSTANTIAL POPULATION GROWTH IN AN AREA EITHER DIRECTLY (FOR EXAMPLE BY PROPOSING NEW HOMES OR BUSINESSES)?"

THIS IS ONLY SPECULATION BUT THE "SPOT-ZONING" FROM R3S TO R4U POTENTIALLY SETS A NEW PRECEDENT TO ENCOURAGE OTHER DEVELOPERS TO DUPLICATE THIS REZONING IN OUR AREA. THE OWNER/CONTRACTOR/DEVELOPER ASSURED "WE EXISTING NEIGHBORS" THAT A COVENANT WOULD BE WRITTEN THAT WOULD MAKE IT IMPOSSIBLE TO DO THIS AGAIN. BASED ON PAST EXPERIENCE, WE KNOW THAT THESE KINDS OF LAWS ARE OFTEN OVERTURNED IN THE NAME OF "FOR THE PUBLIC GOOD". EXAMPLE: ELM RESIDENCE PROPERTIES WERE ZONED R-2 WHEN WE BOUGHT OUR HOUSE BUT SOMETIME IN THE 1990's, UNANNOUNCED TO ANY OF US, THE CITY REZONED OUR AREA BACK TO R-1. (THIS WAS ONLY DISCOVERED IN THE LATE 1990's WHEN I DID AN EXPLORATORY CHECK WITH THE BUILDING DEPT. ON LOT COVERAGE, SETBACKS, ETC. TO GET THE PERAMITERS OF BUILDING A SECOND, FREE STANDING LIVING UNIT FOR MY MOTHER. I WAS THEN TOLD THAT I COULDN'T BUILD A SECOND LIVING UNIT DUE TO THE FACT THAT IS WAS ZONED R-1.....THERE GOES SOME OF THE FLEXIBILITY AND VALUE OF OUR PROPERTY BY DOWNSIZING THE ZONING. NOW HOW CAN THE CITY CONSIDER UPSIZING A PROPERTY LESS THAN 200' FROM OUR HOUSE TO R4U (DENSE RESIDENTIAL, URBAN SCALE). WE CHOSE TO LIVE IN A RESIDENTIAL NEIGHBORHOOD, NOT DOWNTOWN SCALE.

PAGE 18 (e) & (f): XV "TRANSPORTATION/TRAFFIC"

"WOULD THE PROJECT RESULT IN (e) INADEQUATE EMERGENCY ACCESS OR (f) INADEQUATE PARKING CAPACITY?"

COMMENT: THE OWNER'S TEAM HAS MITIGATED THE ORIGINAL SERVICE/EMERGENCY/VISITOR POTENTIAL TRAFFIC PROBLEMS BY MOVING SERVICES SUCH AS TRASH, MAIL, MAINTENANCE, ETC FROM THE CORNER AT THE INTERSECTION OF ELM AVE. AND 37TH ST. TO AN ACCESS ALLEY BETWEEN THE PROJECT AND THE TEMPLE TO MITIGATE THE PARKING SITUATION. NOT SURE HOW THAT WOULD WORK. TO COMPLICATE THAT PROBLEM, AS I UNDERSTAND IT, SERVICE TRUCKS WOULD ACCESS THIS SERVICE ALLEY AROUND THE BACK OF THE TEMPLE THROUGH THEIR EXISTING PARKING LOT. THAT IS SUSPECT.

(continued next page)

Donald W. Smith  
3742 Elm Ave.  
Long Beach, CA 90807  
(562)997-0226

September 29, 2008

Long Beach City Council Members  
City of Long Beach  
333 W. Ocean Blvd.  
Long Beach, CA 90802

Re: Proposed Assisted Living Facility  
3635 Elm Ave  
Case No. 0803-05

Position: Deny Zoning Change Request

Dear City Council Members:

I reside at 3742 Elm Ave., approximately 500 feet from the corner where the above referenced project is located. The residents of our neighborhood, those who would be directly impacted on a daily basis, are not opposed to the use of the property. We are opposed to the density and height which has been applied for with the City of Long Beach.

As Council members you have been entrusted to enforce a General Plan for the city which has been adopted and revised over the years. Each General Plan undergoes tremendous community input prior to being adopted. This is how the city decides how to move forward. One does not have to go past the summary to find protection for our neighborhoods. To approve the request LUD is a total disregard to our LAND USE ELEMENT OF THE LONG BEACH GENERAL PLAN.

To paraphrase the summary(copies attached):  
Page vii

***It (Land Use Element of the Long Beach General Plan) protects stable, traditional neighborhoods from intrusion of higher density housing. Experience has shown that dense apartment structures are incompatible with lower density neighborhoods, in both visual and functional terms. Repeated intrusions can change the character of a neighborhood and affect its quality of life and property values.***

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***Long Beach is a city of neighborhoods, most of which are attractive, safe, comfortable and convenient places in which to live. Preservation and enhancement of such stable residential neighborhoods is at the heart of the General Plan. In many instances, it is recommended that allowable densities be lowered to insure neighborhoods protection and to stimulate reinvestments in well-built, older homes...***

And goes on:

***Our existing stock of housing is a valuable resource. Recent experience has shown that an increasing number of people appreciate the character, price, yard space and neighborhood amenities that older housing offers, and are willing to invest their time and money to preserve and restore it.***

Although this summary was written years ago, one look around our neighborhood and it appears the same is true today, homes are being remodeled and some cases new home built from ground up. As a new General Plan is drafted comments regarding neighborhood protection will certainly be included

When considering the LUD change please read the description, and if it does not fit the area, then deny the request. The current LUD assigned to the property is LUD 3b:

Land Use District 3B as per the LAND USE ELEMENT OF THE LONG BEACH GENERAL PLAN includes the following:

- Provide Apartment and Condominium Living
- In moderate density projects
- Conforming height and exterior design
- Conforming with Lower Density Neighborhoods on which they may boarder

Land Use District 5 was created specifically for application in very urban settings, such as **THE** downtown area.

- Accommodates a highly urbanized lifestyle to include interactions among:
  - Home
  - Workplace
  - Shopping
  - Entertainment
  - with nearby REGIONAL transportation facilities
- Provides for Restaurants and Small Shops on the ground floor

At last check the City of Long Beach has only ONE downtown area, and the subject site is nowhere near downtown. It is not anticipated that the residents of the subject will or need to take advantage of being close to a workplace, nor is the location anywhere near Shopping or Entertainment, and, regional transportations facilities are not found in Bixby Knolls.

Further the Executive Summary of the Draft 2008-2014 Housing Element supports our neighborhoods:

Page v, under City Planning Consistency:

***Long Beach views its existing housing stock as its greatest resource of affordable housing and will stimulate and support continued maintenance and reinvestment in that housing stock. It will take advantage of every available State and Federal program to make its housing affordable to its population, but***

*it will not sacrifice long-term quality for short-term affordability in new or rehabilitated housing; and,*

*Long Beach recognizes the strong neighborhood to be the essential building block of a citywide quality living environment, and will assist and support citizen efforts to maintain and strengthen their neighborhoods.*

This is the adopted attitude the City has towards protecting our neighborhoods.

### **The Zoning Change Request**

Our neighborhood was included in the down zoning process in the 90's; my lot was formerly a R-2-N zoned 12,145 SF lot down zoned to R-1-N. In 1992 the subject lot was down zoned from R-4-S to R-3-S. As with the owners of the subject property, the potential value of our land was greatly reduced and our neighborhood preserved.

The owners and developers of the proposed project are now applying to a R-4-U zoning, a quantum leap passing over 5 other residential zoning designations allowing for less density. In fact, the R-4-U designation is only used in the City of Long Beach within established Planned Districts (PD's). I posed the question to Planners Greg Carpenter and Derek Burnham in an e-mail September 16, 2008: *Has the city ever approved a zoning increase for one single parcel of such proportions, R-3-S to R-4-U.* Since I never received a response from our planning department I would assume **the City of Long Beach has never approved a zoning change from R-3-S to R-4-U.**

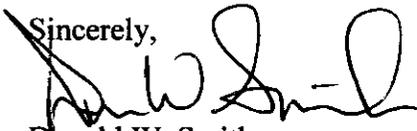
As with the LUD, the zoning description does not fit the description of our neighborhood:

*The R-4-U district is a high-density, multifamily residential district. It is intended to provide housing opportunities in an urban context and design style to support downtown activity center employment with adjoining housing. This implements land use district No5 of the general plan.*

Please take the time to drive this site to see the neighborhood for yourself. R-4-U is not appropriate for this location, everything surrounding the site is low density, not near downtown, and does not have downtown employment nearby.

I will continue on with many other objections to this proposed project at the October 7, 2008 hearing, all of which goes away if the zoning remains R-3-S. Perhaps the site would be better suited towards a more independent senior living facility built within the confines of its current zoning of R-3-S.

Sincerely,

  
Donald W. Smith

**LAND USE ELEMENT  
OF THE  
LONG BEACH GENERAL PLAN**

**Department of Planning and Building**

**July 1, 1989**

**Revised March 1, 1990**

**REVISED AND REPRINTED APRIL 1997**

## SUMMARY

### A Vision of Our Future

A city without a vision is a city without a future.

It is the purpose of the Long Beach General Plan to articulate a vision that gives direction to the long-range development of our City. The Plan should serve as a stimulus and guide to the multitude of public and private decisions which will be made over the next decade to help Long Beach achieve its vision of the Year 2000.

What is the vision of our future? Hundreds of citizens spent two years preparing Long Beach 2000, The Strategic Plan, which sought to define that vision and to prescribe steps to achieve it. Simply stated, the people of Long Beach have expressed a vision which simultaneously combines small town friendliness and tranquility with big city vitality and economic opportunity. The General Plan sets out to achieve this very difficult balance of the "best of both worlds".

As its name suggests, the General Plan is general in nature. It is also long-range. It sets forth goals, policies and directions. It cannot prescribe specific programs and funding mechanisms to achieve those goals; neither can it dictate the exact zoning which will control the use and development of each parcel of land in the City. Once the people of Long Beach have agreed upon the Plan as their vision for the future, specific programs and zoning actions can be undertaken to realize that vision.

A general plan is also comprehensive, covering the full range of development issues which must be addressed by the City over time. State law requires each general plan to contain seven elements: land use, transportation, housing, conservation, open space, noise, and safety. The City of Long Beach is now updating the first three of these elements. This summary focuses upon the 1988 revision of the land use element.

The land use element is specifically directed toward prescribing the proper long-range use and development of land in the City. As such, it is perhaps the most important of the seven elements, integrating the other six and providing their driving force.

be upon for-sale housing for first-time homebuyers and upon upscale residential development in and around the downtown area.

- **Affordable Housing:** Long Beach views its existing housing stock as its greatest resource of affordable housing, and will stimulate and support continued maintenance and reinvestment in that housing stock. It will take advantage of every available State and Federal program to make its housing affordable to its population, but it will not sacrifice long-term quality for short-term affordability in new or rehabilitated housing.
- **Neighborhood Emphasis:** Long Beach recognizes the strong neighborhood to be the essential building block of a City-wide quality living environment, and will assist and support citizen efforts to maintain and strengthen their neighborhoods.
- **Facilities Maintenance:** Long Beach will maintain its physical facilities and public rights-of-way at a high level of functional and aesthetic quality, manifesting the pride of the citizens in their City and ensuring that future generations need not bear the burden of deferred maintenance.
- **Functional Transportation:** Long Beach will maintain or improve the current ability to move people and goods to and from development centers while preserving and protecting residential neighborhoods.

Of all of the goals, the first, "managed growth", most clearly defines the direction and purpose of the 1988 General Plan. Long Beach has historically prospered during periods of economic and population growth. The present growth cycle, however, differs from those of the past, in that there remains little vacant land to develop. Increasingly, growth will require recycling and increased density. The way in which new development is designed and the manner in which the impacts of increased density are mitigated will determine the degree to which the quality of life of our City is preserved and enhanced. Therefore, the goal of accepting increased growth is conditioned by the very important phrase: "...to guide that growth to have an overall beneficial impact upon the City's quality of life."

These forecasts portend several basic changes in direction for the City. First, the pace of population growth is expected to slow beginning around 1992, after the very rapid increase of the period from about 1978. This means that housing development will also slow and construction energy will be redirected to the retail, employment, and tourism sectors. Second, the favorable ratio between jobs and housing which the City now enjoys is expected to be maintained and improved as the economy diversifies even further. Most new employment needs will be located in downtown, at the Port, airport, and on land presently occupied by heavy, land-extensive industry which will become less economically viable. Finally, it is expected that the retail economy of Long Beach will begin to generate the amount of sales commensurate with the size and economic strength of the community. Growth in this sector is expected to occur primarily in existing shopping/activity centers and along the recycled frontages of some thoroughfares.

#### Maintaining Quality:

The most important issue addressed by the General Plan is how to accommodate the growth forecast for the City while maintaining and improving the overall quality of life. This is no easy task. As noted above, population growth can strain existing schools, playgrounds and public services; improperly placed and designed high density housing can disrupt traditional neighborhoods. Increased economic activity means increased traffic, which can ultimately lead to severe traffic congestion and disruption of once comfortable residential areas and local shopping districts. The challenge is to manage growth in such a manner as to take full advantage of its positive attributes while minimizing its problems.

The Plan calls for concentrating construction of new apartments and condominiums in proximity to growing employment centers, and along the major arterial corridors which provide access to employment centers. This yields several positive results as follows:

- o It reduces home-to-work travel. Employees will have the opportunity to drive short distances to work, take a convenient bus, or even walk. The payoff is decreased travel time and frustration, reduced traffic congestion, less energy consumption, and cleaner air.

- o It encourages rebuilding of underutilized and deteriorated structures adjacent to downtown and along many older arterial corridors. Some of the most blighted and unattractive properties in the City are located in these areas. Recycling will promote better living conditions, support economic revitalization, and project a better overall image of our City.
  
- o It protects stable, traditional neighborhoods from intrusion of higher density housing. Experience has shown that dense apartment structures are incompatible with lower density neighborhoods, in both visual and functional terms. Repeated intrusions can change the character of a neighborhood and affect its quality of life and property values.

The Plan recommends that new playgrounds be built and that parks and schools be expanded in those areas of the City where population growth is expected. Unless development of these facilities keeps pace with the rate of housing construction, existing facilities will be severely strained, and the level of service will decline for everyone. In light of the present financial constraints upon the City and School District, it is likely that new development will be asked to bear some of the burden of cost to construct these needed facilities.

The redevelopment of downtown could more than double the number of jobs in this concentrated area, which could lead to more than twice the present number of automobile trips. Port growth is projected to double the number of truck movements, and triple the number of train trips by 2020. Such economic growth will bring many benefits to the City and its residents. Its full potential, however, will never be realized unless we can overcome the transportation problems which it will create.

As discussed above, the land use element of the General Plan attempts to mitigate the transportation impacts of economic growth by locating jobs and housing in close proximity to each other. Other solutions (e.g., intersection improvements, grade separations, traffic signal coordination, curbside parking removal, staggered work hours, car and van pooling, etc.) will be presented in the transportation element of the General Plan.

#### Conserving Neighborhoods:

Long Beach is a city of neighborhoods, most of which are attractive, safe, comfortable and convenient places in which to live. Preservation and enhancement of such stable residential neighborhoods is at the heart of the General Plan. In many instances, it is recommended that allowable densities be lowered to insure neighborhood protection and to stimulate reinvestment in well-built, older homes. To some extent this represents a reversal of the 1978 policy which was to encourage recycling of older areas of the City by permitting higher density development.

Our existing stock of housing is a valuable resource. Recent experience has shown that an increasing number of people appreciate the character, price, yard space and neighborhood amenities that older housing offers, and are willing to invest their time and money to preserve and restore it.

#### Revitalizing Activity Centers:

People need more than just the peace and tranquility of home. They also need the excitement and opportunity of interaction with other people, at the workplace, the shopping center, the school, or the concert. The places where these interactions take place are designated by the Plan as "activity centers." Whereas the Plan seeks to protect the peace and quiet of the City's neighborhoods, it also seeks to inject new life and vitality into its activity centers. This will provide increased opportunity for all of our residents for jobs, for shopping, and for pursuit of those things which enrich their lives.

The Plan identifies each of the major activity centers and analyzes its role in the larger city. The purpose of these analyses is to bring a focus to the centers which has not existed in the past. This is particularly true of shopping centers, such as Bixby Knolls, Los Altos, and Marina Pacifica, which have not provided the Long Beach retail market with facilities, products and services equal to their potential.

A new multi-purpose center is recommended for development around the Memorial Hospital Medical Center to bring needed focus to a part of the City which now is very underserved.

Employment centers are recommended for protection so that the City can maintain a favorable job-housing balance into the future. Most areas shown on the 1978 Plan for heavy industrial uses are converted to light/clean industrial uses by this plan for environmental, economic, and job/housing balance reasons.

#### Strengthening Arterial Corridors:

Arterial corridors are those major streets, together with their abutting land uses, which provide access from homes to activity centers and which provide major entries to and passageways through our City. This General Plan recognizes arterial corridors as a special component of the City's structure and identifies the land use and transportation relationships which are unique to each. The goals of this analysis are as follows:

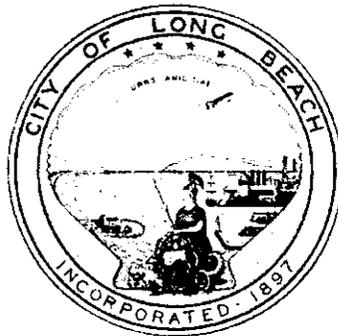
- o To improve overall traffic carrying capacity and to reduce conflicts between parking/access needs and through traffic requirements as much as possible;
- o To reduce the total number of strip commercial streets in the City to a limited few;
- o To increase the amount and quality of moderate and higher density housing along selected arterials, thereby helping to reduce the pressures for those types of housing in the more stable neighborhoods of the City; and
- o To improve the appearance of arterial corridors in general, recognizing that these corridors provide most travellers through our City with their initial, and perhaps lasting, impression of Long Beach.

Land use policies proposed by this plan, therefore, are directed toward achieving these objectives while, at the same time, making the arterial corridors better neighbors of the adjacent residential communities. Specific recommendations regarding the transportation functions of the arterials will be found in the Transportation Element of the General Plan.

# **Draft 2008-2014 Housing Element**

**City of Long Beach,  
California**

## **General Plan**



## **EXECUTIVE SUMMARY**

Incorporated as a city over 100 years ago, Long Beach today is made up of a highly diverse Society of 493,000 residents where there is no ethnic majority. Located in the temperate South Bay region of Los Angeles County, the City is a fully urbanized community with a major port, regional airport, passenger rail to Los Angeles, a State University, and over 60 residential neighborhoods incorporating 17 historic districts.

The City understands it is imperative to pay attention to the housing and neighborhoods, which make up most of the community's land use. With over 170,000 housing units, it is important to have a plan for the preservation and maintenance of those units and neighborhoods, and a plan to allow for housing to grow along with population needs.

The Long Beach 2008-2014 Housing Element is drafted in response to State Housing Element (General Plan) law as a tool to guide communities in periodically thinking about and planning for present and future housing needs. This version of the Housing Element is an update of an existing plan, the 2000-2005 Housing Element, which was an update of the 1989 Housing Element. As it was with the 2000-2005 Element, most of the housing goals and policies have remained consistent with those established in 1989. The changes occur in the programs, primarily as a response to funding sources available. The major funding sources for housing include: Redevelopment Set-Aside (\$20 million annually, CDBG (\$8.6 million annually), HOME (\$4.6 million annually), and ESG – Emergency Shelter Grants (\$380,000 annually).

### **The Housing Element:**

- defines the special needs population, housing and neighborhood issues in Long Beach;
- assesses the housing market and housing affordability factors;
- assesses the City's current development regulations and practice for their impact on housing development;
- articulates housing and neighborhood improvement goals and policies;
- identifies how the City will meet specific Regional Housing Need Assessment (RHNA) targets for providing housing affordable to various households incomes; and,
- establishes 2008-2014 housing development and neighborhood improvement programs with targeted objectives, timeframes, identified funding sources, and the City departments and bureaus responsible for working together to see that the objectives are met.

## EXECUTIVE SUMMARY

### City Planning Consistency

The Housing Element as a component of the City's General Plan must be consistent with the goals, policies and implementation measures of the General Plan as a whole. Fortunately, this is the case with this Housing Element update as the City has been espousing the same basic housing preservation and future housing development policies since 1986 when the first Citywide Strategic Plan was developed and incorporated into the Land Use Element of the General Plan. These goals include:

- *Long Beach intends to guide population and economic growth to have an overall beneficial impact upon the City's quality of life;*
- *Future housing development will be focused in the downtown and greater downtown, along major transit corridors and within close proximity to major employment and activity centers;*
- *Long Beach views its existing housing stock as its greatest resource of affordable housing and will stimulate and support continued maintenance and reinvestment in that housing stock. It will take advantage of every available State and Federal program to make its housing affordable to its population, but it will not sacrifice long-term quality for short-term affordability in new or rehabilitated housing; and,*
- *Long Beach recognizes the strong neighborhood to be the essential building block of a citywide quality living environment, and will assist and support citizen efforts to maintain and strengthen their neighborhoods.*

### Community Participation

Opportunities for residents to identify community housing needs, recommend housing strategies and comment on the City's Draft Housing Element are integral to creating a successful plan. To this end the City's outreach strategy included notices in thirteen local newspapers, multi-language flyers, and surveys distributed by the City's professional planners at meetings with local community groups and through updates and postings on the City's web site. A Housing Element workshop was held in February and focus group interviews were held in May. A wide variety of inputs were received from the Legal Aid Foundation, Mental Health Association, Housing Long Beach, LB Homeless Coalition, Belmont Shore Mobile Home Estates, The Wrigley Association, Neighborhoods First, and many more groups and individuals.

### City's Housing Challenges and Responses

Long Beach faces several challenges over the 2008-2014 planning period of the Housing Element. These challenges include ensuring the quality and affordability of the housing stock, ensuring that suitable housing is available for persons of all economic segments, directing reinvestment in lower income areas, assisting individuals and families with special housing needs and meeting the housing needs of a diversifying community. New State laws now require communities to permit emergency shelters by right in at least one zone, and single room occupancy units and transitional and

## EXECUTIVE SUMMARY

supportive housing must also be allowed (see Section 5 Program 2.2 Zoning Code Update for Special Needs Housing).

The following list summarizes the housing and neighborhood issues and the housing programs used to address these issues. Program details are found in Section 5 of the plan.

<b>ISSUE</b>	<b>PROGRAMS</b>
Crime and Safety	Housing and Neighborhood Improvement
Affordable Housing	Housing Assistance and Preservation
	Housing Production
	Mitigation of Government Constraints
Special Needs Groups	Housing for Special Needs Residents
	Mitigation of Government Constraints
	Fair and Equal Housing
Property Maintenance	Housing and Neighborhood Improvement
Deteriorated Public Infrastructure	Housing and Neighborhood Improvement
Need for Home Ownership	Home Ownership Opportunity

Odette Perreault  
3695 Linden Ave. #6C  
Long Beach, CA 90807

25 September 2008

Members of City Council of Long Beach  
District 1 – Bonnie Lowenthal  
District 2 – Suja Lowenthal  
District 3 – Gary DeLong  
District 4 – Patrick O'Donnell  
District 5 – Gerrie Schipske  
District 6 – Dee Andrews  
District 7 – Tonia Reyes Uranga  
District 8 – Rae Gabelich  
District 9 – Val Lerch

RE: APPEAL TO APPLICATION 0803-05

Dear Council Members,

I am a named appellant to the project proposed for 3635 Elm Avenue, the appeal of the decision of The Planning commission is scheduled to be heard on October 7<sup>th</sup>.

Following this brief letter are some of the materials supporting the appeal. I have included a descriptive time line for your reference and consideration. I hope that all materials and information at the hearing are considered in their entirety. The entire body of the appeal, I believe, provides a preponderance of information providing an overarching message of concern that I believe will cause you to come to no other determination than to uphold the appeal and deny the project of the applicant.

I regret that all of the members of The Planning Commission who voted in favor of the project, albeit with "concern", "great concern" and "a reluctant yes" were in a position to amend the project to everyone's satisfaction and did not do so. I have attached my letter to them for your convenience and perusal. The supporting documents they received from me are also included.

The appellants will not only remind you of the illegal act of Spot Zoning that is required for this project, but also illustrate the disparate treatment. The Planning Department has refuted the legality of my statement regarding Spot Zoning by saying, "we do it all the time" (phone conversation with Steven Valdez, August, 08). May I point out that this is not a legal defense and a circumstance of Spot Zoning can be permitted based on use, I would argue this is not such a case.

This plan for development would also require an amendment to The General Plan of the City and sets a precedent that is horrific. Gabelich has stated her support for this project

and triumphs it as a potential model for the city. Although her motives may be pure, it seems reasonable that a successful model would be more easily embraced.

Although Rae Gabelich may insist she has met with the community, I believe it was under duress and I assure you I have been at every community meeting on this subject and have yet to hear one person speak in favor of this project who resides within the boundaries of Linden and Elm who does not have a vested interest. Documentation supporting the strong neighborhood opposition to a 5-story building in our R1 neighborhood will be provided at the hearing of the appeal.

Thank you for your time, I look forward to your decision.

Odette Perreault  
Appellant

C: Bob Foster, Mayor  
Co-appellants

**APPROXIMATE TIMELINE OF EVENTS PERTAINING TO 3635 ELM AVENUE**

Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct																				
/	/	/	/	/	/	/	/	/	/																				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30

1. Rae Gabelich learns of the project. Gabelich has justified withholding information regarding this project from the constituent neighbors as it was "conceptual". Please see items #2 & 4.
2. 2/27/08 Letters of support from Latter Day Saints & Christian Fellowship.
3. Rae Gabelich is re-elected unopposed.
4. 4/18 Letter of support from The Jewish Federation. Jerry Kaufman is a Board Member (attached).
5. 5/8/08 Community Meeting held at The Temple Beth Shalom. Residents within 500 feet received notice. Four residential owners were represented. Two of the four spoke up, pointing out concerns, including the height and access. Questions were posed. One specifically regarding negotiation of the height was ignored by the self proclaimed Dream Team and the question was redirected to Gabelich. A 5 minute response was given, the question never answered.
6. 5/14 Meeting of the (inner departmental) Planning Committee
7. Contact made to Gabelich's office. Phone calls and requests for conversation were not responded to.
8. Phone call to Bruce Labins in response to his request for input. He was asked to consider recessing the top two floors. No acknowledgement was given to this suggestion.
9. 6/4/08 Letter to Dean Isaacson, DIDM, from Jerry Kaufman, President of Temple Beth Shalom. The letter discusses an easement of use for a driveway between The Temple and the proposed facility (at the suggestion of a resident who pointed out this need on 5/8). DIDM is shown by the secretary of state as a suspended California Corporation at this point in time potentially voiding contracts with DIDM. Finally, Jerry Kaufman is not the President of Temple Beth Shalom Long Beach. He is a former Co-president and is currently a congregant (attached).
10. 6/5/08 Study Session held by The Planning Commission. New driveway easement is revealed. Opposition voiced to the height, scope and density, the requested zone change and precedent, the inadequacy of the neighboring streets to support additional traffic, sidewalks and storm drains, the lack of street parking and the potential negative impact of staff (based on previous experience). With only 2 days notice of the meeting, a resident was able to produce a petition in opposition to the height of the building with 75 signatures on it. All signatures belonged to residents of Linden & Elm from 37<sup>th</sup> to San Antonio.

Commissioner Smith asked the applicant to see what they could do to reduce the mass and impact of the building. Financial assertions were made; these self-imposed assertions remain undocumented yet are expected to be accepted as factual. Gabelich submitted a memo to be read for the record that misrepresented the community meeting of 5/8/08. She stated there was one man who spoke in opposition. This was not true as I had also objected. It is unfair to represent the neighborhood as being in favor when "the neighborhood" wasn't asked. Truthfully, 100% of the neighborhood present was opposed. Mind you, we were and are not opposed to senior housing, nor to dedicating a significant portion of said housing for low income residents. We object to 63 feet, to 5-stories, to the inappropriate change of the zoning, to the amendment to The General Plan and the strong "pro development" favor to be granted. Residents should be treated so well. Rae's memo (attached) proposes this development be a template for the city to use for future sites. In her words; "precedent". Rae's memo also contradicts the memo to the Planning Commission from Craig Beck which states 2 residents asked questions (attached).

11. Residents question the Traffic Study. Inaccuracies and remarks that contradict statements within the same study are pointed out. The Planner for the project (Valdez) makes the defense that, "they didn't even have to do one". Somehow this statement allows for the fact that unsolicited documentation can be false and contradictory yet appreciated and accepted (in part) as fact.
12. "Neighborhood's First" asked Gabelich about the project and neighborhood support. Gabelich responded that there was a minority voice in opposition. Copies of the signed petition submitted to The Planning Commission were mailed to Gabelich.
13. Multiple contacts to Gabelich not responded to. There have been phone calls, e-mail, US post and a written invitation to a community meeting held by a resident. All to no avail.
14. 7/15/08, a (currently) named appellant confronted Gabelich during public comment at The City Council Meeting of 7/15 requesting interaction on the subject of the project. Gabelich requested further e-mail contact. The e-mail follow-up was sent on the following day (Wednesday) and was not responded to. A call was made to Gabelich's office on Friday of the same week, recapping the attempts to communicate with her. A meeting was finally scheduled for 7/23. The expressed intent of the constituency was "to have face time with Rae", get some answers, and be heard.
15. 7/23/08 Meeting in Gabelich's office. She invited the developers. Eleven residents were in attendance. Rae was not able to answer the most basic questions regarding the project yet held firm in her support. This incongruity was acceptable to her. She was asked if she championed this project as a result of a personal opinion, or based on the support of her constituency. She stated it was a personal opinion. She specifically mentioned her mother-in-law was being placed in Bixby Knolls Towers the following day, and told a story of her son's placement. She was reactive. A resident pointed out inadequacies of the facility, namely, delivery, trash & ambulance access. Another resident asked about the feasibility of sinking the building further into the ground to make the first floor semi-subterranean. No acknowledgement of either comment was made. On prior occasions (meeting of 5/8 and the Study Session), the developers depicted the neighborhood in an unflattering way and deliberately showed skewed images of the surroundings, disparaging photos of backs of building, etc. It was pointed out that the building

the most often depict is free of cracks or any apparent dilapitation, it is painted on a regular schedule and is fully landscaped, gardened professionally weekly and professionally cleaned. They were asked to be more "above board" and lose the attitude that they were doing us a favor. Only when pressed did they consent. As the residents continued to ask questions, the applicant, specifically Jerry Kaufman, threatened that if we (the residents) were going "to continue to create problems" for senior housing then they would build apartments, and how would we like that? Rae ignored the remark. Unanswered questions were promised responses by Gabelich and have not been answered to date.

16. 8/06/08 Residents of the 8<sup>th</sup> district gain the official support of the "Neighborhood's First" organization (attached).
17. "Neighborhood's First" contacted Gabelich to request a delay in consideration of the project by The Planning Commission as the residents were opposed to the current plan and were willing to discuss things further, to find a livable solution. Gabelich responded in the negative citing the fact that the developers had waited long enough.
18. Resident contacts Project Planner (Valdez) regarding memo recommending approval of the project and asks how this determination is made. Planner states that The Planning Committee meets and discusses projects. Frequency of meetings is discussed and through the course of the conversation it is discovered that the last meeting of The Planning Committee was 5/14 (see #6). The admission of the inconsideration of the residential input is questioned and The Planner states "it will be considered...you need to (say that) to The Planning Commission".
19. 8/19/08 Residents (at their request) expected to meet with the President of The Temple Beth Shalom. In attendance were 4 residents, Max Poper (the Temple President), Dean Isaacson (developer), Jerry Kaufman (congregate of The Temple, investor in the project), and Mr. Ron Botwin (equity partner, member of the congregation and owner of apartments on Linden Ave). The feasibility of more of the building being sub-terranean has still not been considered. An additional architectural style suggestion was made to make better use of the lot size and reduce height & volume. The suggestion of a floor being placed over the temple, connected by a breeze-way was laughed at and squashed without discussion. A request was made by the residents to postpone consideration by the Planning Commission so we could further discuss things, as neighbors, and come to some agreement. The applicant refused flatly. A number of points that could not be refuted were made by the residents. Again the threat was made that The Temple would build apartments if we (the residents) stood in their way.
20. 8/21/08 The developers contacted one of the residents and arranged to meet at his home. A landscaper was present and Mr. Isaacson promoted fuller foliage as additional camouflage, admitting the building's massiveness. Isaacson could not deny the nearly full view of the building that would exist from the nearest resident's luxury dining room. The additional foliage, at maximum height, would amplify the fact that the building's height would exceed it. Isaacson suggested the resident extend the height and length of the fence at the side of his property. The resident pointed out that would be illegal and Isaacson stated he "could handle that". The resident declined the offer.

21. 8/21/08 Meeting of The Planning Commission. The opposition cited facts and legally binding issues in opposition to the proposal. The applicant provided two bus loads of people who filled the chamber, only two of whom reside within the neighborhood. Although those opposed to the height and zone changes had prepared remarks, it was difficult to stay on message as there also was an obligation to refute the long list of false assertions made by the applicant that, as it turned out, were accepted as fact. The 4-2 vote of The Planning Commission was expressed with great reticence. An updated petition of nearly 200 residents (Linden & Elm from 37<sup>th</sup> to San Antonio) signed in opposition to the height of the building was submitted. Copies were provided to Gabelich.
22. 8/29/08 Two community organizations; LB Neighborhoods First and Residents of Chateau Thierry join seven individual residents in filing three appeals of the Planning Commission decision.
23. Appellant contacts the AQMD regarding support documentation for the Mitigated Negative Declaration. The AQMD has no record of being contacted or informed of this project.
24. 9/13/08 "Coffee with Rae" held at The Mirage coffee house. The first of these meetings since her re-election. An hour was dedicated to the subject of the senior facility. At the opening of the meeting she was asked about the upcoming hearing and stated the date as October 7<sup>th</sup>. The appellants present questioned this date as they were told it would be the 14<sup>th</sup> and had received no notice otherwise. The date was changed at the request of the applicant. Well past the time allocated for the meeting, Rae called closure although the group showed no signs of fatigue or indicated the topic had been exhausted. There were more than 20 people in the room, not a single one in favor of the development plan. Gabelich stated she took notes (evident) which she stated were questions she wanted answers to and she would get back to us via a particular (named) person. Of significant concern to her was the fact that The Temple has recently looked into relocating to the other side of the 605 Freeway. Regarding Rae's list - the resident of 3851 Linden confirmed, "you will get back to us"? Gabelich said, "yes, I will". A retired architect & named appellant has come up with yet another (3<sup>rd</sup>) design proposal that would actually increase the number of units The Temple could provide, lessen expenses and provide a structure that is in harmony with the surroundings. There has been no inclination to discuss this option. Gabelich stated she is in current and apparent constant discussion with the developers and is not at liberty to share the information with the neighborhood. As the meeting closed, Rae was asked specifically what her position was on the project after receiving the community's input. Her response was that she would discuss her notes with the applicant, but she remained convinced that the project was a good one and should go forward. Rae has provided no further information to the neighborhood. A concern of the appellants is that this "Coffee with Rae" was a "discovery session" for the benefit of the applicants.
25. 9/15 Applicants inquire about the background of the change of date for the hearing and ask if the date is amendable, could it be set back rather than advanced? A named appellant is out of the country and the dates of the trip are consistent with the calendar previously provided. It was stated the hearing would be continued in the interest of negotiations.

26. Applicants hire Mike Merchison.
27. 9/21 Woman canvassing the neighborhood, circulating a petition. States she is from The Temple Beth Shalom with a petition from Rae Gabelich's Office. The petition has space for comments. The resident states she is opposed to the development and would like to comment, as indicated. The woman says "no", takes back the petition and retreats.
28. 9/22 Five of the named appellants met with The Mayor in an effort to increase awareness as Gabelich has stated she would like to see this project "as a model for senior housing within the city" (memo to Planning Commission 6/5/08). During the hour + meeting, the Mayor asked if we had met with individual Council Reps on this subject. Stating we were prohibited in doing so, there has been no pursuit. Gabelich, however, stated (Coffee with Rae, 9/13) she is having ongoing confidential discussions with the applicant. Apparently the applicant has unbridled access to a "trier of fact" while the appellants do not.
29. 9/22 Discussion with The Planning Department indicates the hearing will be continued.
30. 9/24 Appellants receive written notice of the hearing date, 10/7. Not only will it not be continued, the amending of the date is no longer an option. Applicants still will not 'come to the table' and negotiate.

\*Comparatively, subsequent to this meeting, some residents visited The Temple buildings to discover an adjacent building used for youth activities and evening adult classes with crank windows, none of which are functional due to the rust, some windows are broken, window coverings, where they existed (thou mostly absent) are shabby. The occupant at the time of the visit stated "the heat has been broken for a long time" too. This point is made in the face of strong statement made with authority and certainty that the project will be "quality" and "well maintained". Current evidence to the contrary, although "quality" wasn't qualified.



## *Temple Beth Shalom*

3635 Elm Avenue, Long Beach, CA 90807 • (562) 426-6413  
Fax (562) 426-7824

June 4, 2008

Mr. Dean Isaacson  
Chief Executive Officer  
D.I.D.M. Development  
23935 DeVille Way  
Malibu, California 90265

Dear Dean,

Temple Beth Shalom will allow the new Senior Assisted Living Facility being built on our North Forty Land by **D.I.D.M. Development** to have an easement on the Temple's new proposed driveway. This easement will be solely for the use of trucks delivering supplies and products to the Senior Assisted Living Facility to park in the driveway during normal working hours or early morning hours during the business week.

Sincerely,

Jerry Kaufman  
President

# Jewish Federation



**Live Generously.**

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Shirley Ross

**Vice Presidents**  
Mark Beizer  
Barbara Shoag  
Jonathan Kass  
Sandra Horwitz

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Housing Board  
Michael Strok

\*Deceased

Mr. Jerry Kaufman  
**President**  
Temple Beth Shalom  
3635 Elm Ave.  
Long Beach, CA 90807

April 18, 2008

Dear Jerry,

The Board of Directors of the Jewish Federation and I are very pleased to provide a recommendation and commend Temple Beth Shalom on your development of the Senior Assisted Living Housing project. Temple Beth Shalom has been an institutional leader in our community for over 55 years, and your leadership in this project will be very important to Greater Long Beach citizens.

The Jewish Federation, in our role as a community convener and organizer, has recognized the demographic challenge on a national basis of caring for a growing senior population. Facilities of the type which you plan to develop will be critical to the future as the elderly population continues to grow in the Long Beach area over the coming decades.

Your recent presentation to our board regarding the non-denominational project left our directors very impressed. Your schematics showed a beautiful facility with large rooms which can only serve to enhance the neighborhood and serve the diverse demographics of the area.

Congratulations on your progress on the project. Please let me know if I, or the Federation Board of Governors, can be of any assistance as you move forward.

Sincerely,

  
Deborah K. Goldfarb  
Executive Director

Harry and Jeanette Weinberg Jewish Federation Campus  
One Sommer Way  
3801 East Willow Street, Long Beach, California 90815  
(562) 426-7601 FAX (562) 424-3915  
[www.jewishlongbeach.org](http://www.jewishlongbeach.org)



**Date:** June 5, 2008  
**To:** Craig Beck, Director of Development Services  
**From:** Rae Gabelich, Councilmember, District 8 *RG*  
**For:** June 5 Planning Commission Meeting  
**Subject:** Senior Community Housing – 3635 Elm Avenue

---

This senior residential project will fill a significant need within our community. After the neighborhood community meeting, **there was only one individual who voiced his concern.** The issue seemed to be the overall height of the building.

I understood that this could be a concern, but feel that the overall project, to be successful, must maximize the footprint available.

The developer was agreeable to redesign the units to provide for a more private sleeping area in the single units so that the resident does not feel as if he/she is living in a hotel room environment, but their home.

Also, the amenities that will be provided such as a hair salon, meeting rooms, library, community patios, etc. are all a part of a successful senior complex.

This project will allow the senior residents to live in comfort and security and to transition to additional care within the same complex as it becomes necessary.

I hope to see this as a model for additional senior housing within our city and fully support this project in the 8<sup>th</sup> district.

Please share my opinion with the Planning Commission on June 5<sup>th</sup>. I am unable to attend due to a death in my family.



**Date:** June 5, 2008  
**To:** Chairman Gentile and Planning Commissioners  
**From:**  Craig Beck, Director of Development Services  
**Subject:** Study Session for Senior Assisted Living Facility at 3635 Elm Avenue

---

Temple Beth Shalom is proposing to develop the property located at the corner of 37<sup>th</sup> Street and Elm Avenue in order to construct a 65-unit, 5-story senior assisted living facility over a subterranean parking garage. The facility will contain 41 studio units, 14 one-bedroom units and 10 two-bedroom units. Six of the units will be designated for very low income. **The proposed parking garage will be used on a shared basis with the temple.**

In order to construct the project, a General Plan Amendment and a Rezoning are required to allow for an increase in density and height.

The Conceptual Site Plan Review application was reviewed by staff on April 16, 2008 and was presented to the community on May 9, 2008. At the community meeting, there were approximately 50 people in attendance with the majority being in support of the project design and use. Many of the comments were supportive of the use based on the need for senior care facilities in Long Beach and Los Angeles County. **Two residents asked if there was a possibility of reconsidering the height of the building since there are no other five-story buildings nearby. The location of loading zones, lack of available on-street parking spaces for nearby religious services, and the impact to traffic were other concerns.**

Staff is supportive of the proposed use, but is concerned with the height and mass of the building. Due to this concern, staff asked the applicant to place story poles onsite to allow staff and nearby residents to see how tall the building would be in relation to the site. **The story poles were onsite for the community meeting on April 16, 2008 and will remain onsite for the June 5, 2008 meeting.**

Staff is seeking input from the Planning Commission due to the height and mass concerns. This input will allow the applicant to consider suggested adjustments to the site plan that will come back before the Planning Commission at a future date.

CB:GC:SV

Subj: Application No. 0803-05 - Temple Beth Shalom - 3635 Elm Avenue  
Date: 8/21/2008 9:33:50 A.M. Pacific Daylight Time  
From: Mike4kath  
To: heidi\_eidson@longbeach.gov  
CC: operreault@netzero.com, district8@ci.long-beach.ca.us

Long Beach Neighborhoods First  
3756 Pine Avenue  
Long Beach, CA 90807

August 21, 2008

City of Long Beach c/o Email: heidi\_eidson@longbeach.gov & Fax: (562) 570-6068  
Planning Commission  
333 W. Ocean Blvd.  
Long Beach, CA 90802

Dear Planning Commissioners,

Long Beach Neighborhoods First (LBNF) **strongly opposes** the approval of this project as recommended by staff. This includes approval of the Site Plan Review, Conditional Use Permit, Vesting Tentative parcel Map, certification of the Negative Declaration 11-08, General Plan Amendment from LUD #3B to LUD #5, rezoning from R-3-U to R-4-U.

The adjoining residential neighborhood has many concerns that these approvals will impact their quality of life and property values.

**LBNF urges you to deny the recommendation** and insure that this proposed development abide by current zoning and planning standards.

City of Long Beach

Respectfully,



Mike Kowal,  
Chair, LB Neighborhoods First  
Long Beach, CA 90807  
(562) 881-4399

Neighborhoods First is a non-partisan political action and information organization dedicated to protecting and improving Long Beach. We are a broad-based city-wide organization with members from every council district and represent the views of all parts of our city.  
<http://lbneighborhoodsfirst.org/>

---

It's only a deal if it's where *you* want to go. Find your travel deal **here**.

Odette Perreault  
3695 Linden Ave. #6C  
Long Beach, CA 90807

08 August 2008

Members of the Planning Commission of the City of Long Beach:

Leslie Gentile, Chair  
Phillip Saumur, Vice Chair  
Becky Blair  
Charles Durnin  
Charles Greenberg  
Melanie Smith  
Donita VanHorik

RE: 3635 Elm Avenue, Case No. 0803-05

Dear Commissioners:

I am a citizen who resides within 500 feet of this location. I am in support of the intended use for the land, I am in opposition to the proposed height, my concerns are many.

It is an insult and an outrage someone would be allowed to construct a 65 foot monstrosity within 180 feet of an R1 residence. The adjacent R1 neighborhood has lovely homes on huge lots which were previously R2. That status has been revoked as part of the General Plan to minimize density for this part of the city.

The land that the Temple Beth proposes to use, would legitimately be two lots. The two lots combined are smaller than two adjacent (currently R1) lots on Elm. If the required zoning change is issued, I would like to know when the residents on Linden and Elm can expect their R2 status returned? I asked this question of the 8<sup>th</sup> district City Council Rep., Rae Gabelich and she stated, without hesitation, "that is not going to happen" (meeting in her office, 7/23/08). If you will not consider the reinstatement of R2 status, please consider how highly prejudicial it is to allow the Temple to combine two lots and build a beast and not allow private citizens the same opportunity. Please require The Temple to work within the current zone restrictions.

Linden and Elm, for 5 blocks, are bound by two main boulevards, Long Beach Blvd, and Atlantic Avenue on the West and East respectively. San Antonio and Wardlow provide borders North and South. I have lived in the area long enough to see the disintegration of the neighborhood due to municipal action.

In other parts of the neighborhood (defined above), the disintegration is evident one example being the impact of the excessive ATM's allowed at the WAMU bank at the corner of Roosevelt & Atlantic. There is a tolerated inadequacy of parking at the bank. The proximal residents have been cheated out of their own curb-side parking. Additionally, the medians on Atlantic have encouraged very large trucks to now use the 4200 block of Linden as a throughway as their turning radius has been hindered by the median "improvements" on Atlantic. The Traffic Engineering Division has refused requests for additional traffic controls on Linden Ave. Only reluctantly given, residents were able to get a stop sign at the corner of Roosevelt and Linden after a considerable fight. The traffic controls requested were refused for Carson between Atlantic and Long Beach Blvd as well, where cars seems to use the street curve as an acceleration ramp. The city is on notice to this effect; I'm certain that an imminent death will persuade this change in signage and the installation of the sloping speed bumps for which we have asked.

It is insane to think traffic will not increase dramatically as a result of this high-density building which will require constant deliveries; trash, medical supplies such as oxygen tanks, food service, ambulance service and moving trucks due to the expected attrition. The traffic from staff and visitors alone will be significant. This commercial use, residential building will greatly impact our quality of life.

My neighborhood is a unique, eclectic group with which I have experienced an amazing sense of reasonableness, compassion and group acceptance. Single handedly, the city has continued to chip away at it's character as we hang on to the fringes of our environment - two, thinly insulated streets. There exists a basic failure to protect the interest of the residents. Concerned, many of us have approached our Council Rep looking for help. Many of us were distressed to discover that with Rae Gabelich at the helm of the 8<sup>th</sup> district, we are without authentic representation.

In a meeting of a group of eleven residents in Rae's office on 23 July 2008, Rae was asked a list of ten questions (attached). To the distress of the residents, Rae had taken the liberty to invite Dean Isaacson (later defined), Jerry Kaufman (former President of The Temple Beth Shalom), and Bruce Labins (project architect). It was a concession on the part of the neighbors to allow these uninvited guests to stay as we had clearly asked for face time with Rae. There are many questions still outstanding, some are based on facts asserted by Kaufman and Isaacson that are not verifiable, yet we are expected to accept them as fact. Some questions have been forwarded to the Agent for Service of Process for the Temple Beth, Bruce Greenberg (attached). Greenberg is also the Vice President of Properties but is absent in that role as it this project.

One particular question asked of Gabelich was, "What is the constituent support for this project"? After no response. I restated the question explaining we wanted to know if her support for this project was as a result of her constituency, and if so, who were those people and where did they live? Or, rather, was her support a matter of personal opinion. Rae stated it was a matter of personal opinion. (meeting 7/23 in Gabelich's office).

I am unable to find a single person who resides within 500 feet of this project who is in support of the height. I have not been able to find one neighborhood resident who resides in excess of 500 feet, (boundary defined above) who thinks five stories is a good idea, and prefers it to a reduced height. Rae Gabelich does not speak for me nor anyone I have conversed with on this subject. She is abusing her power and her position of leadership. She spoke candidly in the meeting of July 23<sup>rd</sup> that took place in her office, and confessed the subject of "a care facility is a very personal" matter to her as her son lives in one and she would be placing her mother-in-law in a care facility the following day. Rae is not objective.

The zone unit change and amendment to the city's general plan is severe. The R-4-U zone change required is one that is for "*a high-density multifamily residential district. It is intended to provide housing opportunities in a urban context and design style to support downtown activity center employment with adjoining housing*". I am aghast the city would consider this definition applicable. Blindly read, it conjures up an image of a bustling metropolis like New York City. How is the proposed lot a high-density multifamily residential district when the nearby R2 status' have been revoked to preclude that possibility? It is a falsehood to imply the building residents would need to be proximal to employment. It is unrealistic for the developers to promote the building's services on the first floor, as it suggests I could freely utilize those "services", in this "downtown setting" which is in no way the intent.

The only other R4U building in the city is as a result of a zone change granted to utilize an existing building and revive an area already established. The blatant misuse of the intent of this zone requirement is foundational for appeal. Spot Zoning is also illegal and you are on notice of my intent to follow through on this this foundation.

Dean Isaacson has referred to his development company, DIDM Development Corporation as a standard for his professional expertise. He has also referred to his history with Quest Elder Care. His "extensive experience" has been trumpeted, his confidence only exceeded by his assertions of excellence and experience. DIDM Development Corporation (C1598790) has been suspended (attached). Isaacson is listed as the Agent for Service of Process for Quest Elder Care Innovations, LLC (200819810039) and the address is a private residence not in his name, nor is there any real property in his name in the counties of Los Angeles or Ventura.. The effective date of the establishment of Quest is 7/15/08 (attached), a date post his publicizing Quest's excellence (community meeting, 5/8/08).

Isaacson's most recently claimed LLC is "Equestrian Systems Specialist, LLC" (reference attached), shows no record of existence on the California State business website. Isaacson is noted as a partner (attached article, Malibu Times) with Trancas PCH, LLC, which has been ordered by the court to stop suing the city of Malibu, the order of collateral estoppel was considered warranted and past due by citizens, even by Malibu standards.

Isaacson's trail continues through South Carthay, "an upscale residential district", (ref. [Wikipedia.org](http://Wikipedia.org)) about ½ a mile from Beverly Hills (2 attachments). The residents were strongly opposed to the development, in any case, and were trumped by their Council Rep, Jack Weiss who championed his own agenda (sound familiar?). Weiss is suspected of benefiting from compensation to his political career. It is well known in the Los Angeles media Weiss is strongly pro-development. The former President of the South Carthay Neighborhood Association, Ron Sokoloff, was extraordinarily generous with his time on the phone and I was struck by his gentle nature. According to Sokoloff, Isaacson has a history of heavily courting people by financially meeting their needs, "he gets the zoning he is looking for, then holds the city hostage. Unfortunately, we didn't see it until it was too late. He's getting smarter, he's learned. You're lucky, if you can get people to listen, it might not be too late for your neighborhood" (Phone conversation, Sokoloff 7/30/08). Isaacson has a lawsuit filed against him for the development in the South Carthay neighborhood (attachment). From a risk management perspective, Dean Isaacson is a liability.

I write to you as one of about 250 residents, largely of single family homes immediately proximate to the proposed development site. We are not high caliber lawyers, wealthy developers or experts in traffic or architecture. We live here. This may be another line on a long agenda, but your decision on this line of the agenda will have a direct and enduring effect on my life and those of my neighbors. We live here.

I have personally heard from over a hundred members of my community about this specific matter. To whom are you listening? Will you listen to me and my neighbors? Do you hear *our* voices? We live here. What is the required threshold for resistance? Will you take our concerns to heart? If so, please don't offer platitudes and expressions of understanding and sympathy. Deny this over-reaching and inappropriate application. We live here.

Odette Perreault

C: R. Gabelich  
B. Greenberg  
R. Sokoloff

Attachments (9)

Rae Gabelich's Office  
Wednesday, July 23<sup>rd</sup>  
Temple Beth Shalom Senior Living Facility

1. What is the constituent support for this project?
2. What was the "extensive outreach"?
3. Justify the required zone changes.
4. When will the homes on Elm and Linden get their R2 & R3 status reinstated?
5. Will the owners pay property taxes or are they under the umbrella of the church?
6. How are the Fire Department and Paramedics going to have to adjust their staffing?
7. What is the estimated cost to the Public Works Department to compensate for the impact of this project?
8. Will the parking be striped compact or full-size?
9. What parking restrictions will there be on employees?
10. Will you be housing any family members or relatives at the facility?

Closing remark: Rae has been quoted as saying, "...somebody reminded me, when I ran for office, my slogan was 'neighborhoods first'."

31 July 2008

Odette Perreault  
3695 Linden Ave. #6C  
Long Beach, CA 90807

Bruce Greenberg  
Agent for Service of Process  
Temple Beth Shalom  
200 Oceangate, Suite 850  
Long Beach, CA 90802-4335

Dear Mr. Greenberg,

Thank you for your time on the phone last week, I've decided to take you up on your offer to clear up some questions regarding the senior care facility being planned by The Temple Beth Shalom.

Communication has been strained and, in the interest of cooperation and progress, I think it is helpful if questions previously unanswered are clarified. The local residents are being asked to make a decision and have found the need for more complete information before they can warrant their full support.

If you would, please, get back to me on the following:

1. Who will ultimately be the equity partners in the senior care facility?
2. How will the partnership be divided?
3. Who will be the General Contractor on the project? (Please include license number).
4. What management company will be used once the facility is completely built?
5. What ambulance services will be contracted?
6. I would like a copy of the text of the employee agreement restricting/relegating employees as it pertains to parking (per meeting of 7/23/08 in Rae Gabelich's office).

Also, Dean Isaacson has presented himself as experienced yet I am unable to find that history. He has verbally obliged to provide some information and there has been no follow-up. Would you please obtain and forward to me some applicable references and or his resume.

Thank you,



Odette Perreault

cc: R. Gabelich

# California Business Portal

Secretary of State DEBRA BOWEN

**DISCLAIMER:** The information displayed here is current as of JUL 25, 2008 and is updated weekly. It is not a complete or certified record of the Corporation.

<b>Corporation</b>		
D.I.D.M. DEVELOPMENT CORPORATION		
<b>Number:</b> C1598790	<b>Date Filed:</b> 10/22/1987	<b>Status:</b> suspended
<b>Jurisdiction:</b> California		
<b>Address</b>		
2591 RENATA CT		
THOUSAND OAKS, CA 91362		
<b>Agent for Service of Process</b>		
DEAN R ISAACSON		
2591 RENATA CT		
THOUSAND OAKS, CA 91362		

Blank fields indicate the information is not contained in the computer file.

If the status of the corporation is "Surrender", the agent for service of process is automatically revoked. Please refer to California Corporations Code Section 2114 for information relating to service upon corporations that have surrendered.

# California Business Portal

Secretary of State DEBRA BOWEN

**DISCLAIMER:** The information displayed here is current as of Jul 25, 2008 and is updated weekly. It is not a complete or certified record of the Limited Partnership or Limited Liability Company.

<b>LP/LLC</b>		
<b>QUEST ELDER CARE INNOVATIONS, LLC</b>		
<b>Number:</b> 200819810039	<b>Date Filed:</b> 7/15/2008	<b>Status:</b> active
<b>Jurisdiction:</b> CALIFORNIA		
<b>Address</b>		
2049 CENTURY PARK E #3110		
LOS ANGELES, CA 90067-3274		
<b>Agent for Service of Process</b>		
DEAN ISAACSON		
23935 DE VILLE WAY		
MALIBU, CA 90265		

Blank fields indicate the information is not contained in the computer file.

If the agent for service of process is a corporation, the address of the agent may be requested by ordering a status report. Fees and instructions for ordering a status report are included on the Business Entities Records Order Form.

Los Angeles City Council, **Journal/Council Proceedings**  
Friday, **August 10, 2007**  
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

**ROLL CALL - Members present: Alarcon, Cardenas, Greuel, Hahn, Huizar, Parks, Perry, Reyes, Rosendahl, Smith and Wesson (11); Absent: LaBonge, Weiss, Zine and President Garcetti (4).**

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
AUGUST 7, 2007

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 48

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PUBLIC TESTIMONY ON NON-AGENDA ITEMS AT THE CALL OF THE CHAIR -  
An opportunity for public testimony was provided.

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ROLL CALL NUMBER (#) - INDICATES THE ORDER IN WHICH THE ITEMS WERE ACTED  
UPON DURING THE COUNCIL MEETING

---

**Items Noticed for Public Hearing - Items 1-13**

**Roll Call #12 - Motion (Reyes - Rosendahl) Adopted, Ayes (12); Absent: Weiss, Zine and President Garcetti (3)  
(Item Nos. 1-11)**

**ITEM NO. (1) - PUBLIC HEARING CLOSED - ORDINANCE ADOPTED**

07-1358  
CD 15

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of 116TH PLACE AND SAN PEDRO STREET LIGHTING DISTRICT.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held July 25, 2007)

**ITEM NO. (41) - ADOPTED**

07-1868

CD 5 MITIGATED NEGATIVE DECLARATION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a variance appeal for property at 1022-32 South La Cienega Boulevard.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 07-1868 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2006-2319 MND] filed on August 4, 2006.
2. ADOPT the FINDINGS of the Central Area Planning Commission (CAPC) as the Findings of the Council.
3. RESOLVE TO DENY APPEAL filed by Aaron Friedland and Stephen Friedland from the entire decision of the Central Area Planning Commission in overturning the action of the Zoning Administrator, THEREBY APPROVE a variance to allow a Floor Area Ratio of 2.58:1 in lieu of the permitted 1.5:1 for the construction, use and maintenance of a five-story, 64-unit, 66,433 square-foot senior assisted living project, as revised pursuant to plans dated October 30, 2006, on a 27,720 square foot property in the C-2 Zone, and Site Plan Review for property at 1022-32 South La Cienega Boulevard, subject to Conditions of Approval.

**Applicant: Dean Isaacson, Equestrian Systems Specialist, LLC    ZA 2006-2318 YV SPR-2A  
Lisa Specht, and David Rand, MMP, Representatives)**

Fiscal Impact Statement: The CAPC reports that there is no General Fund impact, as administrative costs are recovered through fees.

TIME LIMIT FILE - SEPTEMBER 4, 2007

(LAST DAY FOR COUNCIL ACTION - AUGUST 17, 2007)

**ITEM NO. (42) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS**

07-2155

PUBLIC SAFETY COMMITTEE REPORT relative to the acceptance of a United States Department of Health and Human Services Grant, the acquisition and implementation of a syndromic surveillance program, and related actions.

*Malibu Times*

## Developer ordered to stop suing city

Published:

Wednesday, March 28, 2007 1:29 PM PDT

A judge bars Trancas PCH from pursuing further litigation on a legal saga that has been ongoing since 1985.

By Jonathan Friedman / Assistant Editor

One of Malibu's longest-running land disputes headed to court once again last Friday. And again, the owner of the 35-acre property located on Pacific Coast Highway just west of Trancas Canyon Road came out on the losing end. But this time, the judge ordered that the developer not try to come back with a similar suit.

**Trancas PCH, the developer,** had requested that Los Angeles Superior Court Judge Linda K. Lefkowitz overturn a 2003 Malibu City Council vote to reject the developer's map application for the building of 52 town homes and 15 houses on the property.



Lefkowitz rejected Trancas PCH's request, and sided with the city's argument that Trancas PCH's 2003 application was not complete. She also wrote in her ruling that Trancas PCH **should be barred** from further litigation on this issue-which has been an ongoing saga since 1985 and one in the court system since the early '90s-under what is called **collateral estoppel**. A judge can apply this when the same parties have already litigated a case previously and it would be financially best for the matter not to be litigated again.

"The court finds that judicial economy, finality of litigation and public policy are served by application of collateral estoppel," Lefkowitz wrote.

Trancas PCH could still appeal Lefkowitz' ruling, but could not bring the case back to a trial court again. A Trancas PCH official did not return several calls for comment.

With its litigation options limited, Trancas PCH could also start from scratch and reapply for permits to build on the property. City Attorney Christi Hogin wrote in a e-mail to The Malibu Times that the community would best be served if the developer were to choose this option.

"This is the story of an on-again/off-again effort to subdivide a piece of property in Malibu," Hogin wrote. "It is also a story that, after 20 years and five lawsuits, needs an end."

Following a 2006 Court of Appeal decision that reaffirmed a previous ruling by the court that invalidated a deal between the city and Trancas PCH to develop the property, city officials told Trancas PCH partner Dean Isaacson that it would be best for the company to start the application over again. But Isaacson refused, because the city would not apply to the Coastal Commission for a Local Coastal Program amendment to increase what could be built on the property from seven houses to 32 town homes, the same amount of town homes the city and the developer had previously agreed on in the deal that was eventually rejected by the court.

After this, Isaacson complained to the council at several meetings during the public comment portion. He would bring Little League players and parents with him, who would plead for the council to make a deal with Trancas PCH, because the deal that was rejected by the court also included a donation of land for playing fields. Some questioned whether the parents and children speaking on behalf of Trancas PCH understood that a court had already rejected the deal between the city and the company.

This development project has been through a long journey of lawsuits and conflicts even by Malibu standards. The county approved

tract maps for the previous property owner in 1980 and 1985, allowing for the construction of 52 town homes and 15 houses. The company received coastal development permits for the project in 1981, 1989 and 1992. But a Court of Appeal decision in 2001 sided with the Trancas Property Owners Association, which represents property owners on nearby Broad Beach, and invalidated the coastal permits. The city also fought with Trancas PCH for several years over the validity of the county-approved tract maps, with the developer winning two of the battles in court during the '90s.

Then, in 2003, the city and Trancas PCH reached a deal where the developer would be allowed to build 32 town homes and donate a portion of the property to the city for ball fields. The Trancas Property Owners Association immediately filed a lawsuit to nix the deal on various grounds. A Los Angeles Superior Court judge ruled against the property owners in 2004. But a Court of Appeal overturned the decision in 2005, citing, among other things, that the City Council had violated the state's open-meeting law (the Brown Act) in reaching the deal. The next year, the same court affirmed its decision.



# South Carthay News

Vol XXVII, No. 4

Mar.- April 2006

## PROGRESSIVE DINNER IS BACK!

By Melissa Bemel

**S**AVE THIS DATE!, Saturday, May 6th from 6-11 p.m. for South Carthay Neighborhood Association's long awaited Progressive Dinner. Enjoy a delicious gourmet four course meal, each course paired with a special wine. Meet other South Carthay residents and visit the beautiful homes of three of your neighbors.

This year we also serve one course at the Carthay Gallery located at La Cienega and Whitworth. The gallery is owned by SCNA member and newlywed Natalie Van Doren.

There will be entertainment, party favors and fun for all. The menu has been designed to accommodate both vegetarian and meat eaters.

All residents of South Carthay are welcome, but this event is appropriate for teenagers and older. Non refundable donations of \$25 per person to help defray our costs must be received no later than April 28th. Space is limited to 40 guests, so get those reservations in now! To RSVP, or to get more information you can contact me at [Melissa@Bemel.com](mailto:Melissa@Bemel.com), call (323) 934-9996, or write to the Association's PO Box listed below.

**South Carthay News is published bi-monthly by the association.**  
Mail responses to  
1068 Alvira St.  
Editor-Ron Sokoloff  
Contact the Association at  
PO Box 35280  
Los Angeles, CA 90035

## SCNA'S NEXT MEETING SCHEDULED FOR

# MONDAY JUNE.26

7:30-9:00 PM  
TEMPLE BETH AM  
1029 LA CIENEGA BLVD.

CHECK OUR UPDATED WEBSITE:  
[WWW.SOUTHCARTHAY.ORG](http://WWW.SOUTHCARTHAY.ORG)



## PRESIDENT'S MESSAGE

**O**ver the past 4 years, since our last galvanizing issue, which was the threat of development on La Cienega with the construction of McDonalds, our membership has slowly dwindled. We have had meeting after meeting along with articles in this newsletter calling for participation. We have asked how to energize and motivate the members of the community to be ready-even though for the moment times were good, to be ready for the next issue to confront us. It is only through our organization and community that we are strong.

We are a small association, at the moment embarrassingly small ( less than 150 members). What does that tell others about us? I ask you to consider your status as a non-member if you care about what is happening around you in your neighborhood.

We are however not alone in our apathy. Our board has had meetings with our sister organizations, Carthay Circle and Carthay Square, to talk about exactly that. What can we do to elevate our profile while not in time of crisis and then in times of crisis to have a stronger voice to those that oppose the goals of our associations, to those that threaten our quality of life. We hope that the idea of a loosely organized Carthay Center Coalition moves forward to strengthen us all.

You will see more from us as a board and as an association in the future. We are here working for you, for the neighborhood, to preserve our unique area to the best of our ability. But we need your help. We need you to be

*(Continued on page 2)*

## *LA CIENEGA UPDATE*

Dear South Carthay Neighbors,

Let me try to summarize the events of our March 20<sup>th</sup> meeting for you. At the board meeting Mr. Dean Isaacson was once again able to offer his two proposed uses for the land which he owns on La Cienega Blvd. At the end of his lengthy presentation, the audience was able to ask questions, and to make comments about the proposals. Genuinely impassioned remarks both for and against the project were delivered by attendees, and at about 9:30 I adjourned the meeting for the purpose of counting the surveys of members who had responded to my call for input both via email and flyer.

Let me remind you again, only members of the association ( those who have paid their 2006 dues since January 1<sup>st</sup> ) were going to be counted. Our by-laws and precedent, both limit representation to paid members of the association. More than 90% of the responses received were actually from members.

The counting of the surveys took about 1 hour, and was completed with Mr. Isaacson and his attorney present so that there would be no question of impropriety. The final tabulation showed that by a vote of more than 2 to 1, members had voted for the association to follow the already stated policy of supporting an assisted living facility, but only if it was within the existing parameters of city zoning. That means that by right Mr. Isaacson can build his 8 story office building, which he says he will do if denied a variance. It also means that the association's official position will be to oppose his variance for any other structure which exceeds the allowable 38,000 square feet.

Mr. Isaacson informed me via email that he will be filing his plans for both buildings and will be seeking a variance in favor of the assisted living facility. This will bring to an end this phase of the association's involvement in this matter. I personally have spent well over 200 hours of my time since last August on this matter and look forward to now being able to move on with the important business of helping to build this community. To those of you who were dissatisfied with the manner in which I handled this issue, I can only say that neither side was happy. Throughout the negotiations, discussions and meetings, I have attempted to be as neutral as possible. I have tried to communicate openly and fairly with all involved, both from the developer's side and to those who opposed him. As I stated at the meeting, no one in the room at that time, not my fellow board members, nor any attendee knew my feelings on the issue, and I never handed in my own personal survey that night.

This association and community face many issues which need to be addressed and I and my board will continue to try to make a positive difference through the remainder of our term.

Thank you for your continued support,

Ron Sokoloff,  
President SCNA



# South Carthay News

Vol XXVIII, No. 4

Jan. - Feb. 2007

## LA CIENEGA UPDATE

On January 23rd Zoning Administrator Annik Charron published her decision regarding the application for a variance by Mr. Isaacson to erect an assisted living project. "A variance...to allow a Floor Area Ratio of 2.58:1 in lieu of the permitted 1.5:1...for a five story, 64 unit, 66,433 square foot project...I hereby **deny**. In order for a variance to be granted, all 5 of the legally mandated findings...must be made in the affirmative."

The 5 findings are:

1. The strict application of the provisions of the Zoning Ordinance would not result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.
2. There are no special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.
3. Such variance is not necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships, is denied the property in question.
4. The granting of such variance will be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located.

Continued in column two

## SCNA'S NEXT MEETING SCHEDULED FOR

# MONDAY FEB. 26

7:30-9:00 PM  
TEMPLE BETH AM  
1029 LA CIENEGA BLVD.



5. The granting of the variance will adversely affect any element of the General Plan.

The Zoning Administrator states that in each of the 5 elements, the applicant failed to prove the need for a variance. Community communication was one of the major influences on the decision. In support of the project were 14 letters, 19 form letters and 1 list with the names and addresses (no signatures) of 339 supporters of the project, submitted by the applicant. In opposition were over 130 individually signed letters.

The applicant is able to appeal the decision and must do so by February 7th. In the event of an appeal, the position of your Association will revert back to our original finding, that our constituency opposes the variance. We supported a compromise at the request of our Council Office, but never agreed to support an appeal as was requested.

On January 24th, those property owners which adjoin Mr. Isaacson's property were sent an announcement that he was applying for a permit to excavate with the purpose of erecting an eight story office building. Throughout all discussions, Mr. Isaacson stated that he would erect an office building if he was denied a variance, which he is able to do by right.

As a side note, I feel it is important to once again remind all that community involvement is respected by both elected officials and local bureaucrats. We have strength in numbers. **Have you joined for this year?** When will an issue directly affect you and will you expect the Association to represent you? Not unless you have paid your dues! We have a proven record of success, take advantage, join now!

1 **JOHN B. MURDOCK (SBN#48384)**  
2 **ATTORNEY AT LAW**  
3 **1209 PINE STREET**  
4 **SANTA MONICA, CA 90405**  
5 **TEL: (310) 450-1859**  
6 **FAX: (310) 450-9818**

7  
8  
9  
10  
11 Attorney for Petitioners Aaron Friedland  
12 And Stephen Friedland

13  
14  
15 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
16 **COUNTY OF LOS ANGELES**

17 **AARON FRIEDLAND, an individual, and**  
18 **STEPHEN FRIEDLAND, an individual,**

19 **Petitioners,**

20 **v.**

21 **THE CITY OF LOS ANGELES, a municipality;**  
22 **CITY COUNCIL OF THE CITY OF LOS**  
23 **ANGELES; CENTRAL AREA PLANNING**  
24 **COMMISSION OF THE CITY OF LOS**  
25 **ANGELES;**

26 **Respondents.**

27 **EQUESTRIAN SYSTEM SPECIALIST, LLC,**  
28 **and DOES 1 through 20, inclusive,**

**Real Parties-In-Interest.**

Case No. BS111358

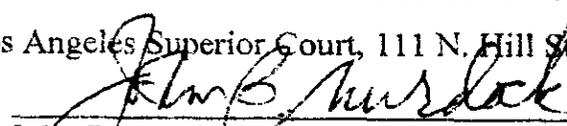
**NOTICE OF STATUS CONFERENCE**

Date: March 20, 2008  
Time: 9:30 A.M.  
Department: 86  
Judge: David P. Yaffe

To All Parties of Record:

Please take notice of the attached notice of status conference scheduled for March 20, 2008, in Department 86 of Los Angeles Superior Court, 111 N. Hill St., L.A., CA 90012.

Dated: February 15, 2008

  
\_\_\_\_\_  
John B. Murdock  
Attorney for Petitioners

Notice sent to:

JOHN MURDOCK  
ATTORNEY AT LAW  
1209 PINE STREET  
SANTA MONICA, CA 90401

FILE STAMP  
**ORIGINAL FILED**  
FEB 13 2008  
LOS ANGELES  
SUPERIOR COURT

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES**

AARON FRIEDLAND, ET AL

Plaintiff(s)

vs

CITY OF LOS ANGELES, ET AL

Defendant(s)

CASE NUMBER

BS111358

**NOTICE OF STATUS  
CONFERENCE**

TO THE PLAINTIFF(S) AND ATTORNEY OF RECORD and/or PARTIES IN PRO PER:

**NOTICE IS HEREBY GIVEN** that a Status Conference in the above-entitled action will be held on March 20, 2008 at 9:30 a.m. in Department 86 of the Central District, located at 111 North Hill Street, Los Angeles, California, 90012.

Counsel for Petitioner/Plaintiff or Petitioner/Plaintiff in pro per is ordered to give notice of the aforesaid notice of hearing to all other counsel or parties in pro per forthwith and file a Proof of Service in this department, within 5 days of receipt of this order.

DATED: 2/13/08

**David P. Yaffe**

DAVID P. YAFFE  
JUDGE OF THE SUPERIOR COURT

**CLERK'S CERTIFICATE OF MAILING**

I, the below-named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the **Notice of Status Conference** upon each party or counsel named above by depositing in the United States mail at the courthouse in Los Angeles, California, one copy of the original filed/entered herein in a separate envelope to each address as shown above with the postage thereon fully prepaid.

JOHN A. CLARKE, Executive Officer/Clerk  
Superior Court of California, County of Los Angeles

DATED: 2/13/08

**BERTA JAUREGUI**

By: \_\_\_\_\_  
Deputy Clerk

**NOTICE OF STATUS CONFERENCE**

To: City of Long Beach Department of Development Services  
City of Long Beach Planning Commission  
Rae Gabelich, City Council Member 8<sup>th</sup> District

WE ARE OPPOSED TO THE HEIGHT OF THE SENIOR ASSISTED LIVING FACILITY PLANNED FOR 3635 ELM AVENUE.

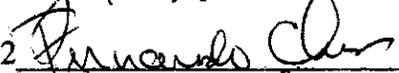
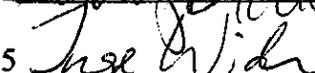
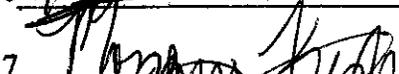
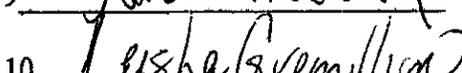
A FIVE-STORY BUILDING IS TOO HIGH FOR OUR RESIDENTIAL NEIGHBORHOOD.

Signed:	Print Name	Address:	Date
1 <u><i>Nancy Adams</i></u>	<u>Nancy Adams</u>	<u>3840 LINDEN Long Beach CA 90807</u>	<u>6/3/08</u>
2 <u><i>Cindy Smith</i></u>	<u>CINDY SMITH</u>	<u>3826 LINDEN Long Beach CA 90807</u>	<u>6-3-08</u>
3 <u><i>Cheryl Zeigler</i></u>	<u>Cheryl Zeigler</u>	<u>3695 Linden <sup>7B</sup> Long Beach CA 90807</u>	<u>6-3-08</u>
4 <u><i>Uliss M. Farnham</i></u>	<u>Uliss M. Farnham</u>	<u>3695 Linden Ave <sup>2A</sup> Long Beach CA 90807</u>	<u>6.3.08</u>
5 <u><i>Michael Nivera</i></u>	<u>MICHAEL NIVERA</u>	<u>3695 LINDEN AVE <sup>4A</sup> Long Beach CA 90807</u>	<u>6-3-08</u>
6 <u><i>Irma Zuniga</i></u>	<u>IRMA ZUNIGA</u>	<u>3695 LINDEN <sup>6B</sup> Long Beach CA 90807</u>	<u>6-4-08</u>
7 _____	_____	<u>Long Beach CA 90807</u>	_____
8 _____	_____	<u>Long Beach CA 90807</u>	_____
9 _____	_____	<u>Long Beach CA 90807</u>	_____
10 _____	_____	<u>Long Beach CA 90807</u>	_____

To: City of Long Beach Department of Development Services  
City of Long Beach Planning Commission  
Rae Gabelich, City Council Member 8<sup>th</sup> District

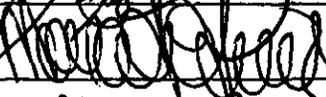
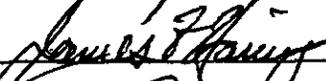
WE ARE OPPOSED TO THE HEIGHT OF THE SENIOR ASSISTED LIVING FACILITY PLANNED FOR 3635 ELM AVENUE.

A FIVE-STORY BUILDING IS TOO HIGH FOR OUR RESIDENTIAL NEIGHBORHOOD.

Signed:	Print Name	Address:	Date
1 <u></u>	<u>Jill Smittle</u>	<u>3836 Elm Ave Long Beach CA 90807</u>	<u>8/14/08</u>
2 <u></u>	<u>FERNANDO CHUA</u>	<u>349 E Rosevelt Rd Long Beach CA 90807</u>	<u>8/14/08</u>
3 <u></u>	<u>Scott Keller</u>	<u>4039 Elm Ave Long Beach CA 90807</u>	<u>8/14/08</u>
4 <u></u>	<u>Sonjya Blackwell</u>	<u>4039 Elm Ave Long Beach CA 90807</u>	<u>8/14/08</u>
5 <u></u>	<u>Inge Wickstrom</u>	<u>3921 Elm Ave Long Beach CA 90807</u>	<u>8/14-08</u>
6 <u></u>	<u>Marianna Gravett</u>	<u>4011 Elm Ave Long Beach CA 90807</u>	<u>8/14/08</u>
7 <u></u>	<u>Monique Kepler</u>	<u>1133 E. Borsen Long Beach CA 90807</u>	<u>8/14/08</u>
8 <u></u>	<u>THOMAS</u>	<u>4224 Elm Ave Long Beach CA 90807</u>	<u>8/14/08</u>
9 <u></u>	<u>Steve DINDAY</u>	<u>4043 ELM AVE Long Beach CA 90807</u>	<u>8-14-08</u>
10 <u></u>	<u>Leisha Gremillion</u>	<u>4045 Elm Ave. Long Beach CA 90807</u>	<u>8.14.8</u>

To: City of Long Beach Department of Development Services  
 City of Long Beach Planning Commission  
 Rae Gabelich, City Council Member 8<sup>th</sup> District

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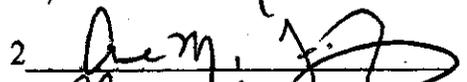
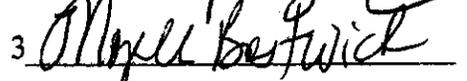
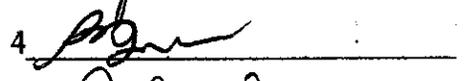
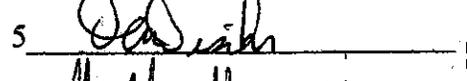
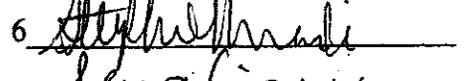
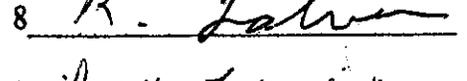
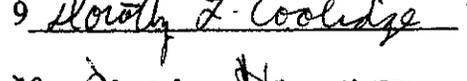
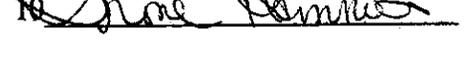
Signed:	Print Name	Address:	Date
1 	JAMES ORTIZ	3768 Elm Ave L.B. Long Beach CA 90807	6/4/08
2 	Monica Orientes	3760 Elm Long Beach CA 90807	6/4/08
3 Kelly Zuluaga	Kelly Zuluaga	3762 Elm Ave Long Beach CA 90807	6/4/08
4 	CHARLES L. NEMETH	3750 ELM AVE Long Beach CA 90807	6/4/08
5 Joan Campanelli	Joan Campanelli	3769 Elm Ave Long Beach CA 90807	6/4/08
6 	DUDLEY DRAKE	3741 ELM AVE Long Beach CA 90807	6/4/08
7 	Dean Toji	3737 Elm A Long Beach CA 90807	6/4/08
8 	James F. Hungar	3732 Elm Ave Long Beach CA 90807	6/5/08
9 	SCOTT FITZGERALD	3716 ELM AVE. Long Beach CA 90807	
10		Long Beach CA 90807	

Facility is ok - height is a problem.

To: City of Long Beach Department of Development Services  
City of Long Beach Planning Commission  
Rae Gabelich, City Council Member 8<sup>th</sup> District

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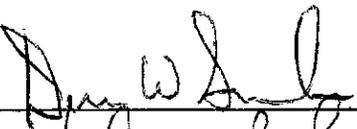
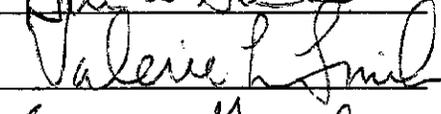
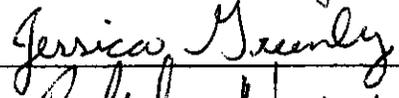
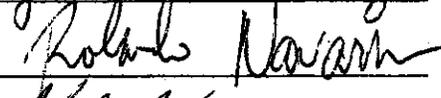
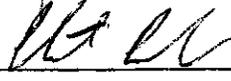
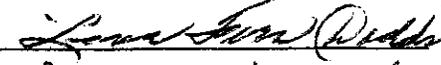
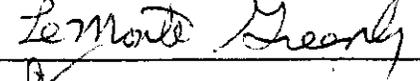
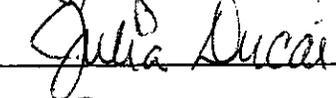
A FIVE-STORY BUILDING IS TOO HIGH FOR OUR RESIDENTIAL NEIGHBORHOOD.

Signed:	Print Name	Address:	Date
1 	PHIL SHATTEN	3520 ELM AVE #1 Long Beach CA 90807	7/26/08
2 	Anne Fitzgerald	3944 Linden Ave Long Beach CA 90807	7/26/08
3 	Mozell Bastwick	4010 Linden Ave Long Beach CA 90807	7/26/08
4 	Sharon Brightonburg	4019 Linden Ave Long Beach CA 90807	7/26/08
5 	Dave Dische	4122 Linden Ave Long Beach CA 90807	7/26/08
6 	Stephanie Miranda	4101 Linden Ave Long Beach CA 90807	07/26/08
7 	JENA SILBERMAN	4150 Linden Long Beach CA 90807	07/26/08
8 	R. LATIMER	4160 Linden Long Beach CA 90807	7/30/08
9 	DOROTHY L. COOLIDGE	4305 Linden ave Long Beach CA 90807	7-30-08
10 	Inone Hanners	4310 Linden Long Beach CA 90807	7-30-08

To: City of Long Beach Department of Development Services  
City of Long Beach Planning Commission  
Rae Gabelich, City Council Member 8<sup>th</sup> District

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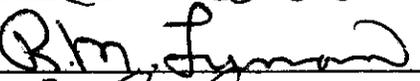
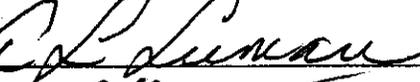
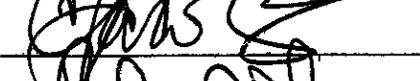
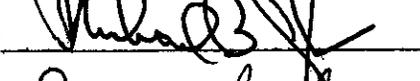
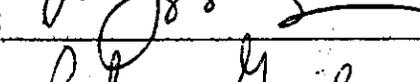
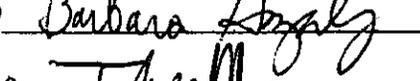
A FIVE-STORY BUILDING IS TOO HIGH FOR OUR RESIDENTIAL NEIGHBORHOOD.

Signed:	Print Name	Address:	Date
1 <u></u>	<u>Donald W Smith</u>	<u>3742 Elm Long Beach CA 90807</u>	<u>7/12/08</u>
2 <u></u>	<u>Valerie L Smith</u>	<u>3742 Elm Long Beach CA 90807</u>	<u>7/12/08</u>
3 <u></u>	<u>Jessica Greenly</u>	<u>3740 Elm Long Beach CA 90807</u>	<u>7/27/08</u>
4 <u></u>	<u>ROLANDO NAVARRO</u>	<u>3821 Elm Long Beach CA 90807</u>	<u>7/30/08</u>
5 <u></u>	<u>Christen Anderson</u>	<u>3845 Elm Long Beach CA 90807</u>	<u>7-30-08</u>
6 <u></u>	<u>LENA FERN DODDS</u>	<u>3756 Elm Long Beach CA 90807</u>	<u>7/30/08</u>
7 <u></u>	<u>Le Monte Greenly</u>	<u>3740 Elm #A Long Beach CA 90807</u>	<u>7/30/08</u>
8 <u></u>	<u>Alta Popatras</u>	<u>3945 Elm Long Beach CA 90807</u>	<u>8/13/08</u>
9 <u></u>	<u>Julia Ducar</u>	<u>3950 Elm Long Beach CA 90807</u>	<u>8/13/08</u>
10 <u></u>	<u>JOHN DUCAR</u>	<u>3950 Elm Long Beach CA 90807</u>	<u>8/13/08</u>

To: City of Long Beach Department of Development Services  
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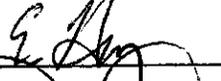
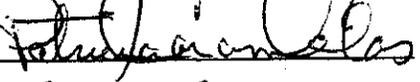
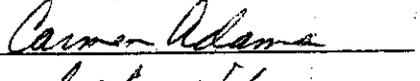
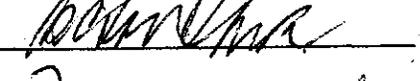
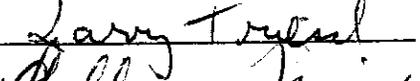
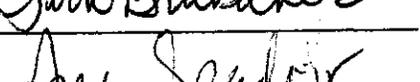
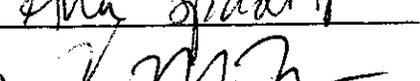
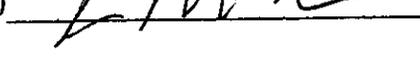
A FIVE-STORY BUILDING IS TOO HIGH FOR OUR RESIDENTIAL NEIGHBORHOOD.

Signed:	Print Name	Address:	Date
1 	Laura Wheeler	4344 Linden Ave Long Beach CA 90807	7-30-08
2 	ROBERT M. LUMAN	<del>4301</del> 4219 LINDEN Long Beach CA 90807	8/2/08
	ANNETTE L. LUMAN	4219 LINDEN Long Beach CA 90807	8/2/08
4 	Richard Jacobs	4020 Linden Long Beach CA 90807	8-2-08
5 	Cheryl Jacobs	4020 Linden Long Beach CA 90807	8-2-08
6 	RICHARD B. JOHNS	4109 LINDEN Long Beach CA 90807	8-2-08
7 	Jeannie Bork	4327 Linden Long Beach CA 90807	8-2-08
8 	JAYSON SANTOS	4250 LINDEN Long Beach CA 90807	8-2-08
9 	BARBARA GONZALEZ	4260 LINDEN AVE Long Beach CA 90807	8/4/08
10 	Thanh-Ha Vu	4330 Linden Ave Long Beach CA 90807	8/4/08

To: City of Long Beach Department of Development Services  
City of Long Beach Planning Commission  
Rae Gabelich, City Council Member 8<sup>th</sup> District

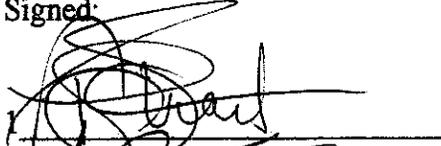
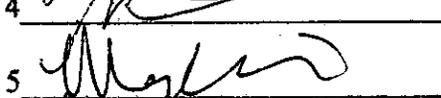
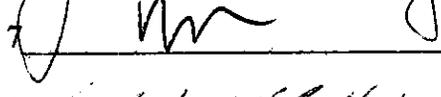
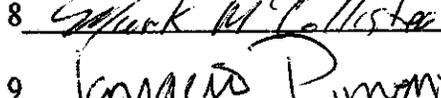
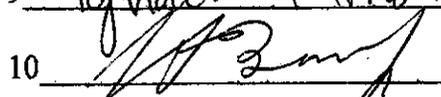
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Signed:	Print Name	Address:	Date
1 <u></u>	<u>Gabriel Flores</u>	<u>570 E Roosevelt Rd Long Beach CA 90807</u>	<u>8/3/08</u>
2 <u></u>	<u>Elizabeth Haggas</u>	<u>3764 Linden Ave Long Beach CA 90807</u>	<u>8/4/08</u>
3 <u></u>	<u>PATRICIA CARAMBELAS</u>	<u>3825 Linden Ave Long Beach CA 90807</u>	<u>8-4-08</u>
4 <u></u>	<u>CARMEN ADAMS</u>	<u>3832 LINDEN AVE Long Beach CA 90807</u>	<u>8-4-08</u>
5 <u></u>	<u>BETTY Dorothee</u>	<u>3915 Linden Ave Long Beach CA 90807</u>	<u>8-4-08</u>
6 <u></u>	<u>Lawrence Triesch</u>	<u>3925 Linden Ave Long Beach CA 90807</u>	<u>8-4-08</u>
7 <u></u>	<u>Colleen Triesch</u>	<u>3925 Linden Ave. Long Beach CA 90807</u>	<u>8/4/08</u>
8 <u></u>	<u>Fern Brubaker</u>	<u>3932 Linden Ave. Long Beach CA 90807</u>	<u>8/4/08</u>
9 <u></u>	<u>ANA SPADARO</u>	<u>3936 Linden Ave Long Beach CA 90807</u>	<u>8-4-08</u>
10 <u></u>	<u>Kevin Moore</u>	<u>3740 Linden Long Beach CA 90807</u>	<u>8/5</u>

To: City of Long Beach Department of Development Services  
 City of Long Beach Planning Commission  
 Rae Gabelich, City Council Member 8<sup>th</sup> District

WE ARE OPPOSED TO THE HEIGHT OF THE SENIOR ASSISTED LIVING FACILITY PLANNED FOR 3635 ELM AVENUE.  
 A FIVE-STORY BUILDING IS TOO HIGH FOR OUR RESIDENTIAL NEIGHBORHOOD.

Signed:	Print Name	Address:	Date
1 	Terri Stuart	3755 Linden Long Beach CA 90807	8-5-08
2 	Alex Simpson	3824 Linden Long Beach CA 90807	05 AUG 08
3 	Reva Keanoff	4259 Linden Long Beach CA 90807	8-5-08
4 	Jack Barnett	4161 Elm Long Beach CA 90807	8-5-08
5 	Megan DeBrito	" Long Beach CA 90807	"
6 	Jean Hackley	3759 Elm Long Beach CA 90807	8-13-08
7 	Rick LaPierre	3813 Elm Ave Long Beach CA 90807	8-13-08
8 	Chuck McCallister	337 E Sixby Long Beach CA 90807	8-13-08
9 	Ignacio Pimentel	3817 Elm Ave Long Beach CA 90807	8-13-08
10 	JABUSSE Jr	3937 Elm Ave Long Beach CA 90807	8-13-08

To: City of Long Beach Department of Development Services  
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Rae Gabelich, City Council Member 8<sup>th</sup> District

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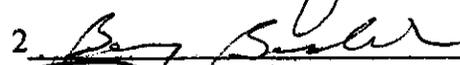
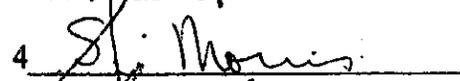
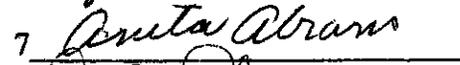
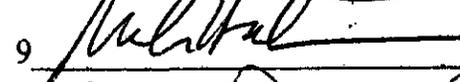
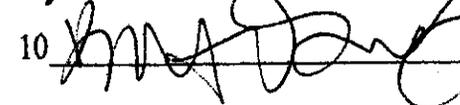
A FIVE-STORY BUILDING IS TOO HIGH FOR OUR RESIDENTIAL NEIGHBORHOOD.

Signed:	Print Name	Address:	Date
1 <u>[Signature]</u>	Kim Hamson	3695 Linden <sup>#2C</sup> Long Beach CA 90807	6-4-08
2 <u>[Signature]</u>	Susan Vidor	3695 Linden <sup>#2B</sup> Long Beach CA 90807	6-6-08
3 <u>[Signature]</u>	Tamara Dementyeva	3695 Linden <sup>#2C</sup> Long Beach CA 90807	6-14-08
4 <u>[Signature]</u>	Aleksandr Estrin	3695 Linden <sup>#2C</sup> Long Beach CA 90807	6-14-08
5 <u>[Signature]</u>	ROBERT WILLIAMS	3839 LINDEN Long Beach CA 90807	7-12-08
6 <u>[Signature]</u>	Renate Greenly	3740 Elm Long Beach CA 90807	7-12-08
7 <u>[Signature]</u>	JERRY GREENLY	3740 ELM Long Beach CA 90807	7-12-08
8 <u>[Signature]</u>	NORMA P. GREENLY	3740 ELM AVE. <sup>#A</sup> Long Beach CA 90807	7-12-08
9 <u>[Signature]</u>	JOSE MONTANO	4301 LINDEN AVE Long Beach CA 90807	7/12/08
10 <u>[Signature]</u>	Nancy Ertel	4002 Elm Ave. Long Beach CA 90807	7/12/08

To: City of Long Beach Department of Development Services  
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Signed:	Print Name	Address:	Date
1 	Martin S. Kovelsky	3902 Elm Avenue Long Beach CA 90807	6/4/08
2 	Barry Bachezore	3855 Linden Ave Long Beach CA 90807	6/4/08
3 	David Tumbone	3848 Linden Long Beach CA 90807	6/4/08
4 	Simona Morris	3835 Linden Long Beach CA 90807	6/4/08
5 	Ingo Seemann	3909 Linden Long Beach CA 90807	6/4/08
6 	Jake Dillon	3823 Linden Long Beach CA 90807	6/4/08
7 	Anita Abrams	3812 Linden Long Beach CA 90807	6/04/08
8 	Carol Pedersen	3768 Linden Long Beach CA 90807	6/4/08
9 	Mark Hawkins	3601 Brayton Long Beach CA 90807	6/04/08
10 	Beatriz Green	3757 Linden Long Beach CA 90807	6/4/08

To: City of Long Beach Department of Development Services  
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Signed:	Print Name	Address:	Date
1 <u>[Signature]</u>	<u>Darrell E. Wagoner</u>	<u>431 East 37<sup>th</sup> St Long Beach CA 90807</u>	<u>06/04/08</u>
2 <u>[Signature]</u>	<u>Kenrie Bryan</u>	<u>3716 Linden Ave. Long Beach CA 90807</u>	<u>6/4/08</u>
3 <u>[Signature]</u>	<u>Lisa <del>Beach</del></u>	<u>3726 Linden Ave Long Beach CA 90807</u>	<u>6/4/08</u>
4 <u>[Signature]</u>	<u>M. JONES</u>	<u>3719 LINDEN Long Beach CA 90807</u>	<u>6/4/08</u>
5 <u>[Signature]</u>	<u>JIM DAVIS</u>	<u>3744 LINDEN AVE Long Beach CA 90807</u>	<u>6-4-08</u>
6 <u>[Signature]</u>	<u>Michael Hagood</u>	<u>3150 Linden Ave. Long Beach CA 90807</u>	<u>6-4-08</u>
7 <u>[Signature]</u>	<u>Steve R. Luwa</u>	<u>450 E. Sixby Rd. Long Beach CA 90807</u>	<u>6/4/08</u>
8 <u>[Signature]</u>	<u>PAUL GARTNER</u>	<u>3737 ATLANTIC Long Beach CA 90807</u>	<u>6/4/08</u>
9 <u>[Signature]</u>	<u>Jackie Spizik</u>	<u>3820 Linden Long Beach CA 90807</u>	<u>6-4-08</u>
10 <u>[Signature]</u>	<u>Evallyn A. Young</u>	<u>3902 Linden Ave Long Beach CA 90807</u>	<u>6-4-08</u>

To: City of Long Beach Department of Development Services  
City of Long Beach Planning Commission  
Rae Gabelich, City Council Member 8<sup>th</sup> District

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Signed:	Print Name	Address:	Date
1 <u>Dwayne Reber</u>	DWAYNE REBER	3931 Linden Long Beach CA 90807	6-04-08
2 <u>John Kehler</u>	John Kehler	3940 Lundy Long Beach CA 90807	6-04-08
3 <u>Colleen Triesch</u>	Colleen Triesch	3925 Linden Long Beach CA 90807	6/4/08
4 <u>Michele Anderson</u>	Michele Anderson	3930 Linden Long Beach CA 90807	6/4/08
5 <u>Sandra Reade</u>	Sandra Reade	3935 Linden Long Beach CA 90807	6/4/08
6 <u>Sudha S. Lall</u>	SUDHA S. LALL	3912 Linden Long Beach CA 90807	6.4.08
7 <u>Suresh P. Lall</u>	SURESH LALL	" " Long Beach CA 90807	6-4-08
8 <u>Linda Contreras</u>	Linda L. Contreras	3908 Linden Ave Long Beach CA 90807	6/4/08
9 <u>W. Blasofsky</u>	W. Blasofsky	3917 Linden Ave Long Beach CA 90807	6/4/08
10 <u>G. J. Eschelman Jr.</u>	G. J. Eschelman Jr.	421 E. Roosevelt Long Beach CA 90807	6-4/08

To: City of Long Beach Department of Development Services  
City of Long Beach Planning Commission  
Rae Gabelich, City Council Member 8<sup>th</sup> District

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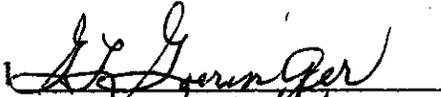
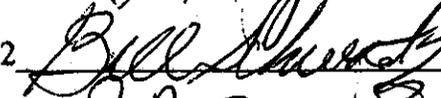
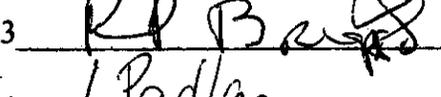
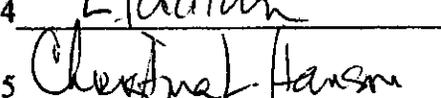
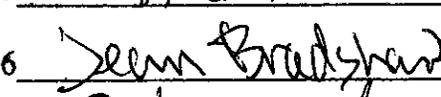
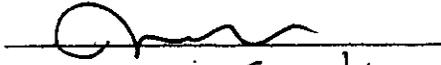
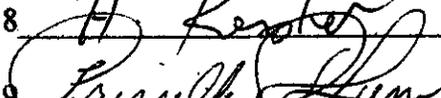
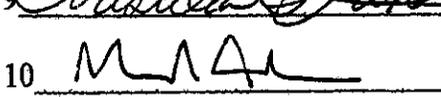
A FIVE-STORY BUILDING IS TOO HIGH FOR OUR RESIDENTIAL NEIGHBORHOOD.

Signed:	Print Name	Address:	Date
<u>Rebecca Landers</u>	REBECCA L LANDERS	3565 LINDEN AVE <sup>H165</sup> Long Beach CA 90807	<u>6-3-08</u>
<u>Douglas E. Horn</u>	DOUGLAS E HORN	3818 LINDEN AVE Long Beach CA 90807	<u>6-3-08</u>
<u>Matt Calvert</u>	MATT CALVERT	3829 LINDEN Long Beach CA 90807	<u>6-3-08</u>
<u>Mary Schoendienst</u>	MARY SCHOENDIENST	3851 Linden <sup>Ave</sup> Long Beach CA 90807	<u>6-3-08</u>
<u>Margaret Ann Schoendienst</u>	MARGARET A. SCHOENDIENST	3851 LINDEN Long Beach CA 90807	<u>6-3-08</u>
<u>Susan A. Nelson</u>	Susan A Nelson	3914 Linden Ave Long Beach CA 90807	<u>6-3-08</u>
<u>Scott Blaisdell</u>	Scott Blaisdell	3817 Linden Ave Long Beach CA 90807	<u>6-3-08</u>
<u>Robert Frazier</u>	Robert Frazier	3921 Linden Ave Long Beach CA 90807	<u>6-3-08</u>
<u>Patricia A. Haynes</u>	<sup>Patricia Haynes</sup> 3920 Linden Ave	3920 Linden Long Beach CA 90807	<u>6-4-08</u>
<u>Melvin Haynes</u>	Melvin Haynes	3920 Linden Long Beach CA 90807	<u>6-4-08</u>

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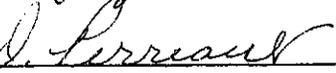
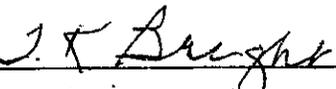
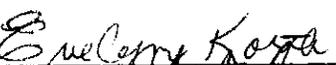
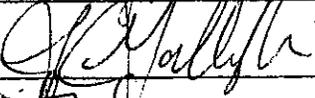
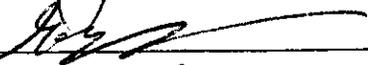
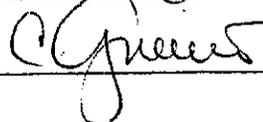
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Signed:	Print Name	Address:	Date
<u></u>	<u>GARY GOERINGER</u>	<u>4149 Linden Long Beach CA 90807</u>	<u>6/3/08</u>
<u></u>	<u>Bill Schwartz</u>	<u>4149 Linden Long Beach CA 90807</u>	<u>6/3/08</u>
<u></u>	<u>Robt BRIGGS</u>	<u>3695 LINDEN #1C Long Beach CA 90807</u>	<u>6/3/08</u>
<u></u>	<u>Lourdes Padlan</u>	<u>3721 Linden Ave Long Beach CA 90807</u>	<u>6/3/08</u>
<u></u>	<u>Christina Hanson</u>	<u>3731 Linden Ave Long Beach CA 90807</u>	<u>6/3/08</u>
<u></u>	<u></u>	<u>3730 Linden Long Beach CA 90807</u>	<u>6/3/08</u>
<u></u>	<u>R.H. MENCKEN</u>	<u>3735 LINDEN Long Beach CA 90807</u>	<u>6/3/08</u>
<u></u>	<u>H. Kessler</u>	<u>3949 LINDEN Long Beach CA 90807</u>	<u>6/3/08</u>
<u></u>	<u>PRISCILLA R. LUNA</u>	<u>450 E. BIXBY RD. Long Beach CA 90807</u>	<u>6/3/08</u>
<u></u>	<u>Michael Andrews</u>	<u>3756 Linden Av Long Beach CA 90807</u>	<u>6/3/08</u>

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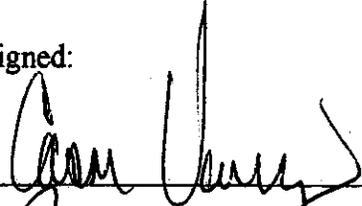
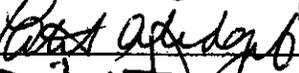
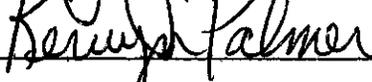
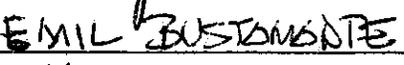
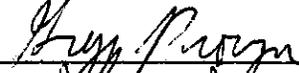
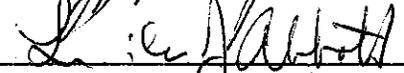
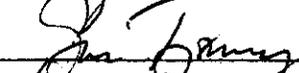
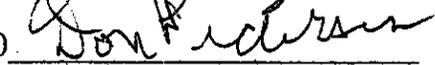
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Signed:	Print Name	Address:	Date
1 	Andre Arovia	3695 Linden Ave #4C Long Beach CA 90807	6/2/08
2 	ODETTE PERREAULT	3695 LINDEN #6C Long Beach CA 90807	6/2/08
3 	T.K. BRIGHT	3695 Linden #5C Long Beach CA 90807	6-2-08
4 	GLORIA BLACKMAN	3695 Linden #3C Long Beach CA 90807	6-3-08
5 	EVELYN KORTH	3695 Linden Ave #8C Long Beach CA 90807	6-3-08
6 	A. GALLAGHER	3695 LINDEN #19C Long Beach CA 90807	6-3-08
7 	N. Jernigan	3695 Linden #11C Long Beach CA 90807	6/3/08
8 	Gregory B. Ng	3695 LINDEN AVE #32A Long Beach CA 90807	6/3/08
9 	Annina Cesena	3695 Linden #1A Long Beach CA 90807	6/3/08
10 	Cristina Guarekero	3695 Linden #6A Long Beach CA 90807	6/3/08

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Signed:	Print Name	Address:	Date
1 	Cassandra Vandenberg	3927 Elm Ave Long Beach CA 90807	8/14/08
2 	PATRICK A. REDGATE	3909 ELM AVE Long Beach CA 90807	8/14/08
3 	BRITANY REDGATE	3909 ELM AVE Long Beach CA 90807	8/14/08
4 	Kerwyn Palmer	3840 Elm Ave Long Beach CA 90807	8/14/08
5 	<del>Emil Bustamante</del>	3500 LINDEN AVE Long Beach CA 90807	8/16/08
6 	Greg Procopio	3925 Elm Ave Long Beach CA 90807	8/16/08
7 	LINDA ABBOTT	4001 ELM AV Long Beach CA 90807	8/16/08
8 	INGE-CRISTIANO	4007 ELMAVE Long Beach CA 90807	8/16/08
9 	Gus Tansay	4015 ELM AVE Long Beach CA 90807	8/16/08
10 	DON PEDERSEN	4000 A Elm Ave Long Beach CA 90807	8/16/08

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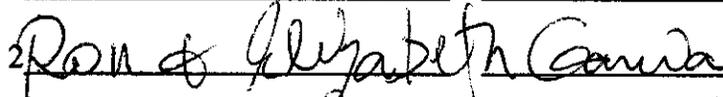
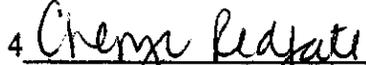
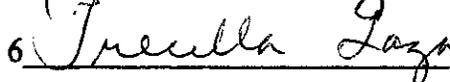
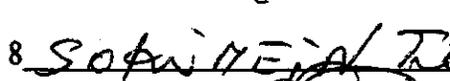
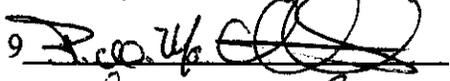
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Signed:	Print Name	Address:	Date
1 <u>Paul Carter</u>	<u>PAUL CARTER</u>	<u>3918 ELM AVE Long Beach CA 90807</u>	<u>8/13/08</u>
2 <u>Charles D. Warren</u>	<u>CHARLES D. WARREN</u>	<u>3940 ELM AVE Long Beach CA 90807</u>	<u>8/13/08</u>
3 <u>Marielle Sadler</u>	<u>Marielle Sadler</u>	<u>441 E. 37th St Long Beach CA 90807</u>	<u>8/13/08</u>
4 <u>Gisele Fong</u>	<u>Gisele Fong</u>	<u>3737 Elm Ave Long Beach CA 90807</u>	<u>8/13/08</u>
5 <u>Helen Edwards</u>	<u>Helen Edwards</u>	<u>3709 Linden Ave Long Beach CA 90807</u>	<u>8/17/08</u>
6 <u>Linda Reid</u>	<u>Linda Reid</u>	<u>3755 Elm. Ave. Long Beach CA 90807</u>	<u>8/18/08</u>
7 <u>Bill Sadler</u>	<u>Bill Sadler</u>	<u>441 E. 37th St Long Beach CA 90807</u>	<u>8/18/08</u>
8 <u>Hector Ramirez Lugo</u>	<u>3708</u>	<u>Long Beach CA 90807</u>	<u>8/19/08</u>
9 <u>Scott Fitzgerald</u>	<u>SCOTT FITZGERALD</u>	<u>3716 ELM AVE Long Beach CA 90807</u>	<u>8/20/08</u>
10 <u>Marcia Fitzgerald</u>	<u>Marcia Fitzgerald</u>	<u>3716 Elm Ave Long Beach CA 90807</u>	<u>8/20/08</u>

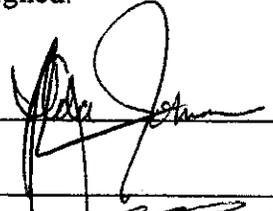
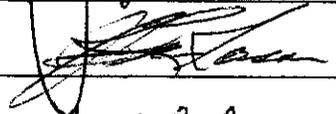
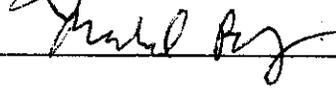
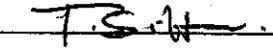
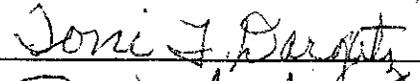
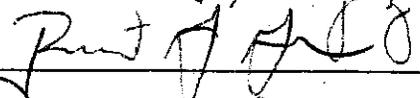
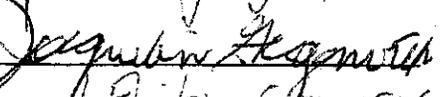
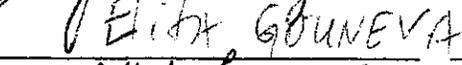
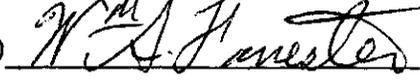
To: City of Long Beach Department of Development Services  
 City of Long Beach Planning Commission  
 Rae Gabelich, City Council Member 8<sup>th</sup> District

WE ARE OPPOSED TO THE HEIGHT OF THE SENIOR ASSISTED LIVING FACILITY PLANNED FOR 3635 ELM AVENUE.  
 A FIVE-STORY BUILDING IS TOO HIGH FOR OUR RESIDENTIAL NEIGHBORHOOD.

Signed:	Print Name	Address:		Date
	William W. Walker	3930 Elm Ave LB	Long Beach CA 90807	8-16-08
	Ron & Elizabeth Conda	345 E. Rossmore Rd	Long Beach CA 90807	
	Doris M. Scholm	3919 Elm Ave.	Long Beach CA 90807	8/16/08
	Cheryl Redgate	3909 Elm Avenue Cheryl Redgate	Long Beach CA 90807	8/16/08
	Helen Baugh	3857 Elm Ave H. BAUGH	Long Beach CA 90807	8/18/08
	Irene Lazatin	3728 Elm Ave Long Beach CA LAZATIN	Long Beach CA 90807	8/20/08
	Moss Chukwini	3800 Elm Ave LB	Long Beach CA 90807	8/21/08
	SOPHIE MELN	3849 Elm	Long Beach CA 90807	8/21/08
	R.W. McAllister	323 E. Bixby	Long Beach CA 90807	8/21/08
	Donald W. Rowen	460 E Carson	Long Beach CA 90807	8/21/08

To: City of Long Beach Department of Development Services  
City of Long Beach Planning Commission  
Rae Gabelich, City Council Member 8<sup>th</sup> District

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Signed:	Print Name	Address:	Date
1 	IDA JOHNSON	3905 LINDEN Ave Long Beach CA 90807	8/17/08
2 	Kerry Hancock	3950 Linden Av Long Beach CA 90807	8/18/08
3 	J.R. LaRosa	4009 Linden Long Beach CA 90807	8/18/08
4 	M. Blessifrey	3917 Linden Long Beach CA 90807	8/18/08
5 	T. Sitani	3701 LINDEN Long Beach CA 90807	8/20/08
6 	Terri T DARGATZ	3747 Linden Long Beach CA 90807	8/20/08
7 	ROBERT G. GORR	3844 LINDEN AVE Long Beach CA 90807	8/20/08
8 	JACQUENE CASANOVA	3836 LINDEN AVE Long Beach CA 90807	8-20-08
9 	ERIKA GOUNEVA	3808 Linden ave Long Beach CA 90807	8-20-08
10 	WILLIAM S. FORRESTER	3945 LINDEN AVE Long Beach CA 90807	8-21-08