



CITY OF LONG BEACH

THE CITY PLANNING COMMISSION

~~H-3~~

333 W. Ocean Boulevard Long Beach, California 90802 562-570-6194 FAX 562-570-6068

April 3, 2007

~~CH-1~~

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

~~CH-1~~

RECOMMENDATION:

Receive the supporting documentation into the record, conclude the public hearing, overrule the appeal, and sustain the decision of the City Planning Commission to Approve an Administrative Use Permit and Local Coastal Development Permit to legalize four dwelling units creating a total of eight dwelling units at 1826-1932 E. 1st Street (Case No. 0610-12). (District 2)

DISCUSSION

This is an appeal of a Planning Commission decision to approve an Administrative Use Permit to legalize four dwelling units created without benefit of building permits. The property is currently developed with two two-story structures: a four-unit building on the front of the lot that was originally constructed as a single-family home, and four apartments at the rear of the lot that was originally constructed as a duplex over a four-car garage. Five parking spaces are located in the area between the two buildings, with vehicular access from 1st Street.

This application began as a result of complaints filed in March, 2004 related to inadequate gas meters, electrical problems, a water heater illegally installed in a bathroom, lack of ventilation, and bathroom mold. Code Enforcement staff inspected the buildings and issued an Order to Vacate to the owner on October 25, 2004. The Order to Vacate was appealed by the owner and was heard at the Board of Examiners, Appeals, and Condemnation (BEAC) on February 2, 2005. The Board agreed that the building was substandard and required the owner to correct all items listed in the Findings of the Building Official and the Notice of Substandard Building.

The owner was directed to apply for an Administrative Use Permit to legalize the four unpermitted units by June 27, 2005. The application for an Administrative Use Permit was filed on October 11, 2006. The Long Beach Municipal Code (Section 21.25.403 (D) and 21.52.240) allows a property owner to file an application for an Administrative Use Permit to legalize units where there is no permit record, but where other evidence may lead to a reasonable conclusion that the unit has been in continuous use since 1964. Staff looks to the applicant to offer proof to support this contention through a review of tax records, rental receipts, utility bills, visual inspections, etc. The unit must also meet minimum housing standards, and each unit cannot exceed 640 square feet.

In analyzing City building permits and City tax records on all eight units, staff determined that the front detached two-story home, which has been divided into four units, was legally converted to a duplex with one kitchen upstairs and one kitchen downstairs in 1931. An additional bath was added in 1946. The rear unit, which also currently contains four units, was legally approved as a duplex over four garages in 1922. Two garages were converted legally to sleeping rooms with bathrooms and no kitchens in 1945. No substantial proof of continual occupation of the four units in question was submitted by the applicant through rental receipts or other methodologies as discussed above.

Based on the information available, staff made a recommendation to the Planning Commission that the Administrative Use Permit and Local Coastal Development Permit be approved with several significant conditions. These conditions included:

- A requirement that three of the non-permitted apartment units be restored to their original use as either portions of other units, or in the case of the lower half of the rear building, to two garage parking spaces.
- That the two other garage spaces that had been converted with a building permit to provide two "sleeping rooms" in 1945 could be legalized as one dwelling unit.
- That building permits be obtained to complete or remove all work that has occurred without permits or that is required by the previous code enforcement notices.

The intent of this recommendation was to allow those units that had been converted legally from garages to sleeping rooms to be recognized as a single dwelling and brought up to meet minimum health and safety standards. The removal of the non-permitted unit from the other two garage spaces and restoration of those spaces would result in a situation where seven parking spaces would be provided for the five remaining apartments.

The Planning Commission conducted a public hearing on January 4, 2007 and considered information provided by the applicant and staff, as well as testimony from tenants (Attachment 1). Following discussion of available parking onsite, the high density of development in the area, a motion was made by Commissioner Greenberg directing staff to prepare approval findings and conditions of approval for an Administrative Use Permit and Local Coastal Development Permit to legalize all four units to create a total of eight units. On February 1, 2007, after public testimony, the Planning Commission acted to formally approve the Administrative Use Permit and Local Coastal Development Permit, subject to conditions. In taking this action, the Planning Commission found that there is sufficient parking provided with the existing five open parking spaces onsite. The Planning Commission also found that the legalization of the units would be a benefit to the tenants and the community, since it would add affordable rental units to the community. In taking this action, the Commission determined that positive Administrative Use Permit Findings as to continual occupancy of the units could be made through anecdotal evidence contained in the public testimony.

One letter was received in opposition to the request and one person spoke in opposition of the request (Attachment 2). An appeal was filed by Mike Wilson, President of the Alamitos Beach Neighborhood Association, on February 8, 2007 (Attachment 3). In his appeal, Mr. Wilson contends that the legalization of the units would further impact street parking in a neighborhood that is already parking impacted.

Assistant City Attorney Michael J. Mais reviewed this report on March 26, 2007.

TIMING CONSIDERATIONS

The Long Beach Municipal Code requires that an appeal of the Planning Commission's decision be heard within 60 days of filing of the appeal, or by April 7, 2007. A 10-day public notice of the hearing is required.

FISCAL IMPACT

None.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

LESLIE GENTILE, CHAIR
CITY PLANNING COMMISSION

BY:



SUZANNE M. FRICK
DIRECTOR OF PLANNING AND BUILDING

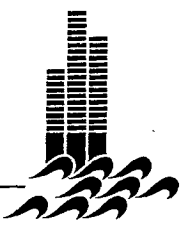
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Attachments:

1. Planning Commission staff reports dated January 4 and February 1, 2007
2. Letter in opposition
3. Letter of Appeal
4. Planning Commission Meeting Minutes dated January 4, 2007

Attachment 1

Planning Commission Staff Reports from
January 4, 2007 and
February 1, 2007



CITY OF LONG BEACH

DEPARTMENT OF PLANNING & BUILDING

333 W. Ocean Boulevard

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

January 4, 2007

CHAIRMAN AND PLANNING COMMISSIONERS
City of Long Beach
California

SUBJECT: Request for approval of a Administrative Use Permit and Local Coastal Development Permit to legalize four (4) dwelling units creating a total of eight (8) dwelling units at the project site. (Council District 2)

LOCATION: 1826-1932 E. 1st Street

APPLICANT: Natalie Kotsch
604 18th Street
Huntington Beach, CA 92648

RECOMMENDATION

Approve the legalization of one (1) dwelling unit for a total of five (5) dwelling units at the project site with conditions of approval requiring that the remaining unpermitted uses be converted back to their original use.

REASON FOR RECOMMENDATION

1. The approval of four (4) additional units is not consistent with the General Plan and the Zoning Regulations as only five dwelling units would be allowed on the project site based on current zoning.
2. The approval of all four (4) unpermitted units will be detrimental to the surrounding community due to lack of parking, over-density, lack of open space, and the condition of the units.

BACKGROUND

On December 21, 2006, the applicant requested a continuance to the meeting of January 4, 2007. In addition, staff revised the language in Local Coastal Development Permit Finding A, in accordance to Section 21.65.060 of the Long Beach Municipal Code.

The site is located on the south side of 1st Street between Hermosa Avenue and Cherry Avenue and is approximately 8,250 square feet (55 x 150) in area. The site is located in the R-4-R Zoning District and consists of eight (4 legally established and 4 illegal) dwelling units and five (5) open parking spaces accessible from a driveway on 1st Street. The building was constructed with 4 apartments and four garage parking spaces. All four (4)

garages that took access from the alley at the rear of the site have been converted to dwelling spaces without the benefit of a building permit.

According to Section 21.31 Table 31-2B of the Zoning Ordinance a total of five dwelling units are allowed by current standards. The property has been Zoned R-4-R since September 6, 1983. Prior to 1983, the property had a Zoning Designation of R-4; the density at that time was based on the number of parking spaces provided.

The following table provides a summary of the Zoning, General Plan, and land uses surrounding the subject site:

	ZONING	GENERAL PLAN	LAND USE
<i>Project Site</i>	R-4-R	LUD# 4 (High Density Residential)	<i>Multi-Family</i>
North	R-4-R	LUD# 4 (High Density Residential)	Multi- Family
South	R-4-R	LUD# 4 (High Density Residential)	Multi- Family
East	R-4-R	LUD# 4 (High Density Residential)	Multi- Family
West	R-4-R	LUD# 4 (High Density Residential)	Multi- Family

This current request is the result of two anonymous complaints related to inadequate gas meters, electrical problems, a water heater illegally installed in the bathroom, lack of ventilation, and mold in the bathroom on March 5, 2004. As a result of this complaint, an initial inspection was completed by March 12, 2004 and a Notice of Substandard Building was sent to the owner on April 20, 2004. A progress inspection was completed on May 26, 2004 based on a new cellar door being added. From that progress inspection, a Notice of Intent to Vacate the building was sent on July 31, 2004 and an Order to Vacate was sent on October 25, 2004. The order to vacate was heard at the Board of Examiners, Appeals, and Condemnation (BEAC) on February 2, 2005. The BEAC agreed that the building was substandard and required the owner to correct all items listed in the Findings of the Building Official dated February 2, 2005 and the Notice of Substandard Building dated April 24, 2004 by September 13, 2005. The owner was also told to apply for an Administrative Use Permit by June 27, 2005. Four tenants were allowed to remain in the rear building

According to Building, Planning & City Tax Assessor records, the property began as a single-family home in 1915, and was then altered from 1915 to 1946 as follows:

1826-28 E. 1st Street Front Two-Story Duplex (Currently 4 units):

- a. 1925- Permit to alter a single family home. (1 unit)
- b. 1931- The Long Beach Tax Assessor data sheet dated 1-5-31 shows a duplex dwelling. The tabulation shows two (2) kitchens, one upstairs, and one downstairs with a total of 2,697 square feet. (2 units) (See Exhibit A)

- c. 1946- Permit date 2-20-46 for the addition of a 5x7 toilet/shower on the first floor. (2 units) (See Exhibit B)
- d. Permit history from 1946- Present. No permits were obtained to create additional units inside of the existing two-story duplex. (2 units)

In analyzing building records, it was determined that the two-story single family home which is currently four (4) units, was legally converted to a duplex, with one kitchen upstairs and one kitchen downstairs. An additional bath was added in 1946, for two (2) dwelling units in the front building. The two non-permitted units are units No. 1 and No. 4 in the front unit (see attached floor plan).

1830- 32 E. 1st Street Rear Two-Story Duplex (Currently 4 units):

- a. 1922- Permit date 8-17-22 to build a duplex over four garages. (2 units) (See Exhibit C)
- b. 1931- The Long Beach Tax Assessor data sheet dated 1-3-31 shows two (2) apartments over four (4) garages. The tabulation shows two (2) kitchens over four (4) garages. (2 units) (See Exhibit D)
- c. 1945- Permit dated 10-2-45 for the conversion of two garages into sleeping rooms. The Long Beach Tax Assessor data sheet shows two garages converted to apartments but states that no kitchens are provided. Los Angeles County Assessor records show two garage bathrooms on the first floor described as old garages remodeled into two bedrooms with baths. (3 units) (See Exhibit E)
- d. 1946- The Long Beach Tax Assessor data sheet dated 3-6-46 says, "2 gars now apts". It also says there are two living rooms, two bathrooms and no kitchens. (3 units) (See Exhibit F)
- e. Permit dated 5-1-73 to repair balcony & 1-hour wall of stairway. (3 units)
- f. Permit history from 1973- present. No permits were obtained to create additional units inside of the existing rear building.

In analyzing building records for the rear units onsite, it was determined that a duplex over four (4) garages was first constructed in 1922. In 1945, two garages were converted to sleeping rooms with bathrooms and no kitchens. The creation of sleeping rooms was common during the post war housing crisis in 1945, in which a number of cities allowed the construction of sleeping rooms without kitchens or required parking.

CURRENT ACTION REQUESTED

The applicant is requesting approval to legalize four (4) dwelling units creating a total of eight (8) dwelling units, four in the front building and four in the rear building. A request to legalize dwelling units is allowed in the City of Long Beach with the approval of an Administrative Use Permit provided the units were built prior to 1964. The Zoning

Administrator has the authority to consider and act on requests for an Administrative Use Permit according to Section 21.25.405 of the Long Beach Municipal Code and the Zoning Administrator may also refer the application to the Planning Commission in accordance with the procedures contained in Section 21.25.405.B of the Zoning Ordinance (See Attachment 10).

ADMINISTRATIVE USE PERMIT FINDINGS

The following findings must be analyzed, made, and adopted before any action is taken to approve or deny the subject permit and must be incorporated into the record of the proceedings relating to such approval or denial:

A. The approval is consistent with and carries out the General Plan, any applicable specific plans such as the local coastal program and all Zoning Regulations of the applicable district;

The General Plan Land Use Designation for this site is the High Density Residential District (LUD #4). The High Density Residential District encourages intensification or recycling of dwelling units in limited areas of the City where apartment and condominium lifestyles are logically related to transportation and services. Present densities range widely from about forty (40) to two hundred (200) dwelling units per acre since many such high-density structures were permitted before modern setback and off-street parking requirements became effective in the mid-1960's. The maximum permitted density in the LUD #4 is 44 du/acre. With a total of five (5) legal units on the project site, the density would be consistent with the General Plan as 29 du/ac exists. However, with a total of eight (8) units existing on the project site with four (4) legal and four (4) illegal units, the proposal is inconsistent with the city General Plan since there would be a total of 46 du/acre.

A departmental memorandum dated July 9, 1991, "Legalization of Illegal Units," established additional findings in order to determine legality of units. The memorandum (see attached memo) established a written policy, which requires the following findings to be made, along with required findings:

1) The quality of the units.

The property is being renovated at this time in order to remedy the items from the Findings of the Building Official dated February 2, 2004 and the Notice of Substandard Building dated February 5, 2005 as required by BEAC. However, the building is still designated as substandard. During a site visit, staff observed very small bedrooms in all three of the units in question, a kitchen located on the porch area of the studio unit on the front dwelling, and the original garage concrete slab serving as the floor in the rear lower dwelling unit. In addition, a kitchen was located within the sloped roof eave in the front upstairs unit. The existing situation led staff to believe that illegal splitting of units has occurred on both front and rear dwelling units on the project site. Furthermore, staff believes that approving the units will lead to unsafe living conditions and substandard living spaces.

2) Crowding in the community.

The property is located in Alamitos Beach, which is a mixture of apartment, condominiums, and multifamily dwellings and is considered high density residential. The site is also within the Parking Impacted Area. Due to the high density of developments, there is considerable demand for parking. Conversion of the garages at the rear of the site has added to the impact of this project on the neighborhood.

3) Whether the unit could have been legal when built.

The applicant was asked to provide documentation, which shows that all units have been occupied since 1964. That documentation was not submitted along with the application and building records do not show more than four (4) legal units onsite. Therefore, staff has concluded that the units were created without permits, and have not been occupied continuously since 1964.

4) Whether property taxes have been paid on the unit

The current records from the County Assessor shows that the property is currently being assessed for a total of seven dwelling units. There are no records on how long seven units have been taxed. In contrast, City records show a total of four legal units.

5) Knowledge of current owner when purchased, and

Staff's belief is that the applicant, a licensed realtor, was aware that she was buying the property in an "as is" condition.

6) Community reaction.

There has been negative reaction from members of the community in response to this request. Surrounding neighbors are not in favor of increasing density in the neighborhood due to the lack of parking availability. One letter and one phone call were received in support of staff's recommendation.

In addition, the property has a parking impacted designation, which is an indication that more than 75% of available on-street parking is utilized during evening hours and that insufficient off-street parking is available to meet the needs of local residents, due to a high incidence of parcels with less than legally required off-street parking and/or due to a high incidence of illegal garage conversions. The goal in the Parking Impacted Area is to prevent the alteration of units into additional units if the parcel is nonconforming to the City General Plan and/or Zoning Ordinance. The subject site had four garages that were converted to living units; one unit ("sleeping rooms") staff is recommending for approval, the other unit staff is recommending be returned to garage spaces. With staff's recommendation to approve one legal non-conforming unit for a total of five units, there would be two legal garage spaces along with five open parking spaces. This arrangement,

although non-conforming in terms of parking, would mitigate the impact to on street parking in the parking impacted area.

Based on the current situation, the lack of parking, the designation of the structures as substandard, and marginally inhabitable living spaces, staff believes that only one of the four of the unpermitted units should be legalized.

B. The approval will not be detrimental to the surrounding community including public health, safety, general welfare, environmental quality or quality of life; and

With the approval of one dwelling unit on the project site for a total of five dwelling units, staff believes that with conditions of approval that the use will not be detrimental to the surrounding community. The removal of the substandard designation as required by conditions of approval would also enhance the quality of life, public health, and safety of the existing residences onsite by combining dysfunctional bedroom spaces, and removing unsafe kitchens located on the porch, and under a slanted roof eave. The combination of units will also allow 5 units to become compliant with current zoning code standards, which will increase the quality of life, safety and, health of future and current tenants.

C. The approval is in compliance with the special conditions for the use enumerated in Chapter 21.52.

- A. The unit(s) in question must have been created before 1964 and continually occupied since that time without having been abandoned pursuant to Section 21.15.030;

Proof of occupancy of the four (4) illegal units from 1964 to date was required in order to determine the legality of the units. The applicant did not provide the required information upon submittal, so we are unable to determine if these units existed prior to 1964.

- B. The unit must meet minimum Housing Code provisions; and

A condition of approval (Condition # 10) requires that new plans be provided that will bring the sleeping rooms up to minimum housing standards for a single unit.

- C. The unit must not exceed six hundred forty (640) square feet. (Ord. C-7032 § 53, 1992).

The four illegal units are approximately 503 square feet, 230 square feet, 386 square feet and 388 square feet. All units are consistent with this requirement since no unit exceeds 640 square feet. The unit that staff is recommending be legalized, is 388 square feet in area.

Agree

LOCAL COASTAL DEVELOPMENT PERMIT FINDINGS

The following findings must be analyzed, made, and adopted before any action is taken to approve or deny the subject permit and must be incorporated into the record of the proceedings relating to such approval or denial:

- A. The proposed development conforms to the certified local coastal program including but not limited to all requirements for replacement of low and moderate-income housing; and

According to Section 21.65.060 and 18.20.140 of the Long Beach Municipal Code, the Building Official shall notify the Housing Services Bureau of the issuance of the orders to vacate and the Housing Services Bureau shall inform the tenant households in writing of the procedure to apply for relocation assistance, what the tenant household's rights are, and who to contact with questions regarding relocation assistance. The Housing Services Bureau shall also inform the tenant household that the household may request payment of relocation assistance from the city in accordance with Section 21.65.090 of this chapter. Based on the above, the legalization of one dwelling unit and removal of three illegal dwelling units may result in the relocation of one (1) low or moderate-income tenant. One tenant will be notified by the Housing Services Bureau of their right to apply for relocation assistance. Therefore, this proposal conforms to the Local Coastal Program.

- B. The proposed development conforms to the public access and recreation policies of Chapter 3 of the Coastal Act. This second finding applies only to development located seaward of the nearest public highway to the shoreline.

The site is not seaward of the nearest public highway to the shoreline.

PUBLIC HEARING NOTICE

A total of 170 Public Hearing Notices were mailed on September 4, 2006 to all owners of properties within a 300-foot radius of the project site, and the elected representative of the 2nd Council District.

REDEVELOPMENT REVIEW

The project site is not located in a Redevelopment Project Area.

ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, a Categorical Exemption (CE-06-231) has been prepared for this project, and is attached for your review.

IT IS RECOMMENDED THAT THE PLANNING COMMISSION:

Approve the legalization of one (1) dwelling unit for a total of five (5) dwelling units at the project site and require conversion of the remaining units to their original use.

Respectfully submitted,

SUZANNE M. FRICK
DIRECTOR OF PLANNING AND BUILDING

By: 
STEVEN ANTHONY VALDEZ
PLANNER

Approved: 
CAROLYNE BIHN
ZONING ADMINISTRATOR

CB:sv

Attachments:

1. Conditions of Approval
2. Site Plan/Floor Plan
3. Photographs
4. Categorical Exemption
5. Documentation from Applicant Proving Legality of Units
6. City Attorney Letter
7. Letter Forwarding Request to Planning Commission
8. Building Research Letter
9. Exhibit A-F
10. "Legalization of Units", Policy Memo
11. Letter from Applicants Attorney

**ADMINISTRATIVE USE PERMIT
CONDITIONS OF APPROVAL
Case No. 0610-17
Date: January 4, 2007**

1. The use permitted on the site, in addition to other uses permitted in the R-4-R Zoning District shall be the legalization of one (1) dwelling unit creating a total of five (5) dwelling units. The legal unit shall be unit No. 6 on the first floor of the rear dwelling unit; that dwelling unit shall not exceed 388 square feet.
2. This permit and all development rights hereunder shall **terminate one year** from the effective date (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date) of this permit unless construction is commenced, a business license establishing the use is obtained or a time extension is granted, based on a written and approved request submitted prior to the expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
3. This permit shall be invalid if the owner(s) and applicant(s) have failed to return **written acknowledgment** of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30 days from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date). Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval to the satisfaction of the Zoning Administrator.
4. If, for any reason, there is a **violation of any of the conditions** of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.
5. In the event of **transfer of ownership** of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by this permit together with all conditions, which are a part thereof.
6. The Director of Planning and Building is authorized to make **minor modifications** to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project and if

Conditional Use Permit Conditions

Date: January 4, 2007

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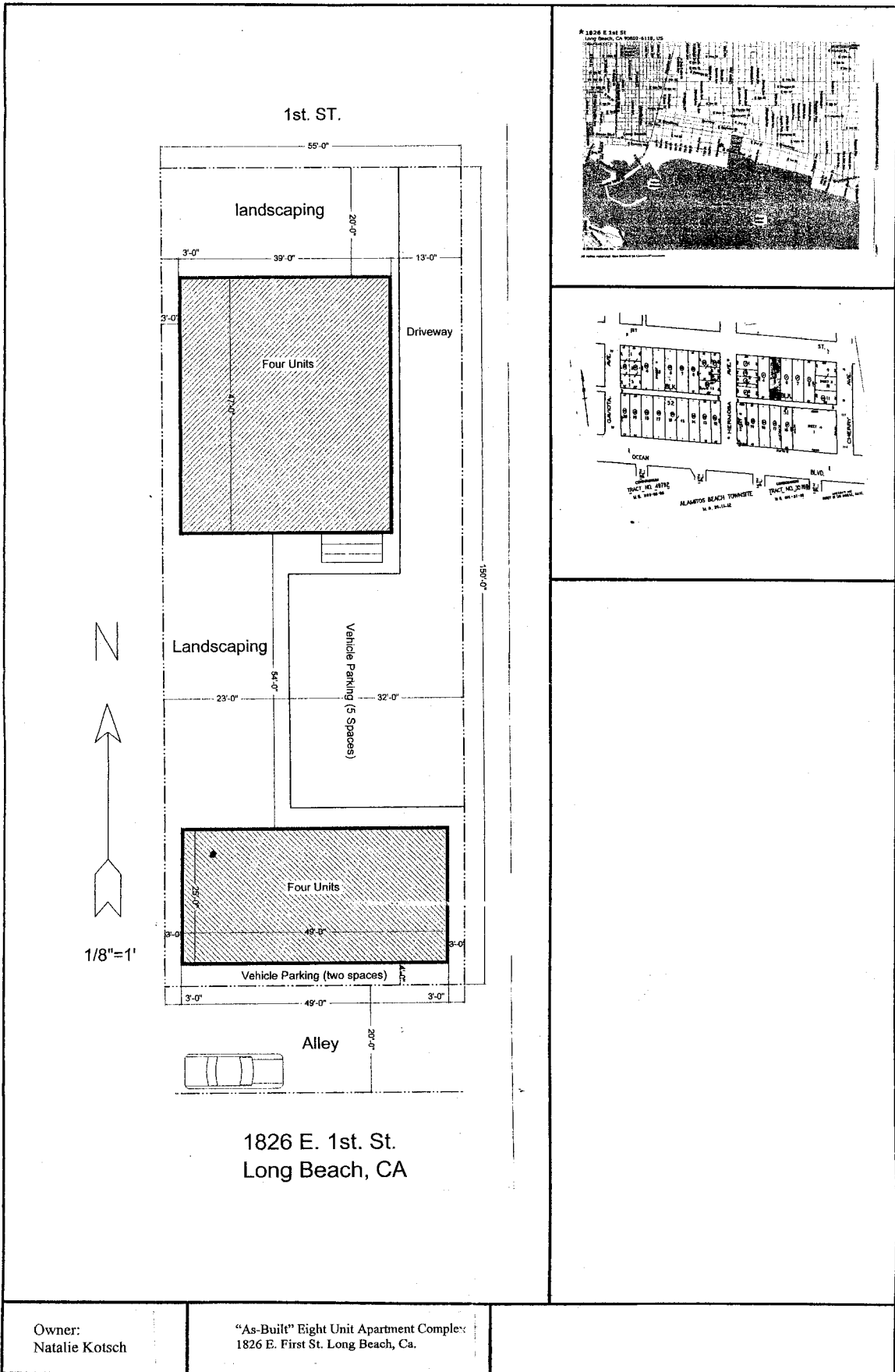
- no detrimental effects to neighboring properties are caused by said modifications. Any major modifications shall be reviewed by the Zoning Administrator or Planning Commission, respectively.
7. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, fences and the perimeter of the site (including all public parkways).
 8. Within sixty days (60) of Notice of Final Action date, a building permit to legalize the west first floor unit shall be secured.
 9. Within sixty days (60) of Notice of Final Action date, the following improvements shall be completed on the project site:
 - A. The front dwelling unit shall be converted from a four unit dwelling to a duplex with one unit upstairs and one unit downstairs unit.
 - B. The east first floor unit on the rear dwelling shall be converted back to a compact two-car garage.
 10. All repairs called out in the Notices of Substandard Building dated April 4, 2004 and the Findings of the Building Official dated February 3, 2005 shall be remedied within ninety days (90) of the Notice of Final Action date.
 11. Five (5) open parking spaces shall remain as part of this approval.
 12. Within sixty days (60) of Notice of Final Action, all applicable code enforcement fees shall be paid.
 13. Compliance is required with these Conditions of Approval as long as this use is on site. As such, the site shall be available for periodic reinspection conducted at the discretion of city officials, to verify that all conditions of approval are being met. The property owner shall reimburse the City for the inspection cost as per special building inspection specifications established by City Council.
 14. The applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the applicant of any such claim, action, or proceeding against the

Conditional Use Permit Conditions

Date: January 4, 2007

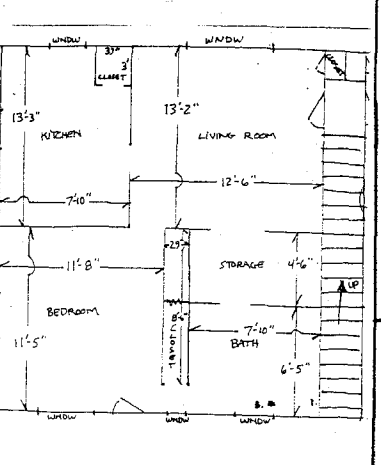
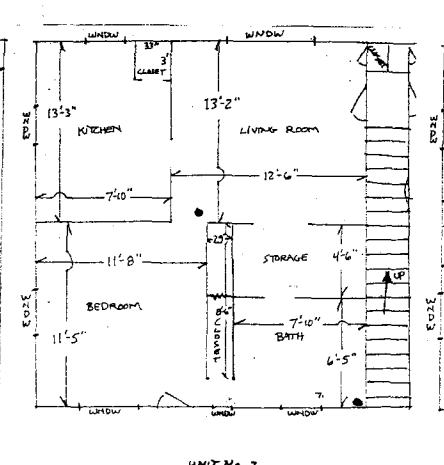
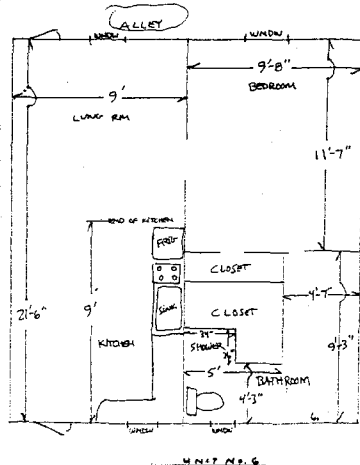
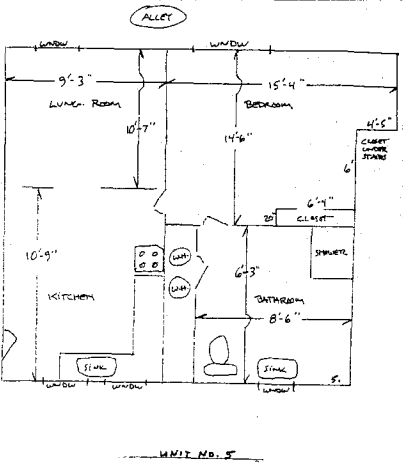
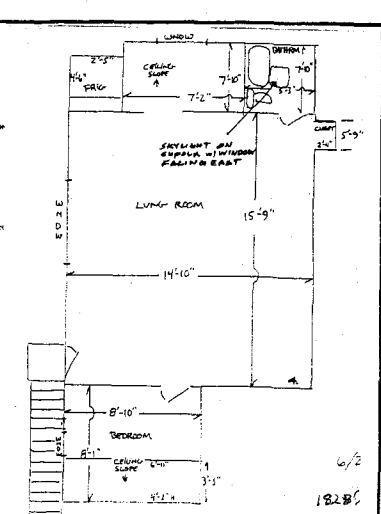
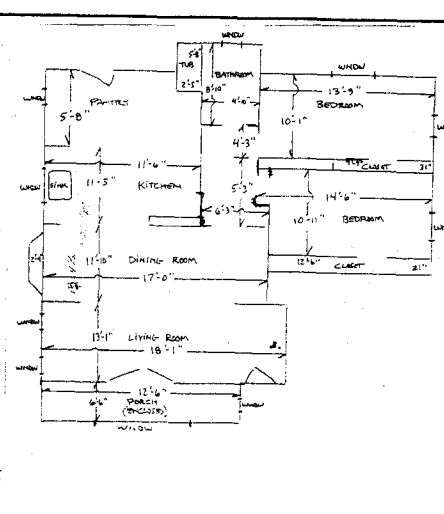
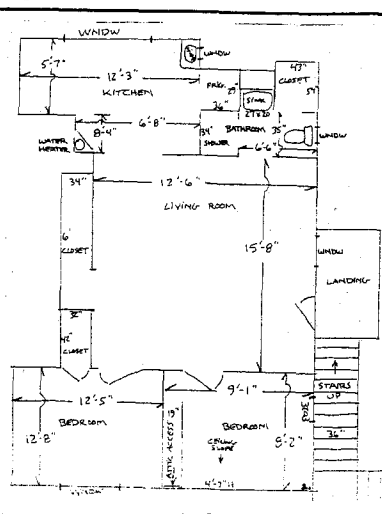
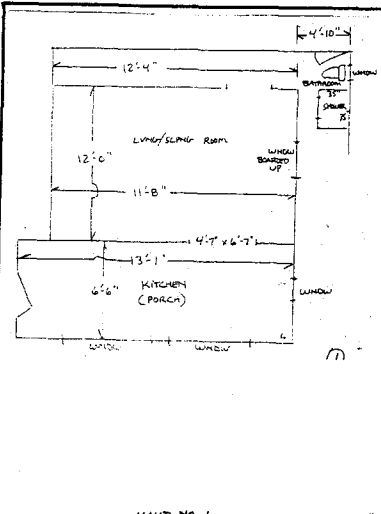
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City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach.



Owner:
Natalie Kotsch

"As-Built" Eight Unit Apartment Complex
1826 E. First St. Long Beach, Ca.



"As-Built" Eight Unit Apartment Complex
 1826 E. First St. Long Beach, Ca
 Owner:
 Natalie Kotsch



CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

333 W. Ocean Boulevard

Long Beach, CA 90502

(562) 570-6194

FAX (562) 570-6068

ZONING AND DEVELOPMENT SERVICES

November 22, 2006

Douglas W. Otto
111 W. Ocean Blvd., Suite 1300
Long Beach, CA 90801-2210

Re: 1826 E. 1st Street

Dear Doug,

You have requested that I not serve as Hearing Officer for an Administrative Use Permit and Local Coastal Development Permit filed by your client, Natalie Kotsch, regarding the legalization of dwelling units at the above address.

Based on your concerns and the length of time this matter has been in process, I will schedule the matter for hearing before the Planning Commission pursuant to Section 21.25.405 of the LBMC.

Your project planner is Steven Valdez. Please contact Steven at (562) 570-6571 if you have any questions, or feel free to give me a call at (562) 570-6223 if you wish to discuss this matter further.

Sincerely,

Carolyne C. Bihn
Zoning Officer



OFFICE OF THE CITY ATTORNEY
Long Beach, California

ROBERT E. SHANNON
City Attorney

HEATHER A. MAHOOD
Chief Assistant City Attorney

MICHAEL J. MAIS
Assistant City Attorney

July 27, 2006

SENT VIA FAX (562) 590-7909 & U.S. MAIL

Douglas W. Otto
Attorney at Law
111 W. Ocean Blvd., Suite 1300
Long Beach, CA 90801-2210

**Re: AUP Application Deadline and Hearing Date Regarding
Property Located at 1826-1832 E. 1st Street, Long Beach
Owner Natalie Kotsch**

Dear Mr. Otto:

Thank you for speaking with me last evening regarding progress on the above referenced case. As discussed, the City of Long Beach has agreed to utilize an alternate hearing officer from the Department of Planning and Building Zoning Division to preside over the Administrative Use Permit (AUP) hearing to determine the number of permitted units at 1826-1832 E. 1st Street. Given the protracted nature of this matter, the City is requesting your client file an AUP application with the City's Zoning Department no later than August 7, 2006 with an associated AUP hearing to follow on September 11, 2006. You are again reminded that all evidence in support of your client must accompany the AUP application.

Please recall that this property was determined to be substandard back in 2005, and was the subject of an appeal which began in June of that year. In lieu of a formal substandard appeal hearing, your client agreed to have hearing officer Judith Cannavo conduct informal mediation proceedings in an attempt to achieve code compliance. These proceedings occurred prior to your legal representation of Natalie Kotsch. Although Ms. Kotsch agreed to apply for and attend an AUP hearing in order to properly determine the number of permitted units, an application was never submitted.

Thereafter you were retained by Ms. Kotsch, and on January 18, 2006 our office provided you with discovery regarding outstanding code violations, and also discussed the need to timely rehabilitate these properties. As you are aware, on February 13, 2006, City Building Inspectors observed ongoing un-permitted construction and renovation which resulted in issuance of a stop work order. Your client was again requested to file an AUP application with the City's Zoning Department no later than either March 20, 2006 with an associated AUP hearing on April 24, 2006, or in the alternative on April 3, 2006 with a corresponding AUP hearing to occur on May 8, 2006.

PRINCIPAL DEPUTIES

Barbara D. de Jong
Dominic Holzhaus
Belinda R. Mayes

DEPUTIES

Gary J. Anderson
Richard F. Anthony
Christina L. Checel
Alysha Park Choi
Randall C. Fudge
Charles M. Gale
Everett L. Glenn
Donna F. Gwin
Monte H. Machit
Anne C. Lattime
Lisa Peskay Malmsten
Barry M. Meyers
Cristyl Meyers
J. Charles Parkin
Howard D. Russell
Tiffani L. Shin

As a precursor to AUP proceedings, on March 29, 2006 you requested a zoning confirmation letter to determine the permitted number of dwelling units. Documentation was reviewed, and in late May, it was determined that a total of four dwelling units were permitted.

Despite continued efforts to assist your client in rehabilitating these properties, significant code violations remain outstanding. Therefore, this office upon completion of the September 11, 2006 AUP process will reconvene the informal mediation, or in the absence of an AUP hearing will proceed with a formal substandard building appeal hearing as previously agreed to by your client. Attorney Judith Cannovo will preside to determine compliance. These proceedings are tentatively scheduled to occur the week of September 18, 2006. Our office will provide you with a date certain upon receipt of Ms. Cannovo's availability. I look forward to resolution of this matter.

Sincerely,

ROBERT E. SHANNON
CITY ATTORNEY



By CRISTYL MEYERS
DEPUTY CITY ATTORNEY

cc: ✓
Carolyne Bihn, Zoning Administration
Larry Brugger, Planning & Building
Mark Sutton, Planning & Building
David Woods, Planning & Building



CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

333 W. Ocean Boulevard

Long Beach, CA 90502

(562) 570-6194

FAX (562) 570-6068

ZONING AND DEVELOPMENT SERVICES

May 17, 2006

Mr. Douglas W. Otto
111 W. Ocean Boulevard, Suite 1300
P. O. Box 2210
Long Beach, CA 90801-2210

Re: Request for Building Permit Research
1826 – 1832 E. First Street

Dear Mr. Otto,

At your request the Planning Bureau has reviewed the City of Long Beach and other agencies' records, as well as the presentation you submitted to the City on March 29, 2006, to determine the number of dwelling units existing on the above property. As you are aware, this property has been identified as a substandard building and been subject to code enforcement action since 2004. In consideration of these records, the Planning Bureau has determined that the official records substantiate a total of four dwelling units in the two buildings located on the lot (the "front building" and the "rear building"). For the "front building", the records indicate:

1915 - There is no permit on record for the single family dwelling built in 1915 but the Long Beach Tax Assessor data sheet, dated 1-5-31, lists 1915 as the date of construction (with a question mark).

1925 – Permit dated 2-17-25 for "Alter".

1931 – The Long Beach Tax Assessor data sheet dated 1-5-31 shows a "Duplex Dwlg Stucco (over Siding)". The tabulation shows 2 kitchens, one upstairs and one downstairs. Total square footage is 2,697 square feet, both floors.

1946 – Permit dated 2-20-46 for the addition of a 5' X 7' toilet/shower on first floor. It is not clear that this established a dwelling unit.

1947 - The Los Angeles County Assessor's Office Building Description Blank dated 3-31-47 shows 4 living rooms, 4 bedrooms, 1 den, 3 bathrooms, and 3 kitchens. However, there are no permit records to further support more than two units.

It is concluded that the 2-story single family dwelling originally constructed in 1915 (no permit extant) had been converted to a duplex, one unit upstairs and one unit downstairs,

and that an additional bath was added in 1946, for a total of 2 dwelling units in the front building.

With regard to the rear building:

1922 – Permit dated 8-17-22 to build a duplex over garages.

1931 – The Long Beach Tax Assessor data sheet dated 1-3-31 shows 2 apartments over 4 garages. The tabulation shows 2 kitchens and 2 bedrooms upstairs. Total of 1,372 square feet in upstairs living area.

1945 – Permit dated 10-2-45 for conversion of two garages into sleeping rooms. The Long Beach Tax Assessor data sheet dated 3-6-46 describes two garages converted to apartments but states that no kitchen is provided. Los Angeles County Assessor's Building Description Blank dated 12-13-45 shows two living rooms and two bathrooms on the first floor, described as "part" of old garages remodeled into two bedrooms with baths.

It is concluded that the rear building contains two apartments on the second floor, two garage spaces on the first floor, and two sleeping rooms with baths and no kitchen on the first floor that were combined to create a single living space.

Further evaluation by the City of Long Beach of the status of the areas within the building that you contend are dwelling units but which lack clear documentation in support of this contention in the form of building permits can take place through issuance of an Administrative Use Permit pursuant to Long Beach Municipal Code, Sections 21.25.403(d) and 21.52.240. Your client was directed by the Office of the City Attorney to apply for an Administrative Use Permit, and I encourage you to comply with this request and file an application as soon as possible.

If you have any questions please call me at (562) 570-6223.

Sincerely,

Carolyn C. Bihn
Zoning Officer

Building Valuation Sheet
 No. 1828-1828 1/2
 TRACT Alamitos Beach Terrace
 LOT NO. 5 BLOCK NO. 51
 DATE 1-5-31
 EXAMINED BY *MM*

KIND OF BUILDING	EXTERIOR	SQ. FT. - EX. FT.	BASE PRICE	TOTAL
<i>Single Dwelling</i>	<i>Stucco</i>	<i>2697</i>	<i>180</i>	<i>4854</i>
<i>(Flower siding)</i>				
DOOR				
<i>10x12x5</i>				<i>90</i>
Additional Cost Items				
Exterior Finish				<i>310</i>
Plumbing - No. Fix.				<i>450</i>
Lighting				<i>170</i>
Tile Roof				
Decor. Mtl.			<i>P.P.</i>	
Electric Fixtures			<i>2</i>	
Stair				<i>295</i>
Paint				<i>210</i>
Plaster				<i>25</i>
Grill				<i>100</i>
Kitchen - <i>Ceramic</i> Bath - <i>Ceramic</i> Living Room - <i>Ceramic</i> Dining Room - <i>Ceramic</i> Bedrooms - <i>Ceramic</i> Halls - <i>Ceramic</i> Stair - <i>Ceramic</i> Porch - <i>Ceramic</i> Terrace - <i>Ceramic</i> Driveway - <i>Ceramic</i> Garage - <i>Ceramic</i> Fences - <i>Ceramic</i> Posts - <i>Ceramic</i> Sills - <i>Ceramic</i> Windows - <i>Ceramic</i> Glass - <i>Ceramic</i> Tiles - <i>Ceramic</i> Grills - <i>Ceramic</i> Bricks - <i>Ceramic</i> Tiles - <i>Ceramic</i> Marbles - <i>Ceramic</i>				
Total Cost				<i>6506</i>
Permit, Fee and Amt.				<i>3903</i>
V. C. Tax				<i>13950</i>
V. C. Assess				<i>3805</i>
OWNER: <i>H. W. H. 776</i>				<i>3425</i>
ADDRESS: <i>Same</i>				

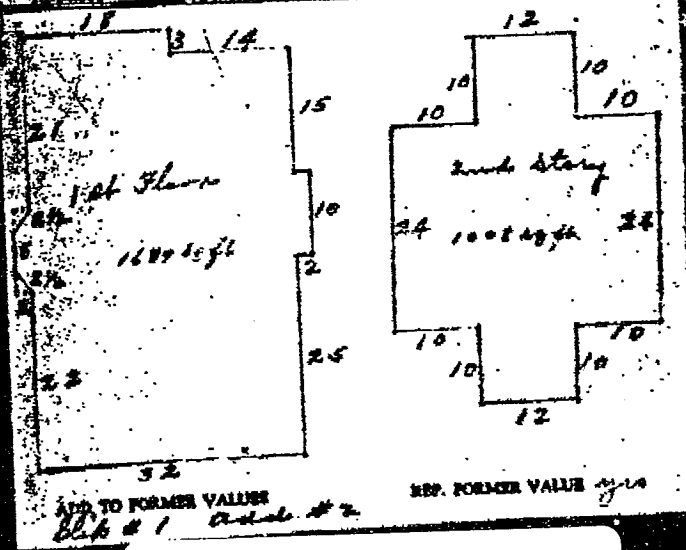


Exhibit A

1828-1828 1/2

DEPARTMENT OF ENGINEERING
BUILDING INSPECTOR

Application To Alter, Repair or Demolish

Fee
Permit Number <i>K 1172</i>
Date Received <i>1-2-46</i>
Date Issued <i>2-20-46</i>

1828
2-20-46

To the Department of Engineering of the City of Long Beach:

Application is hereby made to the Department of Engineering of the City of Long Beach, through the office of the Building Inspector, for a building permit in accordance with the description and for the purpose hereinafter set forth. This application is made subject to the following conditions which are hereby agreed to by the undersigned applicant and which shall be deemed conditions entering into the exercise of the permit:

First: That the permit does not grant any right or privilege to erect any building or other structure thereon described, or any portion thereof, upon any street, alley, or other public place or portion thereof.

Second: That the permit does not grant any right or privilege to use any building or other structure thereon described, or any portion thereof, for any purpose that is, or may hereafter be prohibited by ordinance of the City of Long Beach.

Third: That the granting of the permit does not affect or prejudice any claim of title to, or right of possession to, the property described in such permit.

(Use Ink or Indelible Pencil)
DESCRIPTION OF PROPERTY

Lot No. *5*

Block *5* Tract *Hamilton Beach*

Owner's Name *James P. Fox* Owner's Address *1828 1/2 St. H.*

Contractor's Firm Name *M.P.* State License No. _____

Contractor's Address _____ City License No. _____

Proposed Use of Building or Structure _____ No. of Families _____ No. of Rooms _____

Type of Construction of Existing Building *House, Two Story*

7-46 LOCATION OF JOB

No. *1828 East 1st St. Long Beach* Street

VALUATION OF PROPOSED WORK

Value of a Building Shall Be the Estimated Cost to Replace the Building in Kind. *\$250.00*

Engineer / Architect _____ State Certificate No. _____

Present Use of Building *living quarters*

Number of stories in height *Two* Size of present building *28'0" x 54'0"*

State number of buildings on lot *Two* How used *living quarters & garage*

State on following lines exactly what alterations, additions, etc., will be made to this building:
Addition of bath tub & shower to be built onto front building

Size of new addition *5 x 7* No. of Stories in height *1* Kind of Roof *comp.*

Material of foundation _____ Width of footings _____ Depth below ground _____

Size of Redwood Mudsills *x* Size of interior bearing studs *2 x 4*

Size of exterior studs *2 x 4* Size of interior non-bearing studs *x*

Size of first floor joists *x* Second floor joists *x*

I have carefully examined and read the above application and know the same is true and correct, and that, in doing this work, all provisions of Long Beach Ordinances and State Laws will be complied with, whether herein specified or not. Also, in accordance with the Building Code, I hereby apply for a Certificate of Occupancy to be issued after all final inspections have been called for by me and have been made by the Department of Engineering.

All Applications must be filled out by the Applicant.

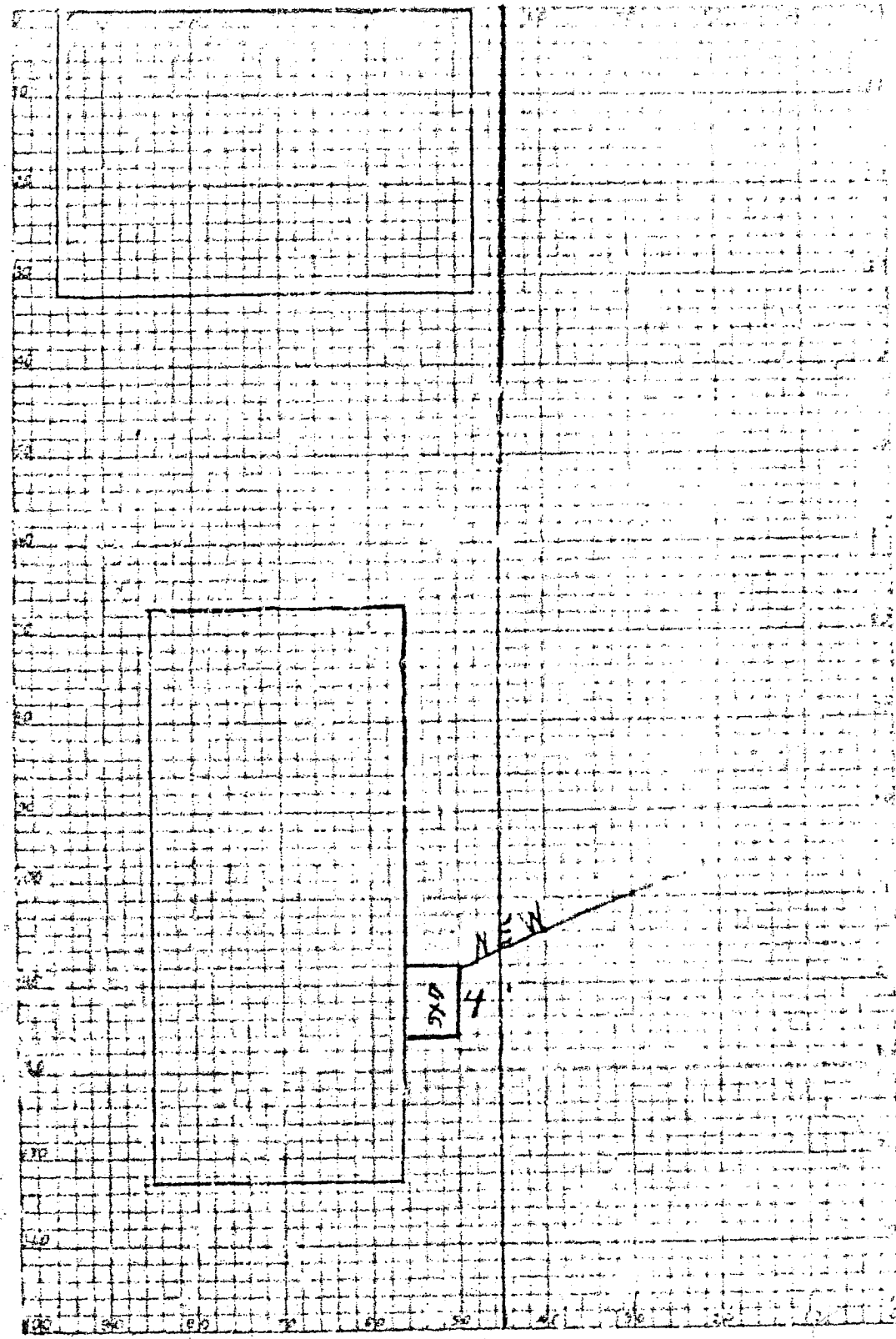
PLANS AND SPECIFICATIONS and other data must also be filed (Sign Here) *James P. Fox*
(Owner or Authorized Agent)
(NOTE - Turn over and fill out blank on other side.)

FOR DEPARTMENTAL USE ONLY					
ZONE	F. D. No.	GROUP	PET-BACKS	CHECKED BY	ISSUED BY
<i>R-1</i>	<i>2</i>	<i>1</i>	<i>2</i>	<i>M.P.</i>	<i>M.P.</i>

Exhibit B

1823 E 100

City of Chicago, Cook County, Illinois. The following is a description of the premises...



Use of Premises *Delivery Quarters, apts.*
Height of Building *2 story*
Area of Building *1512 sq. ft.*
Area of Lot *8250 sq. ft.*
Area of Occupied Space *3548 sq. ft.*

State of Illinois
County of Cook
APPLICANT
Name of Applicant

~~Attachment B-2~~
1826 1/2 - 1828 1/2 E. 1st St., L.B.
100 / 1000 / 1000

100
8-17-22

2 UNITS

6-23-10000—Open's, 542 Pine Ave

No. 1830 - 32 E. 1st St.	Owner Mr. McT Downey	8-17-22	32340
Lot No. B	Address 1828 E. 1st St.	Permit No.	
Block 51	Gen. Contractor Allan P. Savage		
Tract A. B. T.	Address 1565 Rose Ave.		
Use of Building Garage & Apt	Masonry	Wood Frame	<input checked="" type="checkbox"/> Repairs
Class of Building I	Steel Frame	Concrete	<input type="checkbox"/> Demolish
Length 47	Width 22	Height 2	No. of Rooms 8
Total Cost 4500.00	Area 7.50	No. of Stories	

RECORD OF INSPECTION

CONSTRUCTION			ELECTRICAL			PLUMBING		
Date	Inspector	Report	Date	Inspector	Report	Date	Inspector	Report
8-29-22	R.H.	FOU. O.K.			H. W. O.K.			H. P. O.K.
9-21-22	Xo	Lath O.K.			FIX. O.K.			FIX. O.K.
		Final O.K.						Water O.K.

<div style="border: 1px solid black; padding: 2px;"> Cabinet connections O.K. </div>	Elec. Permit No.	Plumbing Permit No.
	Contractor	Contractor
	Address	Address

Exhibit C

Attachment A-3

1830-1832
(1)

7-3-21

Form 100-100-100
 Building Valuation Sheet
 ADDRESS 1830 E. 1st St.
 TRACT Alameda Beach Townsite
 LOT NO. 5 BLOCK NO. 51
 EXAMINED BY [Signature] DATE 1-3-31/1922

KIND OF BUILDING	EXTENSIVE	BL. FT. SQ. FT.	BASE PRICE	TOTAL
2 Apts	Storage	1372	180	2469
1 Garage	Storage	1034	110	1137

BOBT.

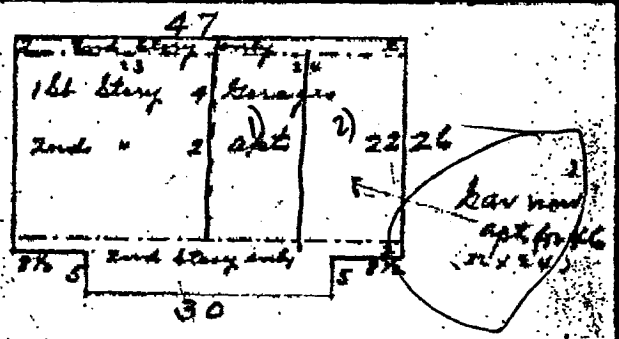
	1	2	3	4	N.W. COR. FT.	N.E. COR. FT.	S.W. COR. FT.	S.E. COR. FT.	REMARKS	PRICE
In. Rm.		2		2					Interior Finish	190
Dis. Rm.									Plumbing—No. Fix. 10	400
W.C. Rm.									Lighting	100
Bed Rm.		2		2					The Roof	
Bath Rm.		2							Spec. Work	
Kitchen		2							Electric House	
Porch										
1/2 Bath									Bl. Coat	290
									Driveway	50
Perman. Units									Fire Pl.	
W.C. Rm.									Masonry	
Typ. Case									Grill	
Tile									Brick	
									Tile	
									Masonry	

Formal. Dem. and Ass. Total Cost 4640
 P. C. Total: Cost, Less 2-0 % Disp. 3712
 P. C. Amount: Assessed Val. 1855

OWNER
 ADDRESS

DATE 3
4/8/38

EXAM. DATE
1/3/31



FIRST GARAGE
CONVERSION.

Exhibit D

1830-1832



CITY OF **2** LONG BEACH

1000
9-29-45

1087
89710
9-29-45
10-2-45

DEPARTMENT OF ENGINEERING
BUILDING INSPECTOR

APPLICATION TO ALTER, REPAIR OR DEMOLISH

To the Department of Engineering of the City of Long Beach:

Application is hereby made to the Department of Engineering of the City of Long Beach, through the office of the Building Inspector, for a building permit in accordance with the description and for the purpose hereinafter set forth. This application is made subject to the following conditions which are hereby agreed to by the undersigned applicant and which shall be deemed conditions entering into the exercise of the permit.

First: That the permit does not grant any right or privilege to erect any building or other structure therein described or any portion thereof, upon any street, alley, or other public place or portion thereof.

Second: That the permit does not grant any right or privilege to use any building or other structure therein described or any portion thereof, for any purpose that is, or may hereafter be prohibited by ordinance of the City of Long Beach.

Third: That the granting of the permit does not affect or prejudice any claim of title or right of possession in, the property described in such permit.

(Use Ink or Indelible Pencil)
DESCRIPTION OF PROPERTY

Lot No. Five

Block Fifty One Tract Hamlet

Owner's Name George H. ... Owner's Address 1828 E. 1st St.

Contractor's Firm Name Same State License No. _____

Contractor's Address Same City License No. _____

Proposed Use of Building or Structure Residence No. of Families 2 No. of Rooms 2

Type of Construction of Existing Building Wood frame

LOCATION OF JOB

No. 1828 E. 1st St. Street

VALUATION OF PROPOSED WORK ("Value" of a Building Shall Be the Estimated Cost to Replace the Building in Kind.) \$ 3000.00

Architect C. M. Aldrich State Certificate No. 1456

Engineer _____

Present Use of Building Residence

Number of stories in height Two Size of present building 24x45

State number of buildings on lot Two How used Dwelling

State on following lines exactly what alterations, additions, etc., will be made to this building:

Removal of two garages with living quarters

Size of new addition _____ No. of stories in height _____ Kind of Roof _____

Material of foundation _____ Width of footings _____ Depth below ground _____

Size of Redwood Mudsills _____ Size of interior bearing studs _____

Size of exterior studs _____ Size of interior non-bearing studs _____

Size of first floor joists _____ Second floor joists _____

I have carefully examined and read the above application and know the same is true and correct, and that, in doing this work, all provisions of Long Beach Ordinances and State Laws will be complied with, whether herein specified or not. Also, in accordance with the Building Code, I hereby apply for a Certificate of Occupancy to be issued after all final inspections have been called for by me and have been made by the Department of Engineering.

All Applications must be filled out by the Applicant.

PLANS AND SPECIFICATIONS and other data must also be filed

(Sign Here) _____ (Owner or Authorized Agent)

(NOTE—Turn over and fill out blank on other side.)

ZONE	F. D. No.	GROUP
<u>RC</u>	<u>2</u>	<u>UT</u>

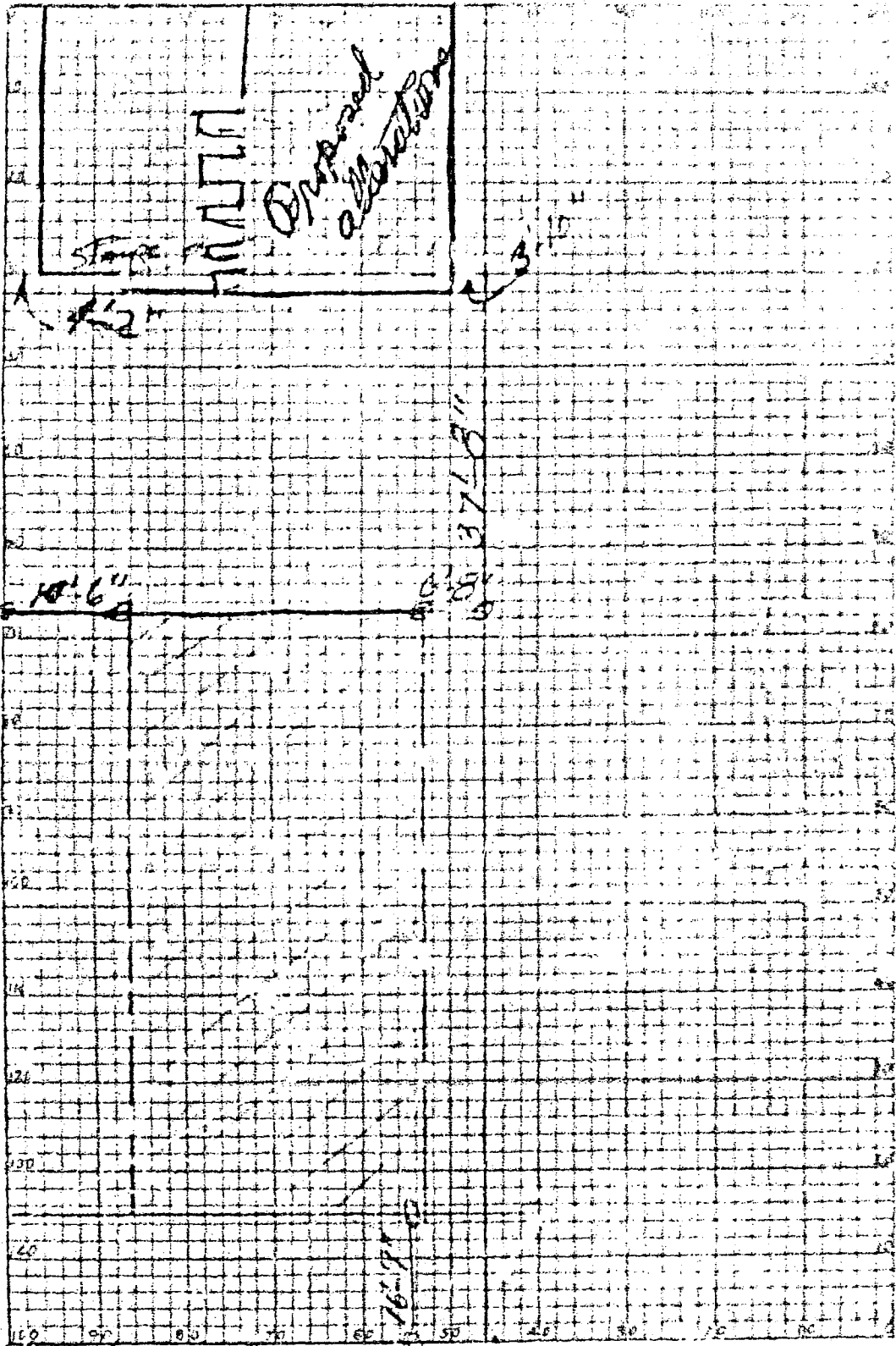
Exhibit E

ISSUED BY
<u>[Signature]</u>

Attachment-1
1830-A E. 1st St., LB

1830-1832

5 front



NOTE: (1) This site plan is for the proposed alterations to the existing building. (2) The existing building is shown in solid lines. (3) The proposed alterations are shown in dashed lines. (4) The proposed alterations are subject to the approval of the City of Los Angeles. (5) The proposed alterations are subject to the approval of the State of California. (6) The proposed alterations are subject to the approval of the Board of Public Works. (7) The proposed alterations are subject to the approval of the Board of Health and Sanitation. (8) The proposed alterations are subject to the approval of the Board of Fire Commissioners. (9) The proposed alterations are subject to the approval of the Board of Police Commissioners. (10) The proposed alterations are subject to the approval of the Board of Education. (11) The proposed alterations are subject to the approval of the Board of Social Services. (12) The proposed alterations are subject to the approval of the Board of Public Health. (13) The proposed alterations are subject to the approval of the Board of Public Safety. (14) The proposed alterations are subject to the approval of the Board of Public Works. (15) The proposed alterations are subject to the approval of the Board of Health and Sanitation. (16) The proposed alterations are subject to the approval of the Board of Fire Commissioners. (17) The proposed alterations are subject to the approval of the Board of Police Commissioners. (18) The proposed alterations are subject to the approval of the Board of Education. (19) The proposed alterations are subject to the approval of the Board of Social Services. (20) The proposed alterations are subject to the approval of the Board of Public Health. (21) The proposed alterations are subject to the approval of the Board of Public Safety. (22) The proposed alterations are subject to the approval of the Board of Public Works. (23) The proposed alterations are subject to the approval of the Board of Health and Sanitation. (24) The proposed alterations are subject to the approval of the Board of Fire Commissioners. (25) The proposed alterations are subject to the approval of the Board of Police Commissioners. (26) The proposed alterations are subject to the approval of the Board of Education. (27) The proposed alterations are subject to the approval of the Board of Social Services. (28) The proposed alterations are subject to the approval of the Board of Public Health. (29) The proposed alterations are subject to the approval of the Board of Public Safety. (30) The proposed alterations are subject to the approval of the Board of Public Works.

1830 E. 131st
 City of Los Angeles
 Planning Department

Name of Building *Living Quarters*
 Height of Building *Two stories*
 Area of Building *230 sq ft*
 Area of Lot *8,250 sq ft*
 Area of Occupied Space *230 sq ft*

State of California
 City of Los Angeles
 DEPARTMENT OF
 THE HEALTH AND SANITATION

1830-1832

Ⓢ back

Attachment C-2

15.

1830 N E
11-2-45

Building Valuation Sheet

99710 N 97 11-2-45 11-2-45

ADDRESS 1830 A E 1st St. 1830 A E
TRACT Alameda Beach, J. S.

LOT NO. 6 BLOCK NO. 51

E. POR. - W. POR. - MID. POR. - N. POR. - FOR. - FOR. BUILT 1927

EXAMINED BY 7102 DATE 3-6-46 RESULT 1546

Kind of Building	Exterior	Ca. Ft. Sq. Ft.	Area Factor	Assess. Value
2900 view of street		528	3.5	184

	1	2	3	4	N.W. Cor. Fl.	H.W. Fl.	W.W. Fl.	Tile Fl.	Concrete Fl.	Additional Room
Liv. Rm.	2									Interior Finish
Din. Rm.										Plumb's Fctrs. 4 140
Bkfst. Rm.										Water Heater 6
Bed Rm.										Lighting 40
Bath.	2									Tile Roof
Kitchen	10									Elect. Refr.
Store										Heating
Office										Gar. Door LHM
Buffet										80
Sk. Case										40
Dressers										
Furniture Units										
Marble										
Terra Cotta										
Plate Glass										
Roofing Tile										
Grin										
Tile										
Vitreous										
Asphalt Tile										
Elevator										
Marquise										
Incinerator										
Fire Escape										

P.C. Assessed Value		Total Assessed Value in		640
Assess. Year	App. - Years	% Vary. Dep.	% Dep.	Estimated Value
1947	20% APPRECIATION			520
1951	10% ADJUSTMENT			520

Rep. Former Value

Add to Former Value

OWNER J. P. Jones

Form 1-12A-10-45-Emick-PHO. Co.

DATE
3/6/46

UNIT SQ FT
528.

PERMIT DATE
11/2/45

Exhibit F

Attachment E
1830-A E. 1st St., LB


1830-1832

6



Date: March 12, 1996

To: Land Use Regulation Staff

From: Robert Benard, Zoning Officer 

Subject: Legalization of Illegal Units

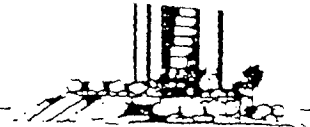
X

A recent case has raised questions regarding applications for the legalization of dwelling units. Such applications are governed by the provisions of the Long Beach Municipal Code; specifically Chapter 21.25, Division IV (Administrative Use Permits) and Section 21.52.240 (Special Conditions). Crucial to these provisions are the findings required for an Administrative Use Permit (Section 21.25.407).

In keeping with making the required findings for approving an AUP, in 1991 the Zoning Administrator prepared a memorandum (attached) which outlined several factors which must be considered when evaluating the affects of a legalization and making a General Plan consistency finding. Accordingly, when evaluating an legalization application, keep in mind that the essential findings are those spelled out in Section 21.25.407:

- A. The approval is consistent with and carries out the General Plan, any applicable specific plans such as the local coastal program and all Zoning Regulations of the applicable district;
- B. The approval will not be detrimental to the surrounding community including public health, safety, general welfare, environmental quality or quality of life; and
- C. The approval is in compliance with the special conditions for the use enumerated in Chapter 21.52.

MEMORANDUM



date: July 9, 1991

to: Zoning Staff

from: Dennis L. Eschen, Zoning Administrator

subject: Legalization of Illegal Units

It has been alleged that Planning and Building staff has been informing potential applicants for legalization of illegal units that they will be approved if they can prove the unit has been occupied since 1964. This is not true. Occupancy since 1964 is a first step but not sufficient in itself. As an Administrative Use Permit, findings must also be made as to whether there will be adverse affects on the community and consistency with the General Plan.

In determining these findings, I look at several factors. These include:

- o quality of the "unit";
- o crowding in the community;
- o parking availability;
- o whether the unit could have been legal when built;
- o whether property taxes have been paid on the unit;
- o knowledge of current owner when purchased; and
- o community reaction.

It is not a simple decision and it should not be portrayed as a simple decision to the potential applicants.

DLE:jmo
A10:ILLEGAL.DLE

JAMES V. ANDERSON



Dec 6, 2006

1901 E. OCEAN BLVD. UNIT 302 LONG BEACH CA 90802
(562)590-5685, E-MAIL: MARIAJIM@earthlink.net

TO: LONG BEACH PLANNING COMMISSION

RE: CASE NO. 0610-12
1826 E. 1ST ST.

TO LEGALIZE 4 DWELLING UNITS.

I OPPOSE THESE ADDITIONAL UNITS AS THIS NEIGHBORHOOD HAS SEVERE IMPACTED PARKING, AND THESE ILLEGAL DWELLINGS JUST MAKE IT WORSE.

I SUPPORT CITY STAFF'S POSITION TO LEGALIZE ONE ONLY OF THE UNITS, AS IT WAS IN THE PAST. EVEN THAT NEEDS AN ADDITIONAL PARKING SPACE, AT THE LEAST.

SINCERELY

James V. Anderson

CC: 2ND DIST. COUNCILPERSON SUJA LOWENTHAL

**PRESENTATION TO
LONG BEACH DEPT. OF PLANNING & BUILDING
ZONING ADMINISTRATOR CAROLYNE BIHN
PROVIDING DOCUMENTATION JUSTIFYING
THE LEGALITY OF EIGHT EXISTING UNITS
AT 1826, 1826-1/2, 1828, 1828-1/2, 1830, 1830A, 1830B, 1832
E. FIRST STREET**

March 29, 2006

**PRESENTATION TO
LONG BEACH DEPT. OF PLANNING & BUILDING
ZONING ADMINISTRATOR CAROLYNE BIHN
PROVIDING DOCUMENTATION JUSTIFYING
THE LEGALITY OF EIGHT EXISTING UNITS
AT 1826, 1826-1/2, 1828, 1828-1/2, 1830, 1830A, 1830B, 1832
E. FIRST STREET**

March 29, 2006

Front Building: 1826, 1826-1/2, 1828, 1828-1/2 E. First Street

1. Building Valuation Sheet dated 01/05/31
 - Shows property as a duplex with one unit above and one unit below

2. Application to Alter, Repair, or Demolish dated 02/20/46 (approval date) for addition of toilets and showers to be built into the front building (2 pages) Permit No. K1872
 - Shows additions of toilets and showers (plural); back of page 2 (diagram page) provides under “Use of Building,” that the building is used for “living quarters, apartments”; the term “apartments” under UBC Section 202A is a “apartment house.” The UBC, CBC, and UHC all define “apartments” as three or more units; therefore, this establishes that there were at least three units (probably four) in 1946.

3. Los Angeles County Assessor’s Office Building Description Blank dated 03/31/47 (2 pages)
 - Shows four living rooms, four bedrooms, one den, three bathrooms, and three kitchens (currently, there are four units: one 2-bedroom, one 1-bedroom, and two studios); therefore, the likely existence of four units.

4. Department of Planning & Building Exemption Certificate dated 10/04/01 for “Apartments” at 1826 E. First Street which provides that, “pursuant to Section 18.76 of the LBMC, it is determined that property at the above address qualifies for an Exemption Certificate at this time due to the fact that the parking is provided in a common parking facility.”
 - Shows at the time of sale that the property was up to code and provided adequate parking.
5. City of Long Beach Computer Screen Print-Out from Planning & Building Department Worker Valerie Decker dated 04/21/04
 - Shows 1826 E. First Street as four units.

Back Building: 1830, 1830A, 1830B, 1832 E. First Street

1. Building Permit dated 08/17/22 for a garage and two apartments (1 page)
 - Shows two apartments at the building in 1922.
2. City Assessor’s Office Building Description Blank dated 08/17/22, as amended through 1945, shows two living rooms, two bedrooms, two bathrooms, and two kitchens
 - Shows two upstairs apartments and downstairs garages.
3. Building Permit No. C-5780 dated 02/17/25, with 1828 E. First Street address, “to alter . . .” without further description, but permit number is referenced on Document #2 (1830 E. First Street) in this sequence
 - Shows this permit in 1925 is for work on the back units, not the front house.
4. Building Valuation Sheet dated 01/03/31, updated through 1946, with diagram of “garage, now apartments for 46.”
 - Shows garage conversion, adding two units from 1945 permit (see Document #5, below).

5. Application to Alter, Repair, or Demolish for 1828 E. First Street (incorrect) dated 10/02/45 (2 pages) for “conversion of two garages into living quarters and adds two sleeping rooms”
 - Shows that two additional units are added to the back two units in 1945.

6. Building Valuation Sheet dated 03/06/46
 - Shows two living rooms, two bathrooms, and no kitchens on the first floor of the back building and references Building Permit No. J-9710 which was issued in 1945.

7. Los Angeles County Assessor’s Building Description Blank dated 12/13/45 which shows two living rooms and two bathrooms on the first floor. The note states that, “This part of old garages remodeled into two bedrooms, two baths, no tub.”
 - Again, shows existence of four units in the back building in 1945.

Front Building:

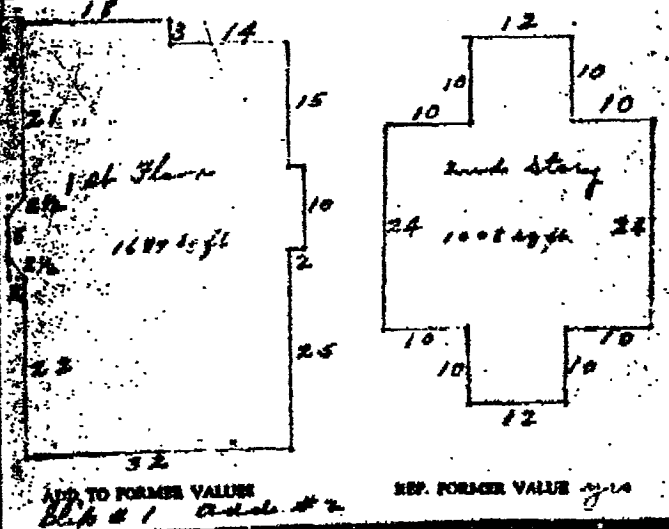
1826, 1826-1/2, 1828, 1828-1/2 E. First Street

Form No. 1-1932
 Building Valuation Sheet
 ADDRESS 1828-1828 1/2 E. Grand St. (S)
 TRACT Alameda Beach Terrace
 LOT NO. 5 BLOCK NO. 51
 EXAMINED BY TM DATE 1-5-31 BUILT? 1915

KIND OF BUILDING	EXTENSIVE	SQ. FT. BR. FT.	SQ. FT. BASE PRICE	TOTAL
<u>Single Dwelling</u>	<u>10x12x5</u>	<u>2697</u>	<u>180</u>	<u>4854</u>
<u>10x12x5</u>		<u>600</u>	<u>15</u>	<u>90</u>

1	2	3	4	R.W. FL.	W. FL.	TIN FL.	FR. FL.	ADDITIONAL COST ITEM	
<u>1</u>	<u>1</u>							Interior Finish	<u>310</u>
								Plumbing—No. Fix //	<u>450</u>
								Lighting	<u>170</u>
	<u>3</u>	<u>3</u>						Tin Roof	
								Spec. Matr. P.P.	
							<u>2</u>	Electric Fixtures	
								Drains	<u>293</u>
								Fire Pl.	<u>210</u>
								Cell	<u>25</u>
								Other	<u>100</u>

Partic. Date and Amt.	Total Cost	
	<u>4854</u>	<u>6506</u>
A. C. Tax	Cost less 40% Dep.	<u>3903</u>
A. C. Assess	Assessed Value	<u>13950</u>
OWNER <u>Wm H 716</u>	Vol. prior to 32	<u>3805</u>
ADDRESS <u>Same</u>	Dep. 10% for 1932	<u>3425</u>



REF. FORMER VALUE
 REF. FORMER VALUE



DEPARTMENT OF ENGINEERING
BUILDING INSPECTOR

Application To Alter, Repair or Demolish

Fee
Permit Number <i>K 1172</i>
Date Received <i>1-2-46</i>
Date Issued <i>2-20-46</i>

1828
2-20-46

To the Department of Engineering of the City of Long Beach:

Application is hereby made to the Department of Engineering of the City of Long Beach, through the office of the Building Inspector, for a building permit in accordance with the description and for the purpose hereinafter set forth. This application is made subject to the following conditions which are hereby agreed to by the undersigned applicant and which shall be deemed conditions entering into the exercise of the permit:

First: That the permit does not grant any right or privilege to erect any building or other structure therein described, or any portion thereof, upon any street, alley, or other public place or portion thereof.

Second: That the permit does not grant any right or privilege to use any building or other structure there is described, or any portion thereof, for any purpose that is, or may hereafter be prohibited by ordinance of the City of Long Beach.

Third: That the granting of the permit does not affect or prejudice any claim of title to, or right of possession to, the property described in such permit.

(Use Ink or Indelible Pencil)
DESCRIPTION OF PROPERTY

Lot No. *7*

Block *3* Tract *Plametos Beach*

Owner's Name *James P. Fox* Owner's Address *1828 1/2 St. H.*

Contractor's Firm Name *M. G.* State License No.

Contractor's Address City License No.

Proposed Use of Building or Structure *Living quarters* No. of Families No. of Rooms

Type of Construction of Existing Building *House, Two Story*

No. *1828 1/2 East 1st St.* LOCATION OF JOB *Long Beach* Street

VALUATION OF PROPOSED WORK { "Value of a Building Shall Be the Estimated Cost to Replace the Building in Kind. } *250.00*

Engineer Architect State Certificate No.

Present Use of Building *living quarters*

Number of stories in height *Two* Size of present building *28'0" x 54'0"*

State number of buildings on lot *Two* How used *living quarters & garage*

State on following lines exactly what alterations, additions, etc., will be made to this building:

Addition of bath toilet & showers to be built onto the front building

Size of new addition *5 x 7* No. of Stories in height *1* Kind of Roof *comp*

Material of foundation Width of footings Depth below ground

Size of Redwood Mudsills *x* Size of interior bearing studs *2 x 4*

Size of exterior studs *2 x 4* Size of interior non-bearing studs *x*

Size of first floor joists *x* Second floor joists *x*

I have carefully examined and read the above application and know the same is true and correct, and that, in doing this work, all provisions of Long Beach Ordinances and State Laws will be complied with, whether herein specified or not. Also, in accordance with the Building Code, I hereby apply for a Certificate of Occupancy to be issued after all final inspections have been called for by me and have been made by the Department of Engineering.

All Applications must be filled out by the Applicant.

PLANS AND SPECIFICATIONS and other data must also be filed

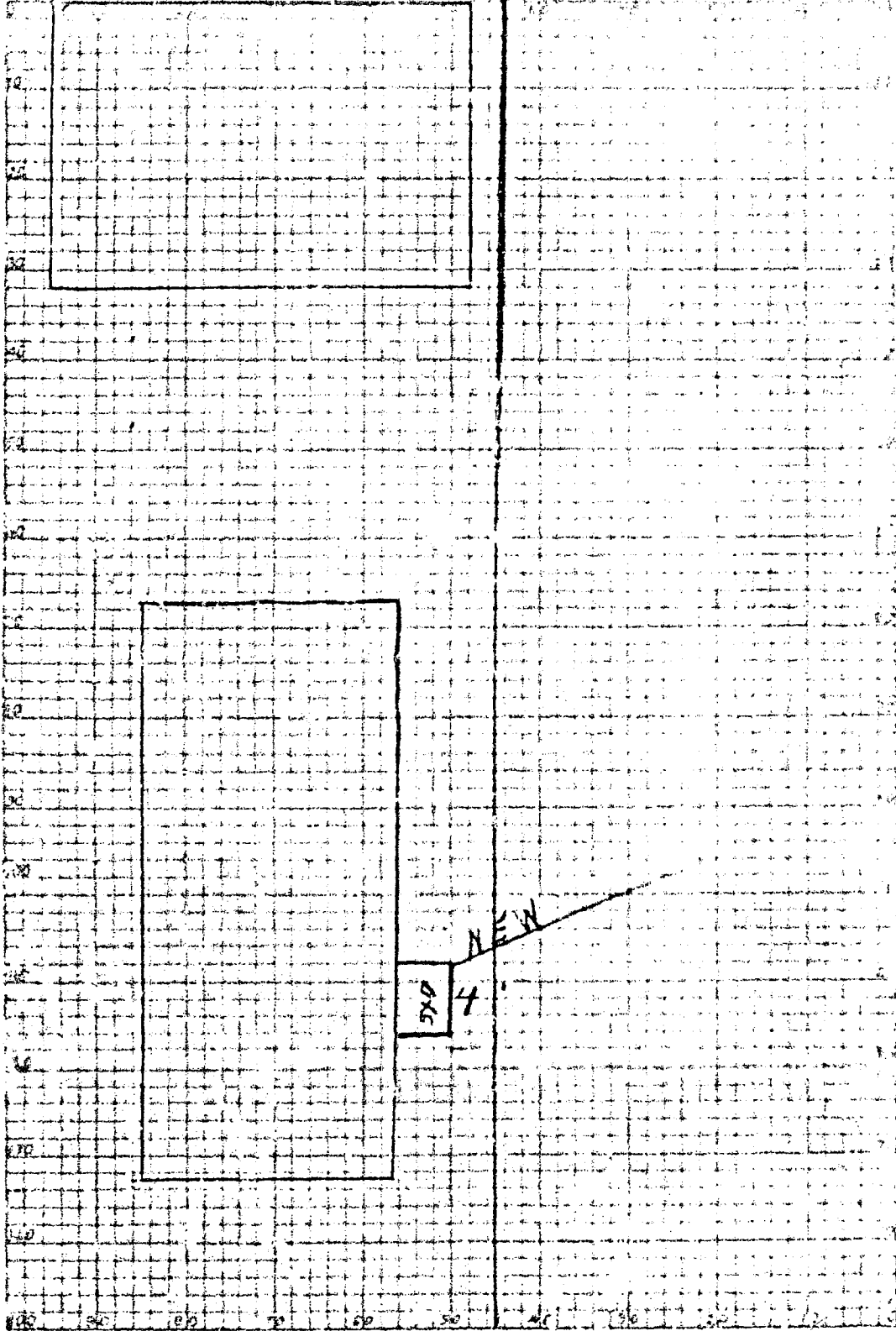
(Sign Here) *James P. Fox*
(Owner or Authorized Agent)
(NOTE - Turn over and fill out blank on other side.)

FOR DEPARTMENTAL USE ONLY

ZONE	F. D. No.	GROUP	PET-BACKS	CHECKED BY	ISSUED BY
<i>R-1</i>	<i>2</i>	<i>1</i>	<i>None</i>	<i>M. G.</i>	<i>J. P. H.</i>

1823E100

1823E100



Use of Building *Living Quarters, Apts.*
 Height of Building *2 story*
 Area of Building *1512 sq. ft.*
 Area of Lot *8250 sq. ft.*
 Area of Occupied Space *3948 sq. ft.*

State of California
 County of Los Angeles
 Assessor's Office
 Los Angeles, California

Attachment B-2
 1826 1/2 - 1828 1/2 E. 1st St., L.B.
 1826-1828 1/2 E. 1st St. A

LOCATION IF CUT

BY

DATE

ON M. B. ON

DATE

FRONT BLDG. ADDRESS

1826 - 1826 1/2

1828 - 1828 1/2

1st STORY

ADDITION TO ACCOMODATE SHOWER SINK AND TOILET. (SEE DIAGRAM - 2)

SECOND STORY

2 - LIVING ROOM

2 BEDROOM + (DEN)

2 BATHROOM - 1 TUB 1 JUST SHOWER

2 KITCHENS

FORM 4 **PARCEL** 6
Building Description Blank Index
 LOS ANGELES COUNTY ASSESSORS OFFICE
 STREET No. 1826-28 1/2 E 1st ST
 TRACT ALAMITOS BEACH TOWNSITE
 LOT No. 5 BLOCK No. 51
 REVALUED BY *AND Y DEN* DATE 3/31 1947

BOOK 7265
PAGE 18

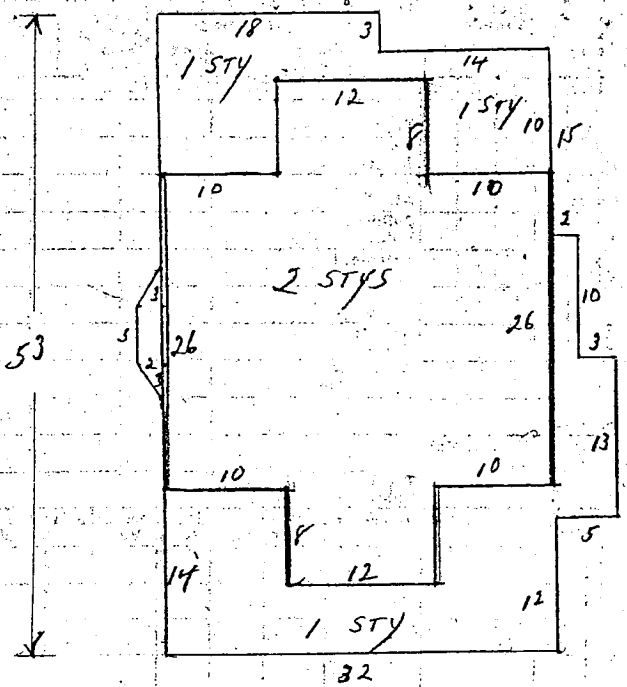
CLASS	EXTERIOR	HEATING	EXT. FEATURES
	1 1/2 2 3 Story Stucco Rustic Shakes B & B Siding Sheet Steel T & G Wide Siding Adobe Shingle Vertical Siding Plaster on Tile Asbestos Siding Brick Veneer Corrugated Iron Frame, Steel Frame, Wood	Fireplace Double False Mantel Gas Furnace No. Pipes Gas Radiators Steam Elec. Heaters Blower Furnace Floor Furnace Wall Heaters Air Conditioning	Steel Sash Copper Spouts Screens Trim-Tile, Plaster " Stone, Wood, Brick Cornice Boxed
FOUNDATION	ROOF	PLUMBING	INSIDE FINISH
	Stone Wood Concrete Brick Cross Walls Hillside Steel Joists	Flat 1/4 1/2 3/4 5/8 Monitor Hip Gable Shed Copper Shakes Sheet Steel Corrugated Iron Composition Comp'd Shingle Tile-Trim Amt. Sm. Lge. Tile	No. of Fixtures Cheap Medium Good Special Bath No. 1 2 3 Tile Floor Lin. Pl. Tile Walls Haight Shower Over Tub Stall Tile Walls Glass Door Lighting Cheap Medium Good Special
BASEMENT	1/2 1/4 1/2 3/4 Full Wood Steel Truss Span Quality	Built-Ins Refrigerator Elec., Gas, Ice Buffet Bookcases Patent Beds Cedar Closets Venetian Blinds Built-1910 EST. AVG 1920	Classification Cheap Medium Good Special Depr. Date 3/31

Check Sanitas				BUILDING VALUES			
Living Room	3	2		Year	1947		
Bedrooms	2	2		No. of Square ft.	2779		
DEN		1		At. \$ (COVER)			
Dressing Room				Building Value	4892		
Bathroom	1	1		Basement Value			
" No Tub		1		Heating Value			
Tile				Kitchen	1	2	
Bfst. R. or N.				Garage Value			
Plank				Outbuildings Value			
Hdwd. Floors	5	X					
Hdwd. Finish							
P. C. by	Date	%	P. C. Val.	Total Value	4892		

Year	Depr.	Spec. Depr.	Assessed Value	Year	Depr.	Spec. Depr.	Assessed Value
1947	439		2147	1947			1070
57	440						1180

OWNER'S NAME	PERMIT NO.	DATE	AMOUNT
C. F. CHECKED			
COMPT. CHECKED <i>N</i>			
E. ON M. B. <i>CB</i>			
COMPARED			

Building Department
 City of Chicago
 1826 1/2 - 1828 1/2 E. 1st St., L.B.
 1826-1828 1/2 (3) back



200
1st FL
 $3 \times 13 = 39$
 $2 \times 23 = 46$
 $14 \times 50 = 700$
 $18 \times 53 = 954$
 $\frac{11+5}{2} \times 2 = 16$
 1755
 $\frac{1755}{2.00} = 3510$ ①

135
2nd FL
 $2 \times 10 \times 26 = 520$
 $12 \times 42 = 504$
 1024
 1.35
 5120
 30724
 1024
 1382 ②

① 3510
 ② 1382
 * 4892

8.



CITY OF LONG BEACH

DEPARTMENT OF PLANNING & BUILDING

333 WEST OCEAN BOULEVARD, 7TH FLOOR • LONG BEACH, CALIFORNIA 90802

(562) 570-6399
FAX (562) 570-6034
TDD (562) 570-6793

EXEMPTION CERTIFICATE

SUBJECT: 1826 East 1st Street
PROJECT NO.: 335587
DATE: October 4, 2001
TYPE OF STRUCTURE: Apartments
APPLICANT: Jennifer Sterud
Anchor Seaport Escrow
5602 E. 2nd St.
Long Beach CA 90803


Pursuant to Chapter 18.76 of the Long Beach Municipal Code, it has been determined that the property at the above address qualifies for an Exemption Certificate at this time due to the fact that parking is provided in a common parking facility.

Please be advised that the seller is required to provide the buyer this Exemption Certificate.

If you should require any additional information, contact Valerie Decker at (562) 570-6955, Monday through Friday between the hours of 3:30 p.m. to 4:30 p.m.

Yours truly,

FADY MATTAR
Superintendent of Building

By: 

Ellen Mitchell
Senior Combination Building Inspector

EM:jcg

2.

1826-1828 1/2 (4)

Select screen, then press 'ENTER'; f1=MORE screens; f8 to QUIT ILMS

Name KOTSCH ,NATALIE A Proj R # 00400279 Status MPF
Addr 01826. E 01ST ST Units Zip 90802-0000 Index
Legal Descr ALAMITOS BEACH TOWNSITE Parcel # 7265 018 006
Hbr N Hst N Oil N Fld N A/P N Air P Rdv N Cst Y CDBG N G HE Lf N Pkg Y
Dt Recrd Plan Zone R4R OL Bldgs Units 004 Ins Resp C2
Lot Size F/A Depth Front Setbacks F 15 Lf 5 Rt 5 R 10
Year Built 10 Census Tract 5766.00 Council Dist 2 Insp Dist 1A Int SYS
Pr Cmmts;

Cklist; REPAIR AS PER HOUSING LETTER DATED 4/21/04

ENTER DESIRED SCREEN NUMBER

VB Version 103.00

ION 10.06.337.04 (C)Copyright, Gartek Technologies, Inc.1990 All Rights Reserved

1826-1828 1/2
⑤

Back Building:

1830, 1830A, 1830B, 1832 E. First Street

1830-32

8-17-22

6-23-1000—Green's, 542 Pine Ave

No. 1830 - 32 E. 1st St.	Owner Mr. W. Downey	8-17-22	32340
Lot No. 5	Address 1828 E. 1st St.	Permit No.	
Block 51	Gen. Contractor Allen T. Savage		
Tract A. B. T.	Address 1565 Rose Ave.		
Use of Building Garage & Apt	Masonry	Wood Frame	Repair
Class of Building Steel Frame	Concrete	Moving	Demolish
Length 47	Width 22	Height 2	No. of Rooms
Total Cost 4500.00	Area 7.50	No. of Stories	

RECORD OF INSPECTION

CONSTRUCTION			ELECTRICAL			PLUMBING		
Date	Inspector	Report	Date	Inspector	Report	Date	Inspector	Report
8-21-22	R.H.	Final O.K.						
9-21-22	Mc	Lath O.K.						
		Final O.K.						
<div style="border: 1px solid black; padding: 2px;"> Same as contractor A. K. </div>			Elec. Permit No. _____ Contractor _____ Address _____			Plumbing Permit No. _____ Contractor _____ Address _____		

12.

Attachment A-3

1830-1832

(1)

1830-32
11-28-22

Form 207-B, W. H.

113 REAR BLDG
BUILDING DESCRIPTION BLANK

No. 1830-32 C 1st St Index 9025
Tract Clamitos Beach
1000 site PARCEL 6

Lot No. 5 Block No. 51
Examined by N.V.P. Date 11-28-22

CLASS	EXTERIOR	HEATING	TRIMMINGS
Single ✓	Bay Windows	Fire Place	Cobblestone
Double	1 sty 2 sty 3 sty	Wood, Coal, Oil	Brick, Plaster
California	Number	and Gas Furnace	Stone, Wood
Sungalow	Wall Covering:	Steam	Plain
Residence	Plaster, Met Lath	Stove	Ornamental
Flat	" Wood Lath		
Apartment	Shakes, Rustic		
Factory	Siding, B & B		
Garage	Brick, P or C		
Shed	Corr. Iron		
Barn			
Church			
School			
Store			
Storage			
	ROOF	PLUMBING	INSIDE FINISH
	Roofing	No. of Fixtures	Plain
	Gables, Dormers	<u>10</u>	Ornamental
	Cut up, Ordinary	Good, Medium	Stock
	Plain, Gravel	Cheap	Special
	Tile, Shingle	Sewer	
	Corr. Iron	Cesspool	BUILT-IN FEATURES
	Composition		Buffet <u>2</u>
			Patent Beds
FOUNDATION	CONSTRUCTION	LIGHTING	Refrigerator
Stone	Good	Gas, Electric	Bookcases
Concrete	Medium	Good	Plain
Brick	Cheap	Medium	Ornamental
Wood		Cheap	CONDITION
			Good
			Medium
			Poor
			<u>1922</u>

LA

OCCUPANCY	bmt	1	2	3	4	5	amt
Owner, Rented, Vacant							
Living Room			<u>2</u>				
Bed			<u>2</u>				
Bath			<u>2</u>				
Kitchen			<u>2</u>				
Storage							
Hardwood Floor			<u>4</u>				
Hardwood Fin.							
Cement Floor							
Unfinished							

Remarks: Gar and Office

OWNER: Mr W. Eldonney

BUILDING VALUES	BUILDING VALUES
No. of Permit <u>22340</u>	No. Cu. Ft. <u>11222</u>
Date of " <u>8-17-22</u>	No. Sq. Ft. <u>11222</u>
Amt. of " <u>\$5400</u>	At \$ <u>166</u>
<u>110</u>	Bldg. Cost <u>\$3655.91</u>
<u>1060</u>	Bsmt. Cost <u>\$2404</u>
<u>990</u>	Heat Cost <u>\$478</u>
<u>960</u>	Garage Cost <u>\$472</u>
<u>394</u>	Total Cost <u>\$4850</u>
	Depreciation <u>\$1369.31</u>
	Utility Dep. <u>\$205.64</u>
	Depreciated Value <u>\$3275.05</u>
	Assessed Value <u>\$2000</u>

Reduce former value
40 for old garage
now add it to 700

1080

10.

1830-1832

6

1830-081
back

ALPHABETICALLY

1370 07264 05 856

Veranda	856
Public	
Interior	
Public	577.26
Total	187.5

House	856
Public	
Veranda	
No. of Fl.	2
No. of Fl.	2
Block No.	97

Veranda	856
Public	
Interior	
Public	577.26
Total	187.5

Veranda	856
Public	
Interior	
Public	577.26
Total	187.5

Exhibited by
 For No.
 Block No.
 (Kerr)
 1830-081

1830-081-2-17-25

11826-1828

2-17-25

C 14-10000

Date 2-17-25

Co. 1828 E. 1st	St.	Owner	H. Macdonney	Permit No.
Lot No. 5		Address	1828 E. 1st	57-2
Block 51		Gen. Contractor		
Tract AIA Beach TC		Address		
Use of Building	Alter	Masonry	Wood Frame	Repairs
Class of Building	Steel Frame	Concrete	Moving	Demolish
Length	Width	Height	No. of Stories	
Total Cost \$100.	Fee 2.	Families	No. of Rooms	

RECORD OF INSPECTION

CONSTRUCTION			ELECTRICAL			PLUMBING		
Date	Inspector	Report	Date	Inspector	Report	Date	Inspector	Report
		For. O.K.			R. W. O.K.			S. P. O.K.
		Lath O.K.			Pl. O.K.			Fix. O.K.
		Final O.K.						Water H. O.K.
			Elec. Permit No.			Plumbing Permit No.		
			Contractor			Contractor		
			Address			Address		

~~ENCLOSING FRONT PORCH. 2-17-25~~
 REAR EXPANSION OR FRONT AND REAR EXPANSION
 AND SEPARATION/EXPANSION.

H

1830-1832



1830-32
 132

DATE 3
 4/8/38

Building Valuation Sheet
 ADDRESS 1830-32 E. 1st St.
 TRACT Alameda Beach Townsite
 LOT NO. 5 BLOCK NO. 51
 EXAMINED BY *MM* DATE 1-3-31/REV 1922

KIND OF BUILDING	EXTENSION	IN FT. SQ. FT.	BASE PRICE	TOTAL
2 Apts	Stucco	1372	1.80	2469
4 Garages	Stucco	1034	1.10	1137

ADDP. at Cost Item

IN. No.	1	2	3	4	N.W. Ft.	N.E. Ft.	S.W. Ft.	S.E. Ft.	ADDP. at Cost Item	Value
Interior Finish		2		2						190
Plumbing - No. Fin. 10										400
Lighting										100
Tile Work		2		2						
Elect. Work		2								
Electric Heater		2								

1830 2180 Bl. Cost Drivers 634 294

Formed Units	Wool	Plaster	Fire Pl.	Masonry	Value
					50

Formed, Date and Amt.	Total Cost	Value
P. C. Total	4640	3712
P. C. Amount	5631	1855

OWNER
 ADDRESS

47

1st story + Garages

2nd " 2' apts 2226

2nd story only

30

has now apt for 46 (2x24)

ADD TO FORMER VALUE
 11467

REP. FORMER VALUE

EXAM. DATE 1/3/31

FIRST GARAGE CONVERSION.

1830-1832

13.



1828
9-29-45

CITY OF **2** LONG BEACH

Permit Number	1087
Page Received	89710
Date Received	9-29-45
Date Issued	10-2-45

DEPARTMENT OF ENGINEERING
BUILDING INSPECTOR
 APPLICATION TO ALTER, REPAIR OR DEMOLISH

To the Department of Engineering of the City of Long Beach:
 Application is hereby made to the Department of Engineering of the City of Long Beach, through the office of the Building Inspector, for a building permit in accordance with the description and for the purposes hereinafter set forth. This application is made subject to the following conditions, which are hereby agreed to by the undersigned applicant and which shall be deemed conditions entering into the exercise of the permit:
 First: That the permit does not grant any right or privilege to erect any building or other structure therein described or any portion thereof, upon any street, alley, or other public place or portion thereof.
 Second: That the permit does not grant any right or privilege to use any building or other structure therein described or any portion thereof, for any purpose that is, or may hereafter be prohibited by ordinance of the City of Long Beach.
 Third: That the granting of the permit does not affect or prejudice any claim of title or right of possession in the property described in such permit.

(Use Ink or Indelible Pencil)
 DESCRIPTION OF PROPERTY

Lot No. Five
 Block Fifty One Tract Tramway
 Owner's Name James Owner's Address 1828 E. 1st St.
 Contractor's Firm Name James State License No. _____
 Contractor's Address James City License No. _____
 Proposed Use of Building or Structure Housing No. of Families 2 No. of Rooms 2
 Type of Construction of Existing Building Wood frame

LOCATION OF JOB

No. 1828 E. 1st St. Street

VALUATION OF PROPOSED WORK (Value of a Building Shall Be the Estimated Cost to Replace the Building in Kind) \$ 3000.00
 Architect C. M. Adams State Certificate No. 1256
 Engineer _____
 Present Use of Building Swaps of Apartments
 Number of stories in height Two Size of present building 24x45
 State number of buildings on lot Two How used Swaps of Apartments
 State on following lines exactly what alterations, additions, etc., will be made to this building:
Removal of two garages with living quarters with a reception room
 Size of new addition _____ No. of stories in height _____ Kind of Roof _____
 Material of foundation _____ Width of footings _____ Depth below ground _____
 Size of Redwood Nudalls _____ Size of interior bearing studs _____
 Size of exterior studs _____ Size of interior non-bearing studs _____
 Size of first floor joists _____ Second floor joists _____

I have carefully examined and read the above application and know the same is true and correct, and that, in doing this work, all provisions of Long Beach Ordinances and State Laws will be complied with, whether herein specified or not. Also, in accordance with the Building Code, I hereby apply for a Certificate of Occupancy to be issued after all final inspections have been called for by me and have been made by the Department of Engineering.

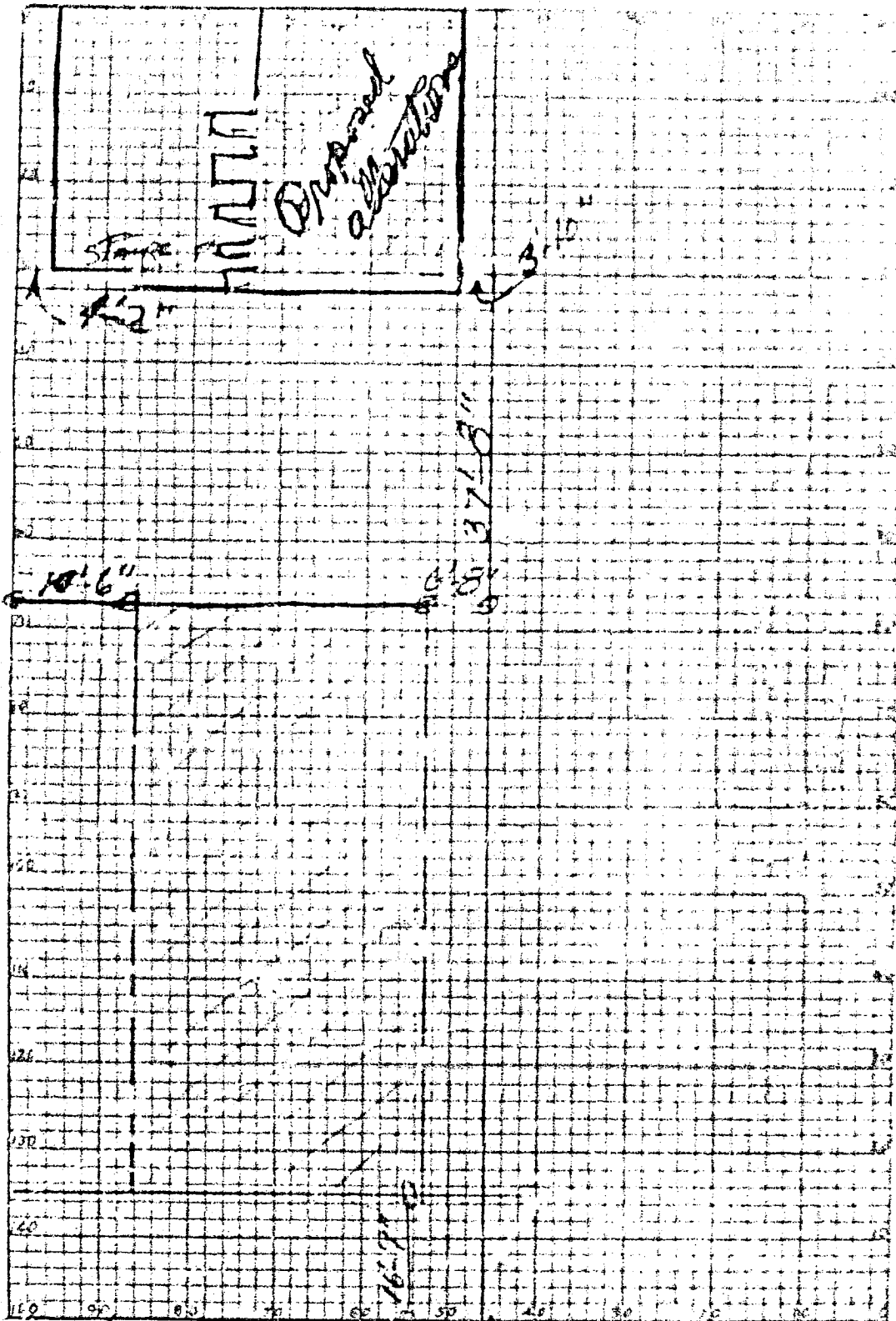
All Applications must be filled out by the Applicant.
 PLANS AND SPECIFICATIONS and other data must also be filed (Sign Here) James
 (Owner or Authorized Agent)
 (NOTE—Turn over and fill out blank on other side.)

FOR DEPARTMENTAL USE ONLY					
ZONE	F. D. No.	GROUP	SET-BACKS	CHECKED BY	ISSUED BY
<u>YC</u>	<u>2</u>	<u>UT</u>		<u>[Signature]</u>	<u>[Signature]</u>

1830-1832

5 front

Attachment C-1
 1830-A E. 1st St., LB



1830 E. 18151
 Commission of a single 1870
 Living quarters

Building *Living quarters*
 Height of Building *Two stories*
 Area of Building *23,500 sq ft*
 Area of Lot *5,500 sq ft*
 Area of Occupied Space

State of California
 County of Los Angeles
 1830-1832
 City of Los Angeles
 (Back)
 Attachment C-2

15

1830 A & B
11-2-45

92710 Building Valuation Sheet H. 97
 ADDRESS 222 E 1st St. 1830 A & B
 TRACT Abundant Beach, J. S.

LOT NO. 6 BLOCK NO. 51
 E. POR. W. POR. MID. POR. N. POR. S. POR. BUIL. 1927

EXAMINED BY M. O. DATE 3-6-46 RESULT 146

Kind of Building	Exterior	Co. Ft. Sq. Ft.	Base Factor	Assmt. Value
2 gpm riveted steel		528	275	184

1	2	3	4	N.W. Cor. FL.	N.E. Cor. FL.	S.W. Cor. FL.	S.E. Cor. FL.	Additional Room
2								Interior Finish
								Plumb's Fctn. 4
								Water Heater 6
								Lighting 40
								Tile Roof
								Elect. Refr.
								Heating
								Gar. Door LHM
								Buf. 40
								Sk. Case
								Dressers 40
								80

Furnace Units	Air Cond'r.	Fire Pl.	Mantel
Tile	Marble	Linoleum	Asphalt Tile
Marble			
Elevator	Marquise	Incinerator	Fire Escape

P. C. Assmt. Value	Total Assmt. Value	640
Assmt. Year	Age - Years	% Yrly. Dep.
1947	20% APPRECIATION	
1957	10% ADJUSTMENT	

Rep. Former Value Permit Date 11-2-45 Ans. 3000
 Add to Former Value 3400 3000 3000
 OWNER J. P. Jones
 Form 61-12M-10-45 - Scales Ptg. Co.

DATE
3/6/46

UNIT SQ FT
528.

PERMIT DATE
11/2/45

1830-32
12-13-45

ATTN: DAVE WOOD

FORM 6 ASSR. REAR BLDG PARCEL 645 19225
 Building Description Blank Index BOOK 18
 LOS ANGELES COUNTY ASSESSORS OFFICE
 ST. NO. 1830-B E. 1st
 TRACT Alhambra Beach

LOT NO. 5 BLOCK NO. 57
 EXAMINED BY ADW DATE 12-13-45

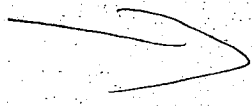
CLASS <input checked="" type="checkbox"/> Bungalow <input checked="" type="checkbox"/> Single <input checked="" type="checkbox"/> Double <input checked="" type="checkbox"/> Residence <input checked="" type="checkbox"/> California <input checked="" type="checkbox"/> Dwelling <input checked="" type="checkbox"/> Cottage <input checked="" type="checkbox"/> Factory <input checked="" type="checkbox"/> Warehouse <input checked="" type="checkbox"/> Church <input checked="" type="checkbox"/> School <input checked="" type="checkbox"/> Garage <input checked="" type="checkbox"/> Barn <input checked="" type="checkbox"/> Shed <input checked="" type="checkbox"/> Poultry House <input checked="" type="checkbox"/> Store <input checked="" type="checkbox"/> Auto Court <input checked="" type="checkbox"/> Bungalow Court <input checked="" type="checkbox"/> Flat <input checked="" type="checkbox"/> Studio <input checked="" type="checkbox"/> Apartment <input checked="" type="checkbox"/> No. Units <input checked="" type="checkbox"/> Area per <input checked="" type="checkbox"/> Unit <input checked="" type="checkbox"/> Room <input checked="" type="checkbox"/> Plb. Fixt.	EXTERIOR <input checked="" type="checkbox"/> 1 1/2 Story <input checked="" type="checkbox"/> Stucco <input checked="" type="checkbox"/> Shakes <input checked="" type="checkbox"/> Siding <input checked="" type="checkbox"/> Sheet Steel <input checked="" type="checkbox"/> Wide Siding <input checked="" type="checkbox"/> Knotty Pine <input checked="" type="checkbox"/> Vertical Siding <input checked="" type="checkbox"/> Plaster on Tile <input checked="" type="checkbox"/> Asbestos Siding <input checked="" type="checkbox"/> Brick Veneer <input checked="" type="checkbox"/> Corrugated Iron <input checked="" type="checkbox"/> Flat Galv. Iron <input checked="" type="checkbox"/> Transite <input checked="" type="checkbox"/> Frame: Wood Steel	HEATING <input checked="" type="checkbox"/> Fireplace Single Dbl. <input checked="" type="checkbox"/> Insulation <input checked="" type="checkbox"/> Gas Furnace <input checked="" type="checkbox"/> No. Pipes Units <input checked="" type="checkbox"/> Gas <input checked="" type="checkbox"/> Elec. Heaters <input checked="" type="checkbox"/> Blower Furnace <input checked="" type="checkbox"/> Floor Furnace <input checked="" type="checkbox"/> Wall Heaters <input checked="" type="checkbox"/> Ventilating Sys. <input checked="" type="checkbox"/> Washed Air <input checked="" type="checkbox"/> Refrig. Air H.P.	EXT. FEATURES <input checked="" type="checkbox"/> Steel Sash <input checked="" type="checkbox"/> All Part <input checked="" type="checkbox"/> Cop. Spouts Screens <input checked="" type="checkbox"/> Galv. <input checked="" type="checkbox"/> Trim-Tile Plaster <input checked="" type="checkbox"/> Stone Wood Brk. <input checked="" type="checkbox"/> Cornice Boxed
FOUNDATION <input checked="" type="checkbox"/> Concrete <input checked="" type="checkbox"/> Brick <input checked="" type="checkbox"/> Hillside <input checked="" type="checkbox"/> Stone <input checked="" type="checkbox"/> Cross Walls <input checked="" type="checkbox"/> Wood <input checked="" type="checkbox"/> Steel Joists <input checked="" type="checkbox"/> Piers	BASEMENT <input checked="" type="checkbox"/> feet x <input checked="" type="checkbox"/> feet x <input checked="" type="checkbox"/> feet deep <input checked="" type="checkbox"/> @ 1 sq. ft.	LIGHTING <input checked="" type="checkbox"/> Cheap <input checked="" type="checkbox"/> Medium <input checked="" type="checkbox"/> Good <input checked="" type="checkbox"/> Special	BUILT-INS <input checked="" type="checkbox"/> Refrigerator <input checked="" type="checkbox"/> Elec. Gas, Ice <input checked="" type="checkbox"/> Buffet Bookcases <input checked="" type="checkbox"/> Patent Beds <input checked="" type="checkbox"/> Cedar Closets <input checked="" type="checkbox"/> Venetian Blinds 1922 BUILT 1945 1938

Check Sanitas	B	1	2	3	BUILDING VALUE				
Living Room		2			Year	1946			
Living-Dining Combination					No. Sq. Feet	462			
Bedrooms					@ \$	2.00			
Dressing Rm.					Building Value	924			
Bathroom					Basement Value				
" No Tub		2			Garage Value				
Tile () ()					Office Value				
Kitchen					Other Value				
Bfst. R. or N.									
Plank Hdwd. Floors									
Hdwd. Doors									
Hdwd. Finish									
P. C. by	Date	%	P.C. Val.		Total Value	924			

Year	Depr.	Spec. Depr.	Depr. Value	Assessed Value	Year	Depr.	Spec. Depr.	Depr. Value	Assessed Value
1946	6		868	430					
47	570			530					
57		110		580					

ORIGINAL UNITS 1922 A + B 1945 1938

UNIT SQ FT. 462



16.

1830-32

Front

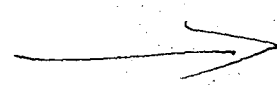
183-32
2-27-60

LOCATION IF CUT		BUILDING DESCRIPTION	
BOOK	INDEX	FOR ANGELES COUNTY RECORDS OFFICE	
DATE		EXAMINED BY	
ON M. B. M. ON		DATE	
BY		(REAR)	
BLOCK NO.		LOT NO.	
DATE		DATE	
EXT. FEATURES		HEATING	
INSIDE FINISH		PLUMBING	
BUILT-INS		LIGHTING	
BUILT		CLASSIFICATION	
CLASSIFICATION		BUILDING VALUE	
OWNER'S NAME		PERMIT NO.	
COMPT. CHECKED		DATE	
E. ON		AMOUNT	
M. B.		DATE	
DATE		COMPARED	

*This part of old garage
was added into kitchen and
two bathrooms*

#819 5/6/60 250 ROAD ART. NAV. PERMIT
F. C. Vol. 81/1/60

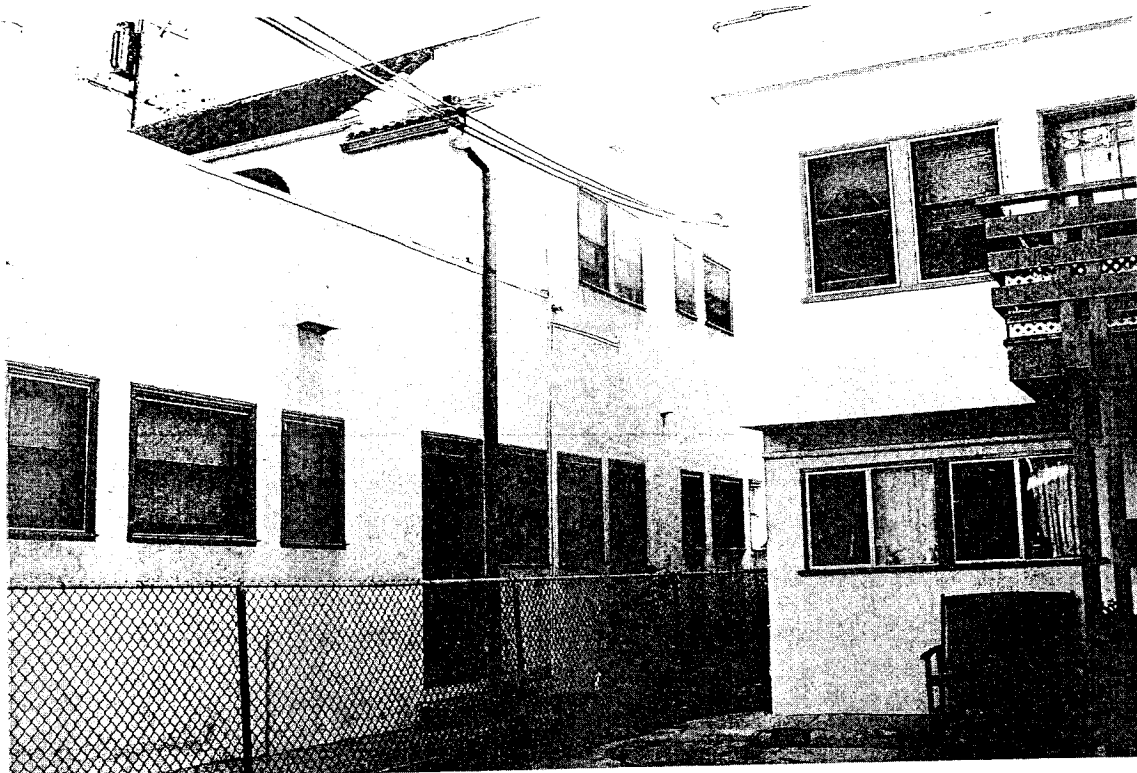
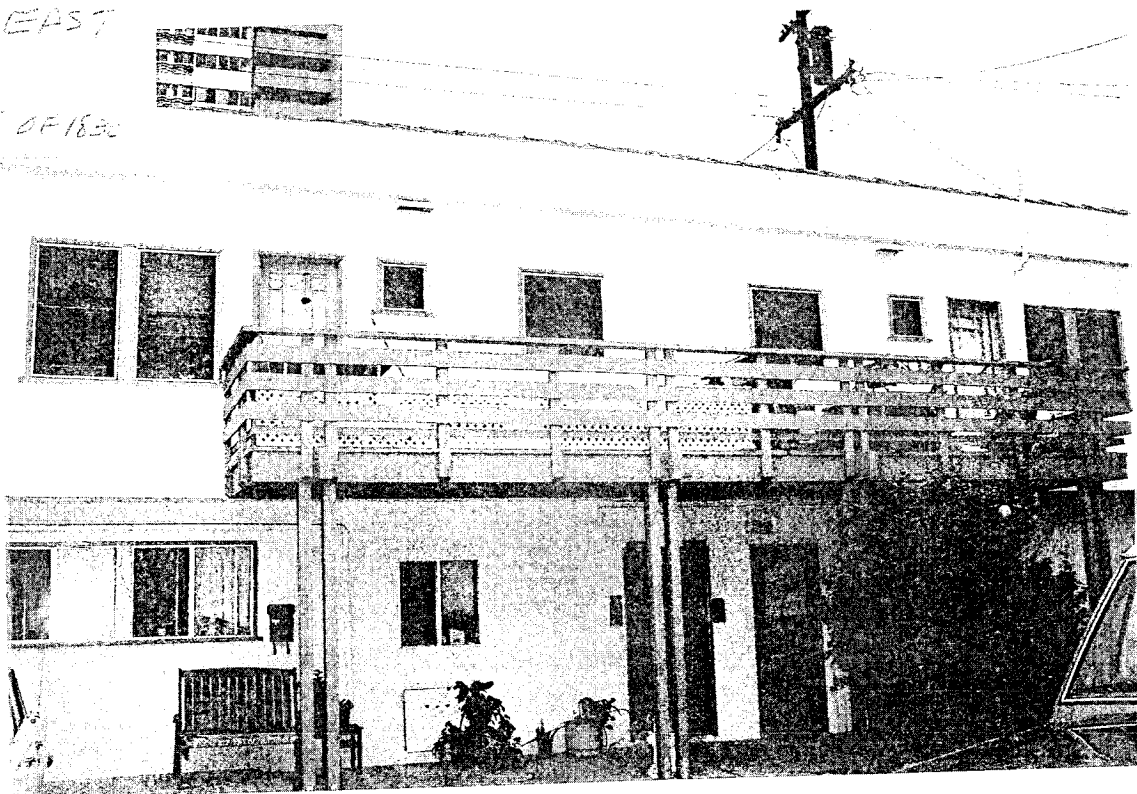
OWNER'S NAME	DATE	AMOUNT
COMPT. CHECKED	DATE	AMOUNT
E. ON	DATE	AMOUNT
M. B.	DATE	AMOUNT
DATE	DATE	AMOUNT
COMPARED	DATE	AMOUNT



1832

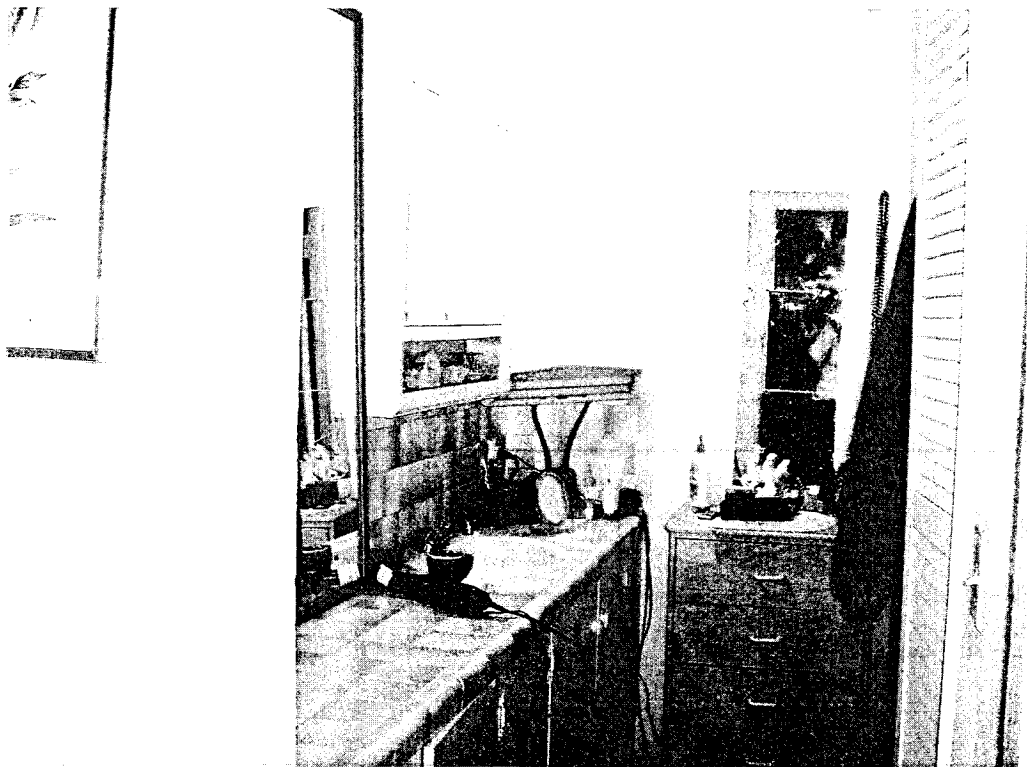
UPPER EAST

REVERSE OF 1832



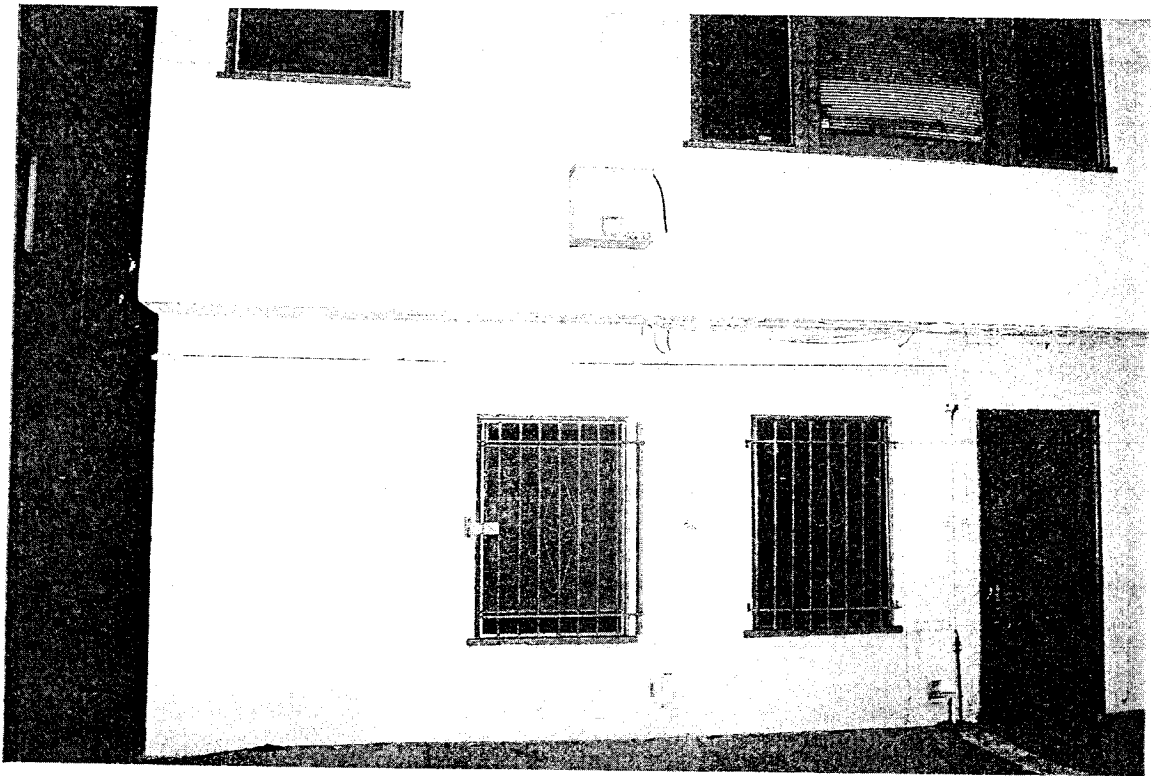
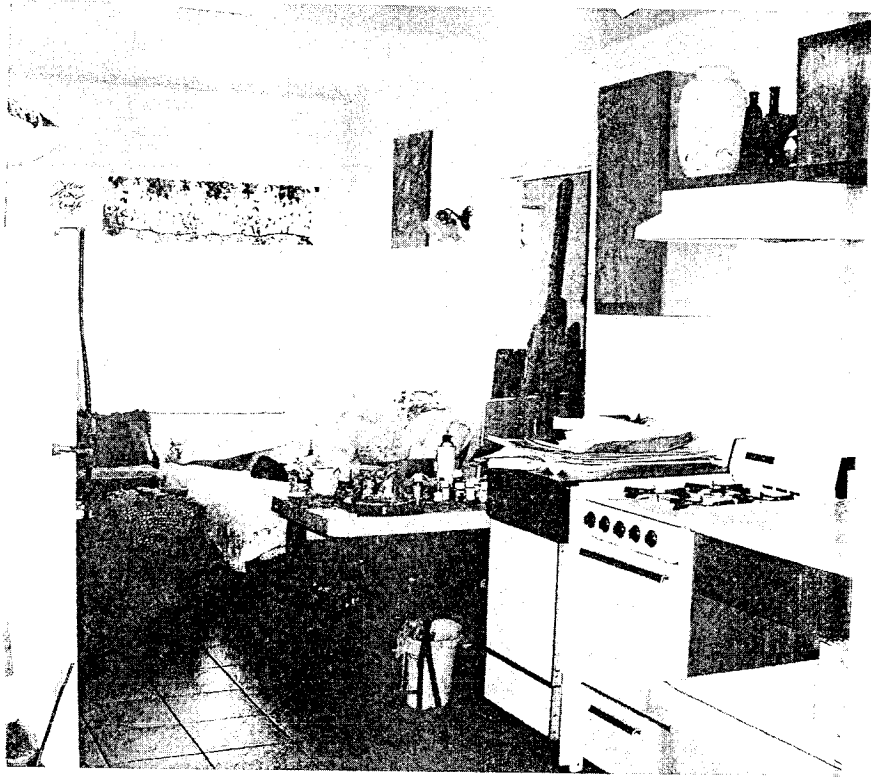
1830 - B

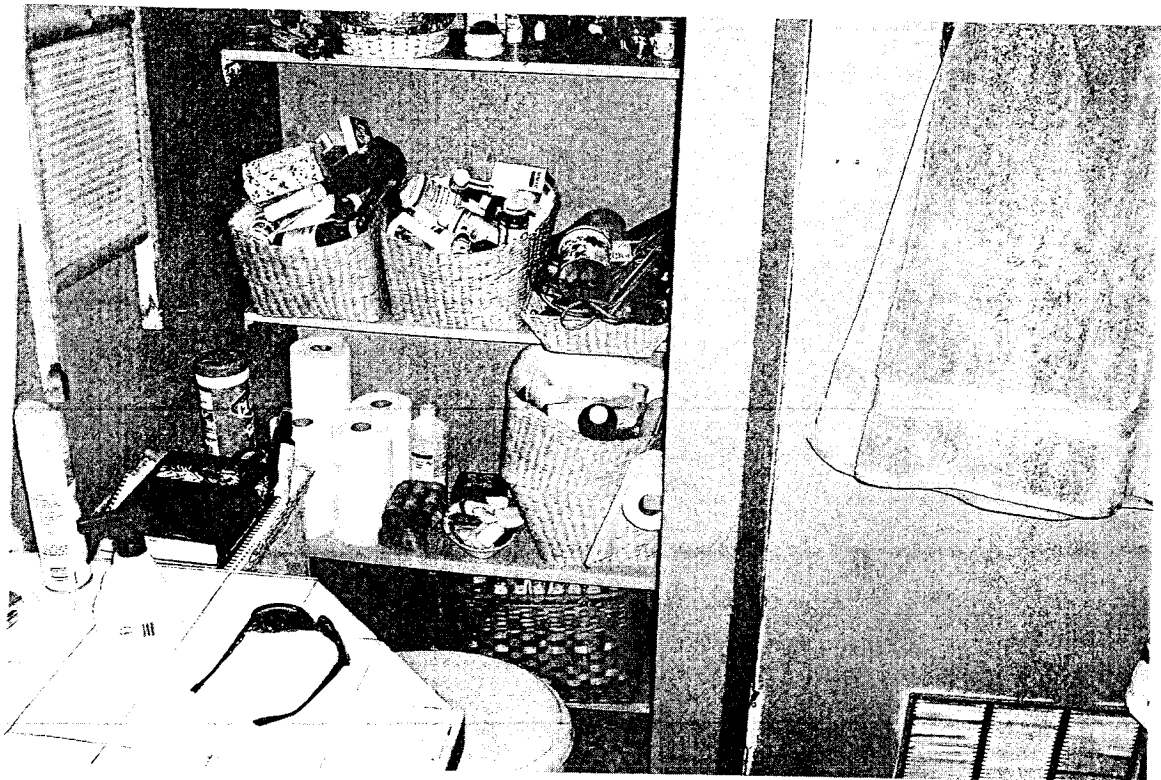
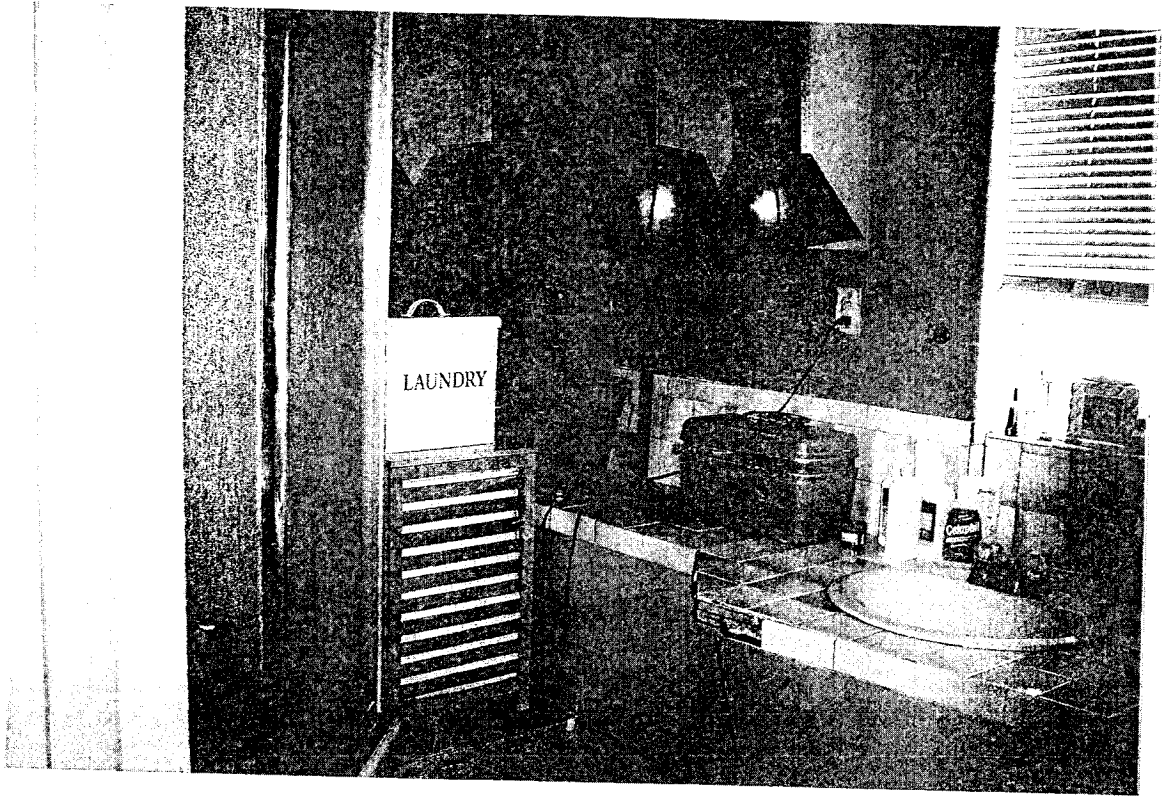
WEST SIDE

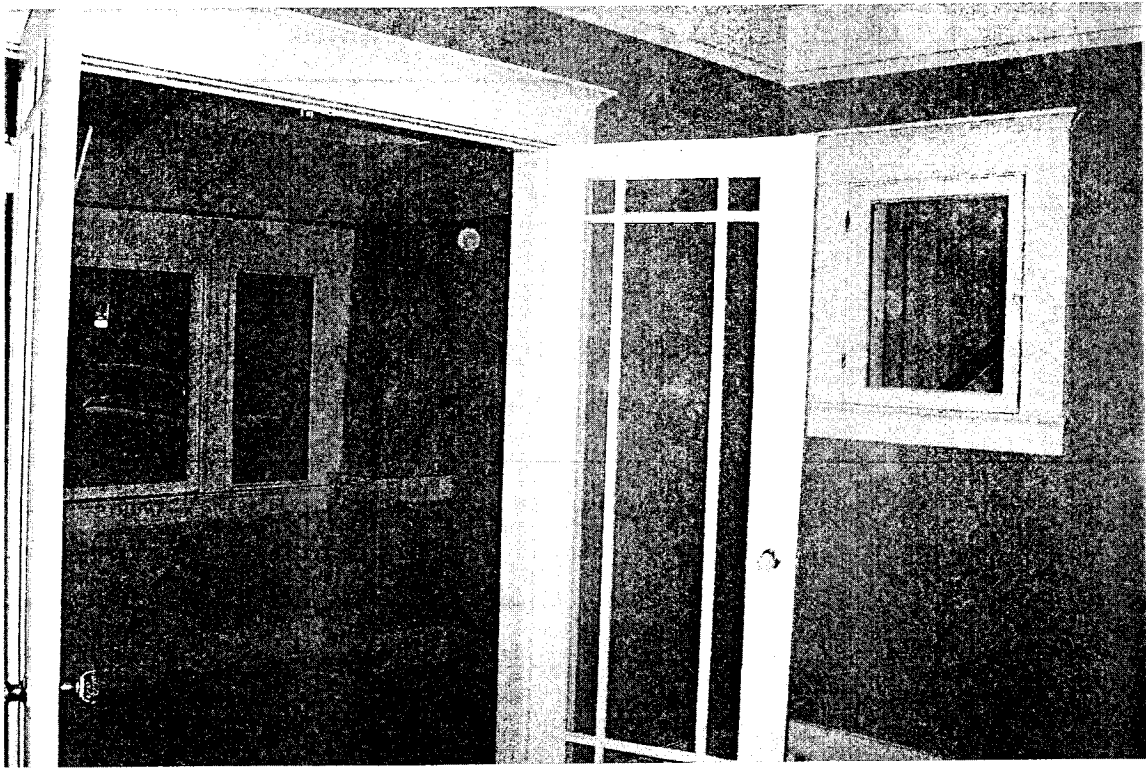
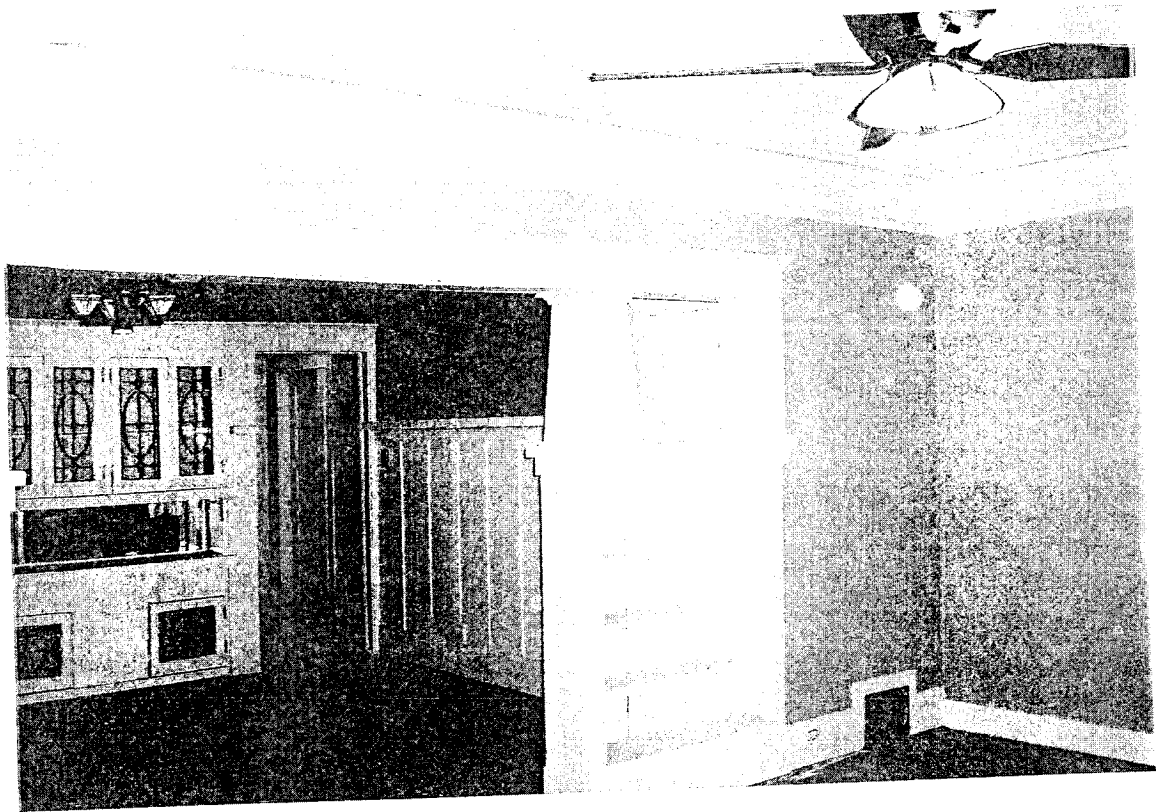


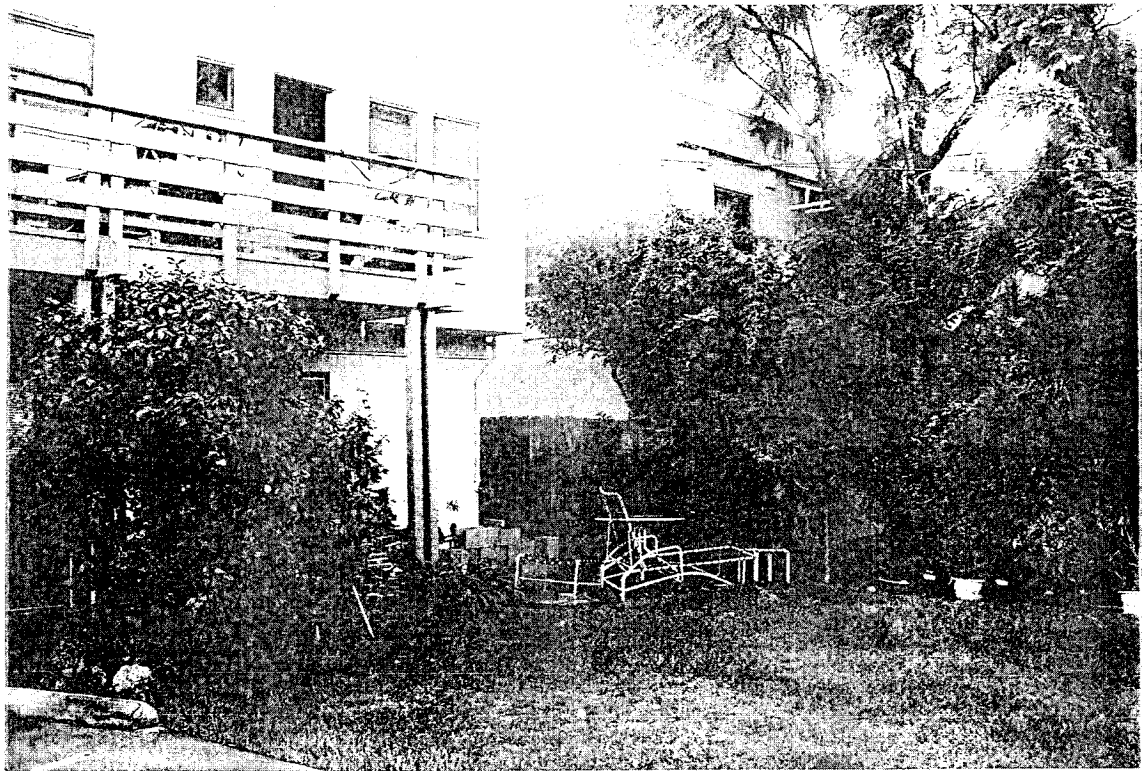
1930 B

BACK DOOR

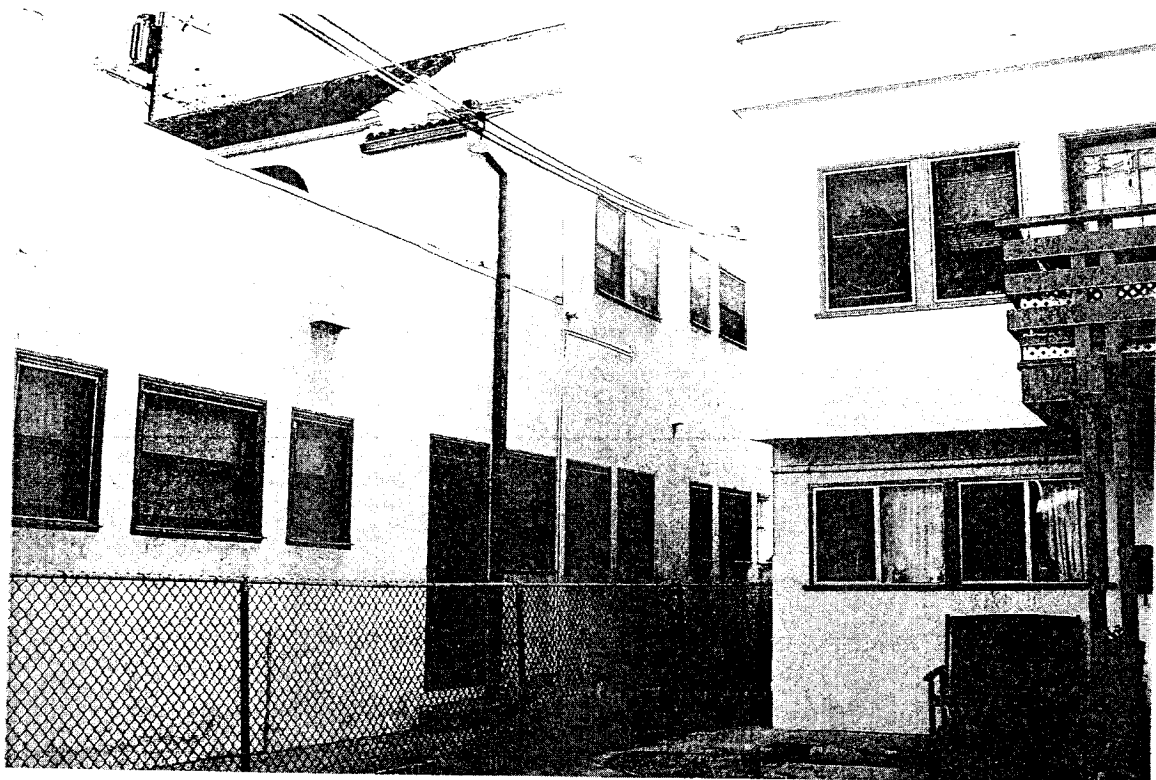




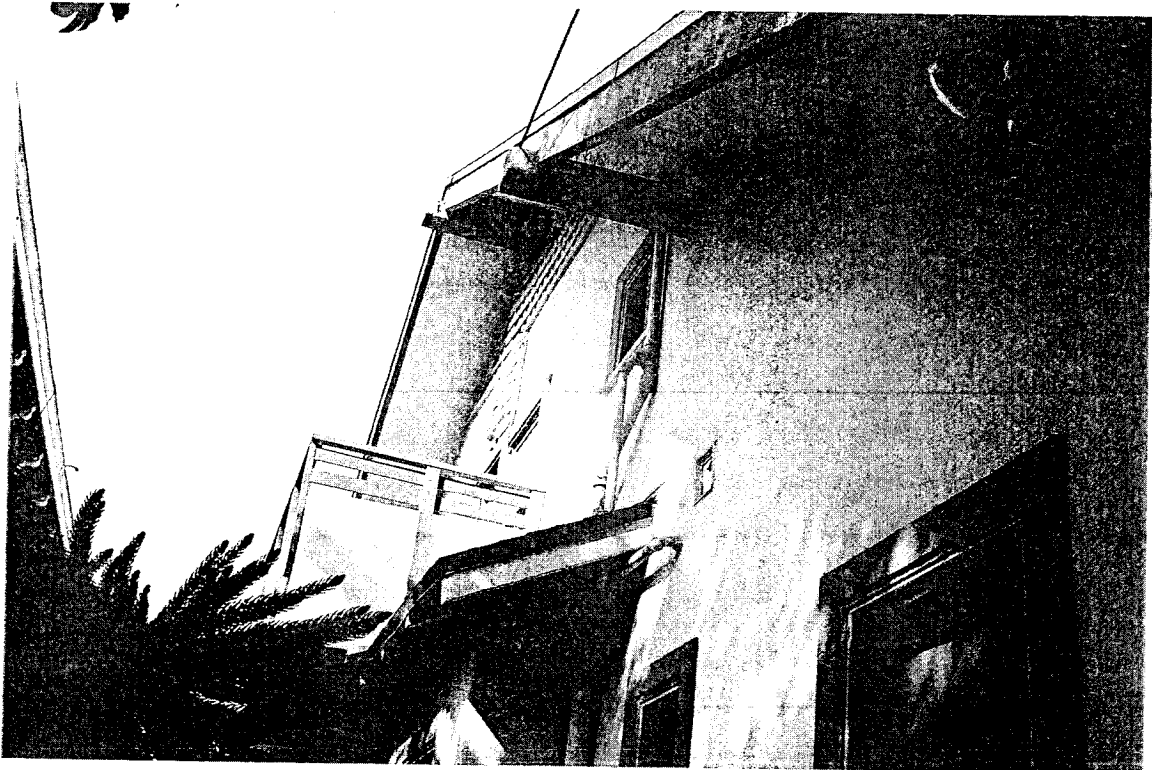




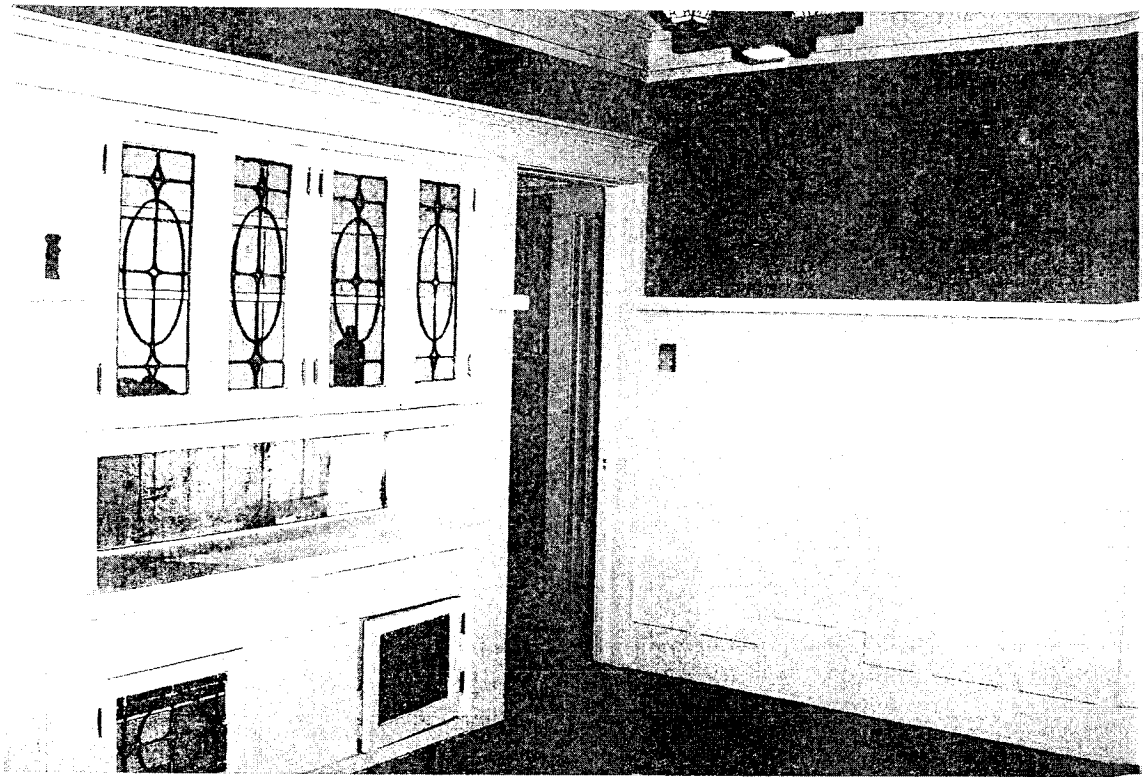
WEST NEIGHBOUR - 6 UNITS



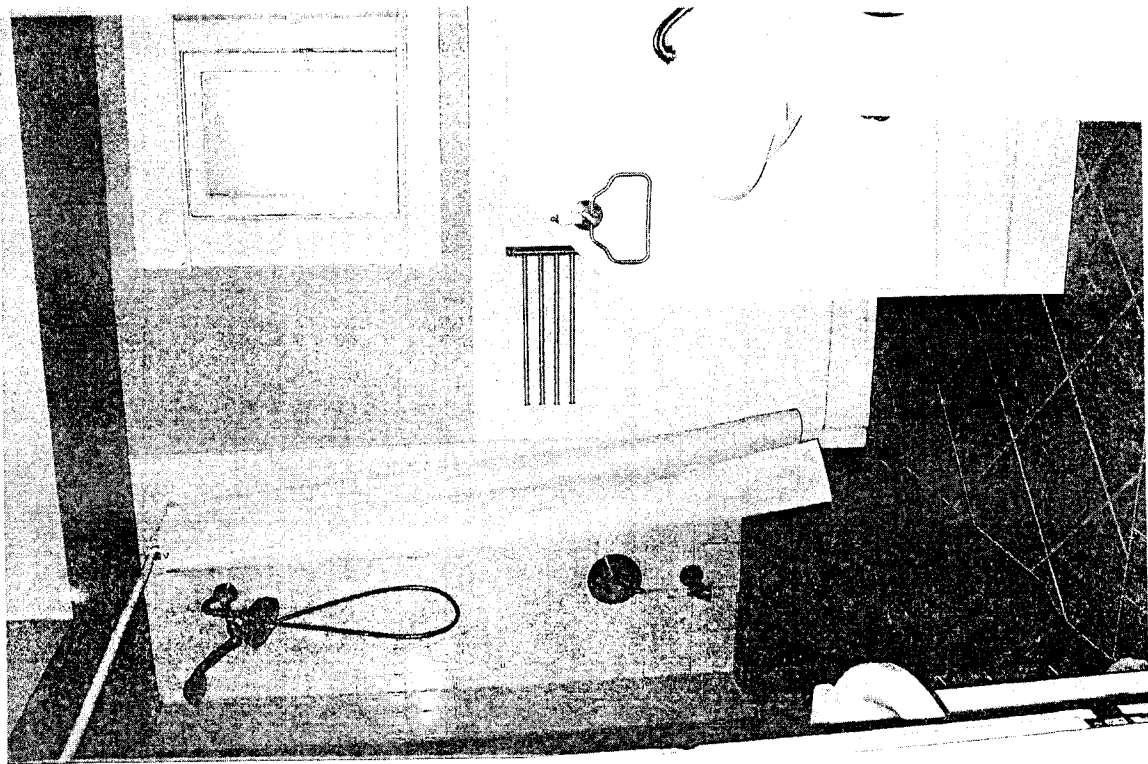
EAST NEIGHBOUR - 16 UNITS

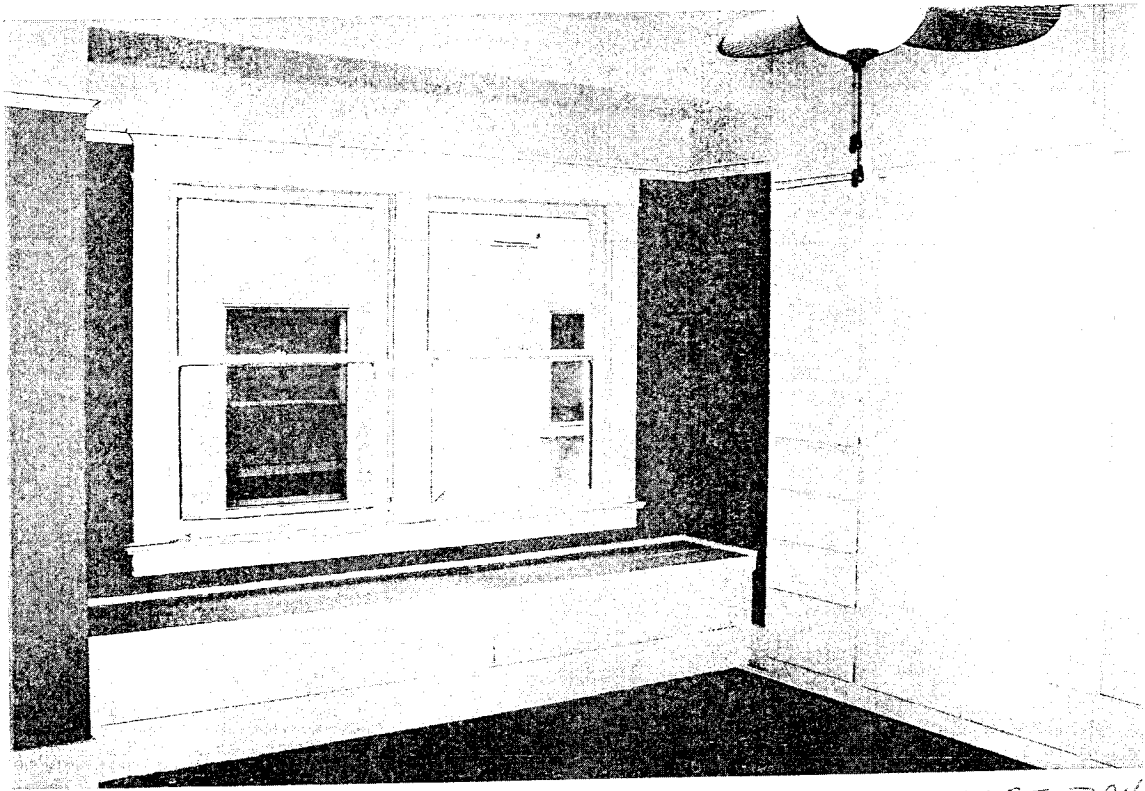


WEST SIDE BAY WINDOW

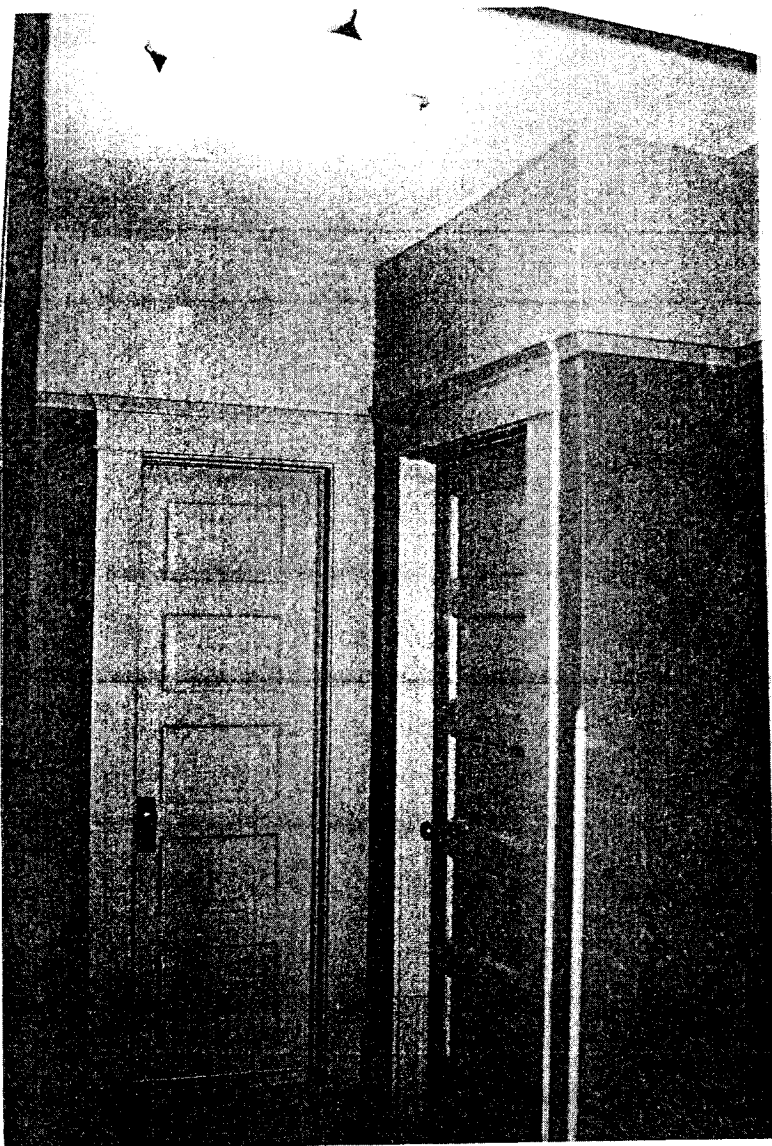


EAST BAY

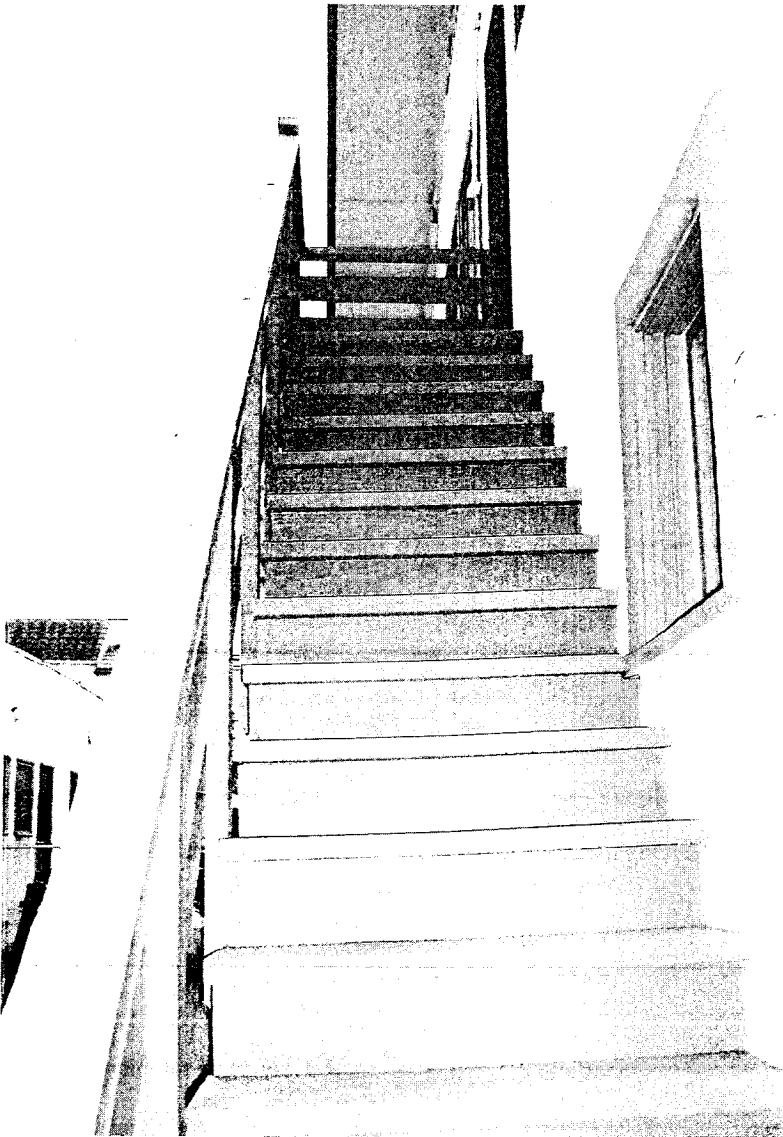
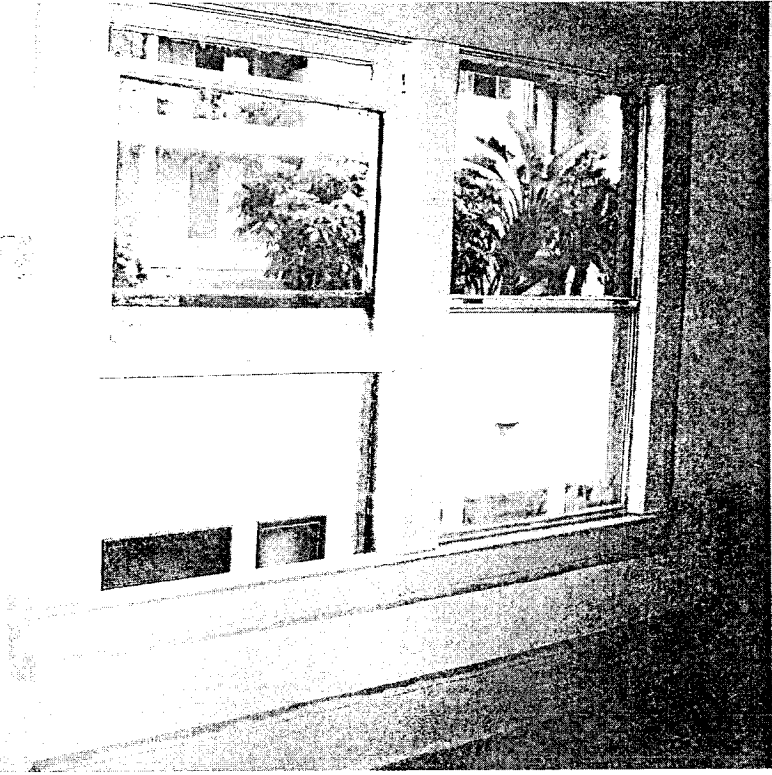
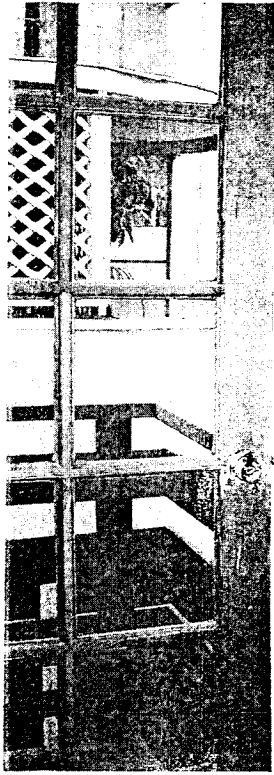




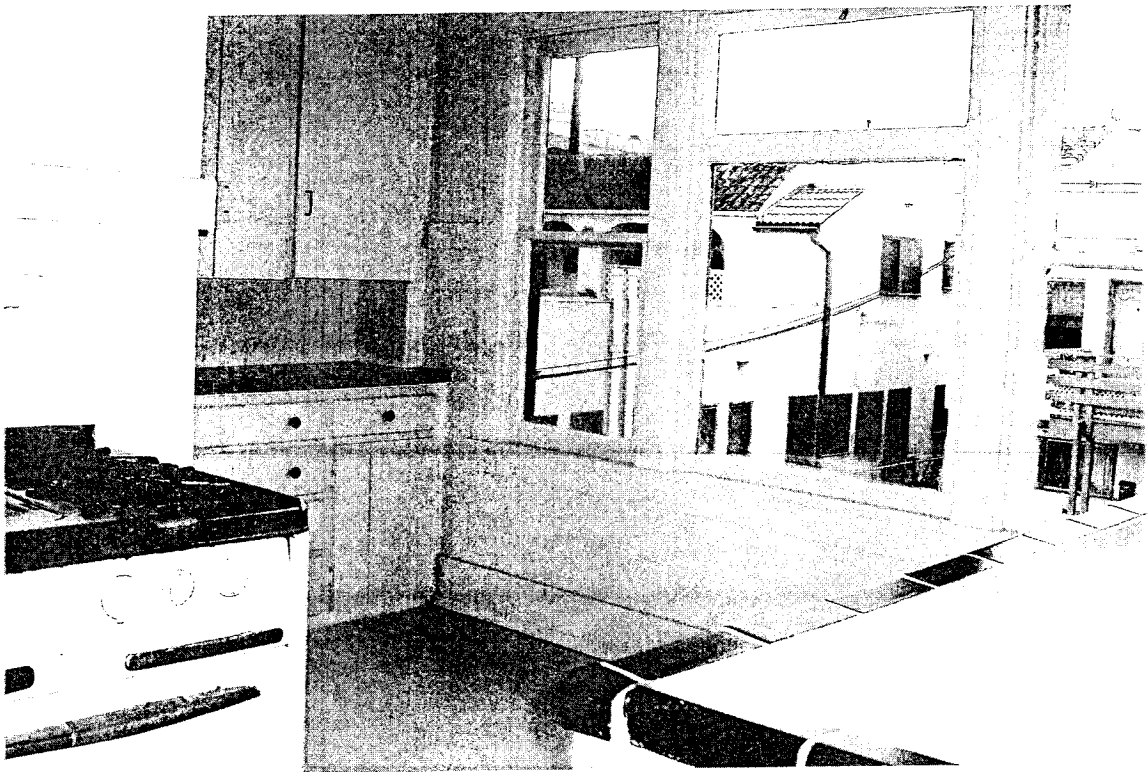
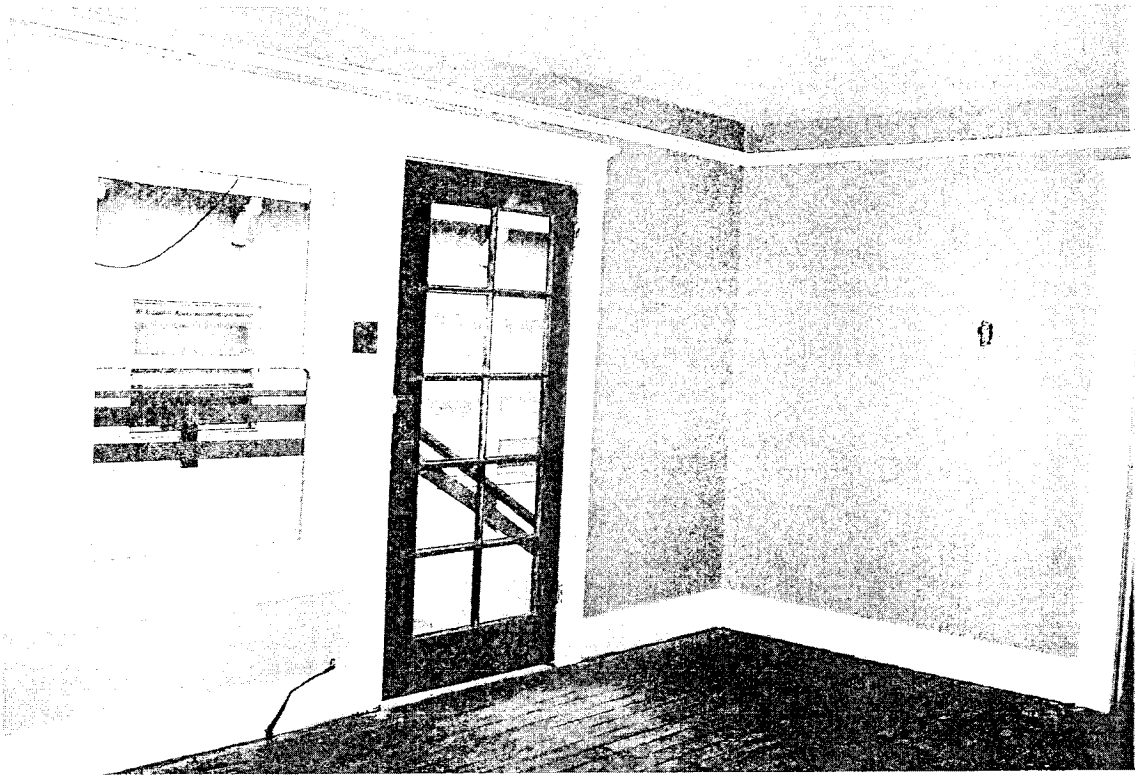
WEST BAY WINDOW

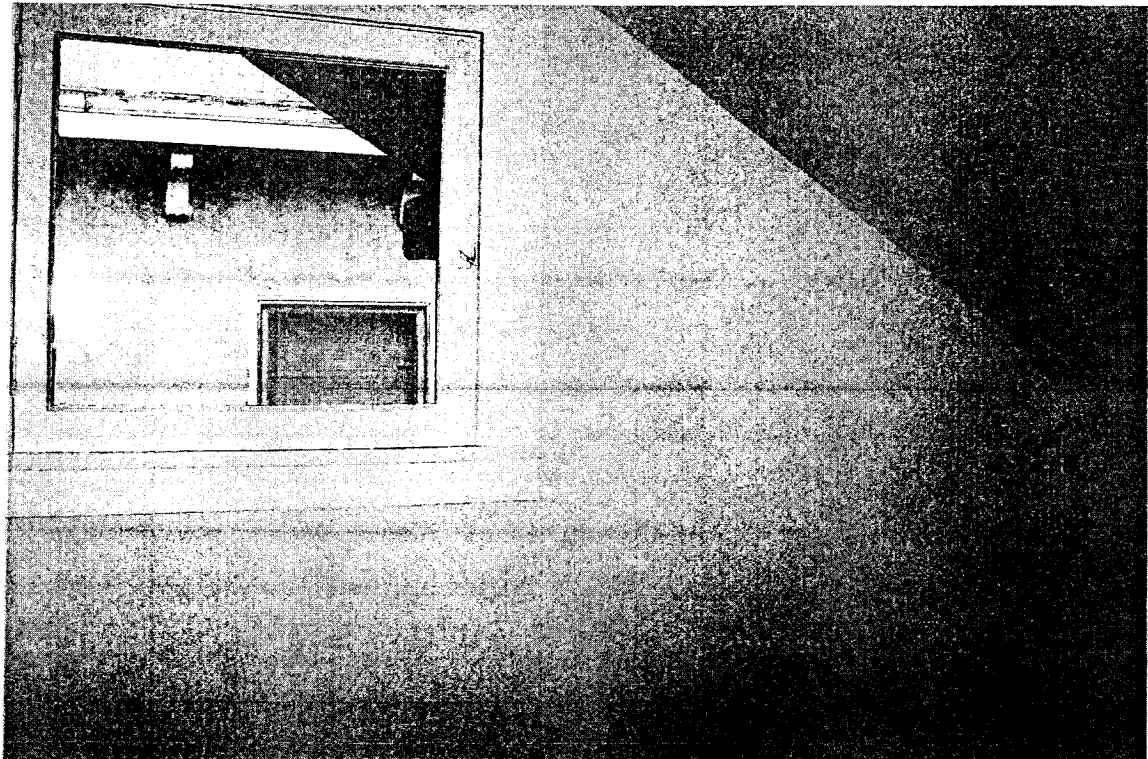
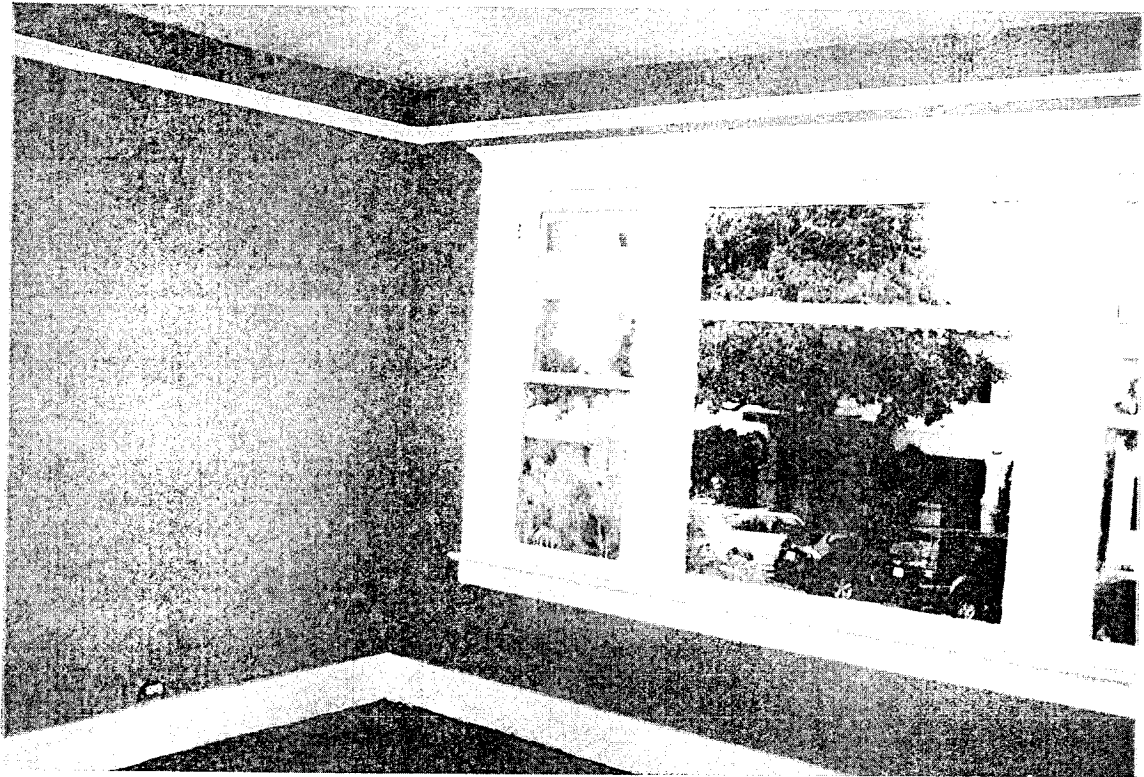


CENTER HALL

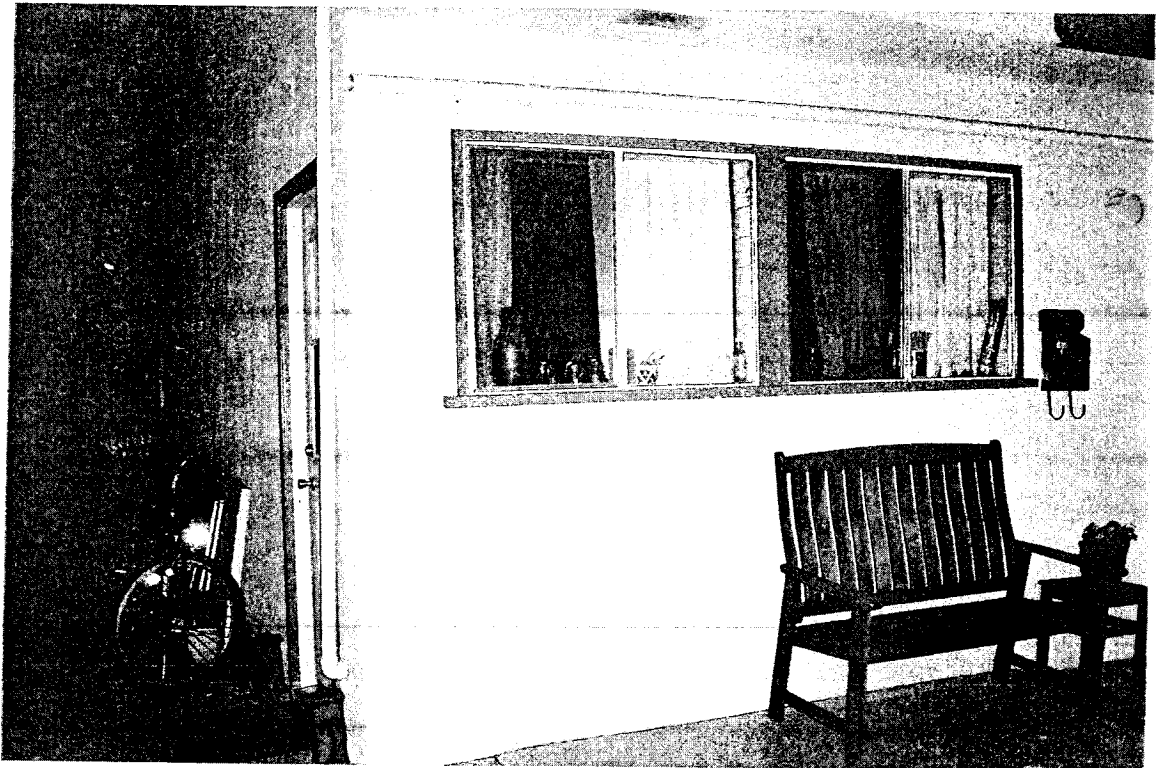
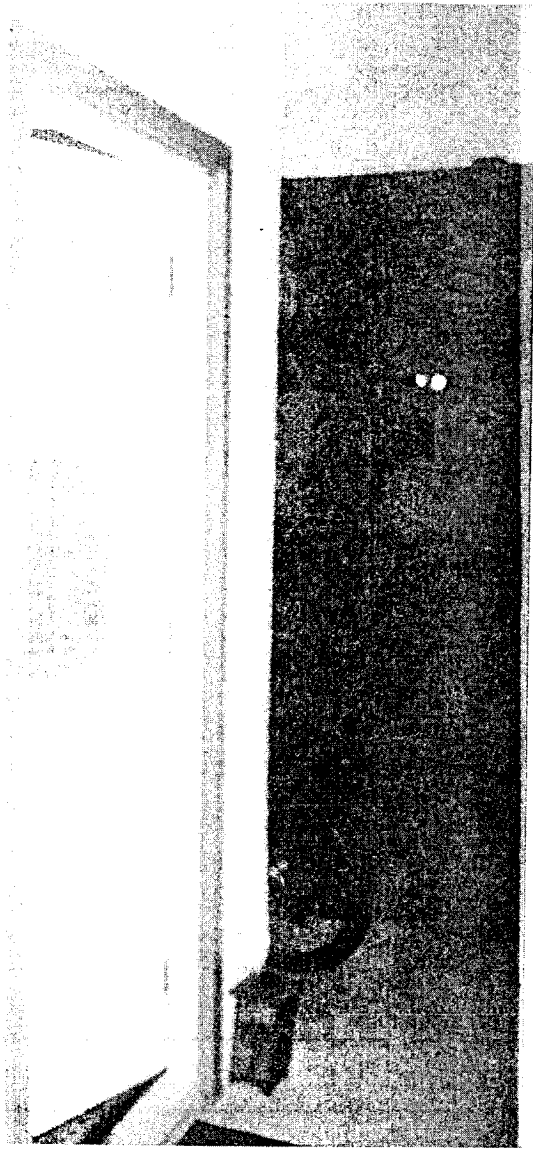


1828 1/2
EAST SIDE

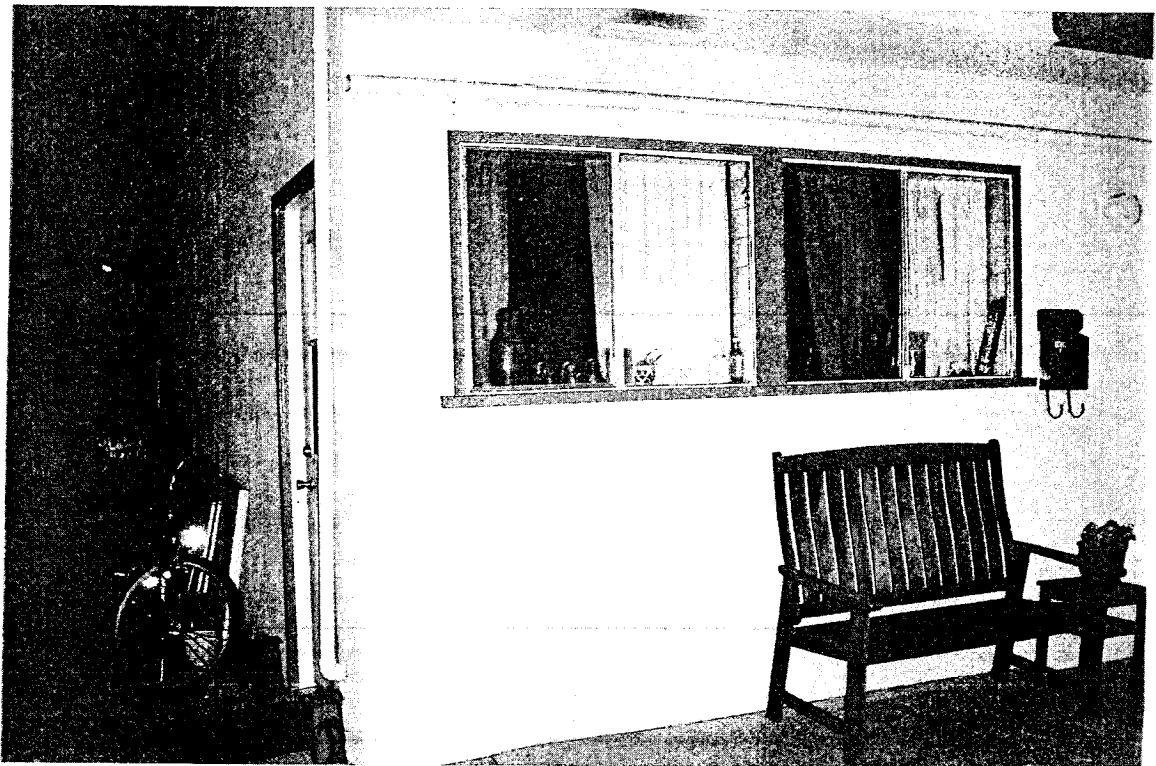
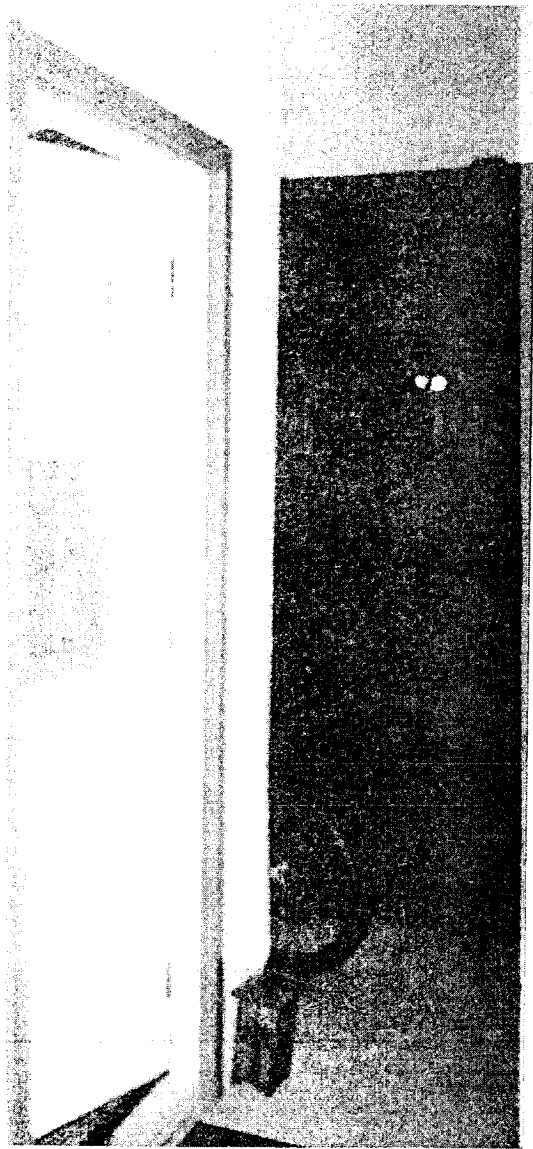


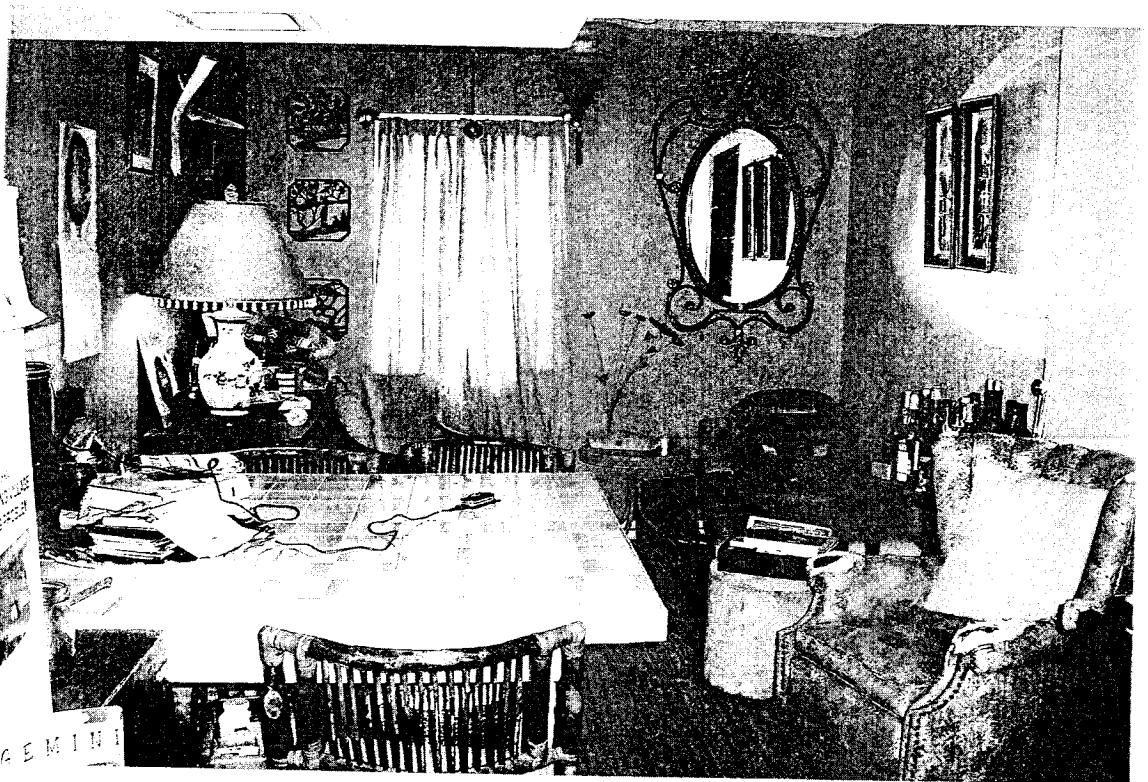


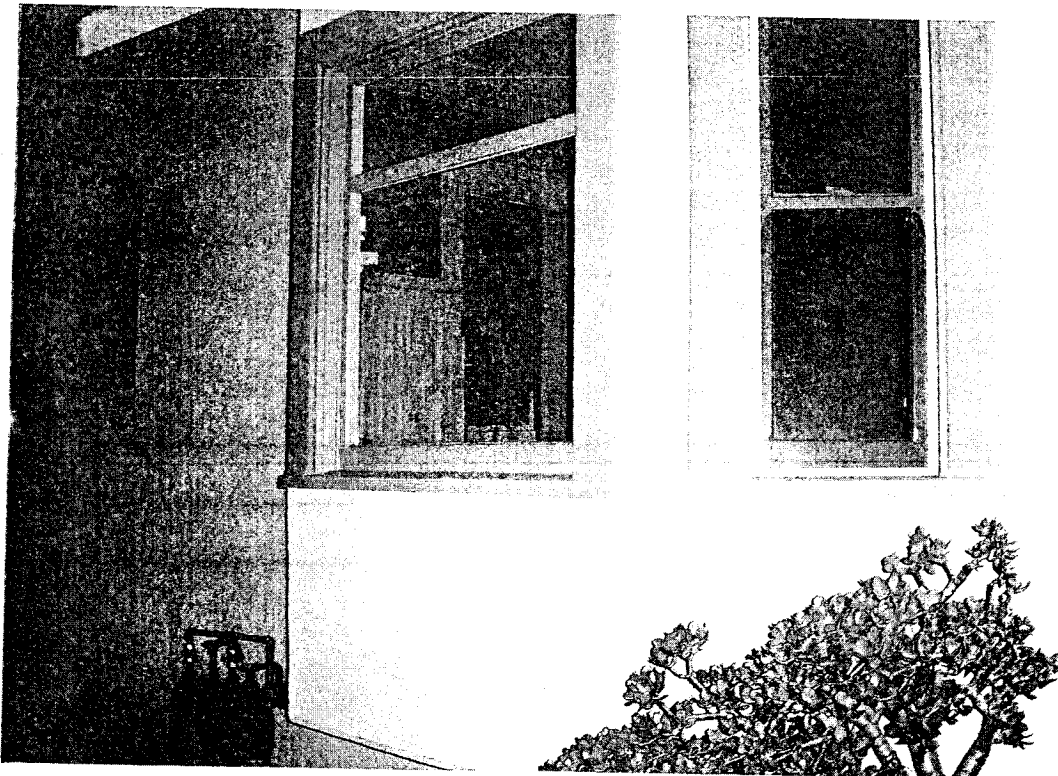
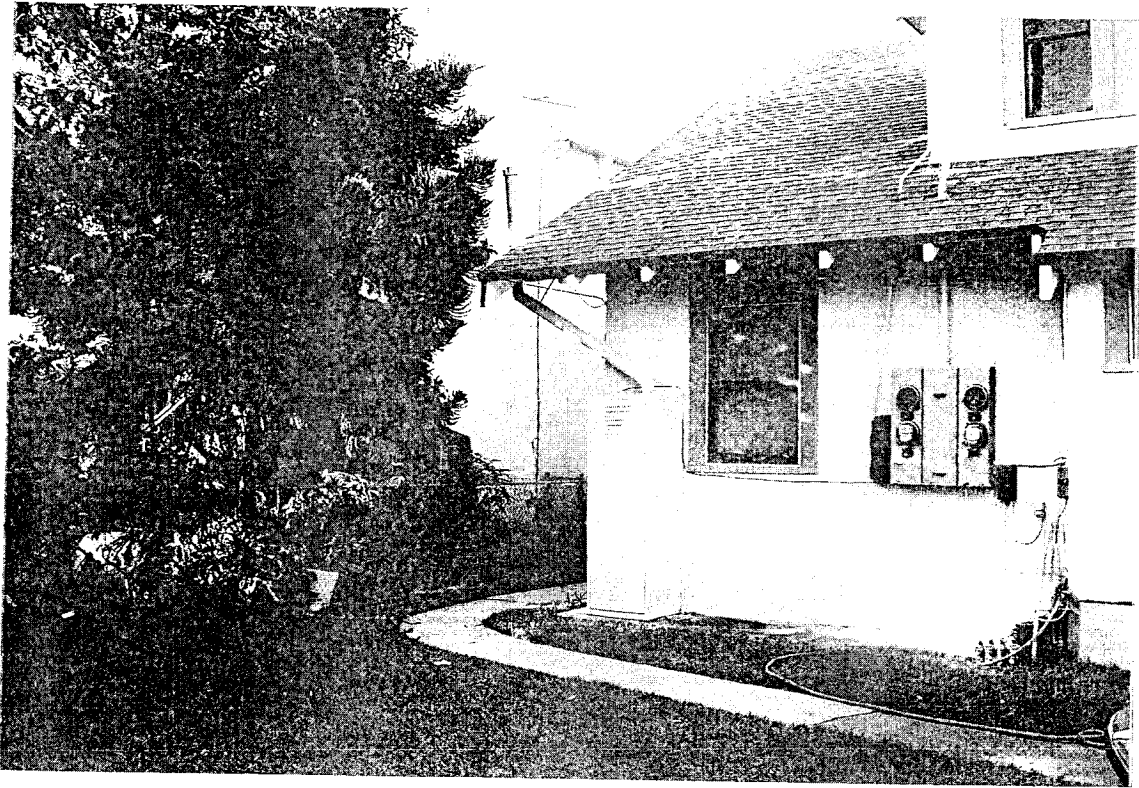
1030 A.



1030 A.

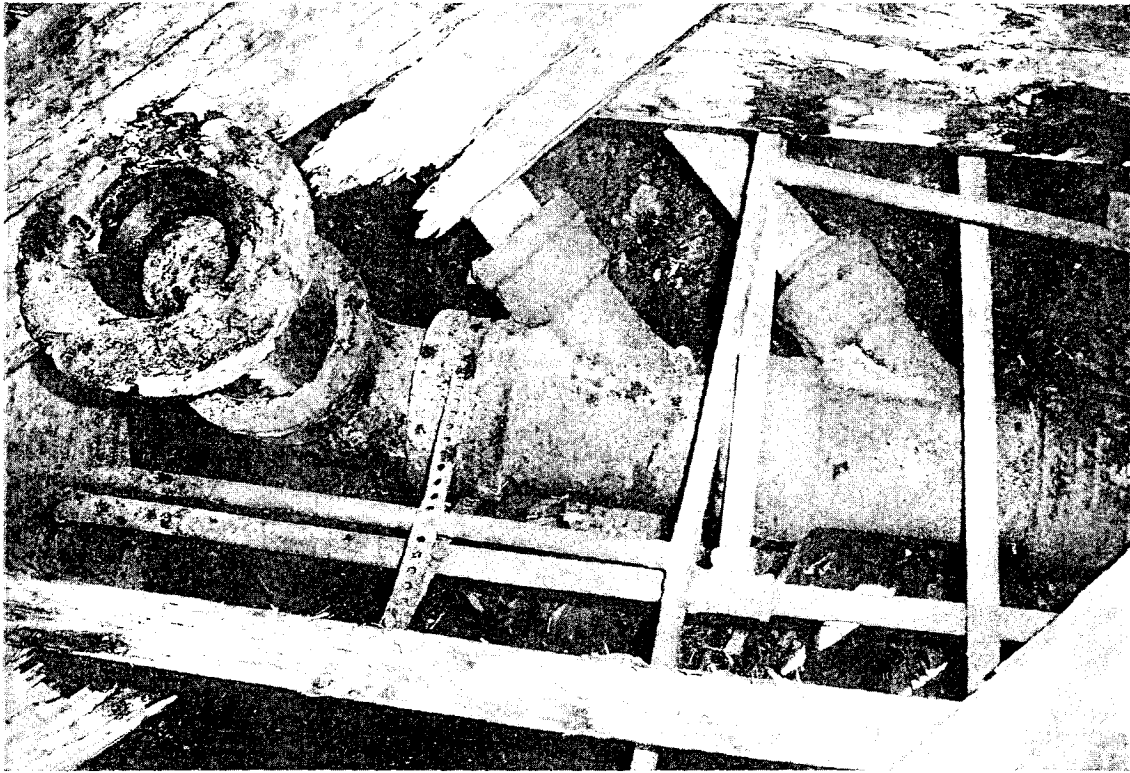






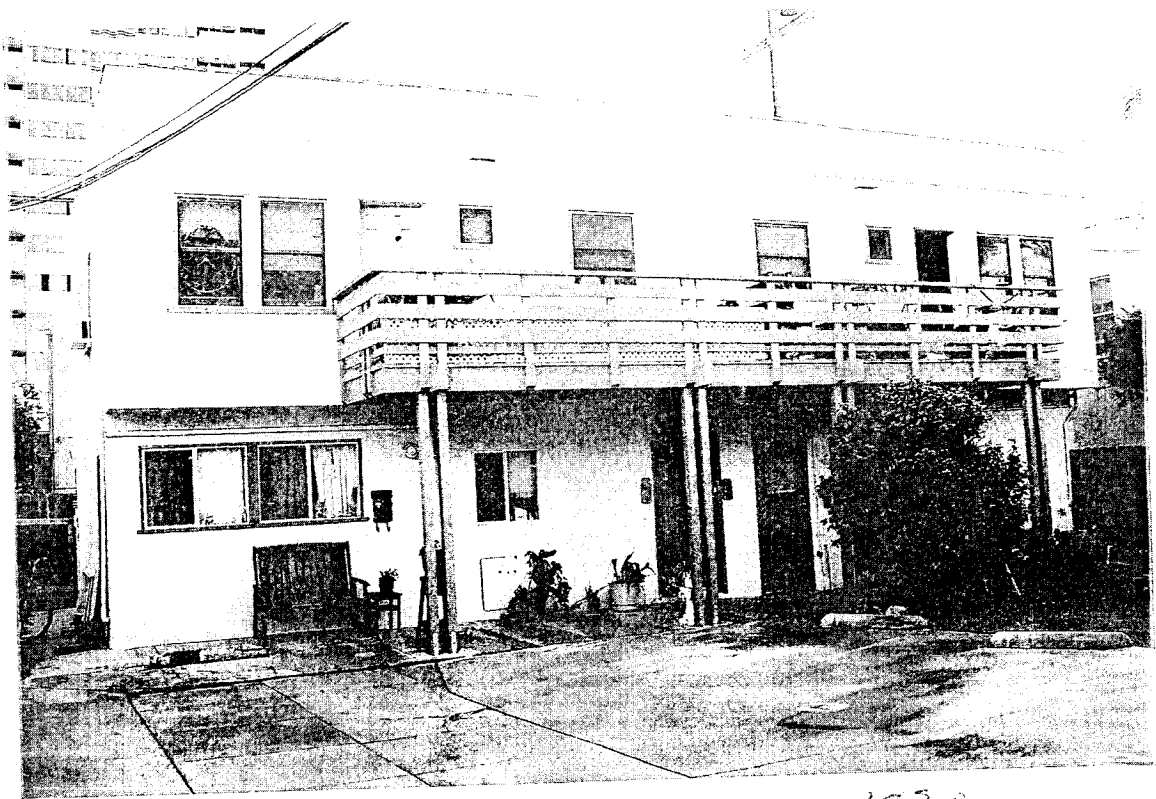
EAST SIDE BAY WINDOW

TAKEN
BY
N.
KOTSCH
↳



THE ^{MANY} PICTURES OF PLUMBING TAKEN FOR DAVE WOODS BY JOE SANTIAGO (WHICH WERE PROMISED OVER A YEAR AGO & HAVE YET TO BE DELIVERED BY DAVE) SHOW THE 40'S ERA HUB & PIGOT WASTE PIPE THAT IS INEXTRICABLY LINKED WITH THE UPSTAIRS BATHS AND KITCHENS AS WELL AS DOWNSTAIRS STUDIO BATH AND KITCHENETTE.

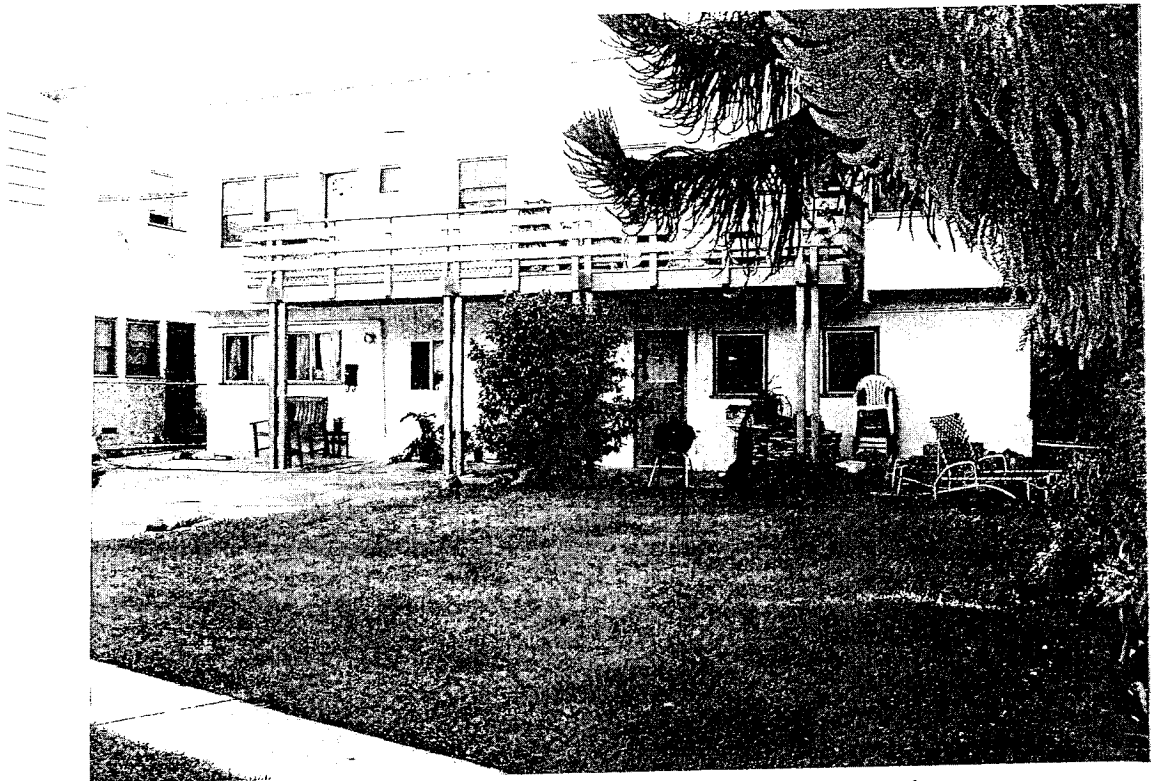
THE INTRACTABLE NATURE OF THIS ANTIQUATED PLUMBING MATERIAL PROVES THE UNITS WERE PART OF THE APPROVED 1946 PERMIT (#K1872) WHICH INCLUDED A SKETCH OF THE SQ. FT. ADDITION FOR THE DOWNSTAIRS STUDIO BATH ROOM.



1832

UPPER

1830



1830 A.

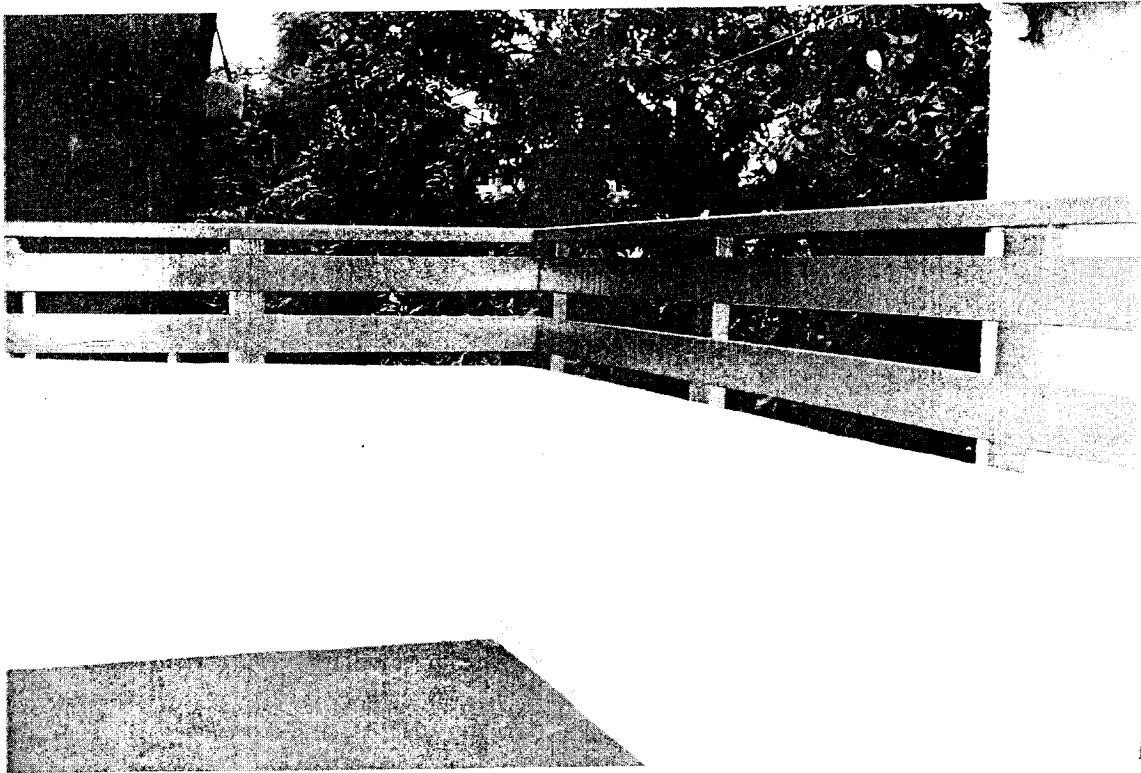
LOWER 1830 B

1826

ENTRANCE
FRONT DRIVEWAY



1956 7/2



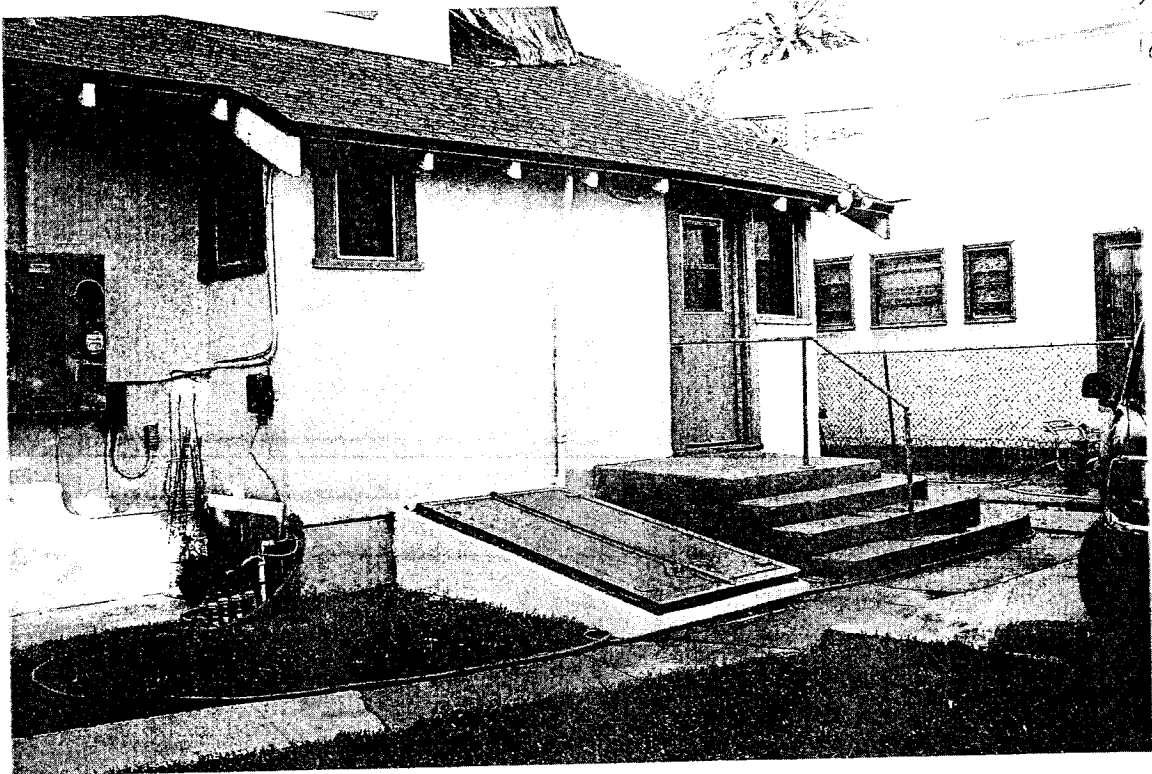


1878

FRONT-

90°

1885





CITY OF LONG BEACH

DEPARTMENT OF PLANNING & BUILDING

333 West Ocean Boulevard, 7th Floor Long Beach, CA 90802 (562) 570-6194 FAX (562) 570-6068

ZONING DIVISION

December 21, 2006

CHAIRMAN AND PLANNING COMMISSIONERS
City of Long Beach
California

SUBJECT: Request for approval of Administrative Use Permit and Local Coastal Development Permit to legalize four (4) dwelling units creating a total of eight (8) dwelling units at the project site. (Council District 2).

LOCATION: 1826-1932 E. 1st Street

APPLICANT: Natalie Kotsch
604 18th Street
Huntington Beach, CA 92648

RECOMMENDATION

Continue the hearing to January 4, 2007

DISCUSSION

The applicant has requested a continuance to the meeting of January 4, 2007.

Respectfully submitted,

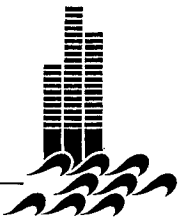
SUZANNE FRICK,
DIRECTOR OF PLANNING AND BUILDING

By:


STEVEN VALDEZ
PLANNER

Approved:


for CAROLYNE BIHN
ZONING ADMINISTRATOR

**CITY OF LONG BEACH**

DEPARTMENT OF PLANNING & BUILDING

333 W. Ocean Boulevard

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

December 21, 2006

CHAIRMAN AND PLANNING COMMISSIONERSCity of Long Beach
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SUBJECT: Request for approval of a Administrative Use Permit and Local Coastal Development Permit to legalize four (4) dwelling units creating a total of eight (8) dwelling units at the project site. (Council District 2)

LOCATION: 1826-1932 E. 1st Street

APPLICANT: Natalie Kotsch
604 18th Street
Huntington Beach, CA 92648

RECOMMENDATION

Approve the legalization of one (1) dwelling unit for a total of five (5) dwelling units at the project site with conditions of approval requiring that the remaining unpermitted uses be converted back to their original use.

REASON FOR RECOMMENDATION

1. The approval of four (4) additional units is not consistent with the General Plan and the Zoning Regulations as only five dwelling units would be allowed on the project site based on current zoning.
2. The approval of all four (4) unpermitted units will be detrimental to the surrounding community due to lack of parking, over-density, lack of open space, and the condition of the units.

BACKGROUND

The site is located on the south side of 1st Street between Hermosa Avenue and Cherry Avenue and is approximately 8,250 square feet (55 x 150) in area. The site is located in the R-4-R Zoning District and consists of eight (4 legally established and 4 illegal) dwelling units and five (5) open parking spaces accessible from a driveway on 1st Street. The building was constructed with 4 apartments and four garage parking spaces. All four (4) garages that took access from the alley at the rear of the site have been converted to dwelling spaces without the benefit of a building permit.

According to Section 21.31 Table 31-2B of the Zoning Ordinance a total of five dwelling units are allowed by current standards. The property has been Zoned R-4-R since September 6, 1983. Prior to 1983, the property had a Zoning Designation of R-4; the density at that time was based on the number of parking spaces provided.

The following table provides a summary of the Zoning, General Plan, and land uses surrounding the subject site:

	ZONING	GENERAL PLAN	LAND USE
<i>Project Site</i>	R-4-R	LUD# 4 (High Density Residential)	<i>Multi-Family</i>
North	R-4-R	LUD# 4 (High Density Residential)	Multi- Family
South	R-4-R	LUD# 4 (High Density Residential)	Multi- Family
East	R-4-R	LUD# 4 (High Density Residential)	Multi- Family
West	R-4-R	LUD# 4 (High Density Residential)	Multi- Family

This current request is the result of two anonymous complaints related to inadequate gas meters, electrical problems, a water heater illegally installed in the bathroom, lack of ventilation, and mold in the bathroom on March 5, 2004. As a result of this complaint, an initial inspection was completed by March 12, 2004 and a Notice of Substandard Building was sent to the owner on April 20, 2004. A progress inspection was completed on May 26, 2004 based on a new cellar door being added. From that progress inspection, a Notice of Intent to Vacate the building was sent on July 31, 2004 and an Order to Vacate was sent on October 25, 2004. The order to vacate was heard at the Board of Examiners, Appeals, and Condemnation (BEAC) on February 2, 2005. The BEAC agreed that the building was substandard and required the owner to correct all items listed in the Findings of the Building Official dated February 2, 2005 and the Notice of Substandard Building dated April 24, 2004 by September 13, 2005. The owner was also told to apply for an Administrative Use Permit by June 27, 2005. Four tenants were allowed to remain in the rear building

According to Building, Planning & City Tax Assessor records, the property began as a single-family home in 1915, and was then altered from 1915 to 1946 as follows:

1826-28 E. 1st Street Front Two-Story Duplex (Currently 4 units):

- a. 1925- Permit to alter a single family home. (1 unit)
- b. 1931- The Long Beach Tax Assessor data sheet dated 1-5-31 shows a duplex dwelling. The tabulation shows two (2) kitchens, one upstairs, and one downstairs with a total of 2,697 square feet. (2 units) (See Exhibit A)
- c. 1946- Permit date 2-20-46 for the addition of a 5x7 toilet/shower on the first floor. (2 units) (See Exhibit B)

- d. Permit history from 1946- Present. No permits were obtained to create additional units inside of the existing two-story duplex. (2 units)

In analyzing building records, it was determined that the two-story single family home which is currently four (4) units, was legally converted to a duplex, with one kitchen upstairs and one kitchen downstairs. An additional bath was added in 1946, for two (2) dwelling units in the front building. The two non-permitted units are units No. 1 and No. 4 in the front unit (see attached floor plan).

1830- 32 E. 1st Street Rear Two-Story Duplex (Currently 4 units):

- a. 1922- Permit date 8-17-22 to build a duplex over four garages. (2 units)
(See Exhibit C)
- b. 1931- The Long Beach Tax Assessor data sheet dated 1-3-31 shows two (2) apartments over four (4) garages. The tabulation shows two (2) kitchens over four (4) garages. (2 units) (See Exhibit D)
- c. 1945- Permit dated 10-2-45 for the conversion of two garages into sleeping rooms. The Long Beach Tax Assessor data sheet shows two garages converted to apartments but states that no kitchens are provided. Los Angeles County Assessor records show two garage bathrooms on the first floor described as old garages remodeled into two bedrooms with baths. (3 units) (See Exhibit E)
- d. 1946- The Long Beach Tax Assessor data sheet dated 3-6-46 says, "2 gars now apts". It also says there are two living rooms, two bathrooms and no kitchens. (3 units) (See Exhibit F)
- e. Permit dated 5-1-73 to repair balcony & 1-hour wall of stairway. (3 units)
- f. Permit history from 1973- present. No permits were obtained to create additional units inside of the existing rear building.

In analyzing building records for the rear units onsite, it was determined that a duplex over four (4) garages was first constructed in 1922. In 1945, two garages were converted to sleeping rooms with bathrooms and no kitchens. The creation of sleeping rooms was common during the post war housing crisis in 1945, in which a number of cities allowed the construction of sleeping rooms without kitchens or required parking.

CURRENT ACTION REQUESTED

The applicant is requesting approval to legalize four (4) dwelling units creating a total of eight (8) dwelling units, four in the front building and four in the rear building. A request to legalize dwelling units is allowed in the City of Long Beach with the approval of an Administrative Use Permit provided the units were built prior to 1964. The Zoning Administrator has the authority to consider and act on requests for an Administrative Use Permit according to Section 21.25.405 of the Long Beach Municipal Code and the Zoning Administrator may also refer the application to the Planning Commission in accordance

with the procedures contained in Section 21.25.405.B of the Zoning Ordinance (See Attachment 10).

ADMINISTRATIVE USE PERMIT FINDINGS

The following findings must be analyzed, made, and adopted before any action is taken to approve or deny the subject permit and must be incorporated into the record of the proceedings relating to such approval or denial:

A. The approval is consistent with and carries out the General Plan, any applicable specific plans such as the local coastal program and all Zoning Regulations of the applicable district;

The General Plan Land Use Designation for this site is the High Density Residential District (LUD #4). The High Density Residential District encourages intensification or recycling of dwelling units in limited areas of the City where apartment and condominium lifestyles are logically related to transportation and services. Present densities range widely from about forty (40) to two hundred (200) dwelling units per acre since many such high-density structures were permitted before modern setback and off-street parking requirements became effective in the mid-1960's. The maximum permitted density in the LUD #4 is 44 du/acre. With a total of five (5) legal units on the project site, the density would be consistent with the General Plan as 29 du/ac exists. However, with a total of eight (8) units existing on the project site with four (4) legal and four (4) illegal units, the proposal is inconsistent with the city General Plan since there would be a total of 46 du/acre.

A departmental memorandum dated July 9, 1991, "Legalization of Illegal Units," established additional findings in order to determine legality of units. The memorandum (see attached memo) established a written policy, which requires the following findings to be made, along with required findings:

1) The quality of the units.

The property is being renovated at this time in order to remedy the items from the Findings of the Building Official dated February 2, 2004 and the Notice of Substandard Building dated February 5, 2005 as required by BEAC. However, the building is still designated as substandard. During a site visit, staff observed very small bedrooms in all three of the units in question, a kitchen located on the porch area of the studio unit on the front dwelling, and the original garage concrete slab serving as the floor in the rear lower dwelling unit. In addition, a kitchen was located within the sloped roof eave in the front upstairs unit. The existing situation led staff to believe that illegal splitting of units has occurred on both front and rear dwelling units on the project site. Furthermore, staff believes that approving the units will lead to unsafe living conditions and substandard living spaces.

2) Crowding in the community.

The property is located in Alamitos Beach, which is a mixture of apartment, condominiums, and multifamily dwellings and is considered high density residential.

The site is also within the Parking Impacted Area. Due to the high density of developments, there is considerable demand for parking. Conversion of the garages at the rear of the site has added to the impact of this project on the neighborhood.

3) Whether the unit could have been legal when built.

The applicant was asked to provide documentation, which shows that all units have been occupied since 1964. That documentation was not submitted along with the application and building records do not show more than four (4) legal units onsite. Therefore, staff has concluded that the units were created without permits, and have not been occupied continuously since 1964.

4) Whether property taxes have been paid on the unit

The current records from the County Assessor shows that the property is currently being assessed for a total of seven dwelling units. There are no records on how long seven units have been taxed. In contrast, City records show a total of four legal units.

5) Knowledge of current owner when purchased, and

Staff's belief is that the applicant, a licensed realtor, was aware that she was buying the property in an "as is" condition.

6) Community reaction.

There has been negative reaction from members of the community in response to this request. Surrounding neighbors are not in favor of increasing density in the neighborhood due to the lack of parking availability. One letter and one phone call were received in support of staff's recommendation.

In addition, the property has a parking impacted designation, which is an indication that more than 75% of available on-street parking is utilized during evening hours and that insufficient off-street parking is available to meet the needs of local residents, due to a high incidence of parcels with less than legally required off-street parking and/or due to a high incidence of illegal garage conversions. The goal in the Parking Impacted Area is to prevent the alteration of units into additional units if the parcel is nonconforming to the City General Plan and/or Zoning Ordinance. The subject site had four garages that were converted to living units; one unit ("sleeping rooms") staff is recommending for approval, the other unit staff is recommending be returned to garage spaces. With staff's recommendation to approve one legal non-conforming unit for a total of five units, there would be two legal garage spaces along with five open parking spaces. This arrangement, although non-conforming in terms of parking, would mitigate the impact to on street parking in the parking impacted area.

Based on the current situation, the lack of parking, the designation of the structures as substandard, and marginally inhabitable living spaces, staff believes that only one of the four of the unpermitted units should be legalized.

B. The approval will not be detrimental to the surrounding community including public health, safety, general welfare, environmental quality or quality of life; and

With the approval of one dwelling unit on the project site for a total of five dwelling units, staff believes that with conditions of approval that the use will not be detrimental to the surrounding community. The removal of the substandard designation as required by conditions of approval would also enhance the quality of life, public health, and safety of the existing residences onsite by combining dysfunctional bedroom spaces, and removing unsafe kitchens located on the porch, and under a slanted roof eave. The combination of units will also allow 5 units to become compliant with current zoning code standards, which will increase the quality of life, safety and, health of future and current tenants.

C. The approval is in compliance with the special conditions for the use enumerated in Chapter 21.52.

- A. The unit(s) in question must have been created before 1964 and continually occupied since that time without having been abandoned pursuant to Section 21.15.030;

Proof of occupancy of the four (4) illegal units from 1964 to date was required in order to determine the legality of the units. The applicant did not provide the required information upon submittal, so we are unable to determine if these units existed prior to 1964.

- B. The unit must meet minimum Housing Code provisions; and

A condition of approval (Condition # 10) requires that new plans be provided that will bring the sleeping rooms up to minimum housing standards for a single unit.

- C. The unit must not exceed six hundred forty (640) square feet. (Ord. C-7032 § 53, 1992).

The four illegal units are approximately 503 square feet, 230 square feet, 386 square feet and 388 square feet. All units are consistent with this requirement since no unit exceeds 640 square feet. The unit that staff is recommending be legalized, is 388 square feet in area.

LOCAL COASTAL DEVELOPMENT PERMIT FINDINGS

The following findings must be analyzed, made, and adopted before any action is taken to approve or deny the subject permit and must be incorporated into the record of the proceedings relating to such approval or denial:

- A. The proposed development conforms to the certified local coastal program including but not limited to all requirements for replacement of low and moderate-income housing; and

The legalization of one dwelling unit and removal of three illegal dwelling units will not result in the relocation of low or moderate income housing as confirmed by Dale Hutchinson of our Housing Services Bureau. Therefore, the proposal will conform to the local coastal program.

- B. The proposed development conforms to the public access and recreation policies of Chapter 3 of the Coastal Act. This second finding applies only to development located seaward of the nearest public highway to the shoreline.

The site is not seaward of the nearest public highway to the shoreline.

PUBLIC HEARING NOTICE

A total of 170 Public Hearing Notices were mailed on September 4, 2006 to all owners of properties within a 300-foot radius of the project site, and the elected representative of the 2nd Council District.

REDEVELOPMENT REVIEW

The project site is not located in a Redevelopment Project Area.

ENVIRONMENTAL REVIEW

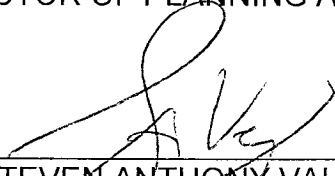
In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, a Categorical Exemption (CE-06-231) has been prepared for this project, and is attached for your review.

IT IS RECOMMENDED THAT THE PLANNING COMMISSION:

Approve the legalization of one (1) dwelling unit for a total of five (5) dwelling units at the project site and require conversion of the remaining units to their original use.

Respectfully submitted,

SUZANNE M. FRICK
DIRECTOR OF PLANNING AND BUILDING

By: 
STEVEN ANTHONY VALDEZ
PLANNER

Approved: 
CAROLYNE BIHN
ZONING ADMINISTRATOR

CB:sv

Attachments:

1. Conditions of Approval
2. Site Plan/Floor Plan
3. Photographs
4. Categorical Exemption
5. Documentation from Applicant Proving Legality of Units
6. City Attorney Letter
7. Letter Forwarding Request to Planning Commission
8. Building Research Letter
9. Exhibit A-F
10. "Legalization of Units", Policy Memo
11. Letter from Applicants Attorney

**ADMINISTRATIVE USE PERMIT
CONDITIONS OF APPROVAL
Case No. 0610-17
Date: December 21, 2006**

1. The use permitted on the site, in addition to other uses permitted in the R-4-R Zoning District shall be the legalization of one (1) dwelling unit creating a total of five (5) dwelling units. The legal unit shall be unit No. 6 on the first floor of the rear dwelling unit; that dwelling unit shall not exceed 388 square feet.
2. This permit and all development rights hereunder shall **terminate one year** from the effective date (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date) of this permit unless construction is commenced, a business license establishing the use is obtained or a time extension is granted, based on a written and approved request submitted prior to the expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
3. This permit shall be invalid if the owner(s) and applicant(s) have failed to return **written acknowledgment** of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30 days from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date). Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval to the satisfaction of the Zoning Administrator.
4. If, for any reason, there is a **violation of any of the conditions** of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.
5. In the event of **transfer of ownership** of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by this permit together with all conditions, which are a part thereof.
6. The Director of Planning and Building is authorized to make **minor modifications** to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project and if

Conditional Use Permit Conditions

Date: December 21, 2006

Page 2

no detrimental effects to neighboring properties are caused by said modifications. Any major modifications shall be reviewed by the Zoning Administrator or Planning Commission, respectively.

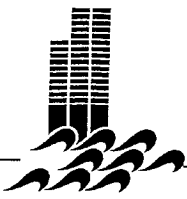
7. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, fences and the perimeter of the site (including all public parkways).
8. Within sixty days (60) of Notice of Final Action date, a building permit to legalize the west first floor unit shall be secured.
9. Within sixty days (60) of Notice of Final Action date, the following improvements shall be completed on the project site:
 - A. The front dwelling unit shall be converted from a four unit dwelling to a duplex with one unit upstairs and one unit downstairs unit.
 - B. The east first floor unit on the rear dwelling shall be converted back to a compact two-car garage.
10. All repairs called out in the Notices of Substandard Building dated April 4, 2004 and the Findings of the Building Official dated February 3, 2005 shall be remedied within ninety days (90) of the Notice of Final Action date.
11. Five (5) open parking spaces shall remain as part of this approval.
12. Within sixty days (60) of Notice of Final Action, all applicable code enforcement fees shall be paid.
13. Compliance is required with these Conditions of Approval as long as this use is on site. As such, the site shall be available for periodic reinspection conducted at the discretion of city officials, to verify that all conditions of approval are being met. The property owner shall reimburse the City for the inspection cost as per special building inspection specifications established by City Council.
13. The applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the applicant of any such claim, action, or proceeding against the

Conditional Use Permit Conditions

Date: December 21, 2006

Page 3

City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach.



CITY OF LONG BEACH

DEPARTMENT OF PLANNING & BUILDING

333 West Ocean Boulevard, 7th Floor Long Beach, CA 90802 (562) 570-6194 FAX (562) 570-6068

ZONING DIVISION

February 1, 2007

CHAIRMAN AND PLANNING COMMISSIONERS
City of Long Beach
California

SUBJECT: Request for approval of Administrative Use Permit and Local Coastal Development Permit to legalize four (4) dwelling units creating a total of eight (8) dwelling units at the project site. (Council District 2).

LOCATION: 1826-1932 E. 1st Street

APPLICANT: Natalie Kotsch
604 18th Street
Huntington Beach, CA 92648

RECOMMENDATION

Approve the legalization of four dwelling units creating a total of eight (8) dwelling units.

DISCUSSION

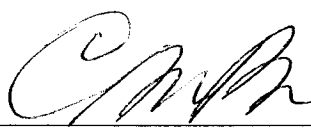
The Planning Commission conducted a public hearing on the above request on January 4, 2007 and directed staff to prepare findings and conditions of approval for legalization of four dwelling units created without the benefit of permits. Attached are revised findings and conditions of approval for your consideration.

Respectfully submitted,

SUZANNE FRICK,
DIRECTOR OF PLANNING AND BUILDING

By: 

STEVEN VALDEZ
PLANNER

Approved: 

CAROLYNE BIHN
ZONING ADMINISTRATOR



CITY OF LONG BEACH

THE CITY PLANNING COMMISSION

333 W. Ocean Boulevard Long Beach, California 90802 562-570-6194 FAX 562-570-6068

**Administrative Use Permit
Local Coastal Development
Approval Findings
Case No. 0610-17**

ADMINISTRATIVE USE PERMIT FINDINGS

The following findings must be analyzed, made, and adopted before any action is taken to approve or deny the subject permit and must be incorporated into the record of the proceedings relating to such approval or denial:

A. The approval is consistent with and carries out the General Plan, any applicable specific plans such as the local coastal program and all Zoning Regulations of the applicable district;

The General Plan Land Use Designation for this site is the High Density Residential District (LUD #4). The High Density Residential District encourages intensification or recycling of dwelling units in limited areas of the City where apartment and condominium lifestyles are logically related to transportation and services. Present densities range widely from about forty (40) to two hundred (200) dwelling units per acre since many such high-density structures were permitted before modern setback and off-street parking requirements became effective in the mid-1960's. The maximum permitted density in the LUD #4 is 44 du/acre. The approval of eight (8) dwelling units will be consistent with the LUD # 4 at 42 dwelling units per acre. In addition, the project provides open space in excess of the Zoning Regulations, and is close to public transportation and services.

B. The approval will not be detrimental to the surrounding community including public health, safety, general welfare, environmental quality or quality of life; and

The approval of eight (8) units establishes a density on the property of 42 du/ac, consistent with the maximum permitted density in LUD No. 4 and significantly lower than the average density in the surrounding community (52 du/ac) or the highest densities developed in the immediate area (100-200 du/ac). No rooms are substandard in size or construction and the resulting project provides a healthy, safe, and high quality living environment.

C. The approval is in compliance with the special conditions for the use enumerated in Chapter 21.52.

1. The unit(s) in question must have been created before 1964 and continually occupied since that time without having been abandoned pursuant to Section 21.15.030;

Proof of occupancy of the four (4) illegal units from 1964 to date is required in order to determine the legality of the units in the absence of building permits. Although, the applicant did not provide this information, based on testimony at the hearing, the Planning Commission concluded that the units were viable and should be legalized.

2. The unit must meet minimum Housing Code provisions; and

A condition of approval (Condition # 10) requires that new plans be provided that will bring all four units up to minimum housing standards.

3. The unit must not exceed six hundred forty (640) square feet. (Ord. C-7032 § 53, 1992).

The four units in question are approximately 503 square feet, 230 square feet, 386 square feet, and 388 square feet. All units are consistent with this requirement since no unit exceeds 640 square feet.

LOCAL COASTAL DEVELOPMENT PERMIT FINDINGS

The following findings must be analyzed, made, and adopted before any action is taken to approve or deny the subject permit and must be incorporated into the record of the proceedings relating to such approval or denial:

- A. The proposed development conforms to the certified local coastal program including but not limited to all requirements for replacement of low and moderate-income housing; and

The legalization of four dwelling units will not result in the removal of low or moderate income tenants. Therefore, this proposal conforms to the Local Coastal Program

- B. The proposed development conforms to the public access and recreation policies of Chapter 3 of the Coastal Act. This second finding applies only to development located seaward of the nearest public highway to the shoreline.

The site is not seaward of the nearest public highway to the shoreline.

**ADMINISTRATIVE USE PERMIT
CONDITIONS OF APPROVAL
Case No. 0610-17
Date: February 1, 2007**

1. The use permitted on the site, in addition to other uses permitted in the R-4-R Zoning District shall be the legalization of four (4) dwelling units creating a total of eight (8) dwelling units. The legalized units shall be units No. 1, 4, 5, & 6 as shown on the approved site plan
2. This permit and all development rights hereunder shall **terminate one year** from the effective date (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date) of this permit unless construction is commenced, a business license establishing the use is obtained or a time extension is granted, based on a written and approved request submitted prior to the expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
3. This permit shall be invalid if the owner(s) and applicant(s) have failed to return **written acknowledgment** of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30 days from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date). Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval to the satisfaction of the Zoning Administrator.
4. If, for any reason, there is a **violation of any of the conditions** of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.
5. In the event of **transfer of ownership** of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by this permit together with all conditions, which are a part thereof.
6. The Director of Planning and Building is authorized to make **minor modifications** to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project and if no detrimental effects to neighboring properties are caused by said modifications. Any major modifications shall be reviewed by the Zoning Administrator or Planning Commission, respectively.

Conditional Use Permit Conditions

Date: January 18, 2007

Page 2

7. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, fences and the perimeter of the site (including all public parkways).
8. Within sixty days (60) of Notice of Final Action date the applicant shall obtain a building permit to legalize units No. 1, 4, 5, & 6.
9. Separate building permits are required for signs, fences, retaining walls, trash enclosures, flagpoles, pole mounted yard lighting foundations and planters.
10. Approval of this project is expressly conditioned upon payment (prior to building permit issuance or prior to Certificate of Occupancy, as specified in the applicable Ordinance or Resolution for the specific fee) of impact fees, connection fees and other similar fees based upon additional facilities needed to accommodate new development at established City service level standards, including, but not limited to, sewer capacity charges, Park Fees and Transportation Impact Fees.
11. All repairs called out in the Notices of Substandard Building dated April 4, 2004 and the Findings of the Building Official dated February 3, 2005 shall be remedied within ninety days (90) of the Notice of Final Action date.
12. The Five (5) open parking spaces presently on-site shall remain as part of this approval.
13. Compliance is required with these Conditions of Approval as long as this use is on site. As such, the site shall be available for periodic reinspection conducted at the discretion of city officials, to verify that all conditions of approval are being met. The property owner shall reimburse the City for the inspection cost as per special building inspection specifications established by City Council.
14. The applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the applicant of any such claim, action, or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach.



CITY OF LONG BEACH

DEPARTMENT OF PLANNING & BUILDING

333 West Ocean Boulevard, 7th Floor Long Beach, CA 90802 (562) 570-6194 FAX (562) 570-6068

ZONING DIVISION

January 18, 2007

CONSENT CALENDAR

CHAIRMAN AND PLANNING COMMISSIONERS
City of Long Beach
California

SUBJECT: Request for approval of Administrative Use Permit and Local Coastal Development Permit to legalize four (4) dwelling units creating a total of eight (8) dwelling units at the project site. (Council District 2).

LOCATION: 1826-1932 E. 1st Street

APPLICANT: Natalie Kotsch
604 18th Street
Huntington Beach, CA 92648

RECOMMENDATION


Approve the legalization of four dwelling units creating a total of eight (8) dwelling units.


DISCUSSION

The Planning Commission conducted a public hearing on the above request on January 4, 2007 and directed staff to prepare findings and conditions of approval for legalization of four dwelling units created without the benefit of permits. Attached are revised findings and conditions of approval for your consideration.

Respectfully submitted,

SUZANNE FRICK,
DIRECTOR OF PLANNING AND BUILDING

By: 
STEVEN VALDEZ
PLANNER

Approved: 
CAROLYNE BIHN
ZONING ADMINISTRATOR



CITY OF LONG BEACH

THE CITY PLANNING COMMISSION

333 W. Ocean Boulevard Long Beach, California 90802 562-570-6194 FAX 562-570-6068

**Administrative Use Permit
Local Coastal Development
Approval Findings
Case No. 0610-17**

ADMINISTRATIVE USE PERMIT FINDINGS

The following findings must be analyzed, made, and adopted before any action is taken to approve or deny the subject permit and must be incorporated into the record of the proceedings relating to such approval or denial:

A. The approval is consistent with and carries out the General Plan, any applicable specific plans such as the local coastal program and all Zoning Regulations of the applicable district;

The General Plan Land Use Designation for this site is the High Density Residential District (LUD #4). The High Density Residential District encourages intensification or recycling of dwelling units in limited areas of the City where apartment and condominium lifestyles are logically related to transportation and services. Present densities range widely from about forty (40) to two hundred (200) dwelling units per acre since many such high-density structures were permitted before modern setback and off-street parking requirements became effective in the mid-1960's. The maximum permitted density in the LUD #4 is 44 du/acre. The approval of eight (8) dwelling units will be consistent with the LUD # 4 at 42 dwelling units per acre. In addition, the project provides open space in excess of the Zoning Regulations, and is close to public transportation and services.

B. The approval will not be detrimental to the surrounding community including public health, safety, general welfare, environmental quality or quality of life; and

The approval of eight (8) units establishes a density on the property of 42 du/ac, consistent with the maximum permitted density in LUD No. 4 and significantly lower than the average density in the surrounding community (52 du/ac) or the highest densities developed in the immediate area (100-200 du/ac). No rooms are substandard in size or construction and the resulting project provides a healthy, safe, and high quality living environment.

C. The approval is in compliance with the special conditions for the use enumerated in Chapter 21.52.

A. The unit(s) in question must have been created before 1964 and continually occupied since that time without having been abandoned pursuant to Section 21.15.030;

Proof of occupancy of the four (4) illegal units from 1964 to date is required in order to determine the legality of the units in the absence of building permits. Although, the applicant did not provide the required information, the Planning Commission concluded that the units were viable and should be legalized.

B. The unit must meet minimum Housing Code provisions; and

A condition of approval (Condition # 10) requires that new plans be provided that will bring all four units up to minimum housing standards.

C. The unit must not exceed six hundred forty (640) square feet. (Ord. C-7032 § 53, 1992).

The four illegal units are approximately 503 square feet, 230 square feet, 386 square feet and 388 square feet. All units are consistent with this requirement since no unit exceeds 640 square feet. The unit that staff is recommending be legalized, is 388 square feet in area.

LOCAL COASTAL DEVELOPMENT PERMIT FINDINGS

The following findings must be analyzed, made, and adopted before any action is taken to approve or deny the subject permit and must be incorporated into the record of the proceedings relating to such approval or denial:

A. The proposed development conforms to the certified local coastal program including but not limited to all requirements for replacement of low and moderate-income housing; and

According to Section 21.65.060 and 18.20.140 of the Long Beach Municipal Code, the Building Official shall notify the Housing Services Bureau of the issuance of the orders to vacate and the Housing Services Bureau shall inform the tenant households in writing of the procedure to apply for relocation assistance, what the tenant household's rights are, and who to contact with questions regarding relocation assistance. The Housing Services Bureau shall also inform the tenant household that the household may request payment of relocation assistance from the city in accordance with Section 21.65.090 of this chapter. Based on the above, the legalization of four dwelling units will not result in the removal of low or moderate income tenants. Therefore, this proposal conforms to the Local Coastal Program

B. The proposed development conforms to the public access and recreation policies of Chapter 3 of the Coastal Act. This second finding applies only to development located seaward of the nearest public highway to the shoreline.

The site is not seaward of the nearest public highway to the shoreline.

**ADMINISTRATIVE USE PERMIT
CONDITIONS OF APPROVAL
Case No. 0610-17
Date: January 18, 2007**

1. The use permitted on the site, in addition to other uses permitted in the R-4-R Zoning District shall be the legalization of four (4) dwelling units creating a total of eight (8) dwelling units. The legalized units shall be units No. 1, 4, 5, & 6 as shown on the approved site plan
2. This permit and all development rights hereunder shall **terminate one year** from the effective date (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date) of this permit unless construction is commenced, a business license establishing the use is obtained or a time extension is granted, based on a written and approved request submitted prior to the expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
3. This permit shall be invalid if the owner(s) and applicant(s) have failed to return **written acknowledgment** of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30 days from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date). Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval to the satisfaction of the Zoning Administrator.
4. If, for any reason, there is a **violation of any of the conditions** of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.
5. In the event of **transfer of ownership** of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by this permit together with all conditions, which are a part thereof.
6. The Director of Planning and Building is authorized to make **minor modifications** to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project and if no detrimental effects to neighboring properties are caused by said modifications. Any major modifications shall be reviewed by the Zoning Administrator or Planning Commission, respectively.

Conditional Use Permit Conditions

Date: January 18, 2007

Page 2

7. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, fences and the perimeter of the site (including all public parkways).
8. Within sixty days (60) of Notice of Final Action date the applicant shall obtain a building permit to legalize units No. 1, 4, 5, & 6.
9. Separate building permits are required for signs, fences, retaining walls, trash enclosures, flagpoles, pole mounted yard lighting foundations and planters.
10. Approval of this project is expressly conditioned upon payment (prior to building permit issuance or prior to Certificate of Occupancy, as specified in the applicable Ordinance or Resolution for the specific fee) of impact fees, connection fees and other similar fees based upon additional facilities needed to accommodate new development at established City service level standards, including, but not limited to, sewer capacity charges, Park Fees and Transportation Impact Fees.
11. All repairs called out in the Notices of Substandard Building dated April 4, 2004 and the Findings of the Building Official dated February 3, 2005 shall be remedied within ninety days (90) of the Notice of Final Action date.
12. Five (5) open parking spaces shall remain as part of this approval.
13. Compliance is required with these Conditions of Approval as long as this use is on site. As such, the site shall be available for periodic reinspection conducted at the discretion of city officials, to verify that all conditions of approval are being met. The property owner shall reimburse the City for the inspection cost as per special building inspection specifications established by City Council.
14. The applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the applicant of any such claim, action, or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach.

Attachment 2
Letter in Opposition

ITEM # 1A

To: Planning Commission

From: Mike Wilson

I, Mike Wilson, as President of the Alonitos Beach Neighborhood Association, object to this plan and plan to appeal it for the following reasons:

① parking is the #1 issue that has led to the destabilization of our neighborhood.

② this project would double the density of inhabitants without doing anything to mitigate the parking problem.

Mike Wilson

102 Bonito Ave

LB CA 90802

562 9513436

Attachment 3
Appeal Application



MARCH 27, 07

CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

333 West Ocean Boulevard ! Long Beach, CA 90802 ! (562)570-6194 FAX: (562)570-6068

Application for Appeal

An appeal is hereby made to Your Honorable Body from the decision of the:

- Planning Commission** on the 1st day of FEB 20 07
- Zoning Officer** on the _____ day of _____ 20 _____
- Cultural Heritage Commission** on the _____ day of _____ 20 _____
- Site Plan Review Committee** on the _____ day of _____ 20 _____

Appellant: William "Mike" Wilson
President, Alamitos Beach Neighborhood Association

Applicant: Natalie Katsch

Project Address: 1826-1932 E. 1st Street (Council District 2)

Permit(s) Requested: Administrative Use Permit
Local Coastal Development Permit

Project Description: Request for approval of an Administrative Use Permit and Local Coastal Development permit to legalize four (4) dwelling units creating a total of eight (8) dwelling units at the project site.

Reason for Appeal: This project will adversely affect the quality of life in Alamitos Beach. We do not feel that illegal units should be permitted to be converted into legal ones without parking. We feel the project is too dense and negatively impacts the neighborhood.
Your appellant herein respectfully requests that Your Honorable Body reject the decision of the:

- Planning Commission**, **Zoning Officer**, **Cultural Heritage Commission** or
- Site Plan Review Committee**

Approve or **Deny** this application

Signature of the Appellant: [Signature]
 Print name of the Appellant: William "Mike" Wilson, President, Alamitos Beach Neighborhood Association
 Mailing Address: 102 Bonito Avenue
Long Beach, CA 90802
 Phone No.: 562-931-3436

Note: Please be sure to review the filing instructions on the reverse side of this form.

(Staff Use Only)

Counter Staff: [Signature]
Application Complete: yes No

Case No.: 0610-12

Date: 3/8/07

Attachment 4

Planning Commission Minutes from
January 4, 2007

3. Case No. 0610-12, Administrative Use Permit, Local Coastal Development Permit, CE 06-231

Applicant: Natalie Kotsch
Subject Site: 1826-1932 E. 1st Street (Council District 2)
Description: Request for approval of an Administrative Use Permit and Local Coastal Development Permit to legalize four dwelling units creating a total of eight dwelling units at the project site.

Steve Valdez presented the staff report recommending approval of only one unit for a total of five units at the project site since approving all four would not be consistent with the General Plan and Zoning Regulations and would be detrimental to the surrounding community due to lack of parking, over-density, lack of open space, and the condition of the units.

Doug Otto, representative for Natalie Kotsch, 1826-1932 E. 1st Street, outlined the findings he felt could be made to approve all four units. Mr. Otto also presented extensive documentary evidence to prove that there had been eight separate units on the site for many decades that they felt met minimum housing requirements.

Joe Santiago, local contractor, no address given, presented documents showing tax assessments and building permits supporting the applicant's claim that the four front units labeled as illegal by staff were actually legally allowed before 1964. He also presented documents supporting their claim that the four rear apartments were legally permitted, along with escrow papers and an exemption certificate for parking.

Mr. Otto claimed there was enough evidence to prove that all eight units were built prior to 1964 and continuously occupied, with no parking restrictions in place at that time.

Jack Humphrey, 620 Ultimo Avenue, spoke on behalf of the applicant, saying he had also researched the legality of the eight units, and had assembled fragmented evidence to recreate the site's development process. Mr. Humphrey noted that each of the eight units had their own address and electric meter, and added that this building was of much lower density than the surrounding neighborhood.

Mr. Otto added that he felt there was also enough space between the buildings to meet open space requirements.

Natalie Kotsch, 1826-1932 E. 1st Street, building owner, presented photos of the improvements she had made to the building, and stressed her commitment to restore the units.

Ms. Bihn stated that staff had found each of the units to be substandard in terms of ventilation, floor-to-ceiling clearance and more. She added that staff's research had only been able to substantiate five continuously-occupied units through public records, utility billing records, rent receipts and neighbor testimony. Ms. Bihn noted that City records indicated only two units had been constructed in the rear, not four. She explained that having an address did not automatically grant legal status to a unit.

Deputy City Attorney Mais pointed out that the property owner has the burden of proof to establish the legality of a structure, not City staff, and that hearsay evidence cannot be relied upon in making decisions with corroborative evidence.

Commissioner Greenberg remarked that sparse City records made it difficult for property owners, and he said he felt the applicant had failed less than City had, and that as a result, the preponderance of evidence would be corroborative only.

David Woods, Building Inspector, City of Long Beach, outlined the history of building code violations at the site, including exposed gas meters under a sink; deteriorated balconies and staircases, water heaters inside bathroom areas, obvious garage conversions, an illegally enclosed front porch with a kitchen conversion and shallow, sloping ceiling heights with undersized rooms and obvious signs of haphazard and illegal construction.

In response to queries from Commissioners Sramek and Stuhlbarg, Mr. Woods explained that the back units suffered from non-working electrical outlets and bathroom mold, and that in the past two months, the building department had visited the site to confirm progress of repairs, noting that some electrical concerns had been addressed, and that the owner was cooperative, agreeing to address the issues in a timely manner.

Commissioner Greenberg noted that even if the applicant's request was granted, she still faced an extensive list of fixes which may or may not be financially feasible.

Mr. Otto noted that Ms. Kotsch had corrected 52 of 58 actionable items listed by the building inspector, with the balance on hold pending the outcome of this hearing, and he promised that all

requests would be satisfied if a determination was made for eight units.

Suzanne Frick warned that compliance with building codes rested with the building official who has the authorization to determine compliance with the codes, not the Commission.

Shannon Allen, 1830 E. 1st Street, Apt. A, tenant, spoke in favor of the application, saying she liked the concrete floor in her unit, had none of the electrical or mold problems mentioned, and felt the room sizes were appropriate.

Carl Peterson, 1830 E. 1st Street, tenant and structural engineer, also spoke in support of the application, saying he had lived in his unit for nine years, and the new owner had made many improvements.

Whasook Dawson, 1830 E. 1st Street, Apt. B, tenant, agreed that the units were huge and reasonably priced.

David Schlemmer, David Schlemmer Investments, 1836 E. 1st Street, neighboring building owner, said the area was parking impacted, and he had noticed ongoing construction at the site for over a year while the owner was making improvements.

Joseph Andrew Fabozzi, 2129 E. Florida, also supported the applicant's request, saying that he had lived at the site for many years and that there had been an ongoing and painstaking refurbishment of interiors at the site, with more than enough parking for eight units.

Mr. Otto noted that there was no opposition to the request and that the units provided unusually affordable housing in the area, with the out-of-area landlord spending reconstruction dollars to bring the building up to code.

Commissioner Greenberg said he was not worried about making a precedent-setting decision, and thought these unusual, non-cookie-cutter buildings should be encouraged, especially given the artistic nature of its enthusiastic tenants. Mr. Greenberg added that he felt it was more likely than not that the building had been maintained and lived in as eight units before the code was passed.

Commissioner Greenberg moved to continue the item to the January 18, 2007 meeting, directing staff to return with findings and

revised conditions of approval supporting the request for eight legal units. Commissioner Jenkins seconded the motion.

Commissioner Stuhlbarg expressed his agreement, saying it was good to see tenants and a landlord working together.

Commissioner Winn demurred, saying that not enough convincing evidence existed to support eight legal units, so he would not support the motion.

Commissioner Sramek said he thought a couple of the units were not legal, but in spite of that, he could still procedurally approve the request if overriding considerations existed, and he felt that the landlord would improve and enhance all the units, providing needed housing for the area.

The question was called, and the motion passed 4-1. Commissioner Winn dissented, and Commissioner Gentile was absent.

4. Case No. 0604-28, Administrative Use Permit, CE 06-80

Applicant: John P. Erskine
Subject Site: 2295 N. Long Beach Blvd. (Council District 3)
Description: Request for approval of an Administrative Use Permit to establish a check cashing facility in a neighborhood shopping center.

Mark Hungerford presented the staff report recommending approval of the request since the facility's nearby relocation would not increase the overall number of check cashing concerns in the area, nor would it have any adverse affects on the surrounding community.

John Rogers, 1062 McCall, Corona, CA, Southern California marketing manager, Money Mart, said they provided services to an area with a marked lack of financial institutions, and were also involved in making charitable contributions to the community. Mr. Rogers noted that the Long Beach Police Department had expressed satisfaction with their stringent security measures.

John P. Erskine, 2295 N. Long Beach Blvd., applicant, commented that Money Mart would be paying to significantly improve the streetscape of the entire mall, not just their leased space.

FAX - 562 - 570 - 6205 -

LARRY BRUGGER.

Good morning Kathy.

I need a major favor. Since I couldn't find the fax number for the City Clerk and had Mr. Brugger's card and a real person I have spoken with am faxing this to you.

Would you please see that the following 4 page document is included and certified with the Council material for the June 19th Council Meeting.

Many thanks.

Patricia Hirsch

714-717-3899 cell.

From: Arnold Schuchter
To: City of Long Beach, City Council
Subject: Testimony re Property of Ms. Natalie Kotsch
Date: April 25, 2007

First, I want to say that I have no financial or business connection with Ms. Kotsch or with the City of Long Beach. I don't intend to discuss any of details of the planning, zoning, parking and other specific issues pertaining to Ms. Kotsch's property. All of what needs to be said on these matters pertaining to Ms. Kotsch's property is covered in a document submitted separately by Ms. Kotsch. en

As a city and redevelopment planner for several decades, I strongly support Ms. Kotsch's plea for fairness and thorough reconsideration of her case by the City of Long Beach.

I intend to outline the damaging logic of Ms. Kotsch's excessively prolonged conflict with the City in order to highlight its threat to all multifamily property owners in Long Beach, as follows:

- the City's General Plan historically has failed to prevent overcrowding in the 2nd District and elsewhere in the city;
- misguided and mismanaged regulatory decisions by the city's planning staff have compounded Ms. Kotsch's victimization by circumstances that are patently beyond her control or influence;
- if multifamily property owners in Long Beach like Ms. Kotsch can be financially and emotionally punished without recompense for the historic failure of the City to properly manage the city's planning process, then every one of these multifamily property owners should fear that, today and in the future, they also are in jeopardy.

That said, the City of Long Beach has an impressive and promising roster of downtown and other redevelopment master plan and ongoing project activities. The Planning Commission also appears to be doing a commendable job in handling its workload, including being consistently supportive of Ms. Kotsch's submissions, as indicated in her accompanying testimony.

After looking at the seven elements of city's General Plan on the Web, however, I have to assume that the City Council and everyone else in Long Beach who is familiar with the General Plan will concur that it needs a great deal more work than merely up-dating, especially with respect to planning issues in the 2nd District impacting on multifamily property owners like Ms. Kotsch as well as everyone else living in and earning a living there.

The only reasonable and realistic context in which Ms. Kotsch's case can be viewed is:

Long Beach's General Plan doesn't provide adequate strategies, policies, and directions for the city's current and long-term development, including meaningful parking remedies.

When you carefully examine the chronological and categorical case history of the way the City has dealt with Ms. Kotsch's property, it is apparent that she has been the victim of bungled planning administration. So much so, in fact, that if I owned multifamily property in Long Beach, I would be extremely apprehensive, asking myself 'am I the next easy target for public action under the guise of remedying citywide and neighborhood parking problems'.

In other words, when people like Ms. Kotsch can suffer draconian actions by the City for dubious violations of local laws and ordinances, everyone in Long Beach should be nervous, especially when parking problems are fundamentally of the City's own long-term making.

To her credit, Ms. Kotsch intends to add three parking spaces to the back lawn for her tenants, even though, as her documentation shows, her property received a parking exemption from the City's planning staff when she purchased the property.

On its part, the City of Long Beach owes it to Ms. Kotsch and countless other owners of multifamily property to responsibly exercise its powers to develop "parking relief" solutions for the City that are:

- commensurate with the nature of the city's problems, rather than ad hoc and unnecessarily punitive for individual property owners;

- designed in the context of a “quality of life” plan for the City.

Clearly, as members of the City Council know, the “parking crisis” in Long Beach is attributable to historic forces and poor planning. The historic reasons for parking problems in the city are no mystery. The damage is done. Damage control is in order. New development, of course, will be subject to new, modern rules and parking ratios, density controls, etc. Setting rules for new development is the comparatively easy part of “parking relief” remedies.

The hard part is mitigating (vs. reversing) the impacts of past history and doing so within a reasonable time-frame. The City’s out-of-date master-plan needs revamping, but traditionally that takes too long and requires too much scarce publicly money.

In the meantime, therefore, notwithstanding all of the rhetoric about better planning, existing or new ordinances, rules, regulations, enforcement activities, etc. are being employed for quick fixes of the “parking crisis”. Ms. Kotsch is a victim of a misapplied quick fix.

Summary and Conclusions

Members of the City Council and the Planning Commission aspire to develop better planning solutions and parking remedies for Ms. Kotsch and other citizens of Long Beach.

Councilmember Suja Lowenthal, for example, advocates raising the City’s “quality of life” as a paramount goal for future city planning. The starting point for championing “quality of life” improvements in Long Beach, however, should not be a “parking relief plan” in isolation, irrespective of its importance for residents and businesses in the 2nd District and elsewhere in the City.

Unfairly bringing Ms. Kotsch to the pillory should not be used as even a small part of a quick fix for Long Beach’s parking problems. Downsizing Ms. Kotsch’s property for whatever reasons would be a capricious action to deal with overcrowding and parking problems in the 2nd District.

Furthermore, the action taken against Ms. Kotsch should raise concerns among multifamily property owners throughout the City, especially the unfortunate way that her case was handled.

Obviously the need for parking relief in the City and the 2nd District is acute. As Councilmember Lowenthal says, the parking situation in Alamitos Beach, Bluff Heights, Rose Park and elsewhere qualifies as a "crisis."

Propelled by a sense of urgency commensurate with this "crisis," and with effective, experienced planning leadership, both a "quality of life plan" and a "parking relief plan" can be developed in parallel for the 2nd District, as a prototype, in about 6 months, even including an authentic citizen participation process.

In sum, Long Beach needs to have a "quality of life" plan developed as the context for developing a "parking relief plan."

After graduating from Harvard College, Arnold Schuchter studied city and regional planning at the University of British Columbia. As a city planner and planning consultant, starting in the late 1950s he prepared city and town plans, downtown redevelopment plans, transportation and traffic studies, environmental impact reports, feasibility studies for rapid transit development and airport expansion, tourism development plans, and the like across the nation and internationally. Mr. Schuchter currently is an owner of an action sports production and marketing company based in Newport Beach. I know Natalie Kotsch in her role as the founder of the International Surfing Museum in Huntington Beach.

Law Offices
of
DOUGLAS W. OTTO

Landmark Square
111 W. Ocean Blvd., Suite 1300
P.O. Box 2210
Long Beach, CA 90801-2210
(562) 491-1191 ■ (562) 590-7909 (fax)
E-MAIL: doug@dwottolaw.com

June 14, 2007

Mayor Bob Foster
Members of the City Council
City of Long Beach
333 W. Ocean Blvd.
Long Beach, CA 90802

**Re: Appeal of the Decision of the Long Beach Planning Commission
of the Approval of an Administrative Use Permit and Local Coastal
Development Permit to Legitimize Four (4) Dwelling Units Creating
a Total of Eight (8) Dwelling Units at 1826, 1826-1/2, 1828, 1828-1/2,
1830A, 1830B, and 1832 E. First Street in Long Beach
Owned by Natalie Kotsch**

Dear Mayor and Members of the City Council:

I represent Natalie Kotsch, who is the owner of the properties enumerated above on First Street in the Alamitos Beach area of Long Beach. On January 4, 2007, Ms. Kotsch appeared before the Long Beach Planning Commission and requested that four (4) units at the above addresses be legitimized through the Administrative Use Permit process. The hearing on the issue was lengthy and detailed, and included extensive discussion by the members of the Planning Commission as to all of the underlying issues. At the conclusion of the hearing, the Planning Commission voted with a single dissent to legitimize all eight (8) units.

The matter was referred back to the Department of Planning & Building to prepare Findings and Conditions of Approval, and the matter was then scheduled for another hearing on February 1, 2007. On that date, for the first time, a representative of the Alamitos Beach Neighborhood Association objected to the Planning Commission's action. Nevertheless, the Planning Commission adopted the Findings and Conditions of Approval. As a result, the Alamitos Beach Neighborhood Association appealed the Planning Commission's decision to the City Council on the following grounds:

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“This project will adversely affect the quality of life in Alamitos Beach. We do not feel that illegal units should be permitted to be converted into legal ones without parking. We feel the project is too dense and negatively impacts the neighborhood.”

Ms. Kotsch argues that parking is not properly before the City Council as an issue because, at the time these eight (8) units were developed in the first half of the 20th century, there were no parking standards for the Alamitos Beach Neighborhood, and it would be both illegal and unfair to hold her to contemporary parking standards. Further, as will be demonstrated at the hearing in this matter, this property is much less dense than surrounding properties and provides more than adequate housing opportunities for all tenants in the eight (8) units. Therefore, Ms. Kotsch asks that you follow the Staff’s recommendation to overrule the appeal and sustain the decision of the Planning Commission to approve an Administrative Use Permit and Local Coastal Development Permit to legitimize four (4) dwelling units, to create a total of eight 8 dwelling units, at 1826-1832 E. First Street.

This letter sets forth, first, Ms. Kotsch’s intent with regard to the rehabilitation of this property and the history in attempting to realize that intention; and, then, argues that the City Council should follow the Staff’s recommendation.

HISTORY

Ms. Kotsch bought the subject property in 2003 with the intention of rehabilitating it and improving the housing stock in this area of Long Beach. She has done so. At the time she purchased the property, there were eight (8) occupied units. As a part of the escrow process, she obtained an Exemption Certificate indicating that parking at the property was adequate. (A copy of that Exemption Certificate is attached as Exhibit A to this letter.)

At the time Ms. Kotsch purchased the property, it was in a somewhat rundown condition. She prepared a pro forma, which included the expenditure of more than \$200,000 to bring all eight (8) units up to habitability standards, and proceeded to commence the repair work. During the process of repair, a tenant made a complaint in March 2004, and code enforcement staff inspected the building. On February 2, 2005, the Board of Examiners, Appeals and Condemnation required Ms. Kotsch to correct all items listed in the Findings of the Building Official and the Notice of Substandard Building. Ms. Kotsch readily agreed to do so, and again commenced the rehabilitation work. However, in early 2006, a stop-work order was placed on the project until the issue of the number of legitimate units on the

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property could be established. As related above, the Planning Commission determined there to be eight (8) legitimate units on the property on February 1, 2007, and this appeal followed.

ARGUMENT

This application is before you for the sins of others. From the origins of land use planning in Long Beach in the 1930s and 1940s, and for over fifty years, the City, through its General Plan and Zoning Regulations, had encouraged the development of moderate- to high-density housing in the Second District. However, market forces had not made such development productive until the late 1980s and early 1990s. It was then that the cost of land, the demand for housing, along with other market, economic and social factors, created the phenomenon of "cracker box" development (high-density development that was out of scale with the existing neighborhood and was under-parked). Today, the City reacts negatively to these developments for a variety of reasons.

However, this project is not a cracker box development project. It was created before, during, and following the Second World War, when single-family homes were converted to multi-family dwellings to accommodate returning G.I.s and their families. The last recorded City document documenting property improvements and the creation of new units is from the 1950s, long before there were cracker boxes.

This property was first developed when Long Beach was a just a newborn city, at a time when cars were novelties and parking standards were non-existent. Indeed, even when the last unit was created on this site, there were minimal parking standards for residential development. And visually, from the street, this property still appears as it did when it was first developed in the 1920s. This is not a cracker box, and it is not out of place in the neighborhood.

Development such as this is why the City created administrative procedures to legitimize or recognize units that did not secure or could not show that the proper permits were obtained at the time of development. The City has a strong sense of history and a passion for preserving that past. Additionally, the City has recognized that, with the passage of time and the poor record retention procedures of the past, many developments within the City could be lost if a process was not established to allow for the granting of some relief to property owners who could not show absolute documented proof that proper permits were issued. For that reason, the Administrative Use Permit [AUP] process was embraced within the Zoning Regulations of the Planning Bureau to accommodate and recognize units created without the full and complete benefit of City permits.

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The record presented to the Planning Commission, and now City Council, shows that, while exact permits did not exist for the creation of all eight (8) units on this property, enough evidence in the form of numerous building permits, assessor records, actions of the utility companies and the U.S. Post Office, as well as declarations of neighbors and tenants, adequate documentation is available to justify legitimizing all eight (8) units. The process envisioned by the AUP is to justify the legitimacy of the units at the time of their creation, not based upon today's standards. To utilize today's standards would be to impose irrelevant criteria on developments from another time; inconsistent with the purpose of the AUP process.

The presence of eight (8) units on this site is consistent with today's development densities for this area, preserves the historic architectural character of the property as well as the scale and fabric of this neighborhood, and reinforces the City's commitment to supporting the efforts of property owners to improve their property while preserving the past.

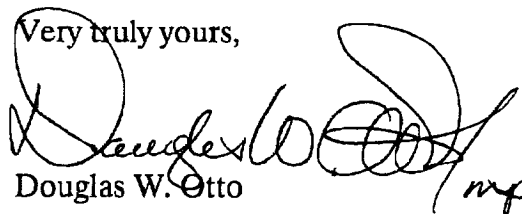
From the time of the original construction of the property, there have been a series of building permits issued to modify the original structure in order to add dwelling units to the property. While the stated purpose of these permits has not always been clear, the intent has been to add dwelling units. Leading up to and following World War II, it was typical to see single-family and duplex structures converted to multi-unit apartments to accommodate residents needing to live in Long Beach in close proximity to the Long Beach Naval Station and Long Beach Naval Shipyard. During those times, the City did not have parking standards for residential dwellings, as cars were not the major land use issue that they have become today. Also, the documentation and language used to explain the issuance of building permits was not as precise in describing the addition of dwelling units, apartments, and separate living quarters.

This AUP application represents the efforts of Ms. Kotsch to improve existing dwellings in Long Beach, and not to add dwellings, while preserving the character of the neighborhood and providing healthy and safe accommodations for working class residents. The appeal seeks to enforce the application of standards not appropriate for existing developments that were not called for in the AUP process. The appeal seeks the reduction of dwelling units in order to accommodate more off-street parking, thereby placing the need for parking spaces above the needs of actual residents.

In summary, the AUP process seeks to recognize the legality of dwelling units without the benefit of actual building permits and recognizes the rights of property owners to preserve dwellings that could have been developed legally under the standards that were in place at the time of the establishment of those dwellings. The Planning Commission, the correct body because of its background and expertise in evaluating technical issues such as these, concluded

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with a single dissent that all eight (8) units were appropriate for this property and in this neighborhood. Ms. Kotsch urges you to reach the same conclusion

Very truly yours,

Douglas W. Otto mp

DWO:map

Enclosure