Case No. 0610-17

Planning Commission approval of 4 units created without benefit of permits for a total of 8 units,

& & & & & &

Appeal to the Long Beach City Council June 19, 2007



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Reasons to Reverse Planning Commission Decision

Legal Mandates

- 1. Unaviul garage conversion
- 2. Zonno violation

Matters of Judgment

- 1. Quality of life
- 2. Safety of area residents
- 3. General welfare
- 4. Expense to residents

Legal Mandates

1. Unlawful Garage Conversion

Division IV Administrative Use Permits

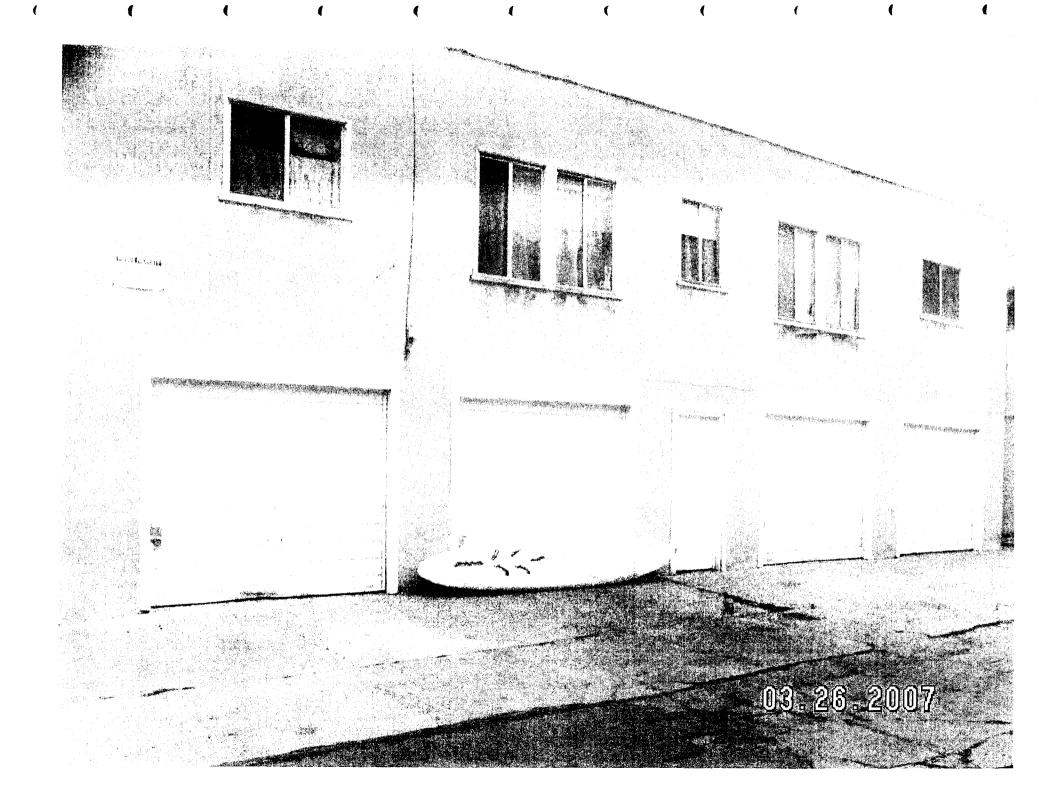
(Ord. C-6533 § 1 (part), 1988).

21.25.403 Application.

The administrative use permit process applies only to the following applications:

- A. Change From Legal Nonconforming Use To Another Nonconforming Use...
- B. Minor Expansion Of Existing Conditional Use. This...
- C. Modification Of Permit...
- D. Legalization Of Illegal Units. For units created prior to 1964.
- E. Fences In High Crime Districts...
- F. Uses designated in Tables 31-1(Residential Use Table), 32-1 (Commercial Use Table), 33-2 (Industrial Use Table), 34-1 (Institutional Use Table) and 35-1 (Park Use Table) as administrative use permit uses.
- G. New construction of a building with...

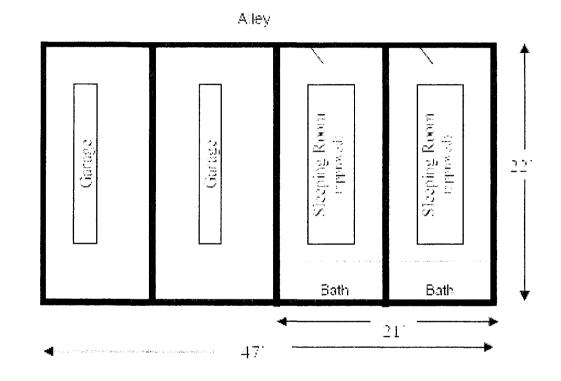
(Ord. C-7729 § 12, 2001; Ord. C-7663 § 4, 1999; Ord. C-7247 § 3, 1994: Ord. C-7032 § 10, 1992; Ord. C-6895 § 6, 1991: Ord. C-6595 § 7, 1989: Ord. C-6533 § 1 (part), 1988).



1826 E. First St.

Down Stairs (back building)

Permitted 1945



Before 1964

💌 note: measurements per 1946 assessor records

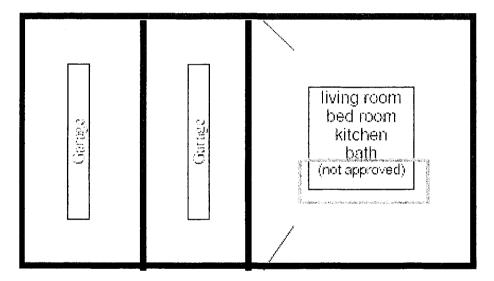
Before 1964, two one-bedroom apartments up stairs and two sleeping rooms with baths down stairs had been approved. Each sleeping room was a one car garage that was converted.

1826 E. First St.

Down Stairs (back building)

1969

Alley



In 1969 there was a Los Angeles County Tax Assessor site inspection. The report indicates the above configuration of the first floor unit and garages at that time.

DESCRIPTION OF BUILDING RESIDENTIAL INCOME BUILDING MAIN IMP. YR. BLT. CLASS & SHAPE NO. STY. BLDG. NAME RECORD. MAP BOOK PARCEL PAGE L.A. CO. ASSESSOR len) ADDRESS ROOMS PLB 1 2 3 4 FOUNDATION EXTERIOR ROOF STYLE INTER. FINISH LIGHTING KITCHEN UNIT BREAKDOWN AIR COND. Canc. Palsed Fieating
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Multiple Listing at Time of Kotsch Purchase

Residential Income RIN Closed Sale

Mon, Apr 16, 2007 01:25 PM

1826 E 1st St P235356 Media: 1 Los Angeles County (LA)

Long Beach (LONG)

APNO 7265-018-006

Area Belmont Heights, Alamitos Heights (2)

Have 7 Unit Apt. Entry Location Style

XSTS Ocean & Cherry

Aerial Map

Features No Pool, No Spa Terms Cash, Cash To New Loan

Gr Schd Inc \$ 53,160 TG 825G1

List Type Exclusive Right To Sell/ Units 7 Gross Equity 310,000

Zip 90802-Price/Unit \$ 77,857

Cap Rate 6.838% Excellent Low Vacancy Rental Area Just 1/2 Block From Bixby Park & One Block From Beach. Rare 'fixer' Opportunity. Rents Are Below Market. Huge Lot

Gross Sched Income Vacancy Allow Actual Annual Vacancy \$			\$ 53,160 5% \$ 2,658			Tax Area Tax Rate Yr				Water Tax Rate					
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Multiple Listing at Time of Kotsch Purchase

Page 1 - top

Residential Income
RIN Closed Sale 1826 E 1st St

Mon, Apr 16, 2007 01:25 PM

Long Beach (LONG)

Price \$ 510,000*

P235366 Media: 1 Have 7 Unit Apt.

Media: 1 Los Angeles County (LA)

APNO 7265-018-006

Area Belmont Heights, Alamitos Heights (2)

Entry Location

Style

XSTS Ocean & Cherry

Aerial Map

Features No Pool, No Spa

Terms Cash, Cash To New Loan

List Type Exclusive Right To Sell/

TG 825G1

Zip 90802-Price/Unit \$ 77,857 Loans 235000 Units 7

Gross Equity 310,000

Gr Schd Inc \$ 53,160

View

Page 1 - bottom

and the second s List Office Pabst, Kinney And As (1004) Office 562-987-3244 Fax Res List Agent Kachigan, Mark (ZKACHMAR) Pager 562-225-4848 Cell 562-225-4848 Primary 562-438-7676 Agt E-Mail Agt WSite one control of the co Priv Rmks '8th' Unit Is An 'illegal Bootleg Unit' -- Not Permitted. Expenses Estimated Owner List Date 4/8/2001 Date Added 4/8/2001 Tran Date 3/31/2006 DOM 144 COE: 11/15/2001 LP/SqFt \$119.87

Multiple Listing at Time of Kotsch Purchase

Page 2

Orig Price \$ 545,000	Prev Price \$ 545,000	Cur List Price \$	Off Market 8/30/2001	Comp 3%	
List Price\$535,000 Cont Price \$ 510,000	Financing	Pending/Sold i∄∕ormatio Selling Terms Sta Begin Escrow 8/3	andard Sale	POF 44/45/2004	
Sold Price \$ 510,000	SP/SqFt \$ 114.27	Sold/List 95%		COE 11/15/2001 DOM 144	
		Sell Office/Agent Info-			
Sell Office 5r5 Reality(H Sell Agent Natalie Kotsch Age E Mail Yes	(HKOTSCNA)	Office 949-716-9954 Pager 000-0000	Fax 714-536-9326 Cell 714-717-3899 Agt WSite	Res 714-536-3266 V-Mail	

The accuracy of all information regardless of source, including but not limited to square footages and lot size, is deemed reliable but is not guaranteed and should be independently verified through personal inspection by and/or with the appropriate professionals. Copyright SoCalMLS.

2. Long Poston

21.25.407 Required findings.

The following findings <u>that the subject</u> 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 Rogalations of the applicable details.

B.

C.

(Ord. C-7032 § 11, 1992: Ord. C-6533 § 1 (part), 1988).

21.31.205 Units per lot and lot area per unit.

Table 31-2 indicates the maximum number of units permitted by each residential district and the required density (land area per unit). The number of units In calculating the number of units permitted on the site, the following rules shall apply:

- A. Net Lot Area. All densities are calculated on the basis of net lot area. This is the existing lot area minus any dedications for public right-of-way (streets or alleys) to meet minimum City standards. (The planning department calculates the size of the lot as 8,250 square feet. That means that only 5.5 units are permitted under zoning density regulations. As in part B below the fraction is not counted.)*
- B. Fractional Densities. Fractional numbers of units shall not be counted in determining the number of units allowed on the site except that at least one unit shall be allowed on any legal or certified lot.

From Table 31-2

Zone R-4-R lot size (3,201--15,000 sq.ft.) lot width (26-120 ft.) 1 unit per 1,500 sq.ft.

Matters of Judgment

21.25.407 Required findings.

A.

B. The approval be detrimental to the surrounding community including public health, which we have environmental quality of life; and

C.

(Ord. C-7032 § 11, 1992: Ord. C-6533 § 1 (part), 1988).

1. Quality of life

"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 high incidence of parcels with less than legally required off-street parking and/or due to a high incidence of illegal garage conversions."

Dec. 21, 2006 staff report to the Planning Commission, case No. 0610-17, page 5

On a Tuesday night, 2-20-07, between 9 and 10 PM, a survey was conducted in the three blocks surrounding 1826 E. First Street to determine how bad the problem was.

cars were observed parked grossly in violation of the laws.

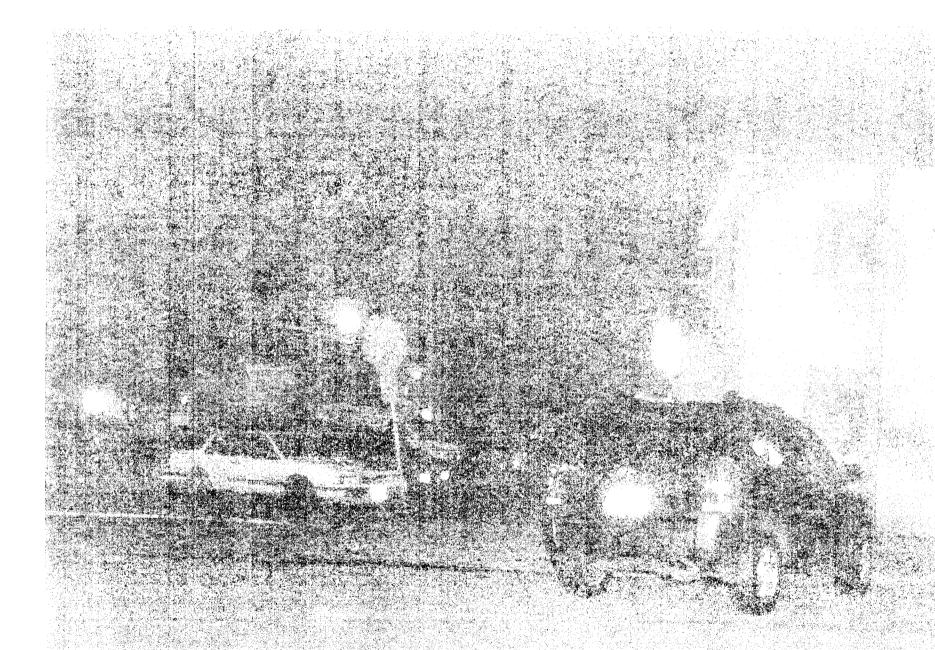
- parking in front of fire hydrants
- parking blocking crosswalks,
- parking in red zones,
- parking blocking driveways, and
- parking blocking alleys.



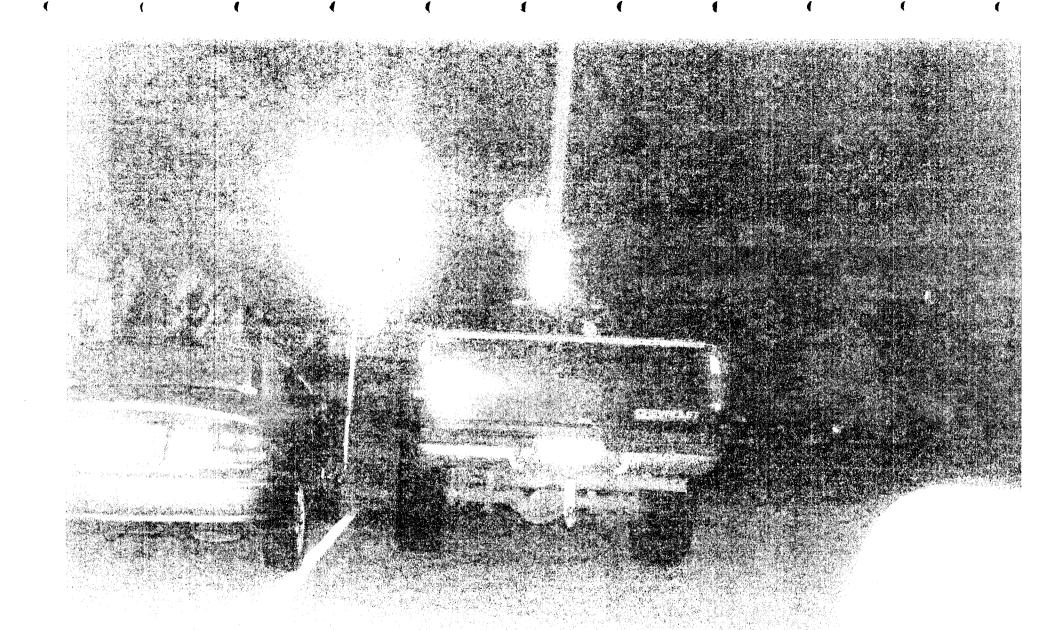


02.20.2007

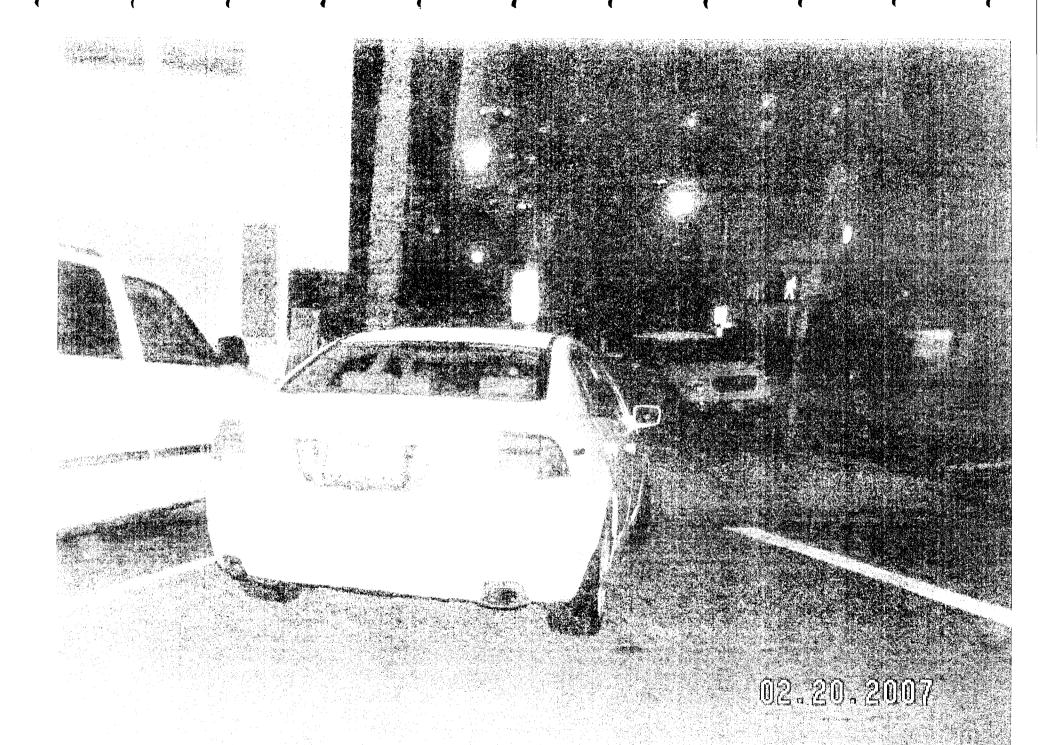


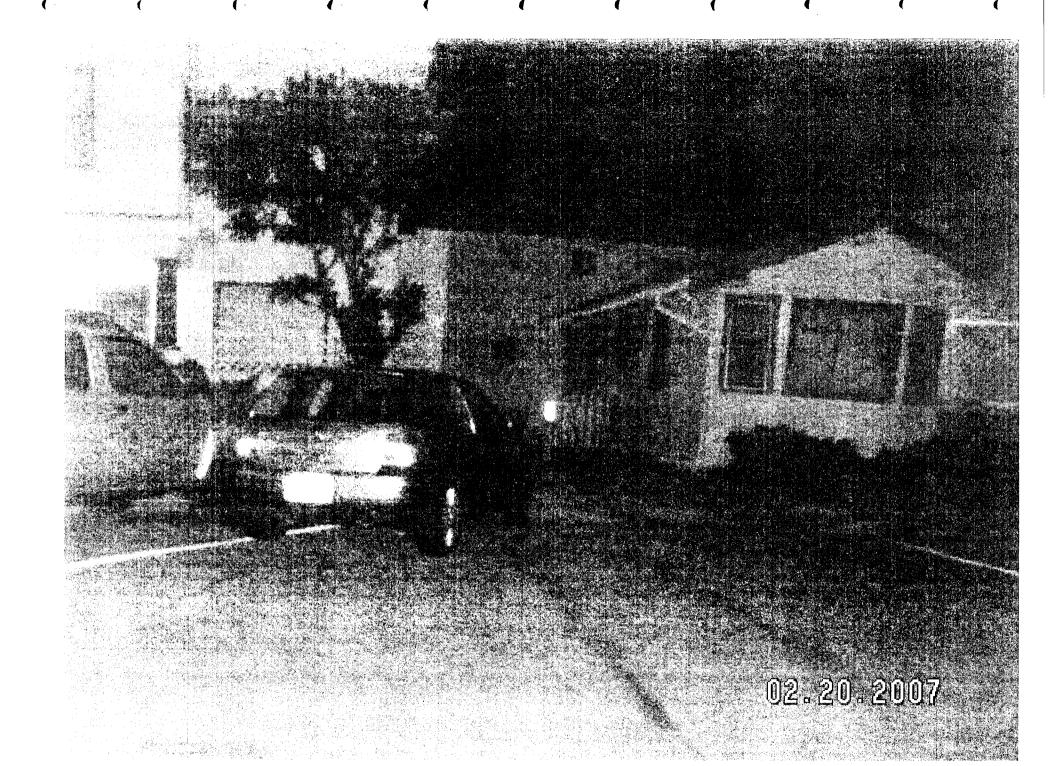


02.20.2007



02,20<u>,</u>2007







02.20.2007

2. Safety of Area Residents

Division IV Administrative Use Permits

21.25.401 Purpose.

In order to streamline the project review process, the administrative use permit procedure is established to allow a simplified review process to reduce which have the projects on surrounding properties.

(Ord. C-6533 § 1 (part), 1988).

Neighborhood Petition

1 .



Petition to Reverse Planning Commission Case CE 06-231

The below signed residents strongly protest the legalization of 4 unauthorized units in the garages and house at 1826-1832 E. First Street. Un-permitted splitting of residences and bedrooms along with unlawful garage conversions has caused the density of the neighborhood to far exceed the population forecast by city officials in the past. Reality has shown that in the Alamitos Beach area, parking has far exceeded the Long Beach Municipal Code's assumption that there would be only one car for each bedroom. We are an "impacted parking" area which is a glaring understatement. The City's designation of impacted parking is only that "more than 75% of the street parking is used in the evenings. Surveys show that in excess of 60 cars are unlawfully parked on Ocean, First, and Second streets on weeknights. We respectfully request that the Long Beach City Council reverse the Planning Commission's approval of legalizing the 4 units that were bootlegged into the 1826 property decades ago.

Signature	Address

3. General Welfare

4. Expense to Residents

Reasons to Reverse Planning Commission Decision

1. It is a violation of the law

- 1. Unlawful garage conversion
- 2. Zoning violation only 5 units permitted

2. It is detrimental to the community

- 1. Quality of life Impacted Parking
- 2. Safety of area residents Long walks fire dangers
- 3. General welfare Loss of property value deterioration
- 4. Expense to residents -- Constant parking fines