

14-1  
11-20-12

Lucee S. Kirka  
652 Prospect Avenue  
Long Beach, CA 90814

November 19, 2012

Honorable Mayor Bob Foster and City Council Members  
333 Ocean Boulevard, 14th Floor  
Long Beach, California 90802

Re: Intention to vacate the east half of the east-west alley, south of 7<sup>th</sup> Street and west of Quincy Avenue

Honorable Mayor and City Council Members:

On October 16, 2012 this Council continued the public hearing on the vacation of the east-west alley listed above to November 20, 2012 in order to give staff time to discuss the impacts of the vacation with the adjoining land owners and neighbors. On November 12, 2012, a meeting was held with City staff, Council Member DeLong, the applicants and their attorney, my neighbor Mark Kaehigan, and me. I later learned that my other neighbors were not aware of the meeting as the only notice was a posting in the alley.

The stated reason for the application was to alleviate problems the owner was having with trash being dumped in the alley as well as nuisance behavior. However, at the meeting it became clear that this was not the true reason for the vacation request. First, the property owner clearly stated that the additional land was needed so that she could meet the property development standards to add two additional bathrooms to the duplex located on the property; the City had previously denied this request as there would not be sufficient parking for the expansion. According to the property owner, the purpose of adding a bathroom to each unit is to increase the resale value. Second, in an attempt to encourage us to drop our opposition, the Property Owner offered to grant a private easement to allow the neighbors to have continued use of the alley. Clearly, this "solution" would not do anything to alleviate the problems complained of, but evidently would satisfy the letter of the law and allow the applicant to add the two bathrooms.

It should also be noted that the problems of dumping and nuisance behavior is not unique to this one location, but occurs in other alleys in the immediate neighborhood as well, most likely due to the proximity to Wilson High School. These problems should be dealt with not by vacation of a needed alley, but by additional community policing of the area.

A private easement is not acceptable as a solution for a number of reasons. The City made clear that if this were to occur, the City would have nothing more to do with the alley. It is not an acceptable solution to have to count on a private property owner to maintain the alley,

Mayor Foster and Council Members  
Vacation of Alley  
Page 2

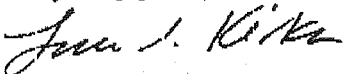
especially when this same property owner has had ongoing construction at her home for almost two years. Similarly, we do not want to have to maintain a private action should the property owner decide to close the alley at some later point in time.

Although only one of my neighbors was at the meeting with me, most of the neighborhood is in clear opposition to this vacation. A petition signed by 50 neighbors who oppose the vacation was attached to Mr. Kachigan's email from last week.

I strongly urge the City Council to follow what is evidently its practice to deny the vacation in the face of opposition. Vacation of the alley will create serious problems for the rest of the neighborhood. We should not have to endure these problems so that one homeowner may improve her property value.

Thank you for your consideration.

Very truly yours,

  
Lucee S. Kirka

cc: City Manager  
Deputy City Attorney  
Director of Public Works  
City Engineer