

Department of Community Planning and Economic Development - Planning Division
Alley Vacation
Vac-1597

Date: March 26, 2012

Applicant: Tires for Less

Address of Property: That part of the public alley dedicated in the plat of State Addition, beginning at the easterly right of way line of 3rd Ave. S., 126.93 feet to the northerly extension of the easterly line of Lot 48, State Addition to Minneapolis.

Contact Person and Phone: Miled Soussi (612) 825-1998

Planning Staff and Phone: Aly Pennucci (612) 673-5342

End of 60-Day Decision Period: Not Applicable

Ward: 8 **Neighborhood Organization:** Central Area Neighborhood Development Organization

Existing Zoning: C1 Neighborhood Commercial District and C2 Neighborhood Corridor Commercial District

Proposed Zoning: Not applicable for this application.

Zoning Plate Number: 25

Legal Description: That part of the public alley dedicated in the plat of State Addition, beginning at the easterly right of way line of 3rd Ave. S., 126.93 feet to the northerly extension of the easterly line of Lot 48, State Addition to Minneapolis.

Proposed Use: No proposed use at this time.

Concurrent Review: No other zoning applications are required at this time.

Development Plan: The subject alley is currently utilized by the properties at 3009-11 3rd Avenue South and 301 East Lake Street. The alley would be evenly distributed between these two properties if the vacation is approved. The application states that there is no proposed use at this time and the request is to help eliminate criminal activity in the alley.

Background: The applicant is requesting to vacate the western half of the "T" alley in the block bounded by 3rd Avenue South on the west and Clinton Avenue on the east. The portion of the alley proposed for vacation is adjacent to the properties located at 3009-11 3rd Avenue South and 301 East Lake Street. The applicant states that there is regular criminal activity in the alley and would like to vacate it to eliminate this activity. The alley currently provides access for trash collection and access to one (1) legal parking space for 301 East Lake Street. Currently there is no other access to the Lake

Street site. The applicant, Tires for Less, has access to their property and parking area off of 3rd Avenue South. The applicant states that the area may be used as a parking area in the future. Due to the width of the existing alley a parking area could not be accommodated in this space. In addition, outdoor storage is not permitted in either the C1 or C2 zoning districts.

Responses from Utilities and Affected Property Owners: Of the responses received, there were no objections and no easements requested.

Findings: The Public Works Department found that the alley proposed for vacation was not needed for a public purpose and that it could be vacated. However, the Community Planning and Economic Development Department – Planning Division finds that the reason for the requested vacation does not justify vacating the alley and that it should not be vacated. As previously mentioned, the property located at 301 East Lake Street has a trash enclosure located towards the rear of the building and the alley is used for trash collection. In addition, this property has one (1) legal parking space accessed through the alley. Planning Staff is concerned that vacating the alley may create access issues for the 301 East Lake Street property because the alley will be divided evenly between the two properties leaving only seven (7) feet on each side. Seven feet is not adequate to provide a driveway for trash removal or access to a parking space. In addition, if there are easements granted for a shared driveway between the two properties, the eastern half of the “T” alley that would remain as a public alley would be needed for exiting or entering the vacated portion of the alley.

The applicant states that the reason for this request is to eliminate criminal activity in the alley. The applicant has not submitted plans identifying how they intend to remedy this situation if the alley is vacated. Planning staff is concerned that blocking the alley in some manner, if vacated, may increase the opportunity for criminal activity by creating new hiding spots and obstructing views through the alley. In addition, blocking the alley could lead to the criminal activity being pushed towards the other half of the “T” alley closer to Clinton Avenue or further down the alley towards the residential properties to the south. There may be other remedies to help reduce criminal activity in the alley through Crime Prevention Through Environmental Design tools. For example, additional lighting and motion-activated lights may help deter criminals who do not wish to be noticed or seen and provide better surveillance. Ensuring that the alley is well maintained and clean can help make the area feel safer and reduce obstructed sightlines and reduce the number of hiding spots. In terms of issues with graffiti, the property owners could consider planting ivy or other clinging vegetation along the structure or adding murals to reduce the occurrences.

Staff has contacted the Crime Prevention Specialist (CPR) and the Police Inspector for this area regarding the vacation request. The CPR conducted an alley audit and coordinated with the Police Inspector to complete a report and recommendations on crime prevention strategies for this area; they do not support the request for the alley vacation. Their recommendations and comments are attached to this report.

RECOMMENDATION

Recommendation of the CPED Planning Division:

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission and the City Council adopt the above findings and **deny** the vacation.

Attachments:

1. Aerial photo
2. Plat map
3. Letter from property owner of 301 and 317 E Lake Street
4. Public Works response
5. Letters from the utility companies
6. Email from Police Inspector Lucy Gerold
7. Report and recommendations from Karen Notsch, Crime Prevention Specialist
8. Photographs of the area to be vacated