

**Department of Community Planning and Economic Development – Planning
Division**

Rezoning, Conditional Use Permit, Major Site Plan Review

BZZ-2154

Alley Vacation (Vac-1416)

Date: January 24, 2005

Applicant: Mr. Patrick Collins, 2842 James Avenue South, Minneapolis, MN 55408,
(612)250-0855

Address of Property: 513 and 519 East Lake Street

Project Name: Portland Lake Motors

Contact Person and Phone: Mr. Patrick Collins, 2842 James Avenue South,
Minneapolis, MN 55408, (612)250-0855

Planning Staff and Phone: Becca Farrar, (612)673-3594

Date Application Deemed Complete: December 9, 2004

End of 60-Day Decision Period: February 6, 2005

End of 120-Day Decision Period: On January 12, 2005, Staff sent the applicant a letter
extending the decision period to no later than April 7, 2005.

Ward: 8 **Neighborhood Organization:** Central Neighborhood Improvement Assn.

Existing Zoning: C1 (Neighborhood Commercial) and C2 (Neighborhood Corridor
Commercial) district

Proposed Zoning: C4 (General Commercial) district

Zoning Plate Number: 25

Lot area: 10,810 square feet or .25 acres

Legal Description: Lots 1,2,3,4 and 5, State Addn to Mpls

Proposed Use: Rezone subject properties to the C4 district to allow an expansion of a
used car sales business / lot.

Concurrent Review:

- Petition to rezone the subject properties from the C1 (Neighborhood Commercial) and C2 (Neighborhood Corridor Commercial) district to the C4 (General Commercial) district.
- Conditional Use Permit for automobile sales (used cars).
- Major Site Plan review.
- Alley vacation (Vacating part of the T-shaped alley bounded by Lake Street East, 5th Avenue South, Portland Avenue and 31st Street East).

Applicable zoning code provisions: Chapter 525, Article VI Zoning Amendments, Chapter 525, Article VII, Conditional Use Permits & Chapter 530 Site Plan Review.

Background: The applicant, Patrick Collins proposes to expand the existing used car sales business located on the southwest corner of Portland Avenue and East Lake Street, at 519 Portland Avenue. The existing business has operated on the site for the past 47 years and the owner has acquired the adjacent property to the west, 513 East Lake Street, in order to demolish the existing building and expand the used car sales lot. The property that the used car lot is currently operating on is zoned C2 which does not permit used car sales, thus the use is non-conforming. The adjacent property which the applicant proposes to utilize for a car lot expansion is zoned C1 which also does not permit used car sales. Used car sales are first allowed in the C4 district. The applicant is proposing to rezone both properties to the C4 district. The expansion of the used car sales lot requires a conditional use permit and is also subject to major site plan review. The applicant previously applied to vacate the T-shaped alley bounded by Lake Street East, 5th Avenue South, Portland Avenue and 31st Street. Planning Staff has not yet received a formal letter from the Public Works Department, although they have verbally stated that they will not support the proposed vacation. Planning Staff concurs with the Public Works Department as the area proposed for the vacation is needed for public purposes and is necessary for proper site circulation at the mid-block.

As part of the Lake Street Improvement Project, the City is requiring that the applicant close the existing curb cut along Lake Street as well as the curb cut off of Portland Avenue closest to the intersection. The applicant currently utilizes the alley to access the site and does not appear to utilize either curb cut that the City is requiring be closed for site access. The applicant displays vehicles within the existing curb cuts, blocking traffic from either entering or leaving the site. Additionally, the vehicles are currently being parked within the right-of-way which is not permitted. Public Works will continue to allow the applicant to utilize the alley for access to and from the site due to the required curb cut closures.

Staff had not received a formal response from the Central Neighborhood Improvement Association regarding the proposal upon the printing of this report.

Findings As Required By The Minneapolis Zoning Code for the Rezoning Application:

1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.

The properties are located along East Lake Street which is a Commercial Corridor. Staff finds that the application is inconsistent with the relevant provisions of the Minneapolis Plan, as follows:

Relevant policy: 4.3. Minneapolis will support development in Commercial Corridors where it enhances the street's character improves its ability to accommodate automobile traffic and foster pedestrian movement, and expands the range of goods and services offered.

Relevant Implementation Steps: Develop economic development initiatives for the rehabilitation, re-use and revitalization of older or historic commercial buildings and districts.

Relevant Implementation Steps: Ensure that commercial areas do not negatively impact nearby residential areas.

Relevant Implementation Steps: Regulate impacts of commercial uses, and in some cases prevent some uses from locating on designated Commercial Corridors due to their adverse impacts on the viability of nearby residential areas.

Relevant Implementation Steps: Develop plans for the City's major Commercial Corridors which articulate the desired character of the street.

The proposed rezoning is not in conformance with the above listed policies and implementation steps of the Minneapolis Plan. Allowing a rezoning to the C4 district would allow high intensive commercial uses on the subject property.

2. Whether the amendment is in the public interest and is not solely for the interest of a single property owner.

The amendment would allow the property owner to demolish a building and expand a used car sales parking lot along East Lake Street. The proposal to rezone the property is in the sole interest of the applicant.

3. Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.

The site is bordered by C1 zoning to the west and C2 zoning across Portland Avenue to the east. To the south of the site the properties are zoned OR1 and to the north across East Lake Street, the properties are zoned C1 and C2. Adjacent uses include a mixture of different commercial uses and residential uses. There is one C4 zoned property, which is a used car dealership, located approximately one block away on the corner of East Lake Street and Oakland Avenue. Given the mixture of surrounding zoning classifications, proximity to the C4 district and uses in the area, the zoning could be deemed compatible with what currently exists in the general vicinity.

4. Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.

The 519 East Lake property is zoned C2 and currently a used car sales business operates on the property. The existing used car sales lot is developed with a one-story office structure. The adjacent parcel, 513 East Lake Street which the applicant proposes to expand his business on to is fully developed with the existing commercial building. Although the existing commercial building is dilapidated, there are reasonable uses of the property permitted under the existing zoning classifications. The C1 district is established to provide a convenient shopping environment of small scale retail sales and commercial services that are compatible with adjacent residential uses. In addition to commercial uses, residential uses, institutional and public uses, parking facilities, limited production and processing and public services and utilities are allowed. Permitted uses in the C1 district include, but are not limited to, the following:

- Pet stores
- Video stores
- Banks or financial institutions
- Coffee shops, with limited entertainment
- Restaurant, delicatessen
- Restaurant, sit down, including the serving of alcoholic beverages with general entertainment
- Clinic, medical or dental
- Residential uses

5. Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.

Under the 1963 Zoning Code, the subject property and the surrounding area was zoned differently than it is today. The properties located along Lake Street in this area all had downtown zoning classifications, primarily B3S-2. Staff is not aware

of a particular trend in the area that would make the existing zoning classifications inappropriate or that would support rezoning the property to the C4 District.

CONDITIONAL USE PERMIT – for automobile sales

Required Findings for the Conditional Use Permit:

- 1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.**

Staff believes that it is unlikely that utilizing the properties for automobile sales will be detrimental to or endanger the public health, safety, comfort or general welfare. The applicant is proposing to demolish an existing adjacent building and expand a used car sales lot. The property located on the corner has been operating as a used car sales business for the past 47 years.

- 2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.**

Staff does not believe that expanding a use which has occupied the site for the past 47 years would likely be injurious to the use and enjoyment of other property in the vicinity. However, allowing the properties to be rezoned and thus allowing more intensive commercial uses on the site potentially impede the normal or orderly development and the improvement of surrounding property for uses permitted in the district. A rezoning to the C4 district, which is the City's highest intensity commercial zoning classification, will permit all uses allowed in the C4 district. There is no guarantee that a used car sales lot will always occupy the site.

- 3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.**

The applicant will be required to work closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development should the plan be approved. This would be required to ensure that all procedures are followed in order to comply with city and other applicable requirements including the Lake Street Improvement Project.

- 4. Adequate measures have been or will be provided to minimize traffic congestion in the public streets.**

It is difficult to predict whether the congestion of the public streets would be substantially affected based on the expansion of a used car dealership. One would

potentially expect more traffic to and from the site and there is no off street parking available for customers currently. The applicant has mentioned within some of the application materials that he intends for some of the parking shown on the expanded site to be for customer parking. Public Works has reviewed the submitted site plan and will not permit the applicant to locate back-out parking spaces adjacent to the public alley. Public alleys are not permitted to be used for maneuvering associated with the business. As proposed, vehicles would not have sufficient space to maneuver into and out of five of the parking spaces without encroaching onto the adjacent residential property.

5. Is consistent with the applicable policies of the comprehensive plan.

See the above listed response to finding #1 in the rezoning application.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit.

The use is subject to the standards of Chapter 530. The applicant has concurrently applied for a rezoning, conditional use permit and major site plan review to bring the property into compliance. The applicant also previously filed an application to vacate a portion of the alley adjacent to the property. Should all applications be approved, the property shall conform to the applicable regulations of the C4 district.

Required Findings for Major Site Plan Review

- A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)**
- B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan. (See Section B Below for Evaluation.)**
- C. The site plan is consistent with applicable development plans or development objectives adopted by the city council. (See Section C Below for Evaluation.)**

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND FAÇADE:

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.**

- **First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.**
- **The area between the building and the lot line shall include amenities.**
- **The building shall be oriented so that at least one (1) principal entrance faces the public street.**
- **Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.**
- **For new construction, the building façade shall provide architectural detail and shall contain windows at the ground level or first floor.**
- **In larger buildings, architectural elements shall be emphasized.**
- **The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.**
- **The use of plain face concrete block as an exterior material shall be prohibited where visible from a public street or a residence or office residence district.**
- **Entrances and windows:**
 - **Residential uses shall be subject to section 530.110 (b) (1).**
 - **Nonresidential uses shall be subject to section 530.110 (b) (2).**
- **Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the façade and that vehicles are screened from view. At least thirty (30) percent of the first floor façade that faces a public street or sidewalk shall be occupied by commercial uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.**

The building utilized to operate the used car sale business is existing. The main entrance is directly off the parking lot located at the corner of East Lake Street and Portland Avenue. The exterior material appears compatible on all sides of the building as it is predominantly composed of brick. The 30% window requirement is not applicable as the building is existing. The drive aisles would need to be evaluated by Public Works before final plans could be approved due to configuration and layout changes that would need to be accommodated within the existing and proposed lot.

The applicant is proposing landscaping, however, staff believes that there are additional opportunities to landscape the site. The applicant is proposing inadequate amounts of landscaping on site. Staff will require the 5 foot perimeter landscaping along the entire frontage of Lake Street and Portland Avenue, as well as require the installation of a wrought iron fence along said perimeter for alternative compliance measures.

ACCESS AND CIRCULATION:

- **Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.**
- **Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.**
- **Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.**
- **Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.140 (b).**
- **Areas for snow storage shall be provided unless an acceptable snow removal plan is provided.**
- **Site plans shall minimize the use of impervious surfaces.**

Existing sidewalks and walkways do not connect with the existing building in conformance with the requirements of the zoning ordinance. There is no on site parking for either employees or customers, although the applicant has mentioned within the application materials that some of the designated parking may be for customers. The majority of the parking on site will be utilized for the selling of used vehicles. The site has three existing curb cuts (2 full and 1 partial), one off of Lake Street and one off of Portland Avenue as well as another partial curb cut off Portland Avenue.

As part of the Lake Street Improvement Project, the City is requiring that the applicant close the curb cut along Lake Street as well as the curb cut off of Portland Avenue closest to the intersection. Staff would require that the applicant pave the site with asphalt, curb, stripe, and modify/close the existing curb cuts per Public Works requirements, reconfigure the parking lot as necessary and provide perimeter landscaping along the parking lot. The applicant would need to continue to work with Public Works and Planning Staff to address all applicable issues and concerns.

The applicant currently utilizes the alley to access the site and does not appear to utilize either curb cut that the City is requiring be closed for site access. The applicant parks vehicles within the existing curb cuts blocking traffic from either entering or leaving the site. Additionally, the vehicles are currently being parked within the right-of-way which is not permitted.

The applicant has indicated that snow will be professionally removed from the site.

LANDSCAPING AND SCREENING:

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
 - **Not less than twenty (20) percent of the site not occupied by buildings shall be landscaped as specified in section 530.150 (a).**

- **Where a landscaped yard is required, such requirement shall be landscaped as specified in section 530.150 (b).**
- **Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.**
- **Required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:**
 - **A decorative fence.**
 - **A masonry wall.**
 - **A hedge.**
- **Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.160 (b).**
- **Parking and loading facilities abutting a residence or office residence district or abutting a permitted or conditional residential use shall comply with section 530.160 (c).**
- **The corners of parking lots shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks, or bicycle parking.**
- **Parking lots containing more than two hundred (200) parking spaces: an additional landscaped area not less than one hundred-fifty (150) square feet shall be provided for each twenty-five (25) parking spaces or fraction thereof, and shall be landscaped as specified for a required landscaped yard.**
- **All parking lots and driveways shall be defined by a six (6) inch by six (6) inch continuous concrete curb positioned two (2) feet from the boundary of the parking lot, except where the parking lot perimeter is designed to provide on-site retention and filtration of stormwater. In such case the use of wheel stops or discontinuous curbing is permissible. The two (2) feet between the face of the curb and any parking lot boundary shall not be landscaped with plant material, but instead shall be covered with mulch or rock, or be paved.**
- **All other areas not governed by sections 530.150, 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.**
- **Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.220.**
- **The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.60, as provided in section 530.230.**

The applicant is proposing additional landscaping on site, however the proposal is not adequate. Staff would require that the applicant provide the required 5 foot perimeter landscaping requirement along the entire perimeter of Lake Street and Portland Avenue as well as between all parking/display areas and the residential property to the south. (The applicant is currently showing the perimeter landscaping at 2 feet). Screening

would also be required per the requirements of Chapter 530.160, between the parking/display areas and the residential property to the south. The applicant proposes to install approximately 588 square feet of landscaping. Currently, the site has no landscaping. According to that calculation, the site would not meet the minimum 20 percent requirement as 1,993 square feet would be required. Staff believes there would be additional opportunities to landscape the site. The applicant is providing adequate quantities of shrubs and trees, however is unable to meet the overall landscaping requirements. It is unlikely that a 2 foot wide landscaping bed could support the environment needed to sustain the proposed trees. Chapter 530 of the zoning code would require a minimum of 2 trees and 10 shrubs. The applicant would also be required to meet the landscaped yard requirements of section 530.160.

ADDITIONAL STANDARDS:

- **Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.**
- **Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto residential properties.**
- **Site plans shall minimize the blocking of views of important elements of the city.**
- **Buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
- **Buildings shall be located and arranged to minimize the generation of wind currents at ground level.**
- **Site plans shall include crime prevention design elements as specified in section 530.260.**
- **Site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.**

There is no off-street parking for customers or employees. The site is almost entirely an unscreened parking lot, therefore it is likely that any vehicles entering or leaving the site would have an impact on the adjacent properties. Additionally, based on the proposed location of parking, and the complete lack of screening between the use and the adjacent residential use there would likely be impacts on the adjacent properties.

There is existing lighting on site. All lighting will need to be downcast and shielded to avoid undue glare. The string lights located on site will need to be removed as they do not meet the city's regulations. All lighting must comply with Chapters 535 and 541. The City's CPTED officer has recommended that any additional plantings follow the 3' – 7' rule to allow visibility on site. The CPTED officer further recommended that a fence be installed along the alley and that access to the site be closed off after hours. All existing pennants on site must be removed.

Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan

ZONING CODE:

Section 536, Specific Development Standards, requires the following for automobile sales:

- (1) Fuel pumps for the purpose of the retail sale and dispensing of fuel to the general public shall be prohibited. If the use includes dispensing of fuel for the automobiles maintained on-site, the use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be located a minimum of ten (10) feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vaportight fittings to preclude the escape of gas vapors from the fill pipes.
- (2) The rental of passenger automobiles shall be prohibited, except as an accessory use.

Hours of Operation: Hours that the facilities can be open to the public under the C4 zoning are 6:00 a.m. to 10:00 p.m. Sunday through Thursday and 6:00 a.m. to 11:00 p.m. Friday and Saturday. The business would comply with the hours of operation.

Dumpster screening: Section 535.80. Refuse storage containers shall be enclosed on all four (4) sides by screening compatible with the principal structure not less than two (2) feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses. This provision is not applicable at this time as currently the site has indoor trash storage.

Window obstructions: 543.350. Window signs. Window signs shall be allowed, provided that such signage shall not exceed thirty (30) percent of the window area, whether attached to the window or not, and shall not block views into and out of the building at eye level. Window signs shall be included in the calculation of the total permitted building sign area, except as provided for temporary signs in section 543.330. The site would need to comply with this requirement as there are existing window signs located within the building windows on site.

Signage: No new signage is proposed at this time. All new signage is required to meet the requirements of the code. The applicant shall submit a sign inventory, so the Zoning Office can review all new signage for compliance with the code before any new sign permits are issued.

MINNEAPOLIS PLAN:

See the above listed response to finding #1 in the rezoning application.

Section C: Conformance with Applicable Development Plans or Objectives Adopted by the City Council

Staff is aware of some conflicts between the proposal and the “Lake Street at the Crossroads” development plan adopted by the City Council, however, the plan doesn’t specifically designate the subject parcel. Some aspects of the plan tend to support business retention, while other aspects deem it inappropriate due to its lack of pedestrian friendliness.

The plan states that “Lake Street has a long history of auto-related businesses that serve a function in the community. However, these and other service commercial businesses that are less pedestrian-friendly should be located at the edge of the node.” The subject business is not located at the edge of the node according to the plan. Further, the plan states “The area between Portland and Park Avenues is currently dominated by nationally-franchised auto-related businesses. These successful businesses are attracted by the high traffic counts of Lake Street, Portland Avenue and Park Avenue. Streetscape improvements that define street edges and screen parking will help integrate these uses into the neighborhood.”

Alternative Compliance. The Planning Commission may approve alternatives to any major site plan review requirement upon finding any of the following:

- **The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.**
- **Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.**
- **The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.**

Alternative compliance is necessary for this site as the applicant is unable to meet the 20 percent landscaping requirement. Staff would require that the applicant provide the

required 5 foot perimeter landscaping along the entire frontage of Lake Street and Portland Avenue as well as between all parking/display areas and the residential property to the south. Screening would be required as well per the requirements of Chapter 530.160, between the parking/display areas and the residential property to the south. Staff would also require that the applicant install decorative wrought iron fencing along Lake Street and Portland Avenue. Improvements installed on the south side of the sidewalk through the Lake Street streetscape project may contribute to (but not completely satisfy) the landscaping and screening requirements. Staff would continue to work with the applicant to determine additional opportunities for on-site landscaping.

Alley Vacation File Vac-1416

Development Plan: See attached site plan.

Other Zoning Applications Required: Several other approvals are required including a rezoning, conditional use permit and major site plan review.

Responses from Utilities and Affected Property Owners: One easement request was received by Xcel Energy.

Findings: The Public Works Department and City Planning Department find that the area proposed for vacation is needed for public purposes, and is necessary for proper site circulation at the mid-block being that it is a part of a public transportation corridor.

As of the writing of this staff report Public Works has not officially provided a letter regarding the vacation, but has given a verbal recommendation of denial. Xcel energy responded and requested an easement should the vacation request be approved. Should the vacation request be approved the applicant would need to work with Xcel in order to draw up the necessary easement agreement. Staff recommends that the Planning Commission recommend denial of the vacation.

RECOMMENDATIONS:

Recommendation of the Community Planning and Economic Development Department – Planning Division for the rezoning:

The Department of Community Planning and Economic Development, Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **deny** the rezoning petition to change the zoning classification of the property located at 513 and 519 East Lake Street from the C1 and C2 districts to the C4 district.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission **deny** the application for a conditional use permit to expand a used car sales business for property located at 513 and 519 East Lake Street.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the site plan review:

The Department of Community Planning and Economic Development– Planning Division recommends that the City Planning Commission **deny** the site plan review application for property located at 513 and 519 East Lake Street

Recommendation of the Department of Community Planning and Economic Development– Planning Division for the alley vacation:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission and the City Council accept the above findings and **deny** the request to vacate the part of the T-shaped alley bounded by Lake Street East, 5th Avenue South, Portland Avenue and 31st Street East.

Attachments:

1. Statement of use
2. Findings
3. Correspondence
4. Zoning map
5. Plans – Site and Floor plans
6. Photos
7. Vacation map/request