 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: May 23, 2016
	Agenda Item No. 48 Roll Call No. [_____] Communication No. <u>16-267</u> Submitted by: Phillip Delafield, Community Development Director

AGENDA HEADING:

Approving vacation and lease of 2,112 square feet of public right-of-way for a sidewalk café on a public alley segment adjacent to 215 E. 3rd Street, for Beer Inc., LLC (DBA The Iowa Taproom).

SYNOPSIS:

Recommend approval of vacation of a segment of public alley and approval of a sidewalk café lease agreement for The Iowa Taproom, located at 215 E. 3rd Street, Suite 100, for the purpose of an outdoor patio space. This project is represented by Jeff Bruning, Owner, Beer, Inc., LLC, 215 E. 3rd Street, Suite 100, Des Moines, IA 50309.

FISCAL IMPACT:

Amount: \$9,604 collection of 3-year lease for sidewalk café area.

Funding Source: CD042044, 468440, Revenue from lease of Public Right-of-Way (ROW) for a sidewalk café is deposited in the revenue account.

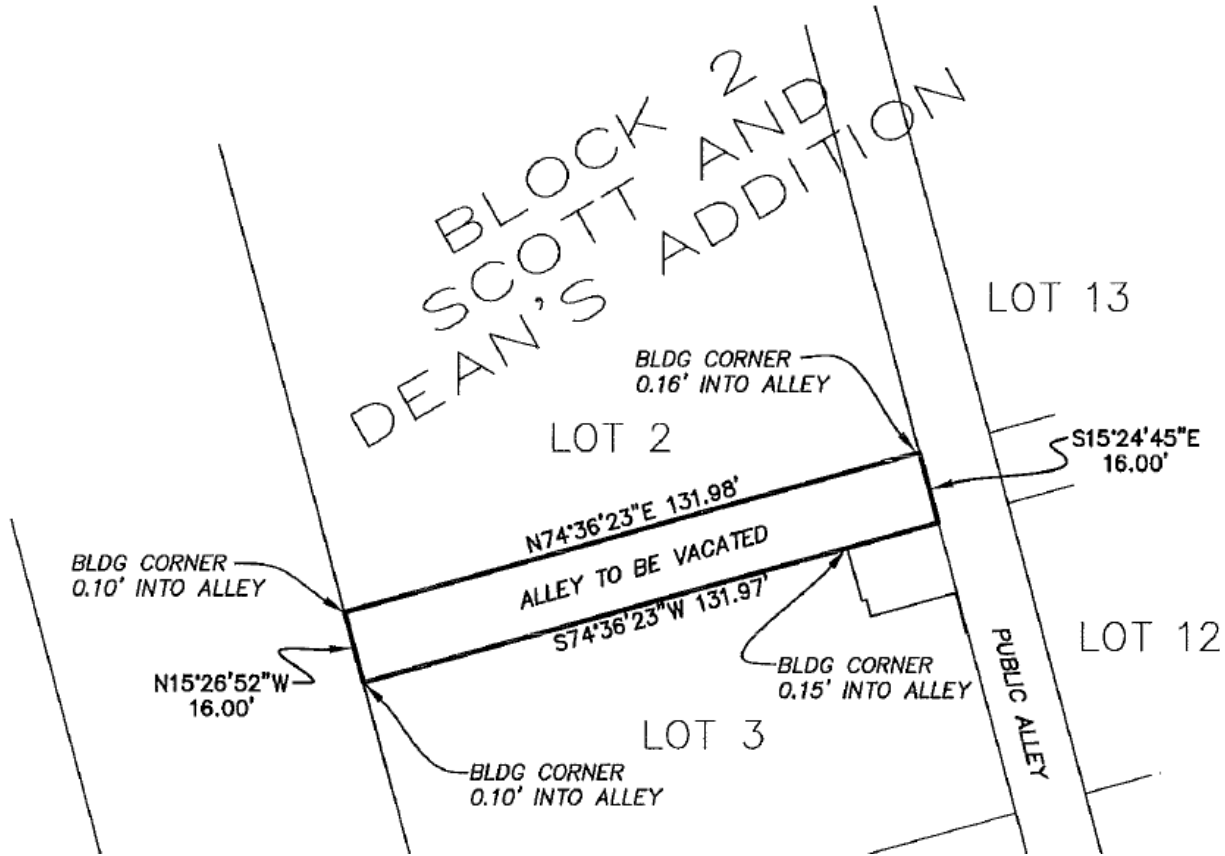
ADDITIONAL INFORMATION:

The Iowa Taproom wishes to install a 2,112 square feet outdoor patio in the adjacent alley north of the building. Staff has determined that the area to be vacated is not necessary for other public purpose, and the application for a sidewalk café meets all requirements of the design standards as approved by City Council on January 28, 2013.

The leased area will contain movable tables and chairs and a minimum 36-inch tall fence barrier as required by City Code for service of food and alcoholic beverages. Minor modifications to the adjacent sidewalk on E. 3rd Street are needed to eliminate the curb cut from the street to the alley, and repair the public sidewalk as needed. A site plan detailing this work has been reviewed and approved by staff, and remains on file in the Permit and Development Center.

Additionally, the two (2) adjacent property owners to the north of the alley have provided their written consent to the request to vacate the alley for the purpose of a sidewalk café lease. The Permit and Development Center is requesting an additional easement from the applicant to accommodate the construction of a ramp, which is needed to provide necessary accessible egress from the building to the patio space.

VACATION PLAT



PREVIOUS COUNCIL ACTION(S):

Date: May 9, 2016

Roll Call Number: [16-0758](#)

Action: On vacation and lease of a portion of the east-west alley right-of-way for a sidewalk café adjacent to the Iowa Taproom at 215 E. 3rd Street, (5-23-16). Moved by Hensley to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Renewal of future sidewalk café lease agreement.

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