

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: July 11, 2016
	Agenda Item No. 15 Roll Call No. <u>16-1112</u> Communication No. <u>16-392</u> Submitted by: Phillip Delafield, Community Development Director

AGENDA HEADING:

Acceptance of a real estate easement document from East River, LLC, d.b.a Big Lar’s for ingress and egress rights along the vacated, City-owned alley segment south of property at 215 E. 2nd Street.

SYNOPSIS:

Recommend Council acceptance of a real estate easement document for permanent ingress and egress to a segment of vacated alleyway to the adjacent public sidewalk on E. 2nd Street. This easement will allow for the (Building) Code-required exiting of the building at 215 E. 2nd Street, and has been consented to by Larry Smithson (Owner), East River, LLC, 2904 SE 14th Street, Des Moines, IA 50320.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

On May 23, 2016, by Roll Call No. 16-0839, City Council approved a Sidewalk Café Lease agreement for an outdoor patio and seating area to be located in the vacated alley segment south of the building at 215 E. 2nd Street, which is operating as Big Lar’s Pool n Pub. During the building permit review of the proposed patio addition, it was determined that a pedestrian access, or ingress/egress easement would be necessary to satisfy building safety existing requirements of the adjacent building at 215 E. 2nd Street, through a vacated, City-owned former alley segment. The easement will be valid for the direction of the sidewalk café lease at this location, and an executed copy of the easement will be recorded and kept on permanent file at the Permit and Development Center.



PREVIOUS COUNCIL ACTION(S):

Date: May 23, 2016

Roll Call Number: [16-0839](#)

Action: [Approving](#) lease of a portion of vacated east-west alley right-of-way for a Sidewalk Café adjacent to Big Lar’s at 215 E. 2nd Street. [\(Council Communication No. 16-269\)](#) Moved by Gatto to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Zoning Board of Adjustment

Date: ZON2016-00085

Resolution Number: N/A

Action: Amend Conditional Use Permit for a tavern selling alcoholic liquor, wine, and/or beer to allow for an expansion of the existing tavern use to include a 16-foot by 46-foot (736-square-foot) patio for outdoor service along the south side of the building, subject to conditions.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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