


COUNCIL COMMUNICATION

	Number:	19-187i	Meeting:	May 6, 2019
	Agenda Item:	39	Roll Call:	19-0741
	Submitted by:	Chris Johansen, Community Development Director		

AGENDA HEADING:

Review of a Zoning Board of Adjustment decision granting a Variance to a separation distance requirement to allow sale of alcoholic liquor, wine, and beer within a lounge area and outdoor patio accessory to a hotel use (Fairfield Inn) at 207 Crocker Street.

SYNOPSIS:

Staff recommends that the Council decline to remand the decision of the Zoning Board of Adjustment granting a Variance to a separation distance requirement to allow sale of alcoholic liquor, wine, and beer within a lounge area and outdoor patio for a hotel (Fairfield Inn) at 207 Crocker Street.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

- On April 24, 2019, the Zoning Board of Adjustment voted 6-0 to approve a Variance to a separation distance requirement, as well as a Conditional Use Permit, to allow the sale of alcoholic liquor, wine, and beer within an 1,800-square-foot lounge area and a 1,700-square-foot outdoor patio accessory to a hotel use (Fairfield Inn) at 207 Crocker Street.
- Since the property is zoned “C-2” General Retail and Highway-Oriented Commercial District, any business, other than a restaurant, selling alcoholic liquor, wine and beer is required to be separated by at least 150 feet from any public park. If the property were zoned “C-3” District or “D-R” District, it would not be subject to any separation distance requirements.
- The subject property is within 100 feet of a public park located directly across 2nd Avenue to the east. The subject property is separated from this park by a 4-lane roadway and by a significant change in grade.
- The conditions imposed by the Zoning Board of Adjustment are intended to protect the surrounding neighborhood from any negative impacts of the business. The Zoning Officer also has the ability to bring the Conditional Use Permit back to the Board for reconsideration if the business becomes a nuisance.

- The site is located along the west side of 2nd Avenue at its intersection with Crocker Street. It is not located within a recognized neighborhood association.
- The site is owned by 207 Crocker, LLC, represented by Kalpesh Patel, PO Box 186, Johnston, IA 50131.
- Pursuant to City Code Section 134-65, the City Council shall review the Board's decision within 30 days after the decision is filed. After such review, the City Council may remand the decision to the Board for further study. If the City Council declines to remand the decision, that decision shall become final on the date of the City Council's action (May 6, 2019).

PREVIOUS COUNCIL ACTION(S): NONE

BOARD/COMMISSION ACTION(S):

Board: Zoning Board of Adjustment

Date: April 24, 2019

Resolution Number: ZON2019-00038

Action: Motion to grant a Variance to a separation distance requirement, approved by a 6-0 vote.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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