


COUNCIL COMMUNICATION

	Number:	19-313	Meeting:	July 15, 2019
	Agenda Item:	61	Roll Call:	19-1146
	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 at a concert venue located within Water Works Park (vicinity of 2201 George Flagg Parkway).

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 at a concert venue located within Water Works Park (vicinity of 2201 George Flagg Parkway).

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

- On June 26, 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 at a concert venue located within Water Works Park in the vicinity of 2201 George Flagg Parkway.
- The subject property is located within a public park (Des Moines Water Works Park), which causes it to not meet the provision that requires any such use to provide at least 150 feet of separation from any public park.
- The conditions imposed by the Zoning Board of Adjustment are intended to protect the surrounding neighborhood from any negative impacts of the alcohol sales. 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 Fleur Drive and to the north of George Flagg Parkway. It is not located within a recognized neighborhood association but is within 250 feet of both the Southwestern Hills and Gray's Lake Neighborhoods.
- The site is owned by the Des Moines Water Works, represented by Ted Corrigan, 2201 George Flagg Parkway, Des Moines, IA 50309.

- 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 (July 15, 2019).

PREVIOUS COUNCIL ACTION(S): NONE

BOARD/COMMISSION ACTION(S):

Board: Zoning Board of Adjustment

Date: June 26, 2019

Resolution Number: ZON2019-00102

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

Board: Zoning Board of Adjustment

Date: October 25, 2017

Resolution Number: ZON2017-00171

Action: Motion to grant appeals to allow redevelopment of a portion of Water Works Park with multiple components, including but not limited to, an open-air amphitheater canopy, park shelter, restrooms, natural playscape, paths, landscaping, and off-street parking, approved by a 7-0 vote.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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