

Date June 22, 2009

REQUEST BY TOMMY MAURO FOR A WAIVER OF THE REQUIREMENT TO MAINTAIN A SIX FOOT WIDE PEDESTRIAN PATHWAY UPON THE PUBLIC SIDEWALK ADJOINING THE PELICAN BAR AT 208 3rd STREET

WHEREAS, on May 18, 2009, by Roll Call No. 09-909, the City Council approved an application from Tommy Mauro, owner of the Pelican Bar at 208 3rd Street, for the lease of a portion of the adjoining 3rd Street right-of-way for use as a sidewalk cafe, "subject to the maintenance of a 6 foot wide clear path for pedestrian travel upon the remaining public sidewalk, or such lesser width as may be hereafter allowed by the City Council after receipt of a report and recommendation from the City Plan and Zoning Commission as required by Section 102-286(b) for a sidewalk cafe lease that does not conform with the approved Design Standards for Sidewalk Cafes"; and,

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on May 21, 2009, its members voted 10-0 in support of a motion to recommend **DENIAL** of the application from Tommy Mauro, for waiver of the requirement under the approved Design Standards for Sidewalk Cafes to maintain a 6 foot wide clear path for pedestrian travel upon the remaining public sidewalk; and,

WHEREAS, on June 8, 2009, by Roll Call No. 09-1047, the City Council referred the application to the City Manger for review and report back at the June 22nd meeting, including a police report.

Moved by _____ to receive and file, and to **DENY** the application for waiver of the approved Design Standards for Sidewalk Cafes.

FORM APPROVED:

Roger K. Brown
 Roger K. Brown, Assistant City Attorney

C:\Rog\Vacate\Cafe\Pending\Pelican Bar RC Waiver.doc

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED APPROVED

.....
Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

 City Clerk



Roll Call Number

09-1047

Agenda Item Number

765

Date June 8, 2009

RESOLUTION DENYING REQUEST FOR A WAIVER OF THE REQUIREMENT TO MAINTAIN A SIX FOOT WIDE PEDESTRIAN PATHWAY UPON THE PUBLIC SIDEWALK ADJOINING THE PELICAN BAR AT 208 3RD STREET

WHEREAS, on May 18, 2009, by Roll Call No. 09-909, the City Council approved and application from Tommy Mauro, owner of the Pelican Bar at 208 3rd Street, for the lease of a portion of the adjoining 3rd Street right-of-way for use as a sidewalk cafe, "subject to the maintenance of a 6 foot wide clear path for pedestrian travel upon the remaining public sidewalk, or such lesser width as may be hereafter allowed by the City Council after receiving a report and recommendation from the City Plan and Zoning Commission as required by Section 102-286(b) for a sidewalk cafe lease that does not conform with the approved Design Standards for Sidewalk Cafes"; and,

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on May 21, 2009, its members voted 10-0 in support of a motion to recommend DENIAL of the application from Tommy Mauro, for a waiver of the requirement under the adopted Design Standards for Sidewalk Cafes to maintain a 6 foot wide clear path for pedestrian travel upon the remaining public sidewalk.

MOVED by Hensley to refer to the City Manager for review and report back at the June 22nd meeting including a police report.

FORM APPROVED:

Roger K. Brown

Roger K. Brown Assistant City Attorney

(11-2009-1.07)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COUNIE, COLEMAN, HENSLEY, KIERNAN, MAHAFFEY, MEYER, VLASSIS, and TOTAL.

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED T.M. Franklin Council Mayor

Diane Fauh City Clerk

09-1047 74
65

Request from FTM, Inc. (owner) 208 3 rd Street, represented by Frank T. Mauro, for vacation of the west 5 feet of the 3 rd Street Right-Of-Way adjoining the subject property, to allow for an outdoor sidewalk café that does not meet minimum Design Standards for Sidewalk Cafés required in Section 102-286(b) of the City Code.				File # 11-2009-1.07	
Description of Action	Vacation of the west 5 feet of the 3 rd Street Right-Of-Way adjoining the subject property, to allow for an outdoor sidewalk café that does not meet minimum Design Standards for Sidewalk Cafés required in Section 102-286(b) of the City Code.				
2020 Community Character Plan	Downtown: Retail/Office Core/Core Fringe				
Horizon 2025 Transportation Plan	No Planned Improvements				
Current Zoning District	"C3-R" Central Business District Commercial Mixed-Residential District				
Proposed Zoning District	"C3-R" Central Business District Commercial Mixed-Residential District				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area	3	15			
Outside Area					
Plan and Zoning Commission Action	Approval		Required 6/7 Vote of the City Council	Yes	N/A
	Denial	10-0		No	N/A

FTM Inc (Pelican Bar) - 208 3rd Street

11-2009-1.07



May 29, 2009

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held May 21, 2009, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 10-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Leisha Barcus	X			
JoAnne Corigliano				X
Shirley Daniels				X
Jacqueline Easley	X			
Dann Flaherty	X			
Ted Irvine	X			
Jeffrey Johannsen	X			
Greg Jones	X			
Frances Koontz				X
Jim Martin	X			
Brian Millard	X			
Mike Simonson	X			
Kent Sovern	X			



CITY PLAN AND ZONING COMMISSION
 ARMORY BUILDING
 602 ROBERT D. RAY DRIVE
 DES MOINES, IOWA 50309-1881
 (515) 283-4182

ALL-AMERICA CITY
 1949, 1976, 1981
 2003

DENIAL of the requested vacation by FTM, Inc. (owner) 208 3rd Street of the west 5 feet of the 3rd Street right-of-way adjoining the subject property, to allow for an outdoor sidewalk café that does not meet minimum Design Standards for Sidewalk Cafes required in Section 102-286(b) of the City Code. 11-2009-1.07

Written Responses

- 3 In Favor
- 15 In Opposition

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends denial of the requested vacation.

STAFF REPORT

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is proposing to add an outdoor service area to the existing tavern business at this location. In 2006 the City Council adopted a streamlined process for vacating right-of-way and leasing it to businesses for sidewalk cafes. The Plan & Zoning Commission must review this request since a portion of the proposed service area is within 5 feet of a light pole and does not meet the Design Standard's requirement that a continuance 6-foot wide clear passageway be maintained for pedestrian traffic.

The applicant will be required to obtain a Conditional Use Permit from the Zoning Board of Adjustment before the sidewalk café space can be added to the existing tavern use.

2. **Size of Site:** 5 feet by 25 feet (125 square feet).
3. **Existing Zoning (site):** "C-3R" Central Business District Mixed Residential District.
4. **Existing Land Use (site):** Class "A" sidewalk along west side of roadway.
5. **Adjacent Land Use and Zoning:**
 - East** – "C-3R", Use is a parking garage.
 - West** – "C-3R", Use is a tavern.
6. **General Neighborhood/Area Land Uses:** The subject property is located in the Court Avenue District in the downtown.
7. **Applicable Recognized Neighborhood(s):** Downtown Des Moines Neighborhood.
8. **Relevant Zoning History:** None.
9. **2020 Community Character Land Use Plan Designation:** Downtown Retail/Office Core/Core Fringe.
10. **Applicable Regulations:**

DIVISION 5. VACATION AND CONVEYANCE

Sec. 102-286. Procedures.

(b) Investigation and recommendation. The plan and zoning commission shall make a timely report and recommendation to the city council regarding such application. In preparing its report and recommendation the commission may hold a public hearing thereon. However, if the right-of-way sought to be vacated is for use as a sidewalk cafe in conformance with the adopted Design Standards for Sidewalk Cafes, or is otherwise determined by the city traffic engineer to have no significant impact upon the public use of the right-of-way, the city manager may instead present a staff report and recommendation to the city council without review by the commission.

Design Standards for Sidewalk Cafe Leases and Licenses

A request for the lease of City-owned property for use as a sidewalk cafe shall be initiated by filing an application with the Permit and Development Center. The City will negotiate with the applicant upon the terms of a lease or license agreement in conformance with standard City practices and policies. Any such lease must be approved by the City Council. The standard term of such a lease is three years.

Standards. The application for a sidewalk cafe lease must demonstrate that the outdoor service area will substantially conform to the following design standards:

- a) *A 6 feet clear passageway must remain after installation of the sidewalk café for pedestrian traffic.*

- b) *The sidewalk café area shall be fully enclosed to a height of at least 36 inches by a wrought iron or fabricated steel fence, elevated planters or other enclosure approved by the City Council. The enclosure must contain exits in accordance with building code. If the enclosure is of a temporary nature (poles with velvet ropes for example), the sidewalk must be cleared and the materials used for the enclosure and all chairs and tables must be stored inside the business each night. If the enclosure is of a more permanent nature, it must have a 6-inch 'toe kick' (solid, not recessed) at the base to comply with ADA requirements. If a planter is used to enclose a sidewalk cafe, the plant material shall not encroach within the required 6-foot clear passageway.*
- c) *No advertising signs may be placed on the enclosure.*
- d) *No lighting may be used that would create a trip hazard or nuisance to patrons, pedestrians or adjacent property owners (no strobe lights, electrical cords, etc.).*
- e) *The improvements placed on the sidewalk shall be temporary in nature so as to assure that the sidewalk can be readily restored to its original condition upon the expiration of the lease. If any platforms or other permanent improvements are proposed, the City may require a sufficient bond for the restoration of the sidewalk as a condition of the lease.*
- f) *The owner/operator of the sidewalk café must provide insurance conforming to the City's standards.*
- g) *The application must include a site plan and legal description of the space to be leased from the City, and an elevation drawing or photographs showing the front of the building and the enclosure materials. This site plan must be coordinated with the right-of-way management section of the Engineering department for review of buried utility impacts.*
- h) *The applicant should include a written consent to the sidewalk cafe by the owners of the adjacent property. If such consent is not provided, the City may contact the owners of the adjoining property to solicit their comments.*
- i) *If alcohol is sold or consumed in the sidewalk café, Section 10-3 and 10-5 of the code must also be followed (rules about hours of operation, amplified sound, etc.).*
- j) *Adequate toilet facilities must be available to accommodate the added seating.*
- k) *Applications may be submitted for areas either adjacent to building or across a pedestrian passageway from buildings. However, areas removed from the building would not be allowed to have liquor licenses and proposals must adequately address concerns regarding safety relating to traffic movement and provide adequate space for parking meter usage, passage to and from vehicles parked, swinging vehicle doors, etc.*

6. *Sidewalk cafes should be allowed by lease of the vacated public rights-of-way. Except in unusual circumstances, the City should retain ownership of the land for future public use.*

II. ADDITIONAL APPLICABLE INFORMATION

1. **Utilities:** A 12-inch water main and a gas line are located in the 3rd Street right-of-way in the general vicinity of the proposed sidewalk café. Easements must be maintained for any public utilities that are within the vacated portion of right-of-way.
2. **Traffic/Street System:** The subject segment of right-of-way segment is currently used for part of the Class "A" sidewalk along the west side of 3rd Street. The subject right-of-way includes a light pole near the southern end of the site. The proposed sidewalk café area would be within 5

feet of the pole. A 6-foot wide clear path is a standard that is applied to sidewalks throughout the downtown. Staff believes the applicant has the ability to reduce the north/south size of the sidewalk café area and meet the 6-foot clear passage way standard.

3. **Conditional Use Permit Requirements:** Should the right-of-way be vacated, the applicant must first obtain a Conditional Use Permit from the Zoning Board of Adjustment before the City Council can approve a liquor license for alcohol sales. In accordance with City Code Section 134-954, the applicant would be required to demonstrate the following criteria in order to be granted a Conditional Use Permit:

The board shall grant a conditional use permit to a business holding a liquor license or a beer or wine permit only where the business, when operated in conformance with such reasonable conditions as may be imposed by the board, satisfies the following criteria:

- a. *The proposed location, design, construction and operation of the particular use adequately safeguards the health, safety and general welfare of persons residing in the adjoining or surrounding residential area.*
- b. *The business is sufficiently separated from the adjoining residential area by distance, landscaping, walls or structures to prevent any noise, vibration or light generated by the business from having a significant detrimental impact upon the adjoining residential uses.*
- c. *The business will not unduly increase congestion on the streets in the adjoining residential area.*
- d. *The operation of the business will not constitute a nuisance.*

SUMMARY OF DISCUSSION

Mike Ludwig presented staff report and recommendations.

Dann Flaherty asked if this is normally handled by the Zoning Board of Adjustment.

Mike Ludwig stated that the Board of Adjustment reviews conditional use applications for bars/taverns. Standards for sidewalk cafes are actually site plan standards. The Plan & Zoning commission reviews and makes a recommendation to the Council only when the applicant proposes to vary from the standards.

Dann Flaherty stated if Plan & Zoning Commission approves this request there is only going to be a 3 foot avenue between the pole and the fence versus the 6 foot that is required.

Mike Ludwig stated if the Council ultimately approves the release they will only have 3 ½ feet from the fence to their light pole. Staff is recommending denial.

Brian Millard asked if the City would be liable for ADA requirements and can they be sued.

Mike Ludwig stated that he would defer to Roger Brown on the question about whether the City could be sued. The City is responsible for upholding the accessibility requirements under ADA standards.

Roger Brown stated that the City has many existing sidewalks in commercial areas that are less than 6 feet in width. The City does not have an obligation to maintain 6 foot wide sidewalks, but it does have an obligation to keep its existing sidewalks safe for use by the traveling public, including those persons using a wheelchair. The design standard for sidewalk cafes requires a 6 foot

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minimum clear pedestrian pathway. This standard was originally recommended by the City Staff to allow two wheelchairs to pass each other. Something less than 6 feet may be permissible at a particular point, but any reduction in the width increases the difficulty for a person in a wheelchair to use the sidewalk, particularly when there is other pedestrian traffic or adverse weather conditions.

Kent Sovern stated if they reduce the north/south dimension of the café area they could get closer to compliance.

Dann Flaherty asked if the applicant was present.

Mike Ludwig stated they were not.

Mike Simonson commented that this is a policy issue and if the Commission was to grant something like this it would set a precedent. There would be no end to similar requests.

Brian Millard suggested that since the applicant was not here that maybe the item should be deferred.

CHAIRPERSON OPENED THE PUBLIC HEARING

There was no one in the audience to speak in opposition.

CHAIRPERSON CLOSED THE PUBLIC HEARING

There was no discussion.

COMMISSION ACTION

Ted Irvine moved staff recommendation to deny the requested vacation.

Motion passed 10-0.

Respectfully submitted,


Michael Ludwig, AICP
Planning Administrator

MGL:clw

Attachment

Item 11-2009-1.07 Date May 14, 2009

I (am) (am not) in favor of the request.

RECEIVED
(Circle One)

Print Name Doug Yochum

Signature Doug Yochum

MAY 18 2009

COMMUNITY DEVELOPMENT DEPARTMENT

Address 3721 Franklin Ave D.M.

Reason for opposing or approving this request may be listed below:

Major walk way. Not enough room for sidewalk cafe and walkers.

[Handwritten signature]

Does not meet minimum design standards for Sidewalk Cafes required in Section 102-286(b) of the City Code.

Reason for opposing or approving this request may be listed below:

DEPARTMENT

50309

Address 300 Walnut St #201 Des Moines IA

Signature [Handwritten signature]

MAY 18 2009

Print Name Paul R. Whitmore

RECEIVED
(Circle One)

COMMUNITY DEVELOPMENT DEPARTMENT

Item 11-2009-1.07 Date 12 May 2009

Item 11-2009-1.07

Date 5/15/09

I (am) (am not) in favor of the request.

RECEIVED
(Circle One)

COMMUNITY DEVELOPMENT DEPARTMENT

MAY 18 2009

Signature

[Handwritten signature]

DEPARTMENT

Address 300 WALNUT #96 DSM 50309

Reason for opposing or approving this request may be listed below:

09-1047

Item 11-2004-1.01

Date

(am) (am not) In favor of the request.

RECEIVED
COMMUNITY DEVELOPMENT

MAY 18 2009

Print Name

Tara Keideline

Signature

Address 500 Walnut #64 Dan 5089

DEPARTMENT

Reason for opposing or approving this request may be listed below:

busy street proposal area too close to Plaza garage entrance, all too close to ally. location is a bar, not a restaurant, so it will just be drinkers & smokers outside, making noise and littering cigarette butts, etc.

Reason for opposing or approving this request may be listed below:
Minimum design standards should be adhered to in all but exceptional cases where there is some compelling reason or waiver.

Address 500 Walnut St # 141
DCS 10309

Signature Jennifer K. Bracht

MAY 18 2009

DEPARTMENT

Print Name KENNETH H. BRADY

RECEIVED
COMMUNITY DEVELOPMENT

Reason for opposing or approving this request may be listed below:

Item 11-2009-1.07 Date MAY 2009

Item 11-2009-1.01 Date 5-11-01

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COMMUNITY DEVELOPMENT
MAY 20 2009
DEPARTMENT

Reason for opposing or approving this request may be listed below:

The subdivision separation from residential areas to contain noise. The much sidewalk construction especially with Civic Center foot traffic the sidewalk safe on 3rd St. Already safety concerns with pedestrian jaywalking from 3rd St parking ramp across 3rd St to bars on west side of 3rd St.

Reason for opposing or approving this request may be listed below:

Somebody may get hurt or damaged property. I don't think it's that bad and I don't think it's worth the cost.

I (am) (am not) in favor of the request.

Item 11-2009-1.07 Date 5-11-09

Item 11-2009-1.07 Date 5-14-2009

I (am) (am not) in favor of the request.

RECEIVED
COMMUNITY DEVELOPMENT
MAY 18 2009
DEPARTMENT
Print Name GERALD ALINGH
Signature Gerald Alingh
Address 300 WALNUT #135

Reason for opposing or approving this request may be listed below:

WE DO NOT NEED ANY MORE NOISE IN THIS NEIGHBOOD

Item 11-2007-101 Date May 16, 2009

I (am) (am not) in favor of the request.

COMMUNITY DEVELOPMENT DEPARTMENT Name ETHEL P. KOLENIZ

MAY 20 2009 Signature Ethel P. Koleniz

DEPARTMENT Address 300 Walnut St #116 DSM

Reason for opposing or approving this request may be listed below:

*If the outdoor sidewalk cafe "Does Not meet minimum
- of the City Code" - why in this case are we not 332
The residents in this area have been trying to get the service
level "livable" an outside cafe will only increase the
abating we continue to hear a people will try to talk
over the street noise. Why it is a busy street.*

Reason for opposing or approving this request may be listed below:

*I live on the street on summer evenings, there
are cars parked on the narrow sidewalk
making it difficult to walk to work to get
by. Signs changed from parking signs
to street signs of road from someone pro street.*

I (am) (am not) in favor of the request.

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MAY 18 2009

COMMUNITY DEVELOPMENT DEPARTMENT

Print Name Lloyd Kentman
Signature Lloyd Kentman
Address 300 Walnut Unit 86 DR

Item 11-2009-107 Date 5-17-09

Item 11-2009-107 Date 5.17.09

I (am) (am not) in favor of the request.

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(Circle One)
COMMUNITY DEVELOPMENT DEPARTMENT

MAY 20 2009

DEPARTMENT

Name JACK S. ZAHN
Signature [Signature]
Address 300 WALNUT ST #192

Reason for opposing or approving this request may be listed below:

DET MORGAN'S FILE

(am) (am not) in favor of the request.

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COMMUNITY DEVELOPMENT

MAY 20 2009

Print Name Betty Friend

Signature Betty Friend

DEPARTMENT

Address 300 Walnut St #83, N.W. Okla 73109

Reason for opposing or approving this request may be listed below:

This will be another way to generate noise which we can't stand in our yards (last time there was already too much noise when this happened, especially in summer, by people gathering outside late at night.

Belton Mtn

Reason for opposing or approving this request may be listed below:

Currently this area is already difficult to walk by with people standing outside the bar and the "edge" for serving. We don't want to have to see into streets to walk past. We support no signs on Court Ave & have no problem with the

DEPARTMENT

MAY 20 2009

Signature

Print Name

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COMMUNITY DEVELOPMENT

(am) (am not) in favor of the request.

(am) (am not) in favor of the request.

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COMMUNITY DEVELOPMENT

MAY 20 2009

Print Name

Edward Ochylski

Signature

[Signature]

DEPARTMENT

Address

300 Walnut - The Plaza

Reason for opposing or approving this request may be listed below:

Noise

Item 11-2009-1.07 Date 12 May 2009

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69-1047

(am) (am not) in favor of the request.
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(Circle One)
COMMUNITY DEVELOPMENT
Print Name Paul R. Whitmore

MAY 18 2009
Signature [Signature]
Address 300 Walnut St. 2nd Des Moines IA 50309

Reason for opposing or approving this request may be listed below:

Does not meet minimum design standards for Sidewalk Cafes required in Section 102-286(b) of the City Code.

[Signature]

Item 11-2009-1.07 Date 5/15/09

I (am) (am not) in favor of the request.

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(Circle One)
COMMUNITY DEVELOPMENT
Print Name [Signature]

MAY 18 2009
Signature [Signature]

DEPARTMENT Address 300 Walnut #96 Des Moines 50309

Reason for opposing or approving this request may be listed below:

Item 11-2009-1.07 Date May 14, 2009

I (am) (am not) in favor of the request.

(Circle One)
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MAY 18 2009
COMMUNITY DEVELOPMENT

Print Name Doug Yochum
Signature [Signature]
Address 3721 Franklin Ave D.M.

Reason for opposing or approving this request may be listed below:

Major walk way. Not enough room for sidewalk cafe and walkers.

Item 11-2009-1.07 Date 5-13-09

(am) (not) in favor of the request.

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(Circle One)
COMMUNITY DEVELOPMENT

Print Name RICH EYCHANNOR

Signature [Signature]

MAY 18 2009

Address 300 Walnut # 085

DEPARTMENT

Reason for opposing or approving this request may be listed below:

Reason for opposing or approving this request may be listed below:

Carroll Ave.
Escalante Development of
Carroll Ave.

DEPARTMENT

Address 300 WALNUT # 711

Signature [Signature]

MAY 18 2009

RECEIVED
(Circle One)
COMMUNITY DEVELOPMENT
Name PETER T. GAGE

(am) (not) in favor of the request.

Item 11-2009-1.01 Date 5/13/09

Item 11-2009-1.07 Date _____

(am) (not) in favor of the request.

RECEIVED
(Circle One)
COMMUNITY DEVELOPMENT
MAY 18 2009
DEPARTMENT

Print Name NEDRICK M. JOHNSON
Signature [Signature]
Address 300 Walnut St #155

Reason for opposing or approving this request may be listed below:

09-104774
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11-2009-1.07



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MAY 20 2009

COMMUNITY DEVELOPMENT
DEPARTMENT

May 19, 2009

City Plan and Zoning Commission
Des Moines, Iowa

RE: Request for Sidewalk Cafe at 208 3rd Street

In consideration of the taking of the sidewalk for the above address my concern is lack of space to walk pass the area, the smoke that would be present and potential for increase of noise from the area. As a resident I feel those issues should be addressed prior to approval for vacation of the public right-of way.

Additionally photos are included from a neighboring establishment that has apparently has taking action without city approval for a "cafe". The amount of space available barely allows a single person to pass. This area is used for smoking. Is this acceptable to the city?

In the evaluation of this vacation please consider the use of everyone in the area.

Susan Brown
300 Walnut Street, #160
Des Moines, IA 50309
222-5980