

★ Roll Call Number

Agenda Item Number

5

Date July 14, 2008

Be it resolved by the City Council of the City of Des Moines, Iowa.

That the following application is hereby submitted for consideration to the Iowa Alcoholic Beverages Division of the Iowa Department of Commerce:

Piramidas, 2718 Douglas Avenue, Class C Liquor License. Zoning Department recommends DENIAL due to failure of maintaining required financial records as required by the agreement to hold a liquor license or beer permit.

Moved by _____ to

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

Mayor

City Clerk

July 8, 2008

Piramidas, Inc
2718 Douglas Ave
Des Moines, IA 50310

RE: June 4, 2008 Letter

Dear Mr. Pirel:

We have reviewed the information you submitted for audit and find that the submittal does not meet the requirements requested in the letter dated June 4, 2008 or per your agreement entered with the city in November of 2007. There is no financial statement prepared and verified by an accountant or a certified public accountant, there is no itemized list of selling prices of all types of items sold during the statement period, as well as an explanation of any specialized events, and no itemization of invoices and receipts in the information you provided to us.

In order for an establishment to be considered a restaurant is must be able to establish that at least half of its income is derived from food sales or food related services.

In view of the lack of required information we were unable to determine if your business is a restaurant or a bar based on the information provided to us at this time.

Consequently, staff is recommending that your request for renewal of your liquor license for a restaurant use be denied.

Your request for the renewal of your license will be forwarded to the City Council with a recommendation of denial from the city staff. The matter will be heard by the City Council at its July 14, 2008, meeting at 4:30 PM in the City Council Chambers located on the 2nd Floor of City Hall located at 400 Robert Ray Drive. At that meeting you may speak to the Council members about the denial of liquor license.

If the required information for audit is provided to us, we will process and review the information and if acceptable, reconsider the suggestion that the liquor license renewal be denied.

Another option would be for you to apply to the Board of Adjustment for a Conditional Use permit to operate a bar at this location. The zoning of your property is C-2, an appropriate zone for a bar. The deadline for applying for this conditional use is July 31, 2008. The meeting date of the Board of Adjustment is August 27, 2008, where a decision of whether to grant a



PERMIT AND
DEVELOPMENT CENTER
ARMORY BUILDING
602 ROBERT D. RAY DRIVE
DES MOINES, IOWA 50309-1881
(515) 283-4200

ALL-AMERICA CITY
1949, 1976, 1981
2003

conditional use permit for a bar at this location would be made. You would need to appear before the Board and the application fee would be around \$400. The exact fee would be determined upon submittal of an application to the City Staff at the Permit and Development Center at 602 Robert D. Ray Drive.

If you have further questions contact me at 283-4200 or email me at smdonovan@dmgov.org.

Sincerely,



Suann Donovan
Deputy Zoning Official