



# CITY OF LONG BEACH

# C-5

## DEPARTMENT OF PUBLIC WORKS

333 WEST OCEAN BOULEVARD • LONG BEACH, CA 90802 • (562) 570-6383 • FAX (562) 570-6012

January 13, 2009

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

### RECOMMENDATION:

Authorize the City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Legend's located at 5236 East Second Street. (District 3)

### DISCUSSION

Sport's Legends, Inc, owner of Legends restaurant located at 5236 East Second Street, requests a permit to temporarily occupy part of the adjoining sidewalk for the purpose of sidewalk dining. This restaurant was being processed for a sidewalk-dining permit previously, but the building burned before processing was completed. The permittee has constructed a new patio surface within the public right-of-way atop the existing paving in order to make it level with the floor of the building. Precautions have been taken to mitigate possible damage to the public right-of-way, and additional funds have been secured to return the public walkway to its original condition.

The proposed permit area and a list of furnishings and accessories to be placed in the permit area are shown on the attached Exhibit A. Approval of this permit is based on the conditions and standards of Chapter 14.14 of the Long Beach Municipal Code which describes temporary uses of public right-of-way. The width of the sidewalk is 13 ½ feet. A minimum clearance of 5 feet will be maintained between the permit area and the street trees.

This permit request was reviewed and approved by the Long Beach Fire Department on October 20, 2008. Deputy City Attorney Linda Trang prepared the subject permit on November 11, 2008.

This matter was reviewed by Deputy City Attorney Linda Trang on November 11, 2008 and Budget Management Officer Victoria Bell on December 22, 2008.

### TIMING CONSIDERATIONS

City Council action on this matter is not time critical.

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HONORABLE MAYOR AND CITY COUNCIL  
January 13, 2009  
Page 2

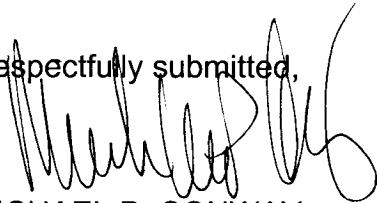
FISCAL IMPACT

A security deposit of \$1,000 and a permit-processing fee of \$500 were deposited into the General Fund (GP) in the Department of Public Works (PW). The security deposit is higher than usual in order to cover the cost of restoring the public sidewalk to its original condition in the event that the permit expires, is revoked or is no longer in effect for whatever reason.

SUGGESTED ACTION:


Approve recommendation.

Respectfully submitted,



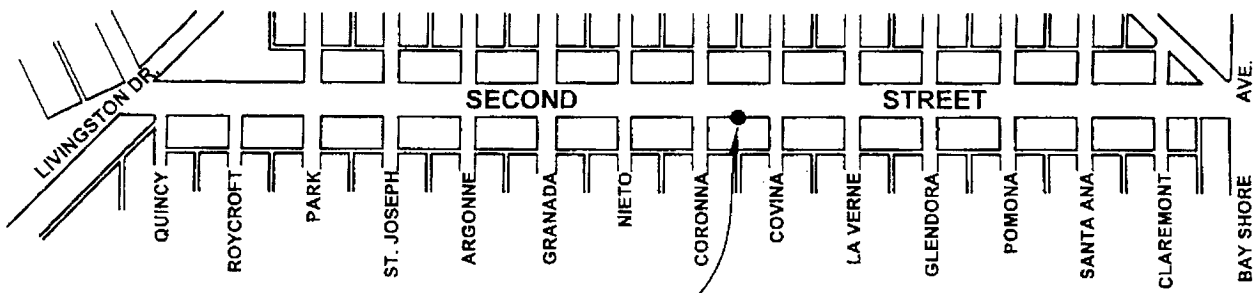
MICHAEL P. CONWAY  
DIRECTOR OF PUBLIC WORKS

APPROVED:

  
\_\_\_\_\_  
PATRICK H. WEST  
CITY MANAGER

MPC:MC:GMM:SDJ  
P\CL\ROW- Legends.doc

Attachment

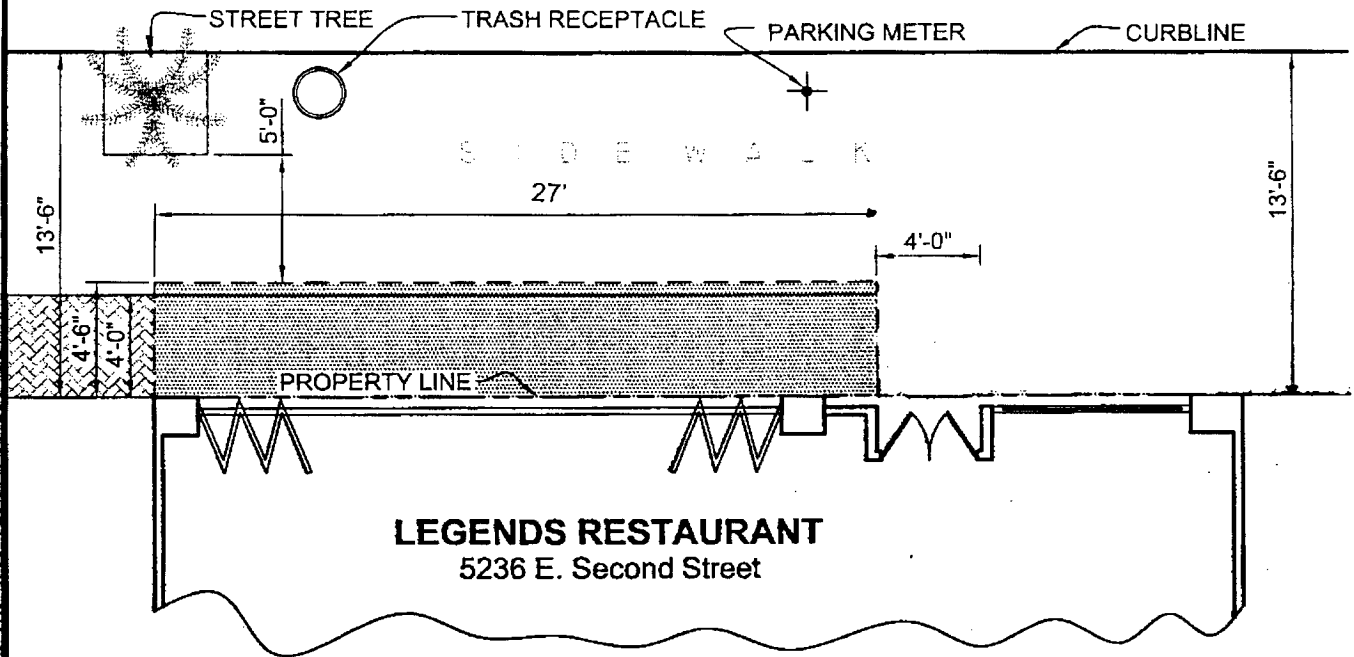




LEGENDS RESTAURANT



SECOND

STREET



-  SHOWS AREA OF PERMIT
-  SHOWS AREA FOR PASSAGE

CITY OF LONG BEACH - CALIFORNIA  
 DEPARTMENT OF PUBLIC WORKS, ENGINEERING BUREAU

**PUBLIC WALKWAYS OCCUPANCY  
 PERMIT**

**LEGENDS RESTAURANT  
 5236 East Second Street**

**List of Approved Furnishings and Accessories**  
(Attachment to Public Walkways Occupancy Permit for Sidewalk Dining Purposes)

Restaurant: Legends Permittee: Spirits Legend Inc

Address: 5236 E. 2ND ST Telephone: 562-433-5743

Tables number: 4

Chairs number: 8

Umbrella(s) height & number: \_\_\_\_\_

Heater(s) height & number: \_\_\_\_\_

Menu board  
note: maximum height of 5 ft 6 in, maximum width of 2 ft & none permitted in the coastal zone

Waiter station size: \_\_\_\_\_

Planters for trees or other greenscaping describe: \_\_\_\_\_

Other: \_\_\_\_\_

We intend to make occasional use of the permit area for live or recorded entertainment (Note: A separate entertainment permit is required).

**The following are prohibited:**

- canopies (ground supported)
- television monitors

Permittee signature: 

Date: 8/4/08

Print name here: Gene Rotondo

This list of furnishings and accessories is effective only when attached to a completed Public Walkways Occupancy Permit.