



July 13, 2010

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 Acapulco Inn, located at 5283 East Second Street. (District 3)

**DISCUSSION**

The operator of Acapulco Inn, located at 5283 East Second Street, requests a permit to temporarily occupy part of the adjoining sidewalk for the purpose of sidewalk dining. The proposed permit area and a list of furnishings and accessories to be placed in the permit area are shown on the attached. 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 13½ feet. A minimum clearance of 5 feet will be maintained between the permit area and street trees and other sidewalk obstructions.

Approval for an elevated patio surface within the permit area is being sought. The elevated surface is needed to make the patio level with the interior floor of the building. An additional security deposit of \$500 will be secured to cover the City's potential cost of returning the public walkway to its original condition, should this be required. Additional requirements for this permit include a restriction of usage of the sidewalk dining area to the hours of 10:00 a.m. and 10:00 p.m., and Fire Department review and approval of the patio operation.

This matter was reviewed by Deputy City Attorney Linda Trang on June 28, 2010 and by Budget Management Officer Victoria Bell on June 24, 2010. The Long Beach Fire Department's review and approval of this request shall be obtained prior to permit issuance.

**TIMING CONSIDERATIONS**

City Council action on this matter is not time critical.

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FISCAL IMPACT

A permit-processing fee of \$530 and a matching security deposit of \$530 were deposited into the General Fund (GP) in the Department of Public Works (PW). An additional \$500, to guarantee sidewalk restoration, will be deposited before the permit is issued. There is no local job impact associated with this action.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

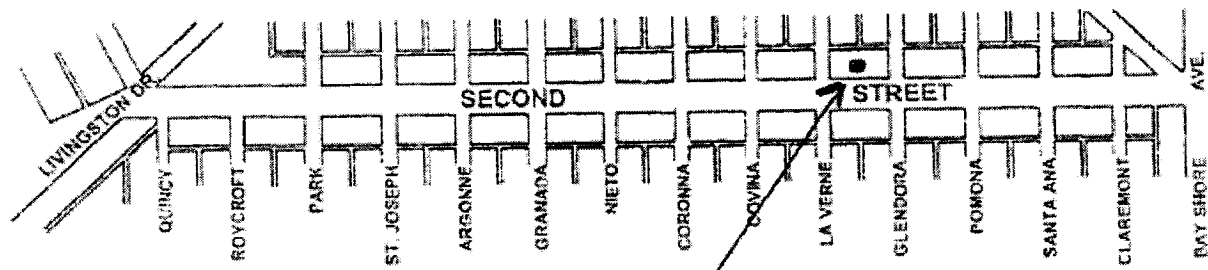
  
MICHAEL P. CONWAY  
DIRECTOR OF PUBLIC WORKS

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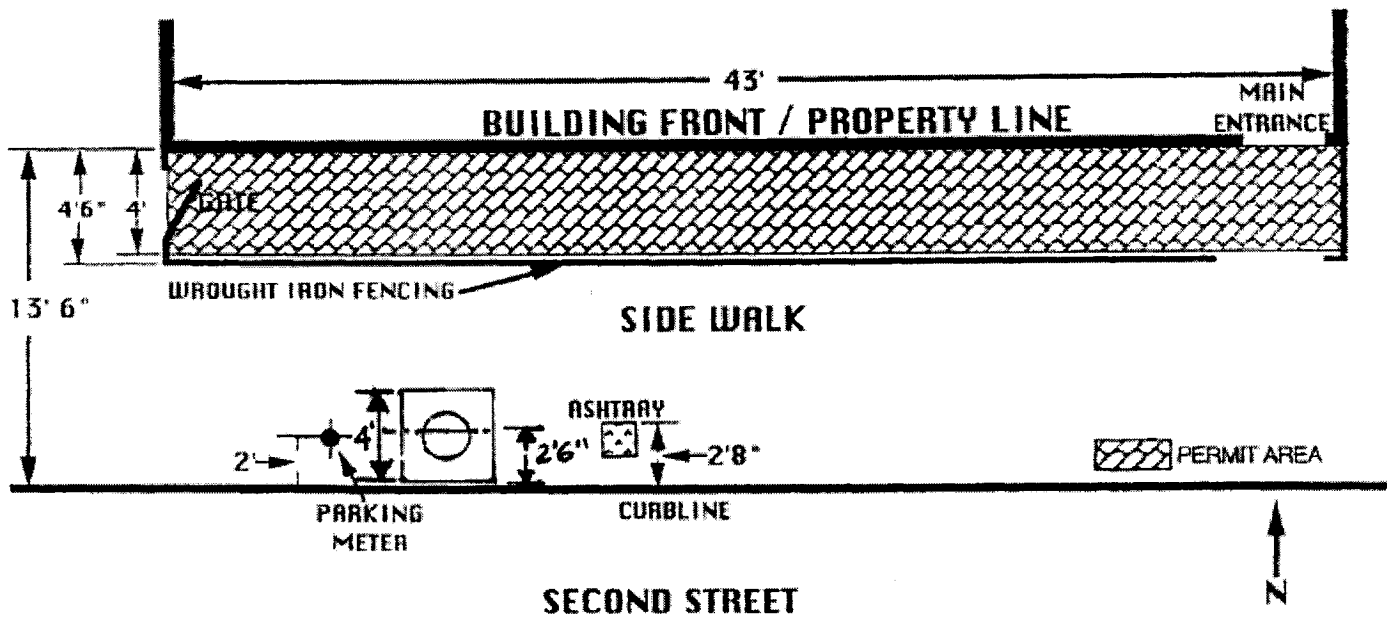
Attachment

APPROVED:

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



**ACAPULCO INN**  
 5283 E Second Street



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

**PUBLIC WALKWAYS OCCUPANCY PERMIT**  
**ACAPULCO INN**  
**5283 East Second Street**

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

Restaurant: ACAPULCO INN Permittee: ACAPULCO INN Holding LLC

Address: 5283 EAST 2nd Telephone: 562 676 6686

Tables number: 6 <sup>LONG BEACH, CA</sup> 90803

Chairs number: 13

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: [Signature] Date: 6/30/2010  
Print name here: OFFICER TREASURER TIMOTHY MORIARTY

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