



## Legislation Text

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**File #:** 11-1111, **Version:** 1

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Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Number Nine restaurant at 2118 E. Fourth Street. (District 2)

Eat, Drink and Be Merry, Inc., the owner of Number Nine restaurant located at 2118 E. Fourth Street, requests a permit to temporarily occupy a 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 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 rights-of-way, as well as a construction plan reviewed and approved by the Department of Public Works. A minimum clear path of at least seven feet wide is to be maintained for pedestrians along this frontage. The owner of the commercial duplex building known as 2118 - 2120 E. Fourth Street has co-signed the application for this occupancy to front both Number Nine and the skating shop at 2120 E. Fourth Street.

In addition, the applicant has requested a Public Works permit to construct a "parklet" for the purpose of providing additional outdoor dining space. A "parklet" is the temporary use of a curbside parking space for outdoor landscape and seating. This is done by constructing a raised platform in the parking space at the same elevation as the adjoining sidewalk, thereby essentially extending the sidewalk area into the street. The City of San Francisco has been permitting these uses and information regarding their program is attached as Exhibit B.

Public Works staff, including the City's Traffic Engineer, have reviewed and tentatively approved the applicant's drawings of their proposed parklet construction, attached as Exhibit C. The proposed temporary platform, constructed under the oversight of the Department of Public Works after the issuance of a street improvement permit, will include a sturdy barrier to provide high visibility to motor vehicles. The permit for this temporary use of the street right-of-way for the parklet is revocable should the loss of the parking space become an issue, or if staff finds that there are other problems associated with the parklet.

This permit request was reviewed and approved by the Long Beach Fire Department on September 6, 2011. This matter was reviewed by Deputy City Attorney Linda Trang on October 19, 2011 and by Budget Management Officer Victoria Bell on October 18, 2011.

City Council action on this matter is not time critical.

A permit processing fee of \$819 was deposited into the General Fund (GP) in the Department of Public Works (PW). There is no local job impact associated with the recommendation.

Approve recommendation.

MICHAEL P. CONWAY  
DIRECTOR OF PUBLIC WORKS

APPROVED:

PATRICK H. WEST  
CITY MANAGER