



Legislation Text

File #: 09-0040, **Version:** 1

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

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 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 13-1/2 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.

City Council action on this matter is not time critical.

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cost of restoring the public sidewalk to its original condition in the event that the permit expires, is revoked or is no longer in effect for whatever reason.

Approve recommendation.

Michael P. Conway
Director of Public Works

NAME
TITLE

APPROVED:

PATRICK H. WEST

CITY MANAGER