



CITY OF SACRAMENTO

DEPARTMENT OF PUBLIC WORKS

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ENGINEERING DIVISION

April 16, 1985

CITY MANAGER'S OFFICE
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APR 16 1985

THOMAS M. FINLEY
Engineering Division Manager

APPROVED
BY THE CITY COUNCIL

City Council
Sacramento, California

APR 25 1985

Honorable Members in Session:

OFFICE OF THE
CITY CLERK

SUBJECT: Revocable Encroachment Permit, 723 K Street Mall

SUMMARY

J. G. Schenirer has applied for a Revocable Encroachment Permit for the use of a portion of the sidewalk area on K Street as an outdoor eating area. The Director of Public Works recommends that the request be approved on a temporary basis. The permit will be revoked by the Department of Public Works when LRT construction begins.

BACKGROUND

The applicant wishes to place outdoor restaurant seating and two planter boxes on the Mall in front of his business, "Auntie Pasta". The area to be occupied is six feet wide running 26 feet across the front of his business. The Mall is concrete for the first 13 feet out from the building face. Beyond that is a 2"± layer of temporary asphalt over uncompacted earth.

The concrete sidewalk is the access way for the Fire Department. The heavy fire trucks may break through the surface of the temporary asphalt paving on the mall causing the vehicle to bog down or damage to the equipment, although this is believed to be unlikely during the summer period this permit will be in effect. The Fire Department is opposed to this intrusion into the emergency corridor.

This entire block of the K Street Mall between 7th Street and 8th Street will be a station for the southbound light rail line when it is constructed in the very near future. The contract for the downtown portion of the light rail project will be awarded by May 15, 1985. The construction is to be completed by February 1, 1986, with no work allowed between November 27, 1985 and January 3, 1986. The light rail tracks will be coming within 25 feet of the buildings on the north side of the K Street Mall. Of that, 15 feet will be taken up with street furniture for the light rail station, leaving ten feet. This entire area will become congested with pedestrians as they wait to board the trolley while others try to walk through the station. Pedestrians would be forced to walk in a four foot area between the restaurant seating and the street furniture that will be placed by the light rail project.

Attached is a sketch showing the proposed seating area in relation to the proposed light rail improvements (Exhibit 1).

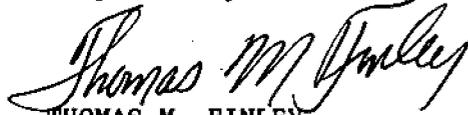
City Council
Revocable Encroachment Permit,
723 K Street Mall
April 15, 1985
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For these reasons, the permit will be revoked by the Department of Public Works when "Light Rail" construction begins. It is unlikely it would ever be recommended for approval again, once construction begins.

RECOMMENDATION

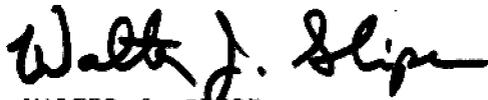
The Director of Public Works recommends that this request for a Revocable Encroachment Permit be approved with the applicant's acknowledgement the use is on a temporary month to month basis and will end upon LRT construction beginning in the fall.

Respectfully submitted,



THOMAS M. FINLEY
Engineering Division Manager

Recommendation Approved:



WALTER J. SLIPE
City Manager

Approved:



MELVIN H. JOHNSON
Director of Public Works

JHB:vr
DC112Cvr

Attachment

April 23, 1985
District No.1

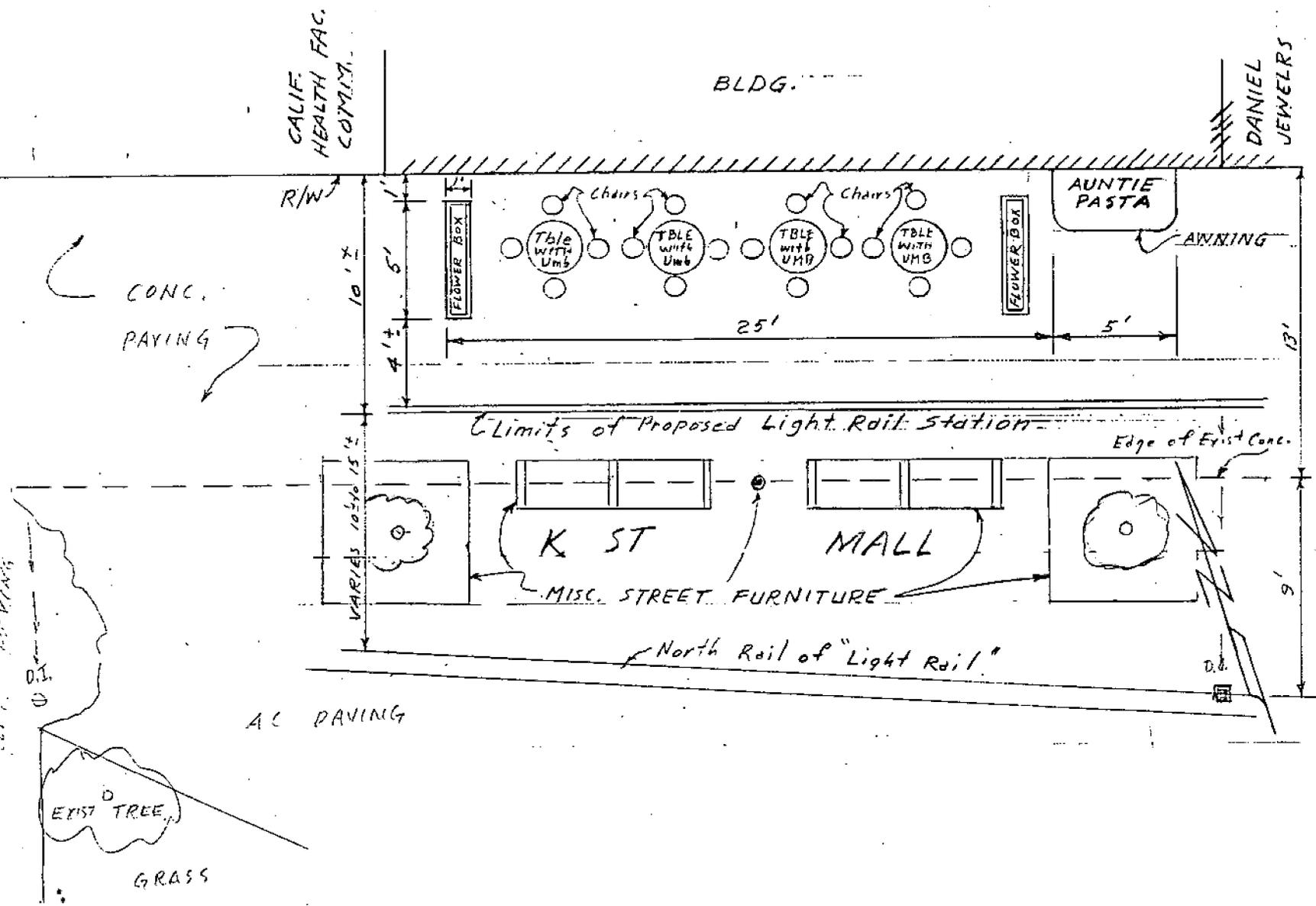


EXHIBIT 1

RESOLUTION NO.

Adopted by The Sacramento City Council on date of
APRIL 23, 1985

RESOLUTION GRANTING REVOCABLE ENCROACHMENT TO:

J. G. SCHENIRER

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That a revocable encroachment permit for the purpose of
temporary sidewalk restaurant seating
is hereby granted to J. G. Schenirer, whose
address is as follows: 723 "K" Street

The encroachment area is described as follows:

An area six feett wide by twenty five feet long, extending westerly from the doorway to 723 "K" Street along the north side of the K Street Mall.
(APN 006-094-22)

This permit is granted subject to the "General Provisions - Revocable Encroachment Permit", which were adopted by the City Council in Resolution No. 81-845 dated November 17, 1981, and the hereinafter specified special conditions, if any. This permit shall be effective only after the applicant files with the Risk Management and Insurance Division of the City of Sacramento, the insurance certificates required by the General Provisions.

SPECIAL CONDITIONS

1. Planter design will be approved by the Planning Department.
2. Permittee will remove tables and planters from the Mall when not open for business.
3. Permit will be reviewed on a month to month basis and terminate upon beginning of Light Rail construction on "K" Street.

MAYOR

ATTEST:

CITY CLERK

April 30, 1985

J.G. Schenirer
723 "K" Street
Sacramento, CA 95814

Dear Mr. or Ms. Schenirer:

On April 23, 1985, the Sacramento City Council adopted a resolution granting the following Revocable Encroachment Permit in accordance with "General Provisions - Revocable Encroachment Permit," adopted by Council Resolution 81-845 as amended.

The permit is for the purpose to place outdoor restaurant seating and two planter boxes on a temporary month-to-month basis for "Auntie Pasta" located at 723 "K" Street.

This permit shall be effective only after you file with the Risk Management and Insurance Division of the City of Sacramento, **5730 24th Street, Bldg. 3A, Sacramento, CA 95822**, the insurance certificates required by the General Provisions.

Enclosed, for your records, is a copy of the resolution granting the permit, and Council Resolution 81-845, as amended.

Sincerely,

Lorraine Magana
City Clerk

LM/dbp/13

Enclosures (2)

cc: Risk Management