

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date	August 24, 2009
	Agenda Item No. 44 Roll Call No. 09- Communication No. 09-617 Submitted by: Larry Hulse, Community Development Director	

AGENDA HEADING:

Approval of the lease of an irregular shaped portion of the sidewalk that is 654.25 square feet in size located in front of 310 Court Avenue, Spaghetti Works Restaurant, for use as a sidewalk café serving alcohol.

SYNOPSIS:

The applicant, Shelly Stokes, president of I-80 SPAGHETTI WORKS CORP., located at 310 Court Avenue, has requested the re-release of an irregular shaped portion of the Right of Way (654.25 sq ft) for use as a sidewalk café serving alcohol. The area has previously been vacated on June 27, 1988 by ordinance 11,194 and last leased to the adjacent property by the City Council on May 23, 2005 by Roll Call 05-1293.

FISCAL IMPACT: Increase in revenue to the City for the lease of the vacated right of way.

Amount: \$851.15 per year lease fee for three years paid to the City or \$2,553.44 for 3 years

Funding Source: FY 2010 Operating Budget, GE001, CDD130100, 460145, page 62.

ADDITIONAL INFORMATION:

The Design Standards for Sidewalk Cafés were adopted by the City Council on July 10, 2006, by Roll Call No. 06-1360. This area was last approved for use as a sidewalk café on May 23, 2005 by Roll Call 05-1293. This area has been used or leased as a sidewalk café continuously since 1988. This area meets all current requirements for sidewalk cafés serving alcohol. All required lease fees have been paid.

PREVIOUS COUNCIL ACTION(S):

Date: July 27, 2009

Roll Call Number: 09-1345

Action: Sidewalk Café Lease serving alcohol for Sbrocco Restaurant with Full Court Press, Inc. at 208 Court Avenue. (Council Communication No. 09-516) Moved by Hensley to adopt. Motion Carried 7-0.

Date: July 10, 2006

Roll Call Number: 06-1360

Action: Amending Chapter 10 of the Municipal Code regarding issuance of liquor licenses for outdoor areas and amending Chapter 102 regarding process for vacation and conveyance of public streets and alleys, and licenses for sidewalk cafes, all to expedite process for review and approval of sidewalk cafes. Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.

Date: May 23, 2005

Roll Call Number: 05-1293

Action: I-80 Spaghetti Works, 310 Court Ave. (Council Communication No. 05-291) Moved by Hensley to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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