

**OFFICE OF THE CITY MANAGER  
LITTLE ROCK, ARKANSAS**

**BOARD OF DIRECTORS COMMUNICATION  
JULY 19, 2016 AGENDA**

<b>Subject:</b>	<b>Action Required:</b>	<b>Approved By:</b>
<p>Franchise Agreement For Souls Fish Café outdoor dining area in the right-of-way at 306 Main Street.</p> <p><b>Submitted By:</b></p> <p>Public Works Department</p>	<p>√ <b>Ordinance</b> Resolution Approval Information Report</p>	<p>Bruce T. Moore City Manager</p>
<b>SYNOPSIS</b>	<p>To grant a franchise for the use of City right-of-way for the placement of a patio with restaurant tables and other items for the exclusive use of Soul Fish Cafe, located at 306 Main Street, and to require the creation of a passageway consistent with the Americans with Disabilities and acceptable to the City as a part of this Franchise Agreement.</p>	
<b>FISCAL IMPACT</b>	<p>None.</p>	
<b>RECOMMENDATION</b>	<p>Approval of the ordinance. On May 23, 2016, the Board of Adjustments approved the variance for the outdoor dining in the right-of-way by a vote of 4 ayes, 0 nays, and 1 absent. The franchise permit application has been forwarded to all utilities with no return objections.</p>	
<b>BACKGROUND</b>	<p>The applicant, Tiger Bryant, proposes to construct a concrete patio, railing and an awning for placement of customer tables in the public right-of-way. Approximately, 145 square-feet of the patio with railing will be located within the right-of-way. In addition, a retractable awning will extend from the face of building within the right-of-way a width of five (5) feet.</p>	

**BACKGROUND  
CONTINUED**

The applicant has proposed a four (4)-foot, ten (10)-inch” wide sidewalk to remain unobstructed between the patio and the existing tree well. This design matches the existing Samantha’s and Bruno’s outdoor patios located to the south. The unobstructed sidewalk width conforms to the Americans with Disabilities Act guidelines.

The applicant will be responsibility for payment of an annual franchise fee. This fee equal to ½ of the lease is based upon the rental per square-foot for Soul Fish Café by the adjoining property owner shall be applied to each square foot of area utilized with this franchise, and shall be to the City paid by January 15<sup>th</sup> of each year the franchise is in place, or for the first year of this franchise within thirty (30) days of the passage of this ordinance; on the effective date of this ordinance that amount is \$858.00 per year.