



# CITY OF CONCORD

## REPORT TO THE MAYOR AND CITY COUNCIL

**FROM:** Carlos P. Baía, Deputy City Manager – Development

**DATE:** February 12, 2016

**SUBJECT:** Cheers' Improvements to City Property

### **Recommendation**

Accept this report authorizing the City Manager to enter into an agreement with the Cheers Restaurant for improvements to City property immediately adjacent to the dining establishment.

### **Background**

For several years, the Cheers restaurant located at the foot of Depot Street has been issued a license from the City's Code Administration Office to have outside dining on City property. The outdoor patio area on the Depot Street and Storrs Street side of the restaurant rests on portions of two small parcels of land belonging to the City in fee. The City land, in total, is less than .2 acres. The owner of Cheers, Doug Millbury, has proposed—directly as a result of the City's Main Street project—to make significant improvements, at his cost, to this patio area and is seeking authorization from the City.

### **Discussion**

The proposed improvements (see attached sketch) would involve re-grading the Depot Street patio to make its walking surface flush with the “greenhouse” area that is currently located at the mid-floor of the restaurant. This would allow for the restaurant to more effectively connect with the patio. The walking surface of the re-graded patio would be brick pavers.

As part of the improvement, a granite retaining wall would be built on the west end of the Depot Street patio to hold up the walkway that currently leads to the restaurant's main entrance at the upper floor. The stairwell directly at the corner of the Storrs and Depot would remain but be reconfigured. The smaller set of stairs at the northeast corner of the patio on the Storrs Street side are shown as remaining in the attached sketch pending further review. An alternative might be for those stairs to be removed and a small retaining wall installed. The owner of the restaurant is also contemplating possibly installing one or more gas-fed fire pits.

The investment on the part of Mr. Millbury is estimated to be about \$85,000. Mr. Millbury will secure all pertinent permits and insurance and would need to agree to the City's indemnification language. All the improvements would become property of the City.

If authorized by City Council, the owner would start the work in April. It is anticipated that the project would take about 6 weeks to complete.