



CITY OF CONCORD
New Hampshire's Main Street™
Community Development Department

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Carlos P. Baía, Deputy City Manager for Development
DATE: February 3, 2022
SUBJECT: License for the addition of a commercial grade awning on City property to serve the Cheers restaurant

Recommendation

Accept this report authorizing the City Manager to enter into a new license agreement with WTR Enterprise, Inc. *dba* as Cheers restaurant for the installation of a commercial grade awning over their existing patio on City property.

Background

The Cheers restaurant at 17 Depot Street has enjoyed the use of two City lots for their private patio for several years. This use was authorized by City Council and the restaurant has installed brick pavers and a fire pit which has added to the establishment's success. The restaurant is now seeking to install a commercial grade awning that will require the installation of subsurface sonatube concrete piers to support the structure (examples of similar awnings were provided by the applicant and are attached).

Discussion

The license before you would replace the existing agreement and add language relative to the awning in addition to the previous patio improvements. The awning will also require Architectural Design Review and approval by the Planning Board due to the property being located in a performance zoning district.

Please note that this property, unlike the Main Street sidewalk area where other restauranters set up tables and chairs for dining by permit, is a fee property owned by the City. It is not right of way and, therefore, the City has significant flexibility with what it can do with this parcel. In light of the continued use and obvious positive financial benefit from the restaurant's use of the City's property, staff will be recommending to the Council's Ad hoc Outdoor Dining committee that Council consider assessing a fee for the continued use of this property. Should the committee choose to recommend such a fee and should Council wish to approve it at a later date, the current license document provides for the City Manager to assess it when applicable.

w/att:

1. License Agreement
2. Examples of comparable commercial grade awnings