



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** May 24, 2022

**REQUESTER:** The Meating Place, LLC

**PRESENTER:** Kathryn Walker, City Attorney

**ITEM TITLE:** CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF CONTRACT K-2122-134: A RIGHT OF WAY LICENSE BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE MEATING PLACE, L.L.C., ALLOWING THE LICENSEE TO INSTALL CERTAIN IMPROVEMENTS IN THE PUBLIC RIGHT-OF-WAY FOR A LIMITED PERIOD OF TIME.

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### **BACKGROUND:**

The concept of using parking spaces adjacent to restaurants to provide for additional dining opportunities while accommodating social distancing was first introduced at the Community Planning and Transportation Committee during its July 2020 meeting. The concept has gained in popularity during the Coronavirus pandemic, particularly in areas of the United States where restaurant dining rooms have been ordered closed for prolonged periods of time. In response to Committee feedback, Mayor Clark signed Proclamation 2020-08 on September 11, 2020 establishing a Temporary Outdoor Expansion Permit to allow restaurants and bars to operate in the adjacent public-rights-of-way subject to certain conditions. No applications for the permit were received; potential applicants expressed a desire for a more permanent option given the initial expense of installing appropriate barriers to block off parking spaces for the use of the outdoor space by patrons.

The City was able to secure a number of barriers at no cost from the Oklahoma Department of Transportation for the purpose of assisting eligible businesses to set appropriate boundaries for “Streateries”. Subsequent discussions were held at the Committee level and direction was given to establish a fairly simple pilot program to gain insight into areas that might need to be addressed in a more permanent permit structure.

### **DISCUSSION:**

Staff has developed a Right-of-Way License and Agreement which establishes similar parameters to those available for other revocable licenses granted by the City to private property owners. The Meating Place restaurant has worked with the Planning and Public Works Departments to establish the boundaries of a designated streaterie area; to determine the appropriate measures to be taken to protect the safety of the patrons; and to maintain sidewalk access for others in the area. The initial term of the proposed license is 6 months, which will

allow the City and The Meating Place to evaluate the program and determine whether it should continue through the winter months. The fee for this license is \$300 per year (should it be renewed), which is \$75 per parking space. Appropriate insurance requirements must be met prior to issuance of the license – The Meating Place has provided proof of adequate insurance. Failure to meet the requirements of the license could result in termination.

**RECOMMENDATION:**

Staff forwards Contract K-2122-134 to Council for its consideration.