Public Meeting #2
August 29, 2023
Interpretación de idiomas

1. Para la interpretación, conéctese usando una tableta o computadora.
2. Vaya al ícono del globo terráqueo en la parte inferior derecha de su pantalla.
3. Seleccionar español.

Language Interpretation

1. For interpretation, please connect using a tablet or computer.
2. Go to the globe icon in the bottom right of your screen.
3. Select Spanish.
Housekeeping For Virtual Meetings

- If you’re joining us by phone, press *9 to raise/lower your hand during Q&A.
- There is a Q&A chat box at the bottom of your screen. Please use it to submit questions at any time.
- All participants are on mute to minimize distractions. You may be invited to ask questions during our Q&A at the end of the meeting.
Project Team

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Public Engagement Lead, NHN Consulting

Meredith Wenskoski  
Urban Design Lead, Livable Cities Studio
Agenda

• Project Recap
• Below Curb Parklets
• Economic Analysis
• What to Expect from the Outdoor Places Program
• Q&A
Project Recap
Background

• COVID forces food/beverage indoor capacity limits and closures

• City grants regulatory relief for patios in right-of-way (ROW) and on private property through Temporary Outdoor Expansion (TOE) Program

• City temporary program and activations have been very well received
Background

- Stakeholder desire for permanent program
- Mayor Hancock directs City departments to create permanent program
Background

Some Key Issues:
- Accessibility
- Design quality
- Enforcement challenges
- Safety
- Neighborhood impacts
- Confusing review process

This Pedestrian Access Route in San Diego is blocked by a heating element
Program Vision

Outdoor Places will be an efficient, accessible, and equitable program that allows the community to activate streets and private property with safe and vibrant spaces that contribute to Denver’s great neighborhoods.
Patio Types
Project Schedule

Above Curb

Fall 2022

Stakeholder Working Group Meeting

Winter 2023

Private Property

Spring 2023

Council/Board Meetings

Below Curb

Fall 2023

Community/Focus Group Engagement

Outdoor Places Program
Above Curb Patios Update

- City developed this component during Fall 2022
- Maintaining sidewalk accessibility is a priority
- Businesses needed to apply under the Outdoor Places Program by April 30, 2023 to operate under the temporary permit while the Outdoor Places application is being reviewed
- The application for new patios is open now!
Above Curb Program Requirements

- Introduction/Definitions
- Intent
- Location Options
- Delineation
- Design Standards
- Management
- Neighborhood Impacts
- Required Reviews/Permits
- Review Process
- Submittal Requirements
Private Property Patios Update

- City developed this component during Spring 2023
- Required a Private Property Amendment to the Denver Zoning Code, which went into effect July 5, 2023
- Patios in good standing under the temporary program may continue in place through December 31, 2023.
- To continue into 2024, businesses must apply for a zoning permit by October 31, 2023 and be fully permitted by March 31, 2024.
Private Property Patio Program Requirements

- Introduction/Definitions
- Intent and Objectives
- Typologies
- Design Guidelines
- Review Process
Structures and Enclosures

- Ongoing discussions to determine what types of overhead elements will be allowed in the public right-of-way (for both Above Curb and Below Curb)
- Structures will be allowed in Below Curb patios, but not enclosures
Menti Poll

What is your favorite part about outdoor patios?

¿Cuál es tu parte favorita de los patios al aire libre?
Below Curb Parklet Update
Below Curb Intent & Objectives

**Accessibility & Safety**
- Safety and security of parklet space
- Vehicles sightlines and no conflicts between parklet users and vehicles and bicyclists

**Economic Development & Business Support**
- Create gathering space options for more business types
- Attainable and equitable options
- Remain competitive with other cities

**Placemaking and Neighborhood Integration**
- Mitigate impacts on sensitive uses
- Activate the streets and public ways
- Encourage design excellence
- Consider integration with context

**Utilities, Drainage & Emergency Access**
- Fire, emergency and utility access
- Stormwater conveyance
Design – A Range of Parklet Types

Type 1 – Street Level

Type 2 – Platform

Type 3 – Extended
Design – A Range of Parklet Types

Type 1 – Street Level

Street Level: Spot Bar & Grill on Pennsylvania St.

Type 2 – Platform

Flush with Curb: Dairy Block on Blake St.

Type 3 – Extended

Above Curb & Below Curb: Wynkoop Parklet
Integrating a Parklet on a Block

- Should be visually subordinate to the overall streetscape and block
- Ensure visibility into streetscape and elements beyond
- Consider visibility and access to retail storefronts and signage
- Consider coordinating with neighboring property owners and businesses to identify a mutually beneficial design solution and placement
Placement and Safety

- Located within parking lane
- Cannot be located within ADA parking
- Parking setbacks required at either end

*Figure 4. Location of parking setback, rubber curb and flex posts.*
Placement and Safety

- Emergency access required every 20 feet
- Reflective elements
- Delineating Elements
  - Crash-Rated Barriers required on downtown streets
  - Railings allowed on local streets
*Exceptions may be granted on a case-by-case basis depending on location and street characteristics including volume, speeds, presence of bike lanes, etc.

*Figure 10. Location of parklet, parking set back and clearances.*
Utility Access & Drainage

- Maintain stormwater drainage within streets and along gutter pan
- Cannot place parklet on top of manhole or inlet
- All electrical wiring must go under the pedestrian access route (PAR)
Accessibility

- Encourage Type 2 – Platform
- Accessible path required regardless of parklet type. Ramp required for Type 1 – Street level
- Accessible seating required
Urban Design & Placemaking

- Encourage visual interest with barrier element, but cannot obscure or confuse object markings
  - Graphics and paint
  - Plantings
- Fillable barriers are prohibited
- Durable and climate appropriate materials
Questions?

Put them in the Q&A box now!
Menti Poll

What is the last outdoor patio that you visited?

¿Cuál es el último patio al aire libre que visitaste?
Economic Analysis Overview
Economic Impact: National Case Studies

- **New York**
  - In “Open Street” corridors, sales were 19% above pre-pandemic baseline
  - Comparison corridors were 29% below

- **Toronto**
  - Outdoor patios made 49 times more revenue than the parking revenue replaced

- **San Francisco**
  - Pre-pandemic analysis of parklets
  - Average quarterly revenues grew by 29% following parklet installation
  - Non-parklet businesses saw a 10% increase during the same time period
TOE/TCR

*Notes: The TOE locations include those that have moved in and out of the program.

This map (and subsequent analysis) includes private TOE and TCRs but not private property patios allowed by zoning permit prior to the pandemic.
TOE/TCR

*Notes: The TOE locations include those that have moved in and out of the program.

This map (and subsequent analysis) includes private TOE and TCRs but not private property patios allowed by zoning permit prior to the pandemic.
### TOE/TCR Utilization

<table>
<thead>
<tr>
<th>Neighborhood</th>
<th>Total Restaurants</th>
<th>TCR</th>
<th>TOE</th>
<th>Total TCR + TOE</th>
<th>Ratio of TCR/TOE to Total Restaurants</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Park West</td>
<td>42</td>
<td>29</td>
<td>9</td>
<td>38</td>
<td>90%</td>
</tr>
<tr>
<td>Washington Park</td>
<td>16</td>
<td>8</td>
<td>6</td>
<td>14</td>
<td>88%</td>
</tr>
<tr>
<td>Jefferson Park</td>
<td>10</td>
<td>1</td>
<td>7</td>
<td>8</td>
<td>80%</td>
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<tr>
<td>Civic Center</td>
<td>24</td>
<td>11</td>
<td>6</td>
<td>17</td>
<td>71%</td>
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<tr>
<td>Highland</td>
<td>84</td>
<td>27</td>
<td>32</td>
<td>59</td>
<td>70%</td>
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<tr>
<td>Five Points</td>
<td>126</td>
<td>49</td>
<td>42</td>
<td>82</td>
<td>65%</td>
</tr>
<tr>
<td>Congress Park</td>
<td>37</td>
<td>14</td>
<td>10</td>
<td>24</td>
<td>65%</td>
</tr>
<tr>
<td>City Park</td>
<td>14</td>
<td>8</td>
<td>1</td>
<td>9</td>
<td>64%</td>
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<tr>
<td>North Capitol Hill</td>
<td>37</td>
<td>16</td>
<td>6</td>
<td>22</td>
<td>59%</td>
</tr>
<tr>
<td>Union Station</td>
<td>122</td>
<td>19</td>
<td>52</td>
<td>71</td>
<td>58%</td>
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<tr>
<td>Washington Park West</td>
<td>16</td>
<td>4</td>
<td>5</td>
<td>9</td>
<td>56%</td>
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<tr>
<td>Cherry Creek</td>
<td>51</td>
<td>9</td>
<td>17</td>
<td>26</td>
<td>51%</td>
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<tr>
<td>Platt Park</td>
<td>26</td>
<td>3</td>
<td>10</td>
<td>13</td>
<td>50%</td>
</tr>
<tr>
<td>Speer</td>
<td>68</td>
<td>18</td>
<td>14</td>
<td>32</td>
<td>47%</td>
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<tr>
<td>Baker</td>
<td>28</td>
<td>5</td>
<td>8</td>
<td>13</td>
<td>46%</td>
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<tr>
<td>Hale</td>
<td>25</td>
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<td>6</td>
<td>11</td>
<td>44%</td>
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<td>Capitol Hill</td>
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<td>12</td>
<td>26</td>
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<tr>
<td>Cheesman Park</td>
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<tr>
<td>West Colfax</td>
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<td>1</td>
<td>4</td>
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<tr>
<td>Berkeley</td>
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<td>13</td>
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<td>12</td>
<td>32%</td>
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<tr>
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<td>5</td>
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<td>30%</td>
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<tr>
<td>Sunnyside</td>
<td>25</td>
<td>2</td>
<td>5</td>
<td>7</td>
<td>28%</td>
</tr>
</tbody>
</table>

Source: City of Denver, QCEW, ArLand
TOE/TCR Utilization Comparisons

70%+ (City Park West, Washington Park, Civic Center, Highland)

Rest of City
TOE/TCR Revenue Comparisons

- 18% increase in sales tax revenues in those neighborhoods with 70% + TOE/TCR participation
- Prior to pandemic, these neighborhoods tracked with the rest of the City
Business Challenges

SOARING COSTS ARE CHALLENGING operations
- 88% have higher food & beverage costs
- 65% have higher occupancy costs
- 80% have higher utility costs
- 94% have higher operating costs (supplies, C&A, etc.)

How restaurants are MANAGING THOSE COSTS
- 91% increased menu prices
- 65% changed menu
- 60% reduced hours
- 38% closed days normally open
- 44% postponed expansion plans
- 16% cut back 3rd-party delivery

CPI - Denver, Aurora, Lakewood

Menu Prices, Grocery Store Prices & Overall Consumer Prices
Percent change versus same month in previous year

Sources: Bureau of Labor Statistics, National Restaurant Association, figures are not seasonally adjusted.
Business Challenges

- Fewer restaurants: Since 2020, Denver has sustained a net loss of over 11% of its total number of restaurants. Prior to 2020, that number usually grew by 3-5% per year.

- Wages are up in Denver making it less competitive regionally:
  - Denver tipped wage is up 43% since 2019
  - Overall restaurant wages up 30%
  - Minimum wage is tied to the CPI and likely to increase

- Denver sales taxes are up due to collection of online sales taxes

Source: Denver Economic Development & Opportunity (DEDO)
Parking Meter Comparisons

In 2018: $1,900 per meter
In 2022: $2,200 per meter

Average: about $2,000 per meter
* Parking meter charges increased to $2/hour in January 2022
### TOE/TCR Parking Meter Comparisons

<table>
<thead>
<tr>
<th>Calculation</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated Revenues ($/sf)</td>
<td>$165,200</td>
</tr>
<tr>
<td>City of Denver Sales Tax Rate</td>
<td>4.81%</td>
</tr>
<tr>
<td>Revenues to City from Expansion</td>
<td>$7,946</td>
</tr>
<tr>
<td>2 Parking Meter Revenues</td>
<td>$4,000</td>
</tr>
</tbody>
</table>

**Total Business Revenues vs. Parking Meter Revenues [1]**

- **40:1**

**Sales Tax Revenues vs Parking Meter Revenues**

- **2:1**

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[1] Toronto case study methodology

Source: City of Denver, ArLand

**Graph:**

- **Retail and Recreation Trips in Denver County**
  - Based on Pre-Covid Levels

Source: Google Mobility Data via Harvard Dataverse
Questions?

Put them in the Q&A box now!
What to Expect from the Outdoor Places Program
Eligibility

• Below Curb patios
  • Only on streets under 25 mph
  • Only in parking spaces – not in transit stops, bike lanes, ADA spaces, etc.
  • Not allowed in sight triangles

• Protected district: Neighborhood Impacts Review may be required for a patio fully within the Right-of-Way and located within 50 feet of a Protected District
Enforcement

• Violations
  • ROW inspections when constructed, during annual renewal, and as needed
  • Complaints submitted through 311

• Utilization and impact on existing on-street parking
  • Utilized patios are a higher priority than on-street parking
  • Relatively few patios in the ROW so far; overall impact on parking capacity is expected to be minimal
  • If not being used, DOTI has the right to revoke the permit
  • Increased fees will incentivize patios to be used
Application Process

- Pre-application meeting
- **Letter of approval** from landlord or property owner and adjacent businesses (if in front of their property line)
- Outdoor Places Program Application
- **Site plan**, including Pedestrian Access Route (PAR), existing permitted occupancies, and ADA accessibility
- Photos of the patio area
- List of proposed furnishings and elements
- **Crash barriers** for Below Curb patios downtown and as context requires

- **Number of seats to be added** with the proposed patio
  - Special review triggered if additional seating that would result in an increase of seats beyond existing permitted occupancy greater than 20%

- Certificate of Insurance
- Liquor control plan (if applicable)
  - Service of food and beverages, including liquor, will be allowed on outdoor patios. Businesses will need to acquire their liquor license and develop a liquor control plan to comply with local and state regulations.

- **Fees**
- Annual renewal
Application Support

• Required **pre-application meetings**

• Coordinating with Office of Community and Business Engagement (OCBE) and (Denver Economic Development & Opportunity) DEDO on **financial and technical support**

• **Language access plan** in progress (translations, interpretation, live support)

• Will coordinate with Business and General Improvement Districts (BIDs and GIDs) restaurant associations, and other groups to work with businesses in their area
Program Webpage: bit.ly/3X9Rr6T

Denver Outdoor Places Program

- About
  - Above Curb Patios
  - Private Property Patios
- Below Curb Patios
  - Full Street Closure Pilot
  - Project Background and Resources

Denver’s Outdoor Places Program builds on the success of the temporary outdoor dining program used by local businesses during the pandemic. While the temporary program was created in May 2020 to help restaurants and bars safely expand their serving capacity during the height of the COVID-19 pandemic, the permanent program currently in development will allow these and other businesses to use private and public space for...
Q&A
Application Deadlines

• **Above Curb**
  • The application for new patios is open now!

• **Private Property**
  • Patios in good standing under the temporary program may continue in place through December 31, 2023.
  • **To continue beyond December 2023, businesses must apply for a zoning permit by October 31, 2023** and be fully permitted by March 31, 2024.

• **Below Curb**
  • Application date will be announced soon.
Next Steps

- Public comment on draft Structures and Enclosures requirements will open soon
- Formal program launch and Below Curb application will be live this fall!
Thanks!

Questions or Comments?

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