



MEMORANDUM

P.O. Box 4100 ♦ FRISCO, COLORADO 80443

TO: MAYOR AND TOWN COUNCIL
FROM: DON REIMER, COMMUNITY DEVELOPMENT DIRECTOR
RE: SUMMER ON MAIN STREET - BUSINESS USE OF PUBLIC SPACE
DATE: OCTOBER 25, 2022

Summary and Background: Over the past few years, initially due to the COVID-19 pandemic, Town Council has authorized seasonal closures of Main Street through the creation of the Frisco Promenade. Businesses have also been invited to rent parklets to create outdoor marketplaces and dining areas. These programs allowed businesses and the public to utilize the street as a gathering place and extension of their commercial spaces. The purpose of this work session is to gather feedback on the desired future for business use of the Main Street public right-of-way.

Town Council first created the Frisco Pedestrian Promenade in June 2020 as a response to public health-related occupancy limitations imposed on businesses during the pandemic. Closing three blocks of Main Street to vehicular traffic served a dual purpose of allowing businesses in this area to expand into the street to regain some of the diminished indoor occupancy, and allowing additional room for pedestrians to walk through the downtown while maintaining the social distancing advised by public health officials. In 2020, the Promenade was in place from June 12 through October 5.

In August 2020, the Town was awarded a \$50,000 grant by the Colorado Department of Transportation (CDOT) as a part of CDOT's Main Street Revitalization Grant Program, with the purpose of developing means to assist businesses to utilize public spaces year-round throughout Frisco. Using these grant funds, the Public Works Department built approximately 60 parklet sections that can be deployed for business expansion into parking spaces within the Town right-of-way. The first parklet sections were placed on Main Street in parking spaces in front of businesses in October 2020 following the closure of the Promenade, with some on the north side of Main Street remaining in place through the winter of 2020 - 2021. In the spring of 2021, additional parklets were deployed to provide added space for businesses as warmer weather allowed.

In April 2021, Town Council approved the Pedestrian Promenade for summer 2021 with enhancements based on lessons learned from the prior summer. The 2021 Pedestrian Promenade was in place from June 18 through September 12. As with the previous winter, parklets remained in place in front of some businesses for the winter of 2021 - 2022 following closure of the Promenade and reopening of the street to vehicular traffic.

Most recently, in October 2021, Town Council decided that the Promenade would not be established for the summer of 2022, instead allowing businesses to utilize parklets or street space

subject to a license use fee. Making the decision in October 2021 in advance of the summer of 2022 was intended to provide business owners with the opportunity to plan for staffing for the summer, knowing what space would be available. In the summer of 2022, 11 businesses utilized space in the Town right-of-way. The Town recently determined that parklets would not be offered to businesses for the winter of 2022 - 2023.

Background & Analysis: Main Street Frisco has been the center of community and visitor activity for many years. In 2010, Town Council adopted the “Step Up Main Street Plan” as a program to revitalize the central core downtown area, to create a “street design to promote human use and enjoyment by all”. Construction of the project was completed in 2016, and resulted in a more attractive and walkable Main Street. In 2018, a set of parklets was constructed by the Town and placed in parking spaces on Main Street as an example of how using the street for things other than vehicular traffic and parking could improve the atmosphere and increase vitality in the downtown area. The 2019 Community Plan references Main Street as the “Heart of the Community”, with action items supporting a walkable downtown area.

2020 – Promenade and Parklets. In the spring of 2020, public health restrictions related to the COVID-19 pandemic required the Town and business owners to consider new ideas to assist business operations, while maintaining the mandated social distancing. Staff reached out to every business along Main Street to identify which businesses would be interested in using Main Street space to expand their operations. Based on the responses and an analysis of business concentrations, the Promenade was set up between 2nd and 5th Avenues. Businesses were allocated space in the street, and provided their own furniture or other decorations. In the summer of 2020, 27 businesses in that three-block section used space on Main Street, including restaurants, art studios, retail stores, bike rentals, and even a mini-golf course set up by a local hotel.

Upon closure of the Promenade and reopening of the street to vehicular traffic in October 2020, the Town made parklets available for business owners that wished to continue to provide expanded customer spaces for their customers. That winter, 10 businesses used parklets, most of which were restaurants, coffee shops, or bars.

2021 – Promenade and Parklets. In the spring of 2021, Town Council weighed several issues in deciding to implement the Pedestrian Promenade for the summer of 2021, including potential public health considerations, public and business comments, and construction impacts from the CDOT “Gap” project on SH 9. Council also considered public comments and staff proposals on potential improvements to aesthetics, signage, public art and safety.

Based on lessons learned from the Pedestrian Promenade in 2020 and feedback from businesses and the public, the 2021 Promenade included parklets, which businesses used to define their space. Additional signage was added in the downtown area to direct visitors to all businesses, whether within or outside of the area that would be closed to vehicular traffic, and variable message boards were set up to direct traffic onto Granite Street. The parking lot at 3rd and Granite was also improved to make parking more efficient at that location. Further adjustments to the setup and operation included changes to the Promenade bike lane, cross-street access, perimeter fencing, public art, aesthetics, and outdoor music. In the summer of 2021, 26 businesses used space within the Promenade.

Parklets were again offered to businesses for the winter of 2021-22. 12 businesses, mostly restaurants, initially requested use of parklets for the winter. However, several of these businesses did not regularly remove snow from the parklets as required by the license agreement,

so parklets were removed from in front of over half of these businesses before the end of the winter.

2022 – Parklets. In October 2021, Town Council decided that the Promenade would not return in the summer of 2022, and that the only business use of the Main Street right-of-way would be by use of parklets, or other designated parking spaces or permitted sidewalk space. In consideration of concerns about equity for use of the space, and to offset Town staff time in setting up the parklets, Town Council directed staff to develop an appropriate fee for use of public space by a business. The license fee established for 2022 was \$1.00 per square foot, equivalent to \$100 per 10-foot-by-10-foot parklet section.

Eleven businesses received parklets, and another business was permitted to rope off several parking spaces for a bike rental business, for a total of 12 businesses participating. Parklets have been removed from all of these businesses as of October 24, 2022, in consideration of snow removal operational efficiency while the Town Public Works Department is short-staffed.

Also occurring in the summer of 2022 was stricter enforcement of the 3-hour parking limits on Main Street. Beginning in June 2022, the Town contracted with Interstate Parking to enforce the time limits, which appears to have had the desired effect of increased turnover of parking spaces for customers of downtown businesses. Looking back on the last summer of parklet use compared to the Promenade set up of the prior two summers provides a few observations on potential changes to improve the visitor experience. Sidewalks seemed much more crowded because people were no longer walking in the street, bicycles were being walked or ridden on the sidewalk, and sandwich boards and other permitted signage was concentrated on the sidewalks rather than being more spread out into the business area of the Promenade.

It is essential that sidewalks remain clear and open for people movement, with special consideration for maintaining an open route for accessibility to meet Americans with Disabilities Act (ADA) requirements. Regardless of the direction for 2023, staff recommends tighter enforcement of the existing rules related to placement of sandwich boards signs and other street furniture in front of businesses to ensure the sidewalks are passable. Additionally, Town Council may want to consider creating and enforcing a regulation regarding bicycles on the sidewalk, requiring that cyclists dismount when on the sidewalk. There are currently numerous signs in the downtown area requesting that riders dismount; however, these are unfortunately frequently ignored.

Options for Business Use of Main Street for the Summer of 2023: Based on experiences of the past three summers, there are three potential options for business use of Main Street for the summer of 2023:

1. Set up the Frisco Pedestrian Promenade from mid-June to mid-September. Parklets could be utilized before, during, and after the Promenade, by businesses within or outside of the street closure area. Further refinements to aesthetics, wayfinding, parking, and traffic movement would be developed based on Town Council and public input.
2. Allow businesses to use portions of the Main Street right-of-way in a manner similar to the summer of 2022, with parklets and other use of sidewalk and parking spaces, but with the street open to vehicular traffic. Winter use of parklets would be evaluated based on staffing and other considerations.

3. Utilize Main Street for vehicular and bicycle traffic and parking only; no Promenade or parklets for business use.

Factors to consider include the community vitality experienced by additional activity on Main Street, equity for those businesses that may not be able to utilize public space for their businesses, parking for downtown business customers, employees, and residents, and safety for all in the downtown.

Promenade. If Town Council determines that the Pedestrian Promenade should be implemented again in the summer of 2023, refinements to the layout, signage, and site furnishings would be implemented to improve the business and visitor experience in the whole downtown area, including those areas not within the area closed to traffic.

During prior discussions about the Promenade, some businesses outside of the Promenade street closure area indicated that extension of the Promenade either to the east (towards Highway 9) or to the west (towards West Main) would benefit their businesses. The extents of the Promenade were established in 2020 based on the highest density of businesses on each block, and the concept was successful when the businesses participated by establishing a presence in the street. Looking ahead to 2023, an extension of the Promenade towards the east is not recommended, as it is likely that the Foote's Rest hotel project will be under construction between 5th and 6th Ave., limiting the number of businesses that could participate. Similarly, to the west between 2nd and 1st Ave., there are few businesses in this block that would likely be participating. In fact, while parklets were made available to all businesses, no businesses in either block segment participated in the parklet program in 2022. If the Promenade was extended to either of these blocks, it would be primarily for a community purpose, rather than for the benefit of businesses in those areas.

Parklets. If Town Council approves parklets for use in 2023, there are no recommended changes to the program, including the license fee. During the summer of 2022, businesses were assessed a license fee of \$1.00 per square foot, equivalent to a license fee of \$100 for each 10-foot-by-10-foot parklet or equivalent street area. The license fee was established at a level to require business to commit to using the space at a reasonable value, allowing the Town to recoup some costs related to set up and removal. The fee did not appear to deter any businesses from utilizing Main Street space. The only suggested fee adjustment would be to apply the fee on a seasonal basis; i.e. assess the fee separately for both summer and winter use.

An additional point of discussion relative to the program is related to the aesthetics of uses in the public right-of-way. When the Promenade was first established in 2020, the Town made a conscious decision to allow business owners to create their own space, reflecting the eclectic nature of the Frisco community, rather than a uniform look and feel that was present in other communities. That same principle has carried over to use of individual parklet and business set-ups. However, since that first summer, staff has received some comments that some of the displays gave the appearance of a "flea market" or "yard sale". While this may be an opinion expressed by a small portion of residents and guests, it may be something to address moving forward.

Section 180-5.2.4 of the Town Code, *Outdoor Commercial Establishments ("OCE")*, regulates outdoor businesses. While the Promenade and parklets have not been approved through the OCE permitting process, some criteria in the OCE regulations could be incorporated into the license agreement to provide opportunities to address the appearance if deemed necessary. While subjective, the criteria in the OCE regulations include a requirement that the use is

“compatible with intensity of use characteristics and appearance” of the land uses in the vicinity. If desired, similar language could be included in the license agreement so individual business appearance issues could be addressed if necessary.

Other Places: While what other communities are doing is not a reason to enact a policy or public improvement in Frisco, it is interesting to see what other communities are doing as a means to address various community goals. Some of these communities are:

- Salida has closed three blocks of F Street for business and community space. The cross streets remain open for circulation purposes.
- Fruita closed portions of Mulberry Street on a seasonal basis.
- Arvada approved a 5-year plan to make a pedestrian street in Olde Town Arvada semi-permanent.
- Durango approved a plan to narrow Main Avenue from four to three lanes, and in two blocks created a “flexible street” that could be easily closed for events.

Each of these communities did something a little different depending on their goals and constraints. No one solution is the right solution for every location; new ideas will continue to be developed as cities and towns make changes to the public right-of-way to improve aspects of their communities.

Financial Impact: Main Street expenses in 2022 were primarily related to Public Works staff time for set-up and take down of parklets. The draft of the 2023 budget does not include any funds for Main Street business use of the right-of-way. In 2022, businesses paid a total of \$3,600 in license fees for use of the Town right-of-way.

Recommendation: Staff requests that Town Council provide feedback on potential use of business spaces, specifically the following questions:

Questions for Council Discussion:

1. Promenade, Parklets, or neither?
2. Should the bicycle dismount zone be codified to improve safety on the sidewalks?
3. Should appearance criteria be included in right-of-way licenses?
4. Is the license fee appropriate at \$1.00 per square foot? Should the fee be assessed on a Summer / Winter seasonal basis?
5. If the Promenade is to be established in 2023, should a fee be assessed for use of Promenade space?

Reviews and Approvals: This report has been reviewed and approved by:

Tom Fisher, Town Manager
Leslie Edwards, Finance Director

Attachments: None