City of Alexandria, Virginia

MEMORANDUM

DATE: OCTOBER 5, 2021

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: MARK B. JINKS, CITY MANAGER /s/

DOCKET TITLE:
Public Hearing, Second Reading, and Final Passage of an Ordinance to amend and reordain Section 3-2-85 (Annual Charge for Commercial Encroachments) of Chapter 2 (Taxation) of Title 3 (Finance, Taxation, and Procurement) and Section 5-2-29 (Street Encroachments) of Chapter 2 (Streets and Sidewalks) of Title 5 (Transportation and Environmental Services) of The Code of the City of Alexandria, Virginia, 1981, as amended. [ROLL-CALL VOTE]

ISSUE: Consideration of an ordinance to create a parklet program and allow parklets as a permitted encroachment.

RECOMMENDATION: That City Council:

1. Introduce and pass on first reading Tuesday, October 12, 2021, the ordinance (Attachment 2) to allow parklets as a permitted encroachment; and

2. Direct the Traffic and Parking Board to adopt design requirements for parklets; and

3. Schedule the ordinance for second reading, public hearing, and final passage on Saturday, October 16, 2021.

BACKGROUND: "Parklets" are the conversion of an on-street parking space into an extension of the sidewalk, to be used for open space, public seating, or the use of an adjacent business for dining or retail. As a response to the COVID-19 Pandemic, in May 2020, City staff established a process for creating temporary parklets that could be used for outdoor dining and retail. The location and design of these on-street dining spaces was based on a modified version of the parklet design guidelines, reviewed by the Traffic and Parking Board in February 2020 as part of a pilot program for public-use parklets.

Currently, businesses may request the conversion of the parking in front of their business into a seating area or

retail space and in front of adjacent properties with written permission from the adjacent property owner. The City installed parking stops, flex posts, and water-filled barriers to increase the safety of people using these spaces. Businesses are encouraged to add additional decoration and to activate their spaces but were not required to do so.

Throughout the program, there have been 50 applicants for parking spaces (excluding businesses on the 100 block of King Street) using approximately 117 parking spaces. The majority of the businesses are in Old Town. Since the program's start, several applicants have removed their outdoor dining operations, and there are currently about 104 parking on-street spaces approved for use. The temporary program is authorized through April 1, 2022.

DISCUSSION: Based on the positive response to the temporary parklets, Staff is proposing a permanent program for both public and commercial use parklets. The goal for a parklet program is to continue supporting local businesses with additional space for their operations, safely activating the public right of way, providing new open space for pedestrians, and enabling outdoor activities during and after the Pandemic.

The City created a feedback form to solicit input from residents, businesses, and visitors about the City's temporary outdoor dining programs and other measures adopted during the Pandemic. The form was open from August 3 to September 10, 2021, and received more than 2,700 responses. Among respondents:

- 91% of respondents are more likely to visit a restaurant that has outdoor seating
- 67% of respondents had a positive or very positive experience with outdoor dining in an on-street parking space during the Pandemic
- 74% of respondents wanted to see outdoor dining in an on-street parking space continue permanently
- Among business respondents, 66% wanted to see outdoor dining in on-street parking spaces adopted permanently.

The Old Town Business Association also facilitated feedback from businesses; the responses were supportive of the program and its potential to activate the public space with people and dining.

This ordinance would create a process for all parklets to be approved as a permitted encroachment. A companion text amendment to the Zoning Ordinance would establish a permitting process for allowing commercial uses in approved parklets. These amendments would allow restaurants and businesses currently utilizing the temporary program to transition to a permanent one, provided they meet all requirements.

Parklets would be required to meet the location and design criteria in the revised Draft Parklet Requirements (Attachment 4). The design standards and location criteria for both public use and commercial use parklets would be the same. Design guidance requires a continuous edge along the street-facing sides of the parklet, a level surface to connect with the sidewalk, buffer zones to provide safe space between the seating areas and moving vehicles, and limits on placing parklets in high-traffic locations. Should the program be approved by Council, the design requirements would then be approved by the Traffic and Parking Board. The Traffic and Parking Board held a public hearing on September 27, 2021 to consider this program and provide initial feedback on the design requirements. They recommended the Council to approve the program and designate authority to the Board to adopt and update the guidelines as needed.

Citywide metered parking transactions in the summer of 2021 returned to near the pre-pandemic baseline, indicating that the loss of parking spaces is not a major factor for visitors to find a place to park.

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FISCAL IMPACT: There is currently no fee to use a parking space under the temporary program. However, the City should be compensated for using this valuable public resource as it is when private entities utilize public space. Staff proposes to charge a fee for an annual permit and is currently working to determine the appropriate fee that considers both location and equity. The fee would be set by Council resolution or during the budget process.

There may be a small loss in parking revenue. Most parklets in the temporary program use metered parking spaces. However, the total number of spaces occupied is relatively low, using about 104 spaces out of approximately 1,200 metered spaces in the City. On average, before the Pandemic, a metered parking space generated approximately $2,600 annually. Some parking revenue loss will be offset by the additional restaurant seating, which will generate tax revenue for the City. However, the exact amount is unknown at this time.

ATTACHMENTS:
Attachment 1: Ordinance Cover
Attachment 2: Ordinance
Attachment 3: Feedback Form Summary
Attachment 4: Draft Parklet Requirements
Attachment 5: Presentation

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