WEST END BUSINESS IMPROVEMENT ASSOCIATION

Davie Village Commercial Patio Zone Pilot Program Proposal

FINAL REPORT

18 November 2015

THE WEST END

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1.0 Introduction

The West End Business Improvement Association (WEBIA) is proposing to implement a Commercial Patio Zone Pilot Program in the 1100-1200 blocks of Davie Street in Davie Village. The WEBIA envisages this program as an extension of its previously completed Streetscape & Design Guidelines work and tying into the proposed Jim Deva Plaza/Heart of Davie Village design project that the City of Vancouver is currently undertaking. It also seeks to take advantage of recent changes to provincial liquor license policies and regulations.

This initiative is also consistent with and supports the intent of the West End Community Plan goals. That plan, which was approved by Council, changed the permitted land uses on Davie Street. These land use changes in Davie Village, which restrict future mixed-use and residential development, took some important options off the table for property owners. In exchange, however, the Plan supports and paves the way for a focus on active street level businesses, and enhanced public realm, and contemplated patios.

The purpose of this report is to lay out a proposed approach that helps the WEBIA advance the concept of a commercial patio zone for Davie Village, working in collaboration with the City of Vancouver. It is being submitted to the City as evidence of the thought and consideration that has gone onto this proposed Commercial Patio Zone, and to assist the City in evaluating and approving this proposal.

Our concept is for a patio zone on these two blocks of Davie Street, i.e. a cluster of 6–8 commercial patios and 2–3 parklets located on the sidewalk and curb lanes. Our site analysis concludes that the capacity is there but the WEBIA recognizes that this requires detailed joint planning between the WEBIA, local businesses and the City.

It should be noted that the existing sidewalks on Davie Street are typically not wide enough to accommodate sidewalk patios on the sidewalks exclusively. We believe that Davie Street is a prime candidate for a new program that extends the sidewalk and/or patios out over the parking lane of the street, much as has been done successfully in many cities.

We understand that City staff are going to be reporting to Council on its ‘Parklet’ pilot program in fall 2015 and the WEBIA wants to ensure that Davie Village is included as a prime candidate to expand the program to include commercial patios. The WEBIA’s objective is to gain City of Vancouver approval and support for a commercial patio zone in Davie Village that would be created concurrently with the Heart of Davie Village public realm improvements i.e. approved by the summer of 2016.

The current proposal is to modify and expand the City's 'Parklet' program to allow for commercial use (i.e. including food and beverage service) of such patios, also referred to as a 'Streatery' in some locales, which extend into the existing street roadway, in several generic configurations. These proposed configurations are described later in this document.

It is the WEBIA's understanding that the City of Vancouver is looking to implement a trial of the 'Streatery' concept, in line with direction from the provincial government, which has advised the City that it supports such a trial. We urge the City to get on with this now.

2.0 Patio Programs Precedent Research

Research has been undertaken into similar patio program precedents in other cities, to support the WEBIA proposal for commercial street patios on Davie Street. Some highlights of this research are described below. More details including source documents can be found as an Appendix to this report.

We have reviewed detailed location criteria, site plan considerations, general guidelines, and permits and fees, from other jurisdictions such as San Francisco, New York, Seattle and Montreal. Many other cities closer to Vancouver have similar programs, including Calgary and Edmonton in Alberta and Penticton and Kelowna here in B.C. to name a few. Several cities have wraparound sidewalks that extend out over the street.

Above: Patios in Kelowna, Penticton and Montreal

In addition, many cities across North America (e.g. Portland) and around the world (e.g. most European cities) permit alcohol to be served on the sidewalk without any physical barrier between patrons and pedestrians.

Patios in Barcelona, and Portland

Considering these criteria, it appears that Davie Village is a good candidate for commercial sidewalk patios that extend into the street.

San Francisco

San Francisco's Pavements to Parks Program has detailed Location Criteria, Site Plan Considerations and General Guidelines. Location Criteria address such issues as speed limits, parking spaces, corner locations, fronting driveways, transit and utilities. Site Plan Considerations address such issues as parklet dimensions, footprints and setbacks, parallel parking, diagonal and perpendicular parking, nearby driveways, parking meters. The General Guidelines address such issues as parklets' status as public space, advertising, signage, design for easy removal and restoration, and creativity.

San Francisco's program has a very elegant and effective design for the perimeter safety barriers, which combines solidity and transparency. No barrier is required between the sidewalk and the seating area.

San Francisco Parklets

New York City

New York City's Street Seats program is more similar to Vancouver's parklet program, although it does share some characteristics with San Francisco's program. A number of guidelines were used to develop the Street Seats program, in particular around the design and construction of the Street Seat platform structures. New York's Street Seats typically do not require a separation barrier between the sidewalk and the seating area.

Street Seats in New York

Seattle

The City of Seattle has recently implemented a “Streatery” Pilot Program. This is for so-called “streateries,” a new type of seating in the street that combines the best of both of worlds: streateries, like parklets, are small open spaces constructed in an existing parking spot(s). And like sidewalk cafés, streateries provide outdoor seating for local businesses to serve food and beverages.

The City of Seattle notes that streateries support Seattle’s neighborhood business districts and promote vibrant streets. They provide a new option for activating parklets in different ways throughout the day – sometimes as public space, and sometimes as a café with table service. In addition, it notes that streateries make it possible for businesses in areas with narrow sidewalks to have sidewalk cafés.

If a business plans to serve alcoholic drinks in its streatery, an extra set of design requirements are applied to ensure that it is in compliance with Washington State Liquor Control Board rules. These include a slightly higher perimeter fence/barrier between the patio and the adjacent street.

Businesses are encouraged to maximize public access into the streatery during non-business hours.

Montreal

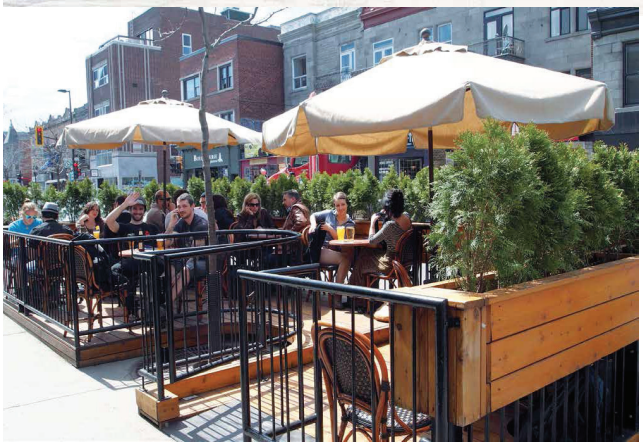
The Borough of Le Plateau-Mont-Royal in Montreal has two basic programs for on-street patios:

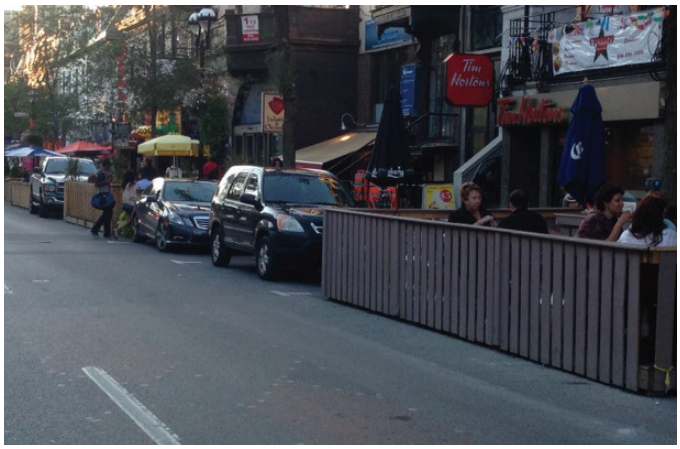
1. a ***Placottoir***, which is a public patio space built on the street that can’t be used exclusively by a food service business and has to remain open at all times to everyone, and no alcohol/food can be served at tables. It is essentially the same as San Francisco’s or Vancouver’s parklets programs; and

2. a ***Café-Terrasse***, which is a patio space built on the street that is separated by a barrier from the sidewalk, with tables and chairs, and where the adjacent restaurant/bar can serve food and alcohol on an exclusive basis. Operating hours are limited to 7:00 am - 11:00 pm Sun-Thurs and 7:00 am - midnight Fri-Sat. There are various design guidelines for the sidewalk-side barrier and also the outside barrier to the street, landscaping, etc. The total patio area can be no more than 50% of the area of the business inside. The patio can also encroach sideways by up to 30% of the total area in front of an adjacent business, if they agree.

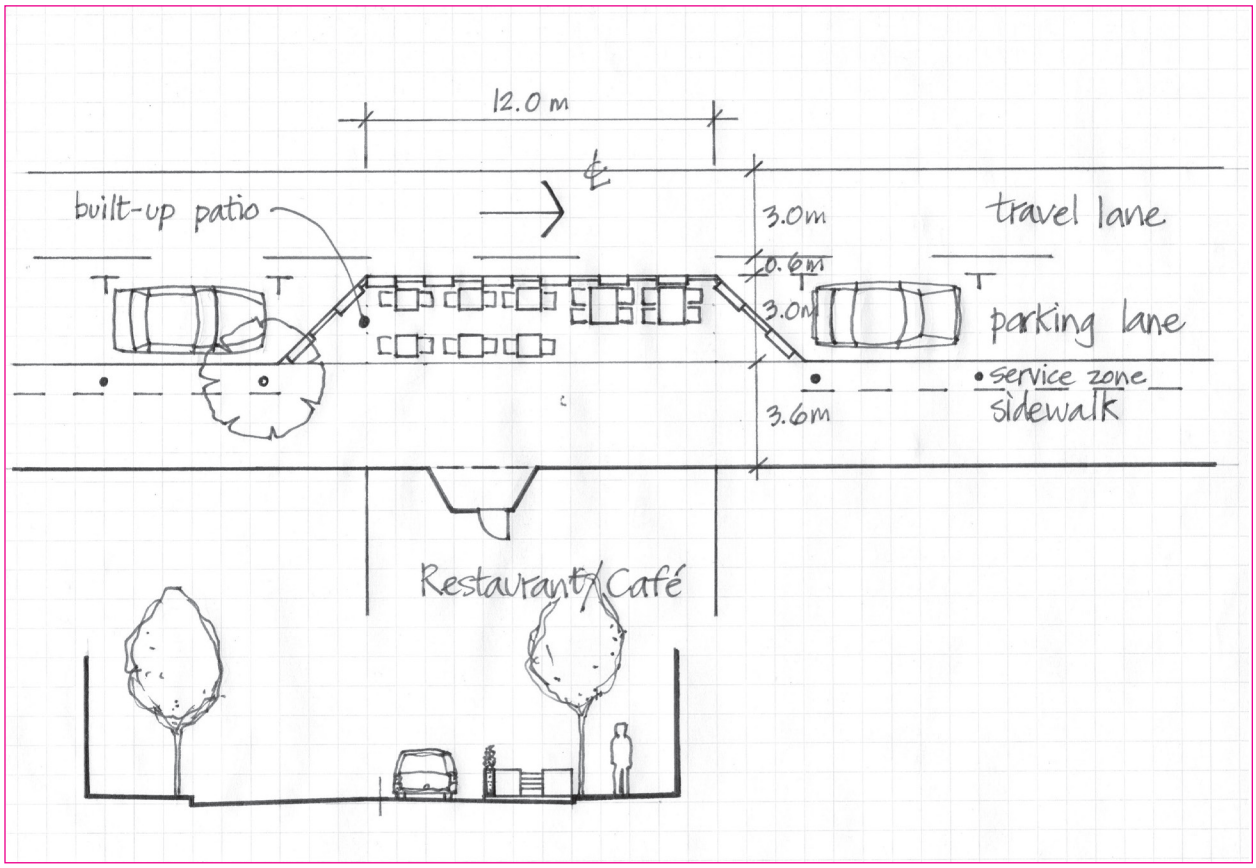
The Café-Terrasse one time application fee is $625 + taxes, and there is an annual permit fee that varies by size but is typically around $500 + $10/sq. ft.

Montreal’s Café-Terrasse commercial patio program is relatively straightforward, flexible and sensible. The program’s permitting and fee system is straightforward and sensible. This is the most directly relevant precedent to what is envisaged by the WEBIA for Davie Street, and is worth emulating.





Patios in Montreal



Patio Option A

3.0 Patio Types

Patio options are limited on Davie Street, given the narrow sidewalk widths. The only practical option is to extend the sidewalk/patio out into the parking lane.

The WEBIA proposes the following range of alternative layout configuration options for commercial patios that include an extension built out into the existing roadway and occupying the parking lane.

These layout configurations are generic and will need to be customized to specific sites.

These layout configurations assume an existing sidewalk width of approximately 3.6 m (11-12 ft.), which is what the sidewalks along Davie Street typically appear to be based on a site inspection and aerial orthophotos provided by the City.

These generic layout configurations assume a typical patio extension width of 3.0 m into the street and a typical length of 12.0 m. These dimensions may vary on a case-by-case basis, depending on site-specific conditions.

Our analysis indicates that two parallel rows of tables (both two-seat and four-seat) and chairs provides the most seating capacity and flexibility. This is important to optimize the investment by businesses in such commercial patios.

Patio Option A

Seating in built up patio area only

This configuration option proposes that the commercial tables and chairs be located entirely in the built up area within the parking lane. The sidewalk pedestrian travel area would continue straight through and separates the commercial patio from the business premises.

A vertical barrier separates the patio perimeter from the adjacent travel lane and parking lane (see section 4.2 Patio Design Considerations below).

Up to two parallel rows of tables and chairs could be accommodated in the maximum 3.0m wide patio (see illustration, left).

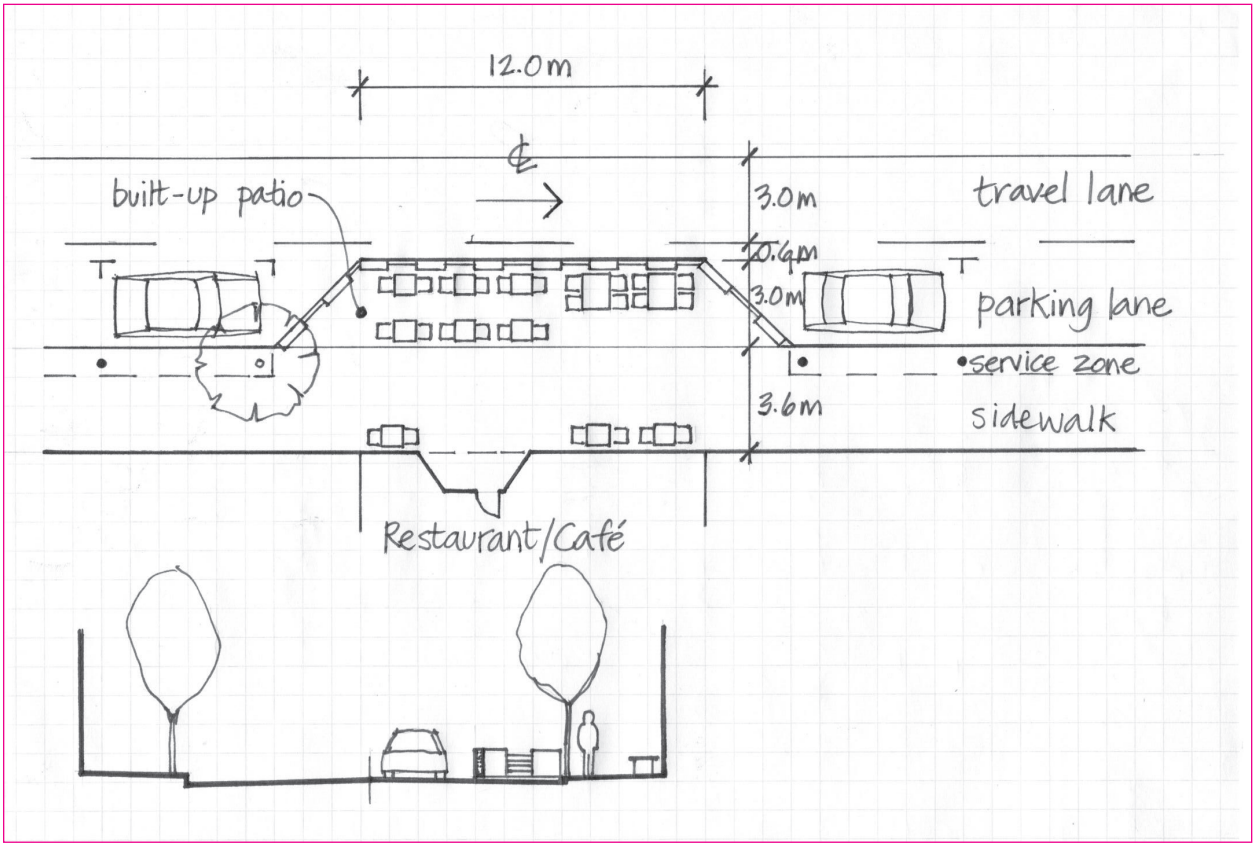
Patio Option A1

Seating in built up patio area and immediately adjacent to the business premises

This configuration option proposes that the commercial tables and chairs be located primarily in the built up area within the parking lane, with an additional row of tables and chairs located immediately adjacent to the business premises. The sidewalk pedestrian travel area would continue straight through and separates the commercial patio sections from each other.

A vertical barrier separates the patio perimeter from the adjacent travel lane and parking lane (see section 4.2 Patio Design Considerations below).

Up to two parallel rows of tables and chairs could be accommodated in the maximum 3.0m wide patio on the built up area, and an additional single row of tables and chairs could be accommodated immediately adjacent to the business premises.



Patio Option A1

Patio Option B

Seating on existing sidewalk only, with separation barrier

This configuration option proposes that the commercial tables and chairs be located entirely on the existing sidewalk immediately adjacent to the business premises. The sidewalk pedestrian travel area would move out onto the built up area and around the seating area. This pedestrian travel area is up to 3.0 m wide.

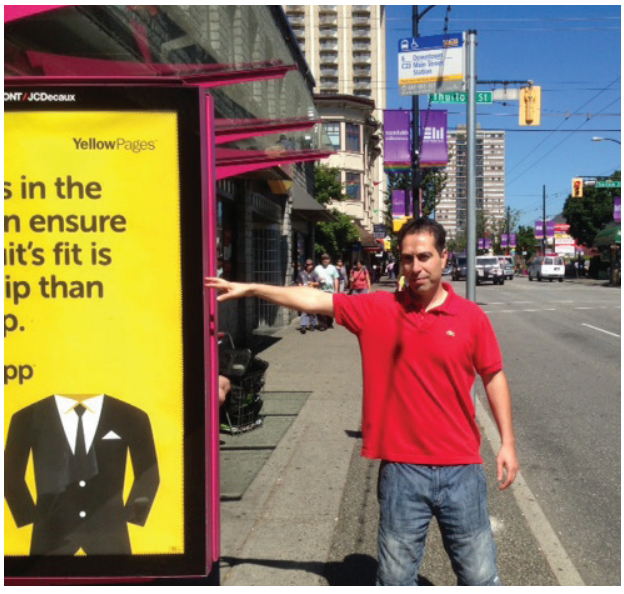
A vertical barrier separates the built up area perimeter (pedestrian travel area) from the adjacent travel lane and parking lane (see section 4.2 Patio Design Considerations below).

A second vertical barrier separates the commercial patio area from the extended pedestrian travel area.

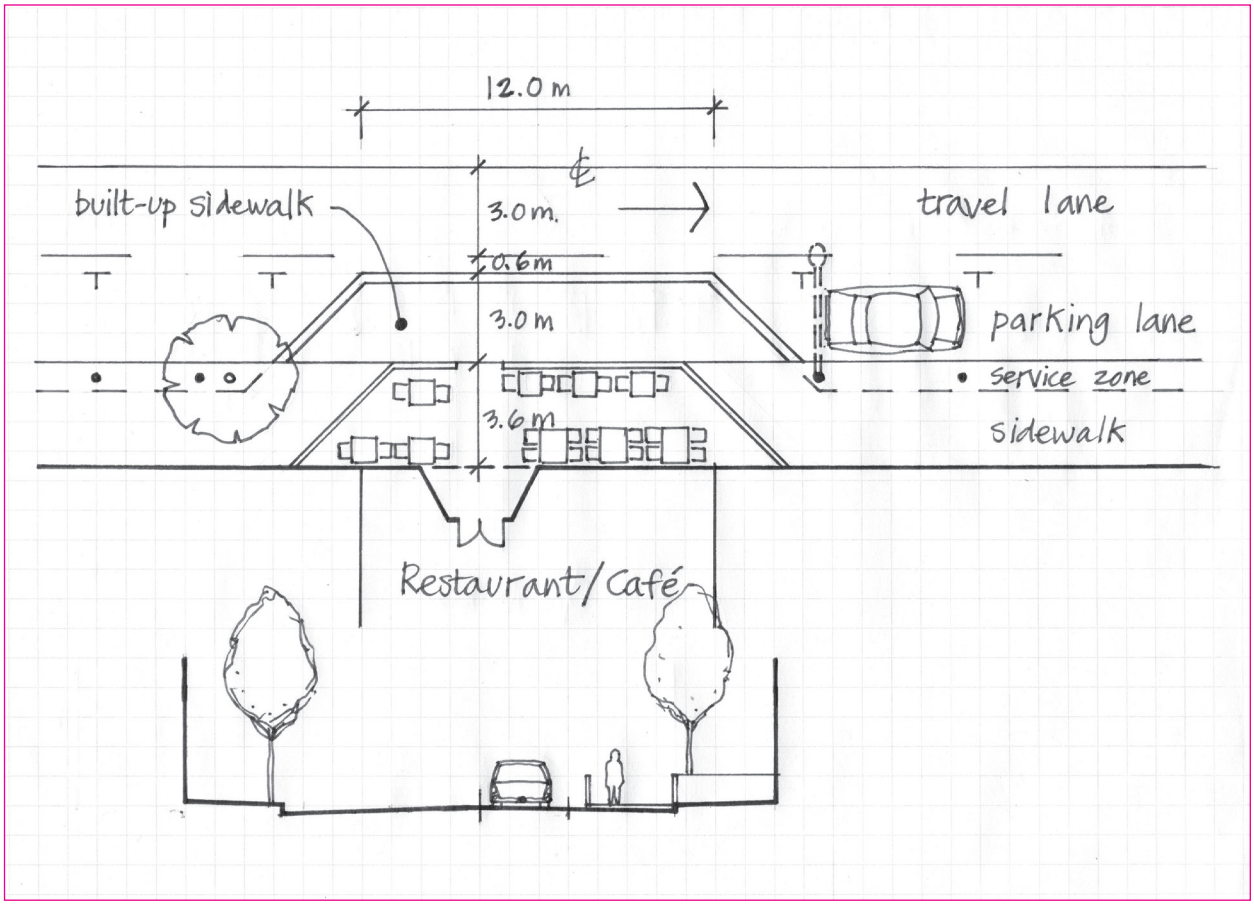
Up to two parallel rows of tables and chairs could be accommodated within the maximum 3.6m wide sidewalk patio, subject to avoiding any physical obstacles that may be present in the utility service zone.

Our initial analysis suggests that Option B is the most efficient and business friendly which is consistent with Council's stated desire to support small business. Our precedent research indicates that there are plenty of examples in other cities where this configuration works and pedestrians (including those with disabilities and mobility challenges) are routed around the seating area into the built up area.

We would note that existing 'barriers' on City sidewalks, such as the bus shelters on Davie Street, do not seem to cause undo hardship for pedestrians including those with mobility issues. On one of the busiest pedestrian blocks in the city, 1000 Block Davie, WEBIA is not aware of complaints related to the bus shelter on the south side (see photo). This shelter has an advertising panel which almost totally blocks the pedestrian path. Pedestrians of all abilities manage to navigate this section of sidewalk in part accessing the utility service zone. The Option B wraparound sidewalk would be an improvement over this condition that seems to have been working for the past decade or more.



South side bus shelter, Davie Street



Patio Option B

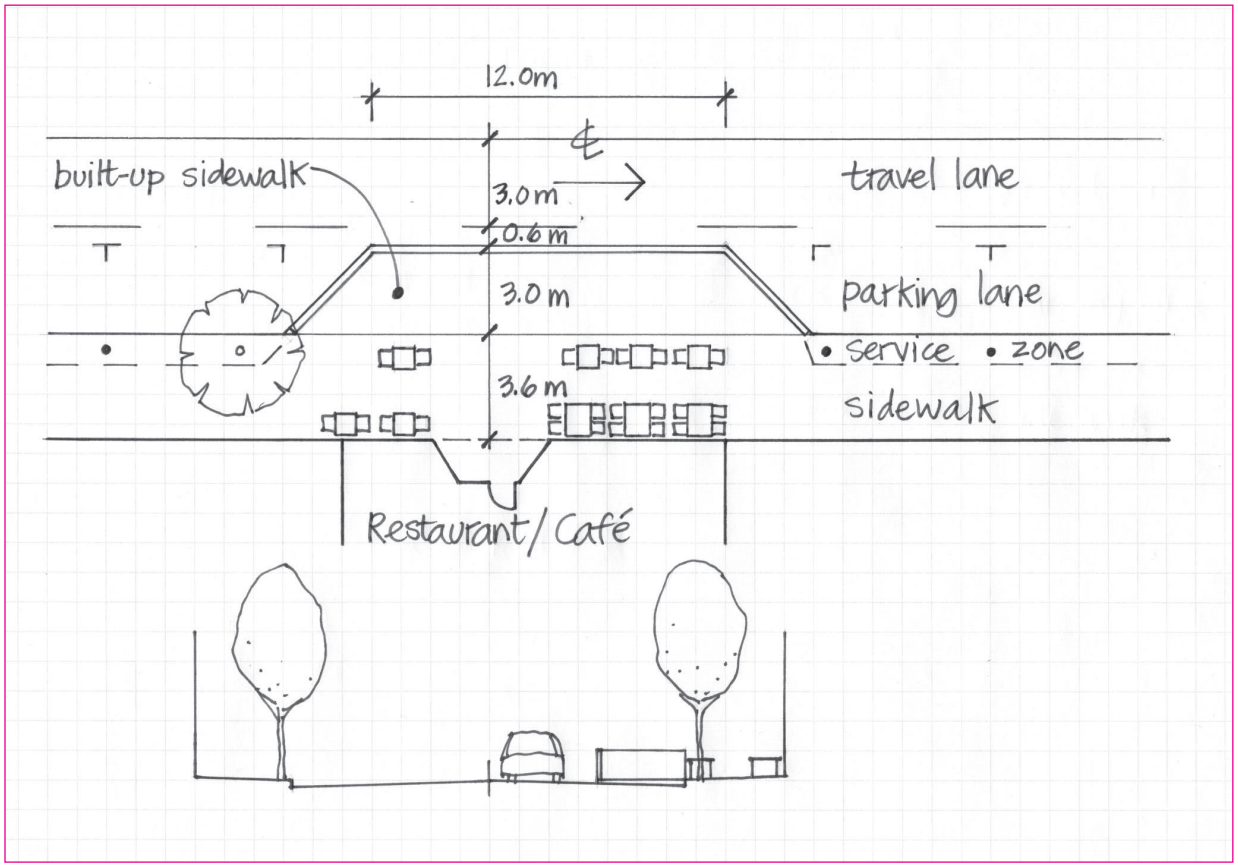
Patio Option B1

Seating on existing sidewalk only, without separation barrier
This configuration option proposes that the commercial tables and chairs be located entirely on the existing sidewalk immediately adjacent to the business premises. The sidewalk pedestrian travel area would move out onto the built up area and around the seating area. This pedestrian travel area is up to 3.0 m wide.

A vertical barrier separates the built up area perimeter (pedestrian travel area) from the adjacent travel lane and parking lane (see section 4.2 Patio Design Considerations below).

There is no vertical barrier separating the commercial patio area from the extended pedestrian travel area.

Up to two parallel rows of tables and chairs could be accommodated within the maximum 3.6m wide sidewalk patio, subject to avoiding any physical obstacles that may be present in the utility service zone.



Patio Option B1

4.0 Proposed Patio Zone Site Location, Design and Maintenance Considerations

The following site location and design considerations are proposed for commercial patios that include an extension built out into the existing roadway, occupying the near side parking lane.

These site location and design considerations were developed in order to identify specific patio sites (see attached maps). We recognize that the preliminary siting and design considerations need to be flexible and that the City may modify some of these suggestions. These are offered as a starting point, for further analysis and discussion.

These guidelines should apply equally where the commercial patio service area (tables and chairs) is located on the built up extension (Patio Options A and A1), or where the commercial patio service area (tables and chairs) is located immediately beside the existing building with the public sidewalk rerouted out onto the built up extension (Patio Options B and B1).

These site location considerations are for the 1100-1200 blocks of Davie Street, where the WEBIA is proposing to implement the Commercial Patio Zone Pilot Program. Consideration should also be given to extending the Commercial Patio Zone to the 1000 block of Davie Street if and when the on-street parking prohibition during rush hours is lifted.

4.1 Site Location Considerations

The following site location considerations are provided for further analysis and discussion.

Patio Concentration

• It is proposed that a maximum of six-eight patios be located per block. This will provide the critical mass to create a patio zone along Davie Street.

• Patios should be located opposite existing ground floor food service businesses, which are concentrated in these two blocks of Davie Street.

Sightlines

• Patios shall maintain clear sight lines for traffic approaching the patio. This means consideration needs to be given to locating patios so as to minimize site line impacts from driveways, intersections, laneways, etc.

Slopes

• Patios shall not be located on any street exceeding a running slope of 5%. The slopes along the 1000 – 1200 blocks that make up Davie Village are favourable for on street patios and/or wraparound sidewalks.

Solar Aspect

• Patios should be located to optimize sun exposure. This suggests a focus/preference for the north side of the street. However, the existing lower building heights (1–2 stories in most cases) in Davie Village create good solar conditions on the south side as well, especially during a patio 'high' season anticipated to run from May to October.

Bus stops

• Patios may not be located at, or within the transition travel zones of, any existing bus stop.

• The WEBIA believes that three bus stops in Davie Village in each direction (six stops in total over three blocks) may be excessive, and that two stops over three blocks could work and would free up space for more pedestrian activities including sidewalk patios. For example, the bus stop on the south side at Bute is likely to be moved as a result of construction of the proposed Jim Deva Plaza. It is noted that moving this bus stop east would significantly impact a prime patio location(s).

• The ongoing downtown bus service review should consider this issue, including removing the eastbound bus stop currently located at Bute Street.

Utilities/Services

• Patios must be situated at least 5.0 m clear of any fire hydrant.

• Patios must provide for a 1.0 m clearance from all poles (street lighting and traffic signals) and a 2.0 m clearance from all traffic signal controller boxes and electrical kiosks.

• A minimum 1.0 m clearance must be provided from access chambers, manhole lid openings, valves, grates, etc. unless agreed to otherwise by the City.

• Patios must not block access to Fire Department connections, City Sewers, City Waterworks, BC Gas valves or exits from adjacent buildings.

Driveways

• Patios shall maintain a minimum clearance of 1.2 m from any driveway entering the street, so as to minimize sight line impacts from such driveways.

Distance to intersection

• To maintain clear sight lines for traffic at intersections, a 6.0 m distance shall be maintained between the patio and the nearest edge of the intersecting sidewalk. This criterion could however be waived if the proposed patio forms part of and abuts a permanent extension of the sidewalk (e.g. intersection bulge).

Active frontages

• Patios should be located opposite active ground floor commercial food/beverage business frontages. It is assumed that such patios would be applied for, constructed and maintained by the relevant business and operated as their commercial patio.

4.2 Patio Design Considerations

The following patio design considerations are provided for further analysis and discussion.

Width

• It is proposed that commercial patios built over the street extend a maximum of 3.0 m into the street or a minimum of 0.6 m back from the edge of the existing adjacent travel lane, whichever is the greater separation distance.

• In all cases there shall be a minimum 0.6 m separation between the outer edge of the built up patio and the adjacent travel lane. The maximum recommended patio width is 3.0 m.

Length

• It is proposed that commercial patios could range in length between approximately 6.0 m and 18.0 m, depending on site-specific circumstances. A 6.0 m patio assumes the removal of one parallel parking stall, and an 18.0 m patio would require removal of up to three parking stalls.

• The ends of commercial patios should include 45º angled return sections connecting to the sidewalk, to facilitate more direct and convenient pedestrian passage between sidewalks and patios, and to provide an additional buffer between the patio and any adjacent street parking.

Construction

• Patios built over the street shall be constructed in a way so as to be easily removable, and to avoid damaging the existing sidewalk or roadway.

• Typically, patios built over the street will be constructed on a metal or wood sub-frame that rests on the roadway surface and is linked back to the curb.

• The sub-frame shall support a modular, removable deck surface that is inserted/connected into the sub-frame supports.

• The installation should be freestanding and not require anchoring into the City sidewalk or street.

• The surface level of the patio deck shall be consistent with the adjacent sidewalk, with no change in levels that pose a hazard to pedestrians.

• There shall be an unobstructed section at least 1.5 m wide that is flush with the adjacent sidewalk to enable access for people of all abilities.

• Where it is proposed that the public sidewalk is rerouted out onto the built out extension (Patio Option B), the design shall provide for a minimum clear width of 2.43 m for pedestrian passage between the commercial patio and the outer edge barrier.

• Where it is proposed that the public sidewalk is maintained on the existing sidewalk between the building and the proposed commercial patio (Patio Option A), the design shall provide for a minimum clear width of 2.43 m for pedestrian passage between the commercial patio and the adjacent building.

• This 2.43 m pedestrian clearance shall equally apply where a second row of tables and seating is proposed adjacent to the building, in addition to the built up patio.

Loads

• Patios must be able to bear at least 7.2 kpa.

Materials

• Patios should be constructed with high quality, durable materials. The use of recycled or sustainably harvested products is encouraged.

• Typical deck material includes prefabricated wooden tiles or components inserted into the sub-frame supports.

• Other decking material may be permitted provided it provides a durable, smooth and hazard-free surface.

Drainage

• Existing curb and roadside drainage must be maintained beneath the built up patio.

• Catch basins may not be blocked.

Protection Barrier

• A positive vertical separation barrier must be included along the outer perimeter of the patio facing the roadway, to protect patio users from moving traffic.

• It is proposed that a ‘kit of parts’ similar to, or the same as, what is typically used in San Francisco’s parklet barriers, be used on Davie Street patios. This ‘kit of parts’ barrier design includes a combination of metal planter box containers alternating with sections of horizontal steel tensile cables. This design approach provides both sufficient physical separation between patio patrons and moving traffic and transparency/visibility. Photos of this design approach are included below and in the Appendices.

San Francisco Patios

Access

• The patio surface should include at least one unobstructed section 1.5 m in width that is flush with the adjacent sidewalk to enable access for people of varying abilities.

• Access to commercial patios where alcohol is served shall be subject to the same liquor license regulations as the business premises.

4.3 Maintenance Considerations

The following maintenance considerations are provided for further analysis and discussion.

• Commercial patios should be maintained by the businesses that apply for and construct them.

• This includes both regular on-going maintenance and one-off repairs.

• Patios should be maintained and kept clean according to City standards.

• The business operator should be responsible for removing or securing any mobile furniture that it places on the patio, during non-operating hours. This includes all removable tables and chairs, umbrellas, heaters, etc.

• Where patios include plantings, the business operator should be responsible for watering such plants.

• A business operator may not obstruct the free flow of pedestrian traffic at any time for whatever reason including maintenance or repairs, without the specific authorization of the City.

5.0 Policy Changes Required

In order to achieve the above noted commercial patio options, the WEBIA recognizes that a number of existing policies, regulations and/or standards may need amending or revoking, at both the municipal and provincial government levels:

City of Vancouver:

- regulations around serving food and beverages (including alcoholic beverages) across a public sidewalk
- remove/amend standards for barriers between commercial patios and public sidewalks
- modify/relax building code requirements related to seating capacity per number of washrooms, if this restricts or eliminates new sidewalk patios

Province of British Columbia:

- remove regulation requiring physical barriers between liquor licensed commercial patios and public sidewalks
- amend regulations around serving food and beverages (including alcoholic beverages) across a public sidewalk
- any other liquor license regulations that may pertain

There may be other policies, regulations and/or standards that the WEBIA is not aware of which will require amending or revocation.

The WEBIA is committed to working with the City and the BC government to address these policy issues.

6.0 Patio Allocation Process

The WEBIA recognizes that a limited number of commercial patios are likely to be approved as part of this initial Davie Village Patio Zone Pilot Program. As such, it is important to establish a fair and equitable process for allocating commercial patios in the event that more applications are submitted than the City is willing to grant approval to.

The following are suggested criteria for a fair and equitable process for allocating patios:

Number per block face

- limit the number of patios per block face (one side of the street) to a maximum of 4
- limit the number of patios per block face that are within 12.0 m of each other, to a maximum of 2

Number per block

- limit the total number of patios per block (both sides of the street) to a maximum of 6
- limit the number of patios per block that are within 12.0 m of each other, to a maximum of 4

Parking Impacts/Compensation

- prioritize patio applications that minimize on-street parking impacts or can provide for parking loss compensation in the rear lane

Financial/Business Stability

- prioritize patio applications from businesses that can demonstrate financial/business stability, to enhance the likelihood that any such approved patios are likely to remain in place for a reasonable period of time

Design

- prioritize patio applications from businesses that propose designs that are most compatible with the site location and design considerations identified in this report

Program And Design Approach

- prioritize patio applications from businesses where it can be demonstrated to the City's satisfaction that the proposed program and design for the patio will allow for enjoyable use during both serving and non-serving hours of the day

Random Selection

- where all other factors have been taken into consideration, and there are still more qualifying patio applications than the City is willing to grant approval to, the WEBIA proposes a random draw conducted by an independent third party, to select those qualifying applications that shall go forward for consideration by the City.

7.0 Parking Relocation Strategy

The WEBIA, its member businesses and its customers highly value, and depend on, the existing on-street metered public parking. This parking demand is not going away in the foreseeable future, and parking remains a key element of local business viability.

As such, it is recognized that proposed patios built out into the existing roadway and thus occupying the parking lane will reduce the amount of public parking stalls, and it is proposed that a compensation strategy be set up by the City:

• Commercial patios which displace public parking shall compensate for the loss of such parking on a one-for-one basis, by locating the same number of metered public parking stalls to rear lanes in the same block as the subject patio.

• These metered public parking stalls would replace residents permit-only parking in those sections of the lanes where they are located.

• The WEBIA understands that the primary role for lanes parallel to commercial streets (such as Davie Street) is to serve commercial purposes/uses. This role needs to continue for the lanes behind Davie Street, and should take precedent over serving residential uses. This relates directly to the proposed reduction of public parking on the street to accommodate patios, and such short-term public parking should be relocated onto the corresponding adjacent lanes.

8.0 Conclusion

This report concludes that Davie Village is a prime location for a pilot commercial patio zone. The land use directions in the West End Community Plan not only support a commercial patio zone for Davie Village, but appear to pave the way for it. Liquor policy in the province is evolving in a way that makes it easier to operate a commercial patio in the public realm; there are dozens of successful examples in jurisdictions across North America to learn from to ensure public safety is maintained. Moreover, Davie Village, as a recognized ‘entertainment district’ and independent restaurant destination, has both the street capacity and the business capacity to make a pilot program a success. Coordinating private investments in patios and parklets with public investments in the proposed Jim Deva Plaza/ Heart of Davie Village design could create a synergy that would be hard to match in the City.

The WEBIA strongly recommends moving forward on a commercial patio zone pilot for Davie Village immediately.

Appendices

Reference Documents

Le Plateau-Mont-Royal Guide D'Aménagement d'un Café-Terrasse
Seattle Department of Transportation Streatery Supplement
City of Calgary 'Type 3' Plan
City of San Francisco Parklet Manual
New York City Street Seats Design Guidelines