

POP UP DINING DRAFT STAFF RECOMMENDATIONS

Version 2.3.2022

Overview: The following is a draft set of recommendations for consideration by the Pop-Up Dining Ad-Hoc Advisory Committee for development into legislation for review and approval by the Board of Aldermen and implementation in April, 2022.

Why: There are strong trends toward al fresco (outdoor) dining here in Frederick and throughout the country. Additionally, the COVID Pandemic and resulting City Emergency are still in effect. Residents, visitors, and workforce want safe, attractive, enjoyable outdoor dining options. The City has operated a highly successful Pop Up Dining Program during 2020-2021.

Desired Outcome: To provide safe, equitable, and attractive, temporary, multi-year outdoor options for any Frederick based restaurant or food truck to provide al fresco dining experiences for residents, visitors, and workforce throughout the City of Frederick.

Key Considerations: The following shall be considered as part of the establishment of the Pop Up Dining Program.

- **Safety** (vehicles, pedestrians, bicyclists, patrons)
- **Parking Equity** (balance parking needs of stakeholders (residents, visitors, employees, business operators – retailers, restaurateurs, and offices)
- **Fiscal Equity** (balancing public costs/revenue losses -vs- public benefits) – charge reasonable fees.

Market Street Closure

Purpose: To provide a unique and safe downtown street dining experience, and allow restaurants and retailers in the closure area to generate COVID recovery revenue

Location: Market Street (3 blocks – Patrick to 3rd)

Dates: 5 straight weekends (Friday-Sunday) –July, 2022
July 1-3, 8-10, 15-17, 22-24, 29-31

Time: 11AM to 11:00PM Fri/Sat; 10AM to 10PM Sun

Fees/Ins: Participating restaurants/retailers will be charged a one-time fee & provide insurance naming City of Frederick as additional insured:

- Restaurants with 1-5 Tables = \$500
- Restaurants with 6-10+ Tables = \$1,000
- Retailer = \$100 per weekend or \$500 for all 5

Staffing:

- Legal/DED will handle development of legislation / legal agreements
- DED will handle restaurant agreements/fee collection & restaurant/retail location on the street
- Communications /Partnership will handle media releases
- DPW will deliver & remove road closure equipment
- Police will handle event public safety and road closure set/up take down

Costs:

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- DED – Normal Staff Time
- Communications – Normal Staff Time
- DPW – Normal Staff Time
- Police –Overtime - \$4,042 per weekend x 5 Weekends = \$20,213 total
 - Friday – 12 hours x 2 officers = 24 hours @ \$57.75 = \$1,386
 - Saturday – 12 hours x 2 officers = 24 hours @ \$57.75 = \$1,386
 - Sunday – 11 hours x 2 officers = 22 hours @ \$57.75 = \$1,270.50

Funding:

- ~\$7,500 from Restaurant/Retail Participation Fees
- ~\$12,713 from TBD – (Possible Use of SLFRF - COVID Recovery Funds)

General Logistics:

- Road Closure Equipment (Ram Catchers/Barriers/VMB) – DPW to deliver during regular hours on July 1 & take down on August 1.
- Police will setup/take down road closure equipment during street closures
- 15-foot Fire & Rescue Access Lane will be maintained through each block
- Police will move ram-catch as needed for immediate fire/rescue access during event.
- Equipment will be stored in a parking space during the week
- No Parklets will be permitted in these blocks during the street closures.
- Parking Dept will place No-Parking signs before each weekend event

Pop Up Dining Parklets

Purpose: To provide a temporary, safe, & unique safe outdoor dining and retail experiences using limited space in selected Public Parks. This will also allow restaurants/retailers to generate COVID recovery revenue

Dates: April 15 – October 31

Times: Business Hours (not to exceed 8AM to Midnight)

Fees/Ins: \$750/mo/space (\$25/day) - Participating restaurants/retailers will be charged monthly fees & provide insurance naming City of Frederick as additional insured – Fees go to the Parking Department to recover lost parking revenue. (Ex – 2 spaces x \$750 = \$1,500/mo)

- \$1,080/mo (\$35/day) – Annapolis
- \$260/mo (\$8.39/day) - Balt based fee)
- \$560/mo (\$18/day – Market/Patrick) – Frederick Parking Department
- \$280/mo (\$9/day – Side Streets) - Frederick Parking Department

Space Limitations: Must be located in front of restaurant (or with permission of adjacent property owner/businesses (City reserves right to disapprove parklet location based on, safety, operation, loading zones et). *Restaurant/Retailers in the Market Street Road Closure may not have parklets during the month of July.

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Design Specifications: All Parklets must be constructed and installed to meet City Parklet Design Specifications. (City will develop such specifications based on a combination of MUTCD, AASHTO, and NACTO guidelines).

Parklet Options: Restaurants/Retailers can use any one of the following parklet options:

1. Custom-built parklets meeting all City specifications
2. Factory manufactured parklets (City will pre-approve several)
3. White, water filled jersey barriers may be “rented” from the City for \$10/mo per barrier and a one-time installation/removal fee of \$XX will be charged by the City. Such barriers must have safe aesthetic treatments added by the user (as approved by the City) such as but not limited to:
 - Vinyl coverings with approved designs/markings
 - Plant Material

Permits: Building Permit required prior to construction (\$ fee). Parklet to be constructed and paid for by restaurant and inspected by City

Construction / Installation: Parklets to all be designed, ordered, delivered, and installed by 3rd Party at expense of the restaurants (white water-filled jersey barriers rented from the City will be installed by the City DPW)

Staffing:

- Legal/DED will handle development of legislation / legal agreements
- DED will handle restaurant agreements/fee collection
- Communications /Partnership will handle media releases
- DPW will deliver & remove jerseys if chosen
- Parking Department will handle no-parking signs and evaluation of loading and operations

Pop Up Dining in Carroll Creek Park

Purpose: To provide a temporary, unique, and safe downtown outdoor dining/retail experience in Carroll Creek Park. This will also allow restaurants to generate COVID recovery revenue

Dates: April 15 – October 31

Times: Business Hours (not to exceed 8AM to Midnight)

Fees/Ins: Participating restaurants/retailers will be charged a one-time fee & provide insurance naming City of Frederick as additional insured:

- Restaurants = \$100/month/table (Ex – 5 tables = 5x100 = \$500/mo)
- Retailer = \$500/mo

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Space Limitations: Must be located in front of or adjacent to the restaurant/retailer (or with permission of adjacent property owner/businesses (City reserves right to disapprove park locations based on, safety, operation).

Design Specifications: Must be constructed and installed to meet the following criteria:

- Must be fulling handicap accessible (ADA requirements)
- If alcohol to be sold, must obtain Liquor Board approval and demarcate the space with a 42" high barrier
- Maintaining at least a 10' Clear Pedestrian Walkway.
- May not physically alter or change the park facilities
- May use electric power from city park facilities if available for a fee.

Construction / Installation: Must be designed and installed at the sole cost of the restaurant/retailer

Staffing:

- Legal/DED will handle development of legislation / legal agreements
- DED will handle restaurant/retailer agreements/fee collection
- Communications /Partnership will handle media releases
- Parks Department will inspect the dining spaces for compliance.

Pop Up Dining in Privately Owned Open Space, Parking Lots, Alleys, Sidewalks

Purpose: To provide a temporary, unique, and safe outdoor dining experience across the City in shopping centers and stand-alone restaurant locations. This will also allow restaurants to generate COVID recovery revenue

Dates: April 15 – October 31

Times: Business Hours

Property Owner Approval: Must provide property owner authorization.

Space Limitations: Must be located in front of or adjacent to the restaurant (or with permission of adjacent property owner/businesses (City reserves right to disapprove locations based on safety and operation).

Design Specifications: Must be constructed and installed to meet the following criteria:

- Must be fulling handicap accessible (ADA requirements)
- If alcohol to be sold, must obtain Liquor Board approval and demarcate the space with a 42" high barrier

Permits: Building Permit from the City of Frederick required (\$fee)

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Construction / Installation: Must be designed and installed at the sole cost of the restaurant/retailer

Staffing:

- Legal/DED will handle development of legislation / legal agreements
- Building Department will handle restaurant/retailer agreements/fee collection
- Building Department will inspect the dining spaces for compliance.