



August 15, 2013

Mr. Mayor and City Council:

The Downtown Community Improvement District is recommending the following ordinances designed to enhance both the sidewalk culture and the economic vitality of The District.

The first is a change to the sidewalk café ordinance that would extend the hours in which they are open. The second is a new ordinance that would open the way for food trucks in our central city.

We've worked closely with staff, restaurants, and food truck operators and think we have two good proposals for your consideration.

If you have any questions, please feel free to contact me at (573) 442-6816. Thank you for your help.

Sincerely,

Carrie Gartner
Executive Director

CID Board

Blake Danuser
Binghams

Adam Dushoff
Addison's

Tony Grove
Grove Construction

Christina Kelley
Makes Scents

Richard King
The Blue Note

Tom Mendenhall
The Lofts at 308 Ninth

Michael McClung
Déjà vu, Resident

Allan Moore
Moore & Shryock

John Ott
Paramount Building

Tom Schwarz
Landmark Bank

Deb Sheals
Historic Preservation Consulting

Ben Wade
Guitarfinder

Michael Wagner
Boone County National Bank

Marti Waigandt
808 Cherry

Andrew Waters
Columbia Daily Tribune

Staff Report

To: City Council

From: CID

Date: August 15, 2013

Re: Food Truck Ordinance

Overview

Years ago, mobile vending was more often associated with a truck parked outside a construction site during the lunch hour. Food trucks today are not only cooler than trucks of old, but they often add a touch of diversity with ethnic and fusion offerings. SXSW recently highlighted a wealth of culinary options provided by their city's food trucks, ranging from spicy Szechuan Fried Chicken to homemade sausages to vegan chili dogs and beet home fries.

These options appeal to both a younger demographics and to the foodie crowd. Here in Columbia, they also address a late-night demand for after-bar food. And in cities such as New York where food deserts are more common, food trucks serve the role of roving grocery store, providing fresh fruit and vegetable options to local residents.

Because the barriers to entry are lower with trucks they can also serve as a "restaurant incubator," helping a proprietor test the market in anticipation of eventually moving to a brick and mortar location. Shotgun Pete's BBQ on N. Ninth is an example of a business that initially started as a trailer at Parkade. A brick and mortar restaurant may also branch out from their location with a truck. Pizza Tree at Mojo's, for instance, is considering a late-night truck option in addition to their current location.

We have only a handful of trucks here in Columbia and they tend to move around the city, with The District as part of their regular route. Currently, food trucks are allowed to vend on private parking lots and they can usually be found once a week or so in the Yoga Sol parking lot on St. James or in the Stephens parking lot on Hitt and Cherry on Thursday, Friday and Saturday late nights. In fact, both Pepe's and Sunflower Waffle are fixtures on Thursday, Friday and Saturday nights and have expressed a desire to continue this practice.

However, mobile vendors are prohibited from parking at a meter and as surface lots (thankfully) begin to disappear, trucks will see their options shrinking.

The goal thus became encouraging the added vitality that mobile vendors bring while ensuring there would be no serious negative impacts on brick and mortar restaurants.

We have had a number of meetings with the committee, the mobile vendors, and with city staff and the following is a proposed ordinance addressing mobile vendors.

Criteria

We assessed locations based on a number of factors:

- At least 100 ft. from an existing restaurant or bar
- Not in a high demand area in terms of parking
- Not in a spot that may completely block a retailer's window
- Availability and spacing of meters (assumed two spaces per truck)
- Meter use (ie, short term meters for bill paying, post office or bank trips)
- Pedestrian traffic
- Proximity to a public park or plaza where you can eat
- Location of taxi stands
- Location of bus stops
- Common use of the street (ie, tour buses, funerals, events, etc.)
- Slope and other logistics
- High pedestrian traffic

Recommended Locations

Walnut from 9th to 10th (lunch, dinner and late night)

Restaurants/Retail

Ok

Parking (grouping of spaces)

West side - 10

East side - 10

Recommendation

Great location, either side of the street would work. Close to Village Square Park and Courthouse Plaza. Free WiFi on 9th, Courthouse Plaza. Place as close to Tenth as possible.

Cherry from 6th to 7th (lunch and dinner)

Restaurants/Retail

Fine

Parking (grouping of spaces)

South side - 8

Recommendation

This is a great south of Broadway location. It would also help liven up a dead block between two good blocks.

Locust from 9th to 10th (late night)

Restaurants/Retail

Close to Mackenzies, but late night option ok

Parking (grouping of spaces)

South side – 8

Recommendation

Great late night location, also near a taxi stand

Wabash Station (late night)

Restaurants/Retail

Fine

Recommendation

May not see high use but if Wabash is decommissioned, it would be available day and night and is perfect for large vehicles to pull in and park. There's also shade and places for customers to sit.

Recommended Times

We initially discussed mealtimes of three hours but the trucks mentioned that a half hour to set up and a half hour to clean up would be smart. Thus, we're looking at 4 hour blocks in the day and a 5 hour block for late night:

Lunch: 10:30 am – 2:30 pm

Dinner: 4:30 pm – 8:30 pm

Late Night: 9:30 pm – 2:30 am

These are the times that vendors would be allowed to reserve spaces.

Recommended Procedure

Food trucks need some consistency in the sense that they need regular locations to gain a following. However, they also need to move between geographical areas over the span of a week. The problem becomes how do we ensure the trucks have a consistent spot but avoid having parking spaces sitting empty?

San Francisco, St. Louis, Austin and other cities are addressing this with a two-step approach. First, certain areas are designated as mobile vendor areas—this allows customers to become accustomed to where to look for the trucks and it allows the city to maintain distance requirements, avoid bus lines, keep the space clear, etc. Second, vendors are required to reserve meters in advance if they intend to use that location the next day. Any meters not reserved are then open to the public to use.

Our proposal would require vendors lease signs for \$10/month per sign. There would be a separate sign for lunch, dinner and late night so trucks would be paying up to \$30/month. The sign would have pre-printed language explaining that these spaces are reserved between specific hours. This is how customers are alerted to the fact that a mobile vendor will be in that space and they should not park there.

As per current ordinance (dealing with meter hoods), the sign would be attached to the meter pole by the vendor 4 hours in advance. The vendor would feed the meter when normally required and the prohibition against staying longer than 2 hours in one spot would be waived only for mobile vendors with official signs. At the end of the allowed time frame, the vendor would remove the sign and leave. (Note: Some trucks may need two signs because they take up two metered spaces. This would not change the fees, two signs would simply ensure that both spaces are reserved.)

Trucks who post signs but do not show up would be penalized. Ideally, this problem would first be addressed on an informal level but repeated offenses would have more severe penalties.

Wabash Station is somewhat different since it is not used for public parking. Our recommendation is to allow trucks to operate late night from 9:30 pm to 2:30 am but forgo the requirement to post the sign (vendors would still be required to lease it).

Recommended Timeline

We would recommend a 6-month pilot project and evaluation to work through the details of the system. This pilot should start 2 weeks after Council approval to give the city time to manufacture and distribute the signs.

Staff Report

To: Columbia City Council
From: CID
Date: August 15, 2013
Re: Sidewalk Cafes

Overview

In 2004, the SBD began discussions with representatives from CCA, Parks & Rec, the CPD, and the city to address the issue of sidewalk cafes. It was recommended that city ordinance be expanded to include a license to sell alcoholic beverages at sidewalk cafes given the following provisions:

- Alcoholic beverages could only be served between the hours of 11 am and 10 pm.
- Alcoholic beverages must be consumed by 11 pm.
- All alcoholic beverages must be accompanied by a food order.
- Only alcoholic beverages served by the licensee may be consumed at the café.
- Customers must be seated.
- The café must be enclosed (this is a state law; we provided a list of acceptable fencing styles).
- Smoking is not allowed.

Because sidewalk cafes were new to Columbia, the committee recommended these limitations as a way to prevent an atmosphere in which open bars were set up outside businesses and customers were packed into a small area of sidewalk.

Businesses could apply for a sidewalk café license as an addendum to their regular business license at no charge. This ordinance was passed by City Council in 2005.

Results

Sidewalk cafes have now been in place for 8 years and the concerns the working group had about alcohol consumption at a café have never materialized—no sidewalk-based night clubs, no standing bars, no complaints from passersby. In fact, the licensing process was set up so that a sidewalk café license could be revoked for misuse without completely losing one's liquor license and over the course of the program, it has never been necessary to revoke a sidewalk café license.

On the contrary, we've seen an increase in the number of sidewalk cafes. The work we did also encouraged those not serving alcohol to set up cafes as well (such as Sparky's or Kaldi's). The overall result was an improved sidewalk culture and an enhanced customers experience.

Current Needs

While this ordinance was a great step towards enhancing our sidewalk culture, we've heard from restaurant owners and their customers about changes.

For instance, there is some confusion among customers as to why there is a different set of rules indoors than outdoors. Customers are required to order food (even if they do not wish to) and are refused service after 10 pm. Restaurants must also stop alcohol service earlier if their kitchens are closed.

Customers are rushed to finish their drinks by 11 in order to comply with the law. Not only do these rules hamper the customer's experience, restaurants are often forced to move the customers inside after 10 pm or are forced to turn them away if there is no indoor seating.

In short, we've found that the stricter rules were intended to prevent problems that never materialized and now only serve as an added burden on restaurants and an inconvenience to customers. Current ordinances prohibiting smoking at sidewalk cafes, and ordinances that regulate loud music and other noises will still be in effect so it's unlikely that the current character of sidewalk cafes will drastically change.

Recommendation

Given this, we met with city staff and police for their input on making the sidewalk café hours the same as regular bar hours, last call at 1 am and everyone out by 1:30.

They were not supportive of this change although they did support extending the hours until 12 pm, drinks to be consumed by 1 am. The CID Board also recommended eliminating the food requirement given that the seating requirement remained and in light of the fact that many kitchens close long before midnight.

Our recommendation is as follows:

- **Alcoholic beverages could only be served between the hours of 11 am and 12 pm.**
- **Alcoholic beverages must be consumed by 1 am.**
- **Only alcoholic beverages served by the licensee may be consumed at the café.**
- **Customers must be seated.**
- **The café must be enclosed (this is a state law; we provided a list of acceptable fencing styles).**
- **Smoking is not allowed.**

Also recommended at a previous meeting and in process:

- 1) A warm weather push for more restaurants to open sidewalk cafes, including the distribution of a how-to sheet for both those wishing to serve alcohol and those simply wanting to expand seating options for their customers.
- 2) Tracking the number and location of sidewalk cafes over time to provide a benchmark for economic vitality and pedestrian enhancements.