



Public Works Committee Summary

Nov. 3, 2009

10:30 a.m.

Conference Room 391

Committee Members Present: Johnson, Lehmann, Lopez, Nevitt

Committee Members Absent: None

Other Council Present: Madison

Agenda: 16th Street Mall vending ordinance amendments

16th Street Mall Vending Ordinance Amendments

Committee Action

The Committee approved filing the proposed amendments to the 16th Street Mall vending ordinance to:

- provide for the manager of public works to approve rules and regulations governing vendors; and
- clarify procedures regarding vendor cluster areas.

Summary of Discussion

Rob Duncanson, Director, Public Works Design Engineering; Kerry Buckey, Assistant City Attorney; and Jim Kirchheimer, Director of Economic Development, Downtown Denver Partnership, discussed the proposed amendments to the vending ordinance with the Committee.

Mr. Kirchheimer explained that the Downtown Denver Partnership (DDP) is moving toward creation of the "16th Street Market Place" as a destination, including a balance of retail, restaurants and entertainment activities. This requires an overall strategy, and the current vending program is not strategic but rather scattered. There is little control over location and diversity of products and services. The goal is to create different "districts" along the street, reflective of the population, to help bring people downtown. He noted that in a survey taken in 2005, only 2% of the metro population identified downtown Denver as a retail destination.

Under the proposed program, the Manager of Public Works, with review and approval of the existing mall use committee, could issue a cluster vending permit to a person or organization for an area encompassing a section or the entire mall. The permit would include a specific number

of vending locations within that area. The permit holder would take responsibility for managing the individual vendors within that area. During the review process, adjacent property owners, would be informed and have an opportunity to comment.

Individual vendors would have to comply with all rules and regulations. The cluster area permit holder could adopt additional requirements, as long as they were consistent with the City's rules and regulations and the permit holder were responsible for the enforcement.

DDP has presented the program to most of the current mall vendors, who reportedly understand the advantage of having an individual responsible for marketing the mall as a whole. They are struggling in the current economic climate.

Currently, mobile vendors are not allowed on the mall except during special events such as New Year's Eve, and that would not change. The musicians are allowed provided they move once an hour.

Next steps in the mall make-over include a broader assessment of the types of retail establishments on the street currently and what changes in the mix might increase activity. On Nov. 4, DDP will hold a charette with a group of retail experts to help determine the retail types and price-points needed in the mix.

Another possibility is the purchase of Retail Merchandizing Units (RMU) by the Business Improvement District, which would bring more visual consistency to the mall. The RMUs cost about \$5,000 each, and the BID would lease them to vendors at low rate. Hopefully, some of the vendors would eventually be able to move into in-line retail space on the mall.