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## Minutes City Council's Mill and Lake District Committee May 7, 2009

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Minutes of the meeting of the City Council's Mill and Lake District Committee held on Thursday, May 7, 2009, 4:30 p.m., at Hatton Hall, 34 East 7<sup>th</sup> Street, Tempe, Arizona.

**Committee Members Present:**

Mayor Hugh Hallman  
Vice Mayor Shana Ellis  
Councilmember P. Ben Arredondo  
Councilmember Mark W. Mitchell  
Councilmember Joel Navarro  
Councilmember Onnie Shekerjian  
Councilmember Corey D. Woods

**City Staff Present:**

Andrew Ching, City Atty  
Travis Dray, Dep Recreation Mgr  
E Hansen, Planner  
Jan Hort, City Clerk  
Glenn Kephart, Pub Wrks Mgr  
Jeff Kulaga, Asst City Mgr  
Chris Messer, Planner  
Charlie Meyer, City Mgr  
Mark Richwine, Parks & Rec Mgr  
Nancy Ryan, Rio Salado Mgr  
Chris Salomone, Community Development Manager  
Alex Smith, Com Dev  
Mark Vinson, City Architect

**Guests Present:**

Nancy Hormann, DTC  
Lara Skutt, DTC

Mayor Hallman called the meeting to order at 4:35 p.m.

**Agenda Item 1 – Introductions**

**Agenda Item 2 – Public Appearances/Call to the Public**  
None.

### Agenda Item 3 – Project for Public Spaces Presentation

Chris Salomone summarized that staff will provide an overview of the Project for Public Spaces (PPS). PPS is a study developed a few years ago to make sure that placement of buildings or other types of development would not create obstacles that would preclude future opportunities. At the time, the City was in the middle of a renaissance where there were new development projects on every square block downtown and it was important to make sure we were thoughtful about it.

Hansen outlined the process.

- An RFP was issued in the summer of 2006. There were five responses and Project for Public Spaces, a nonprofit group from New York, was selected.
- The kickoff was held on September 11, 2006, and the first workshop was held in October.
- The first Community Workshop was held in November and featured Brett Kent, President of PPS.
- Placemaking Community Town Hall was held in February 2007.
- In the Spring of 2007, "Place Games" with ASU and DTC was held. Three classes of ASU planning students were used to conduct the game which was an audit of the public space. The assignment was to sit and observe how people used the space.
- A conscious effort was made to expand the user groups to not just designate downtown future residents and students, but across the gamut of age range as well as visitors.
- The final draft was presented to boards and commissions in the Spring of 2008.
- Five place-making concepts are the over-arching framework for the document and include:
  - Power of Ten – suggests that for every great destination, there are ten great opportunities or activities within that district.
  - Triangulation – feeds off grouping and clustering activities together for shared uses.
  - Designing for Use – the program of the space, so that the design and management of the space support the activities.
  - Key Connections – connectivity.
  - The Role of Streets and Transportations – streets as public spaces.
- The document is organized by anchors and building blocks.
  - An anchor is a regional amenity, a framework that helps Tempe develop. For example, Papago Park, Town Lake, the ASU community.
  - Building blocks are smaller in scale, vital to the success of the district and reinforce the identity and sense of place within each anchor.
  - In the future, light rail stations can grow that use so they can be destinations in and of themselves.
  - With more density, it will be necessary to use the land more efficiently, including "pedestrian backroads" such as alleys, walkways, and paths that have not been utilized to their fullest.
- Sustainability is a key part of the Vision.
  - Small incremental decisions can affect the big picture outcome.
  - This is in keeping with Tempe's shared values, such as clean streets, mitigating surface runoff, reducing trip generations and providing compelling opportunities for people that want to choose to take multi-modal options rather than assuming the usage of a vehicle.
  - When these goals are fed into the larger picture, the sustainability concepts affect individual and community health. When healthier environments are created, we have healthier people.
- Big Picture Issues
  - Position Tempe to take maximum advantage when the economy returns.
  - Expand single-use programs into multi-use,
  - Triangulate additional, meaningful opportunities for retail, events and activities
  - Grow City's sales and property tax revenue by fostering Power of Ten destinations.

Hanson concluded that staff has been calling this the “Urban Open Space Plan” and proposes to name it “Mill and Lake District Placemaking Guidelines.” It gets into the framework of using this document in concert with the design guidelines for the downtown which are more prescriptive and deal with setbacks, awnings, height issues. This deals more with quality of the space.

Nancy Hormann summarized that she has had experience in the past working with PPS. DTC’s guidelines are very similar to this report. Examples of things the DTC is doing for placemaking include:

- Music on Mill to make an experience along the street
- MADCAP Theaters to activate an area to make it a place. Those theaters won’t work unless retail comes in around them.
- LRT Starter Line / Station Areas / Transportation Center
- City Market & Deli – Hayden Ferry Lakeside
- South Bank Multi-use Path / Creative Art Path work
- Papago Park Masterplan
- East City Hall Parking Structure
- RFP for Ash Avenue Right-of-Way
- Pedestrian Bridge at the Tempe Center for the Arts
- College Avenue Streetscape
- Banner Programs - provide consistent banner use
- Special Events – encouraging events without impeding sidewalks

She added that the Public Works Department does a great job of cleaning up the downtown area at night, but no one sees that happen. The DTC is looking for ways to enhance those services so that during the day and evening when people are on the street, they will see people cleaning the streets. That is part of the space-making program. The DTC can help in many ways as a private sector organization to add enhancements to what the City is doing.

Chris Salomone continued that staff has learned a lot from this process. Part of what staff is doing is reorganization. During this interim time in the economy, it is time to do deliberate incorporation of these principles into our thinking, into our code, into the Transportation District Overlay, into advanced planning and thinking for connections with other cities and the region, and into future planning for Tempe. Staff will look at all of these things interdepartmentally and return to Council in this forum for incremental updates.

Mr. Salomone provided project updates:

- College Avenue Streetscape – ASU is looking at doing the Block 12 RFP within the next few weeks. This will be a mixed-use project and it will incorporate elements of the campus. Design principles will be provided to the developer.
- Newman Center - applying for building permits.
- 7<sup>th</sup> & Mill – Hotel / Conference Center – investigating stimulus and bond opportunities to boost the project.
- University Square / Hotel – investigating potential stimulus opportunities
- Sports Facility – RFP was issued
- 5<sup>th</sup> & Mill – fully occupied
- Tempe Gateway – should be open in July
- Student Housing – private projects with 5300 beds approved
- Block 12 – ready to issue the RFP

Councilmember Mitchell added that we need to look at the open spaces and enforce codes on weeds and garbage to address the City’s image.

Councilmember Woods agreed that the vacant lot across from Borders is used as a cab staging area, and that is probably not an appropriate use.

Councilmember Navarro stated that this presentation has great ideas, especially the concept about how paths and open spaces tie into the neighborhoods. He hoped that concept would be implemented throughout the City.

Councilmember Shekerjian added that placemaking is doing what needs to be done to make sure that people see downtown Tempe as someplace they want to go. Businesses are the draw and they need to be encouraged. She wanted to validate what the DTC is doing.

Councilmember Mitchell asked whether there is a plan for trees and shade.

Mayor Hallman added that we have to get to a point where we have enough shade that makes it an attractive place, but we cannot destroy the ability for a business to be visible. It is important to strike a balance.

Councilmember Mitchell suggested looking at the pedestrian “back roads” - looking at the back sides and not just the fronts.

Mayor Hallman suggested challenging ourselves as taking this downturn as an opportunity to consolidate efforts. This process was started several years ago with the 3-D model at Decision Theater. That gave rise to the question of what the spaces between the buildings should be. All of that effort was coming together at the same time we went out to recruit people to do projects here. We set the model for where the buildings are and this is the model for the space between the buildings. This was finished two years ago, but if Council agrees, this is a great map and now it is time to change it to what we did with the design principles. This will now get used to help us see what we should do every single time a building is being built, every time someone is touching a piece of land, looking around to see how it is impacted and how we apply the principles that are articulated here.

There was consensus that these are the principles to follow.

Mayor Hallman continued that part of the problem is that we have everything going at once---three square miles including Papago Park and the Mill/Lake District. It is hard to see the progress. He urged Council to take the walk from College Avenue at the corner of College and Curry, walk down that sidewalk, go into the LoPiano Mesquite Bosque, go through the trail system and come out on Mill Avenue. It is beautiful, but it is deteriorating. The essential elements to make that a great space are there. A nice path could also be created back to the marina. He suggested choosing five or six small projects in the Mill/Lake District. It was only a decade ago when the former DTC Chair said it was necessary to get rid of the homeless people and those on the streets who were clogging up the opportunity to move from one place to another, and get rid of the benches as well. It needs to be reactivated in a serious way. The alley on the west side of Mill Avenue between 5<sup>th</sup> and 6<sup>th</sup> has potential. The space from the post office to 6<sup>th</sup> Street could be attractive. We have talked about 4<sup>th</sup> Street where it dead-ends and fixing that with a one-way circle that goes through the artwork and turns left at Hackett House. That area could be activated and it would create an opportunity for the Hackett House to do better. The beer garden immediately east of Hackett House could be activated. There is an alleyway between Chronic Taco and Bison Witches that connects to the plaza with the fountain.

Councilmember Navarro noted the comparisons shown on pages 83-85.

Mayor Hallman added that the Transportation Center still doesn't have a retailer which would help activate that space.

Councilmember Mitchell added that the space behind Mission Palms is an example of under-utilized space.

Mayor Hallman asked staff and Council to look around and in a month or so develop a list of spots that could use attention to create activity.

Charlie Meyer suggested looking at what Oregano's has done with their mural.

Ms. Hormann added that she had proposed a "vendor alley" to become a destination off of Mill.

Andrew Ching responded that this gets into the "original works of art" vs. "vending." Currently, vending is prohibited. A space could be designated if they are only vending. Jewelry is not art under the First Amendment because it has a dual purpose.

Councilmember Shekerjian stated that there is a great opportunity to create an actual fun, bohemian street fair on a regular basis as a way of providing a space. She didn't understand why, on Mill Avenue, when someone rents a space to sell their wares, someone can then set up, if it's art, outside of that space, but it's different at the Marketplace.

Mr. Ching responded that the Marketplace is private property. Once there is First Amendment activity on the street area, it is very difficult, other than strict enforcement of restrictions against it set up by the governing body. It is possible to look at the manner in which it is being done rather than the activity itself.

Councilmember Shekerjian added that there must be a way where that expression can take place but make sure the rights of the people who are renting space do not have their entrances blocked. .

Mr. Ching responded that it can be self-regulated. We allow the artistic because it is not strictly vending. If there was an area where we could take them and encourage them to be a part of it, that's what the artists would be looking for.

Mayor Hallman added that the unintended consequence of trying to regulate this is that we lose all of them. The folks you are trying to regulate are here because they appreciate that. We will never complete an environment that will please everyone. If we try to make Mill Avenue an outdoor mall, we are going to lose the very nature of what Mill can be that will create the opportunity that cannot be competed away from us. During the last decade, someone tried to turn this into an outdoor mall, and that outdoor mall is competed against by Marketplace, for example. Borders came and chased off Changing Hands Bookstore, and now we have neither. Aggressive pan-handlers can be stopped and people don't have the right to vend jewelry in front of a jewelry store. We can enforce ingress and egress rules and we need to enforce good behavior. We need to create a social fabric where self-policing artists tell vendors they are not welcome here.

Councilmember Shekerjian stated that in Florence, Italy, they have strict rules where street vendors can be. There is an area that is a street fair and it is there all the time. Whether or not we restrict it on Mill, it is almost a separate issue from providing an environment where we actually celebrate and encourage. She would support an area that would be designated as a place where people could come and see unique things, and it would add an element to Mill Avenue.

Councilmember Navarro suggested starting with baby steps so we can determine what works and what doesn't.

**DIRECTION:**

- Encourage self-regulation in a more controlled fashion.
- Pick areas for connectivity projects
- Back the principles adopted.

**Agenda Item 4 – Tempe Beach Park Restrooms**

Nancy Ryan summarized that the new Tempe Beach Park restroom facility will be located at the back side of the ball field, just south of the Splash Playground.

- The facility will have twelve stalls, which is a 50% increase.
- Four of the stalls are handicapped accessible, with two of those wheelchair accessible.
- The two larger wheelchair accessible stalls include diaper-changing stations.
- There will be a hand-washing station/drinking fountain.
- A garage rolling door will close the facility after hours.
- The building is undergoing inspection tomorrow, and will open next week.
- Signage is being changed to redirect users.

Ms. Ryan added that the existing restrooms are provided in two separate buildings. Current plans are to demolish the eastern building, but retain the western building. Plumbing fixtures would be removed, outer appearance will be changed, and it would be used for storage for events and equipment. Staff discussed plans with ASU, and ASU proposed demolishing two-thirds of the remaining structure and creating a vertical wall, adding a semi-circular wall and a plaza with the map of Tempe's downtown streets. The demolition portion would cost more than \$20K.

Mayor Hallman clarified that the reason this was done was because of the pinch in the sewer line serving the facility.

Ms. Ryan added that there were construction problems. The new facility has a gravity flow system.

Mayor Hallman asked for the final cost of the new facility.

Ms. Ryan responded that it is approximately \$500K.

Mayor Hallman stated that he was concerned about demolition of the current facility. With increased activity in the park in the future, at some point it might be necessary to have another facility. He would suggest having the opportunity to convert the buildings back into restrooms if needed.

Councilmember Navarro felt that this is prime real estate being used for restrooms. If the direction is demolition, then he would suggest demolishing both buildings, or having the opportunity to put more restrooms in a different location. That area could be used for something more productive.

Ms. Ryan stated that staff feels the use for storage would be a temporary placeholder. There might be design opportunities in the future, but we don't have a clear picture of what there might be. One challenge of keeping the restroom building there is that people will always think of it as a restroom.

Councilmember Navarro asked if the sewer line runs to an area where it could be tapped into in a different location off the beaten path.

Ms. Ryan stated that the sewer line runs right under Splash Playground and comes down to the edge of the street. During the design of the Plaza Between the Bridges Project there was discussion of including restroom facilities, so it is not beyond thinking we might want to add more restrooms.

Mayor Hallman clarified that Councilmember Navarro's point is that if we get rid of the existing restroom, then that space could be used for something more productive for the park. He clarified that Councilmember Navarro would be in favor of demolishing one or both of the buildings and Ms. Ryan's point is the building on the west is positioned a little out of the way and the storage would be useful for Parks and Recreation.

Mark Richwine added that concerning the western building a great deal of power is supplied to the ballfield and the communication lines are all there.

Mayor Hallman asked if there was a reason not to turn it into a visitors' center, a place where one of the doors could be changed into a half door so that people could hand out material.

Mr. Richwine added that there could be many different uses.

Councilmember Arredondo stated that restrooms are needed closer to the Lake. There also should be restrooms at the bridge areas as they would be an important link in connecting the areas.

Mayor Hallman clarified that Councilmember Arredondo was suggesting the area between the bridges might be a good area to incorporate some restrooms.

Councilmember Arredondo added that there will also need to be restrooms by the Arts Center. He suggested looking at partnering opportunities to do that.

Ms. Ryan added that there are challenges to the functioning of the existing restrooms.

Mayor Hallman summarized that as we are going forward, we need to make sure we are planning for additional restrooms. If it costs a little more to build these new facilities, at least they would be working fully and functionally.

Councilmember Arredondo suggested mandating the areas where Council believes restrooms should go.

Mayor Hallman added that the cost of the new sewer line was a large enough number that people suggested starting over to get a great facility where we need it. He is still hesitant to tear them down. He agreed that it is important real estate and if we need it for storage and that is useful for Parks and Recreation, that's great, but let's open the rest of it up.

**Agenda Item 5 – Future Agenda Items**

None.

**Agenda Item 6 – Announcements**

None.

*Meeting adjourned at 5:40 p.m.*

Prepared by: Connie Krosschell

Reviewed by: Chris Salomone

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Jan Hort, City Clerk