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Community Planning Process

Ronstadt Transit Center Site Redevelopment, City of Tucson

Prepared by: Poster Frost Mirto

May 24, 2013

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EXECUTIVE SUMMARY
PROJECT GOALS AND OBJECTIVES

Project Background

The history of Tucson's downtown in this century has been a long slow cycle of growth followed by a rapid decline. From its origins at the base of *Chuckson* at least 4000 years ago, the intersection of 'A' Mountain and the Santa Cruz River has been the cradle of Tucson's settlement. From its Native American origins, through the Spanish, Mexican, Territorial and Statehood periods, the centrality of Downtown Tucson to its urban form has been a constant in its development. Tucson's downtown has been and remains a unique (one-of-a-kind) element of its urban structure.

In 1960, El Con Mall was constructed on Broadway west of Alvernon. This new commercial development marked the beginning of the rapid decline of Tucson's downtown as the community's commercial and residential center. The growth of the suburbs and a post-WW2 auto-dominant development pattern led to the downtown's loss of commercial prominence as department stores closed or moved to other locations, small businesses failed, and population growth occurred elsewhere in the valley. The so-called "urban renewal" of the late 60's and early 70's exacerbated the problem with the destruction of much of the historic barrios and their social structure, their replacement by day-use-only government buildings, and the rupture of the historic urban pattern with super-block development. That decline continued unabated for several decades. But by the early 1980's there began a series of efforts to address this decline.

In 1991, the Ronstadt Transit Center opened as part of a City-wide network of transit centers to facilitate the efficient functioning of the Sun Tran bus network. After a substantial amount of community input, the current complex was constructed with its brick arcade made from the salvaged brick from the storefronts that were demolished to make room for the center.

Current Project

The future of the Ronstadt Transit Center has been the subject of considerable discussion in the last ten years. There is vacant or under-utilized land to its north. Downtown is in the midst of its most serious revitalization, since the 1960's. The City of Tucson has indicated that now is the time to focus on the possibility of mixed-use redevelopment for this underutilized site. This interest has been precipitated by the following events:

- The Modern Streetcar is soon to be completed
- Significant public and private investment has occurred downtown
- The major City of Tucson/Rio Nuevo issues have been resolved
- In 2011-2013, improvements were authorized, designed, and constructed (completed April 2013) in order to:
    a. make the Ronstadt Transit Center safer as per recommendations from a Carter and Carter (CPTED) Crime Prevention Through Environmental Design) study
    b. improve comfort for transit users

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c. repaint the facility to brighten its image
d. improve lighting
e. improve the paving and the overall ground plane
f. create a better sense of entry
g. rebuild a new eastern island that was removed for MLK construction
h. other miscellaneous improvements.

Developing a Redevelopment Consensus
After nearly a decade of polarized "either/or" discussion about the future of the Ronstadt Transit Center (on one hand some thought it absolutely needed to move from the downtown to allow redevelopment of this key site, while others argued it should not be touched) a new atmosphere of "both/and" has recently emerged. With the leadership of Ward 3, the Downtown Tucson Partnership, and the Bus Riders Union, there seems to be an emerging consensus that the greater Ronstadt Transit Center site might be able to be redeveloped and continue to function as an improved downtown transit center on that same site.

Poster Frost Mirto was hired as community planners in late February 2013 to continue to nurture that emerging consensus on the RTC's future. *Poster Frost Mirto* was asked to do the following scope of work:

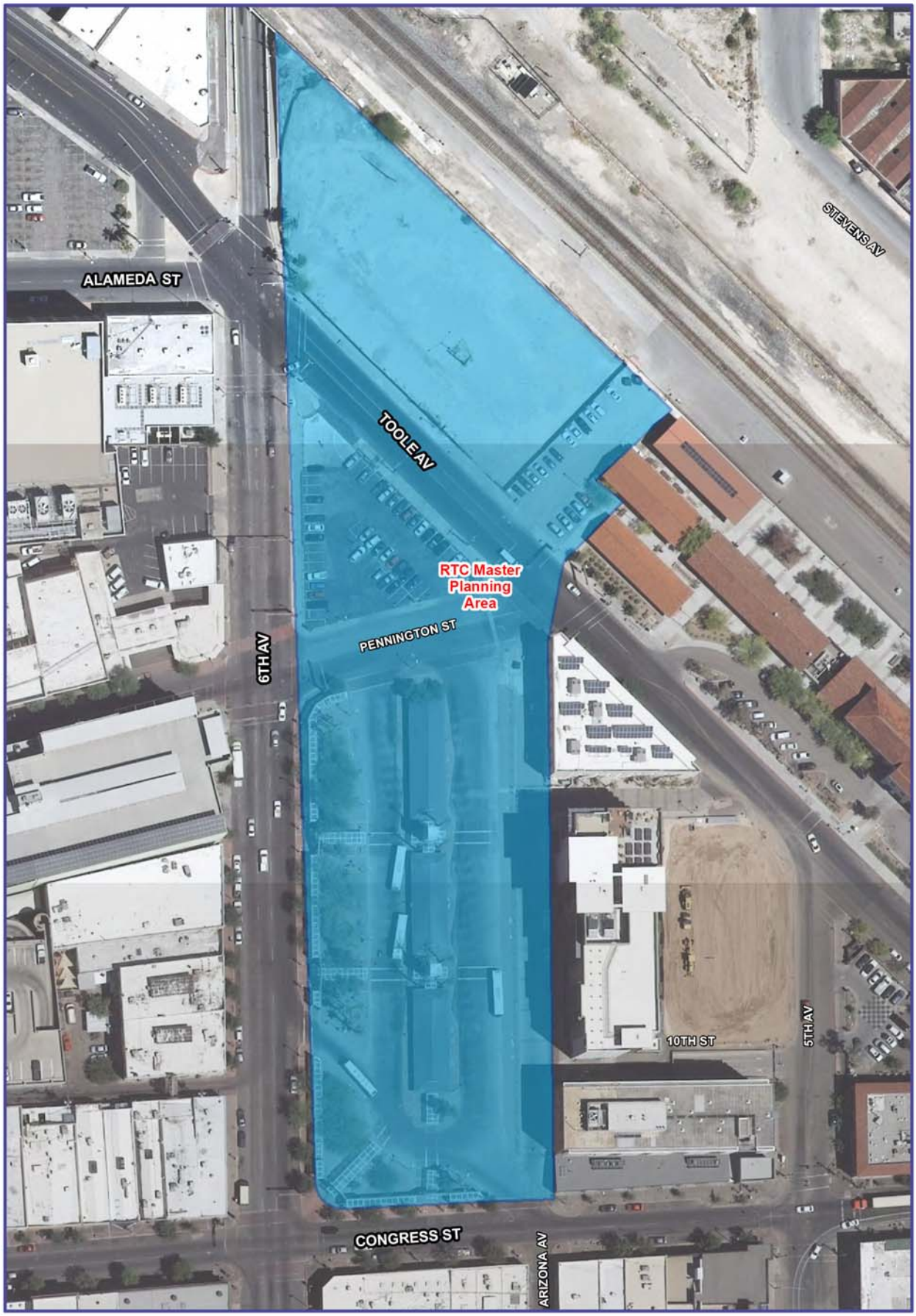
- Review existing RTC documentation and analyze past studies and redevelopment concepts
- Meet with key stakeholders to elaborate key issues and concerns
- Develop consensus redevelopment goals as a basis for moving forward
- Review goals at a public meeting to solicit community feedback
- Develop goals into RFQ criteria
- Prepare final memo on process and conclusions

From March through May, stakeholder meetings were conducted with key groups including (notes from those meetings are included in Chapter 4):

- Real estate professionals
- The Downtown Neighborhoods (DNaRC)
- The Bus Riders Union (a large meeting convened by them in the Rialto Theatre)
- Adjacent neighbors
- Tucson Pima County Historic Commission
- Mayor and Council Transit Task Force
- Downtown Tucson Partnership
- ParkWise

Site Description
The project site is composed of three city owned properties located on the northeast corner of the intersection of Congress Street and Sixth Avenue as well as the potential of an additional existing building at 149 N. Stone Avenue (20,000 sf office building with retail on the ground floor; valued at $1.5 - $1.9 million), in the heart of downtown Tucson and within the City's redevelopment (GPLET) area. The largest of the three parcels (2.3 acres) serves as the Ronstadt Transit Center and is located directly adjacent to the new modern streetcar route and is situated in the middle of the City's entertainment district. A second triangle shaped property sits at the southeast corner of the Sixth Avenue and Toole Avenue intersection and provides paved surface parking to a nearby business. The third property is made up of 1.42 acres and is directly north of the triangle parking lot and Toole Avenue, and lies within the historic Warehouse Arts District. It is currently used as an unpaved surface parking lot open to the public. All three sites hold an

OCR2 zoning and a 300 foot height limitation. The site is bordered by existing residential and commercial to the east, Congress Street and popular nightlife destinations to the south, retail to the west along Sixth Avenue, and the Union Pacific Rail Road and future Downtown Links project directly to the north.


ALAMEDA ST
TOOLE AV
RTC Master Planning Area
PENNINGTON ST
6TH AV
STEVENS AV
10TH ST
5TH AV
CONGRESS ST
ARIZONA AV

Ronstadt Transit Center Redevelopment Goals

- The phrase that was common to the *Bus Riders Union* and to the *Downtown Tucson Partnership* (Merchants Sub-Committee) is that "Downtown is for Everyone." The greater Ronstadt Transit Center site should be successfully transformed to accommodate new development for a variety of mixed uses at the same time as it can provide an efficient and pleasant downtown transportation hub for all Tucsonans.
- Ronstadt needs to not just be a <u>transit</u> center, but must evolve into a <u>transportation</u> center for public buses, the Modern Streetcar, bicycles and bike-share, pedestrians, car-share, "park-once" parking, inter-city train, inter-city buses, vans, shuttles, taxis, kiss-and-ride, and other forms of transportation evolving and changing.
- The needs and operations of Sun Tran are also changing and evolving. Sun Tran is in the process of developing a detailed and thorough on-board survey and operational plan in the Fall of 2013. The new transportation center, and the developer chosen for its redevelopment, must work closely with Sun Tran as it develops its short term and long-term operational plan. The process needs to move to move slowly enough for this Sun Tran planning process to develop.
- The redevelopment of this site needs to be a win for transit users. Level of service, efficiency, quality, much-improved comfort and amenities, and convenience for the transit user needs to improve significantly as a result of this project.
- The short-term and long-term needs of Sun Tran must be satisfied within any redevelopment proposal.
- The potential development uses for this site will be driven to a large extent by the feasibility of land uses in the marketplace. Proposed uses should be in accordance with community desires, but in the end, development will be driven by what feasible uses can pencil out on this site. The Tucson community needs to be flexible and open-minded in its evaluation of proposed uses for this site. Developers need to be creative and thoughtful in their proposals. Projects that meet a local downtown need for services and activities will be most welcomed.
- Views on appropriate new land uses for the Ronstadt Transit Center site vary. Additional student housing in non-adaptable suite formats is not well supported, but market-rate housing and workforce housing would be a key component for redevelopment. Educational uses, commercial/retail uses, public health, food(grocery and food carts), urban conveniences, open space, and adequate parking would all be among welcome uses.
- The need for urban open space on this site has been expressed by all stakeholders in this community process. This open space will only be successful if it is urban in character, is highly used by the community, is integrated in an active well-used commercial setting, and has lots of eyes and ears on the space. It will not work as an urban open space if it is allowed to function as neutral territory with no sense of community ownership and oversight.
- As the specific location of transit and other transportation facilities is considered, it must be remembered that the Modern Streetcar will connect at the RTC's southern boundary. Proximity to the Streetcar connection will be important. As the distance from the Streetcar to other forms of transportation increases, the quality of the experience between the two needs to also increase. Said another way, if the distance between the two is long the connection needs to be very interesting and comfortable for pedestrians.
- The real estate deal that emerges from this process will not be easy and it is likely to be high-risk. It will require substantial pre-leasing. It will also require substantial incentives by the public sector to reduce risk. Incentives will need to be aggressive. The best incentives will be programmatic, regulatory, financial and political. Actual cash investment of public funds will be more difficult to undertake in the current tight budget and economy.
- The architecture should be exciting with a strong connection to Tucson. It should be place-specific. The arts should play a big role in the new development. Day and night uses are essential.

- The needs of the downtown neighborhoods should paramount in the redevelopment. Developers, Sun Tran, and the City of Tucson must commit to on ongoing dialogue and negotiation with neighborhoods.
- The development process needs to be carefully vetted and analyzed. This is not a time for hunches and guesses. The next change to this site will be for a long time and needs to be done carefully.
- The site will develop under a City/Developer development agreement. The City of Tucson needs to dramatically improve its ability to create effective development agreement documents. This document needs to be the best of its kind with milestones, timelines, and deliverables that protect the public's interest in this site.
- Traffic needs to be a careful element of any redevelopment plan. Teams considered need excellent and creative traffic (especially transit) engineering consultants to insure a orderly flow of vehicles of all types in the downtown area.
- The greater Ronstadt Transit Center site is in the midst of an historic downtown. The historic urban fabric should be maintained. Efforts should be made to avoid closing Pennington or Toole. The historic brick arcade façade and the Melody Peters ceramic public art should be maintained if possible. Historic building massing, scale, rhythm, and streetscape should be maintained along Congress and 6th Avenue as much as possible. These streets should be largely filled in as they historically were, but with permeable entries on 6th Avenue and Congress. The Tucson Pima County Historic Commission should be involved in this design process.
- Care and protection should be given to local downtown businesses. Efforts should be made to avoid existing business displacement. Downtown merchant should be involved in the process of development of this site.
- Developers considered should be experienced in public/private partnerships, urban mixed-use, and transit-oriented development. They should demonstrate a commitment to transparency, consensus building, and strong/positive government relationships.
- A two-stage process for the selection of a developer is recommended. Stage One would be a Request for Qualifications (RFQ) with general information on the project goals and objectives. It would request the submitter to describe skills and qualifications of team members, similar project experience, references, demonstrate understanding of the project, and propose a general project approach. From the Stage One submitters, up to three developers would be selected. They would move to Stage Two Request for Proposals (RFP). They would be given a very much more detailed project description, elements, and requirements and would be asked to propose a specific preliminary design, cost estimate, pro forma, incentive package, tangible benefits to City (sales tax, multiplier, jobs, etc.), timeline, etc., for the development of this site. The City should consider a modest ($15,000 per team?) stipend to offset the costs of this proposal preparation.
- The timeline for the RFQ/RFP should be deliberate not fast. It should coincide with the completion of the Sun Tran Operational Study expected by the end of November. RFQ could be September – November 2013. RFP could be January – April, 2014. RFP's should be reviewed in a very public process.

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Chapter 2
Introduction Document for Stakeholder Meetings

Information Packet

Prepared by: Poster Frost Mirto

April 15, 2013

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1. Poster Frost Mirto Ronstadt Transit Center Improvements 2012-2013

A. Introduction

The future of the Ronstadt Transit Center has been the subject of considerable discussion in the last ten years. With the Rio Nuevo TIF-funded Tucson efforts at downtown revitalization, the role and function of the RTC has been debated and studied extensively. The debate narrows down to this fundamental discussion: does the City-wide transportation purpose of the RTC in its current configuration outweigh the value of this property as a development site.

- In May of 2003, Burns Wald Hopkins Architects were asked to prepare a Conceptual Study of Modifications to the Ronstadt Transit Center. That work was completed in June of 2004. The goals of the study were to examine potential modifications and creative space uses of the RTC to allow for increased development opportunities on the site.

- In 2005, Burns Wald-Hopkins Architects were asked to undertake a second study with a focus on the transportation and feasibility issues for Sun Tran. The Transportation and Feasibility Study was completed in August of 2005. That study focused on future growth question, coordination with other downtown projects and activities, and analyzed some of the design and safety questions of the RTC.

- In October of 2007, Burns Wald-Hopkins was asked once again to undertake an additional study of the RTC, this time with a focus on both improvements to the RTC as well as several alternative sites and formats for a transit hub.

- Finally in 2009, Poster Frost Mirto (PFM), in association with Burns Wald-Hopkins Shambach (BWS), was asked to prepare a specific scope of work in the context of a final decision by the City Manager that:

    - this is the current and future location for the Ronstadt Transit Center
    - the operation of the Sun Tran facility will continue in its current configuration, although increase in volume is anticipate
    - improvements are necessary to make the RTC function more effectively and safely.

- In 2011-2013, improvements were authorized, designed, and constructed (completed April 2013) in order to:

    - make the Ronstadt Transit Center safer as per recommendations from a Carter and Carter (CPTED) Crime Prevention Through Environmental Design) study
    - improve comfort for transit users
    - repaint the facility to brighten its image
    - improve lighting
    - improve the paving and the overall ground plane
    - create a better sense of entry
    - rebuild a new eastern island that was removed for MLK construction
    - other miscellaneous improvements.

Current Study

In 2013, the Mayor and City Council, in partnership with several community organizations, is attempting to resolve the long-standing discussion (RTC as a Transit Hub versus Development Site) of the future of the Ronstadt Transit Center by opting for a “both/and” solution.

Current Study

In 2013, the Mayor and City Council, in partnership with several community organizations, is attempting to resolve the long-standing discussion (RTC as a Transit Hub versus Development Site) of the future of the Ronstadt Transit Center by opting for a "both/and" solution.

The goal of this process is to create an agreement among both sides of that discussion by developing a plan the preserves the RTC as a quality transit hub and at the same time creates opportunities for development .

In early 2013, the Mayor and council passed the following motion:

Direct staff to return to the Mayor and Council within 60-90 days with a draft Request for Qualifications (RFQ) seeking a qualified development team to plan, design, construct and own/manage some components of an integrated mixed use development/transit center on this prime 4+ acre site adjacent[including the parking triangle north of the RTC and the site north of Toole Avenue] to the Streetcar route in downtown Tucson. The RFQ is intended to establish a short list of qualified development teams, that would be followed by a Request for Proposals in order to make a final selection on a development team and project. In preparation of the RFQ staff is directed to utilize consulting assistance from Corky Poster [of Poster Frost Mirto] (of the Streetcar land use planning team) who will incorporate input from the recent Streetcar Charrette and the Downtown Tucson Partnership visioning exercise, along with input from the Transit Working Group, the Bus Riders Union, and the general public in order to create a development vision and set of goals for the site. The development vision and goals should be incorporated with Federal Transit Authority (FTA) direction and requirements, SunTran requirements, and baseline information about the site (such as zoning and land use regulations, potential incentives, utilities, environmental constraints, etc.) in the development of the draft RFQ.

At the same time, City staff should gather technical information related to the RTC including:

- *The Federal Transit Authority (FTA) direction and requirements*
- *SunTran operational needs and requirements*
- *Baseline information about the site (such as past studies, zoning and land use regulations, potential incen tives, utilities, environmental constraints, etc.)*

Using the development vision and goals along with the information gathered in above site analysis, I further move that the City Manager return to the Mayor and Council within 60-90 days with a draft Request for Qualifications (RFQ) seeking a qualified development team to plan, design, construct and own/lease/manage some components of an integrated mixed use development/transit center.

1. Existing Site Location Map

RTC Master Planning Area

2. Adjacent Property Owners Diagram

6. Ronstadt Transit Center Evolution - 2000 - Future

RONSTADT TRANSIT CENTER NEEDS

Progression of RTC	Inside Routes	Inside Bays	Outside Routes#	Congress Route	6th Ave Routes	Notes
Original *As of August 2000*	17	18	7	0	7	Routes 3, 6, 8 and 16 utilize 2 bays as they travel through RTC in 2 different directions (i.e. 3W & 3E)
Pre RTC/MLK Construction/East Bay Elimination *As of August 2004*	14	18	7	0	7	Routes 5, 12 and 14 were removed from downtown. No bays are shared.
Prestreetcar Construction *As of August 2007*	13	12	13	3	10	6 eastside bays are removed. Route 9 moved to the "main island" and shares a bay with Rt. 1, Route 7 shares a bay with Route 19, Route 6 is moved out of RTC onto 6th Ave.
Current *As of February 2013*	12	12	11	0	11	Rt 7 moves to 6th Ave dictated by frequency improvements. Rt 1 now shares with Rt. 19. Streetcar construction has the temporary relocation of the Congress routes and 2 expresses on 6th Ave. The Sun Shuttle and Downtown Loop are currently using 6th Ave.
RTC Remodeling Completed *Future 2013*	13	14	10	4	6	Rt. 6 moves inside to eastside bays, 6 NB & 6 SB. Congress routes return to Congress.
Frequency Improvements	14	18	9	4	5	Frequency improvements to Rt 10 and 19 will require their own bays. Rt 21 and 22 get their own bay. Rt 7 will move back inside the center.
Potential Route Segment Deletion	9	11	9	4	5	Routes 1, 3, 4, 6 and 9 no longer service downtown*. 7 bays will be vacated. Potential route changes may be subject to Title VI process which includes public input and hearings.

 # = Outside Routes include express routes, Downtown Loop, Sun Shuttles, Sun Van and Cat Tran
** = Routes 3 and 6 currently use 4 bays.*

RECOMMENDATIONS

Bays
1. 18 inside bays will be needed to accommodate frequency improvements prior to route segement deletions.
2. At least 11 bays will be needed if the route segments are deleted after the frequency improvements are implemented.
3. Space for a minimum of seven express buses, Cat Tran and a Sun Van vehicle is needed along 6th Ave.
4. Space for two express routes plus the 421 - Green Valley/Sahuarita Sun Shuttle and the Downtown Loop is needed along Congress
5. Current bays can support one 40 foot bus. Future consideration should be made for the use of 60 foot articulated vehicles, especially for Rts 4, 8 and 16. These 3 routes use 5 individual bays (ie, 4, 8NE, 8SW, 16N and 16S)
6. Area is needed for 2 staff vehicles, 1 driver shuttle and 1 shop truck
7. A separate bay is needed for change out buses (break downs). Inclusion of this bay will bring the pre route segment deletion to a total of 19 bays. With potential route segment deletion, the bay total would be 12.

Turning
1. RTC is currently configured for forty foot buses and the bay placements inside the center
2. Updated turning radii to allow for articulated vehicles, bay placements and access to ingress/egress.

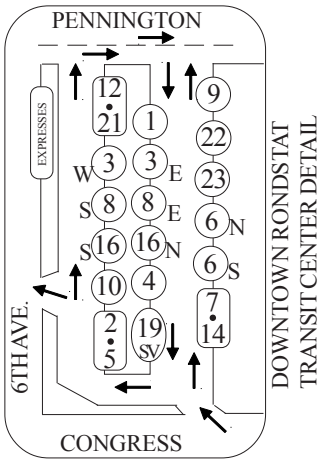
Restrooms
1. Currently, there is 1 men's public restroom, 1 women's public restroom and 1 of each employee restroom
2. There is a need for a non gender specific ADA restroom needed along with existing facilities.

Security
Improved safety as dictated by Sun Tran Risk Management and Public Safety Departments (graffiti abatement, loitering, gang behavior, etc.)

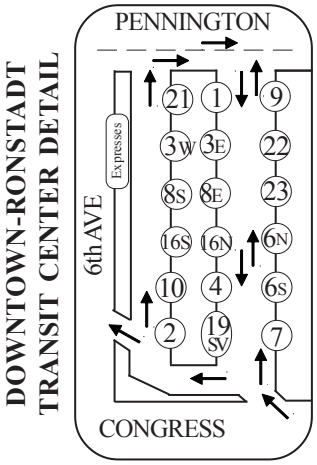
Note:
The City of Tucson Department of Transportation is finalizing (90%) the Downtown Intermodal Center Pedestrian Safety and Bus Access Improvements. Construction is scheduled to begin August 2013. These plans are to address both ingress/egress and pedestrian safety around RTC as part of the 6th Ave two way traffic conversion plans

Ingress/Egress
1. Refer to the note mentioned above.
2. Pennington between 6th Ave and Toole needs to be for authorized vehicles only.

Pedestrian Safety
1. Minimize conflicts on the eastside of the center
2. Pedestrian circulation plan is needed inside the center

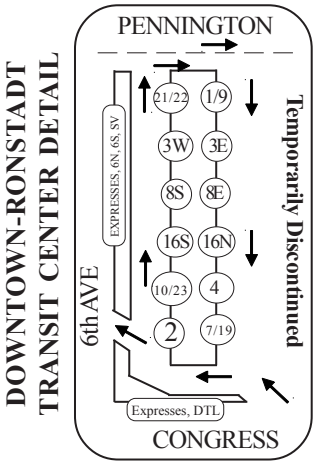


August 2000



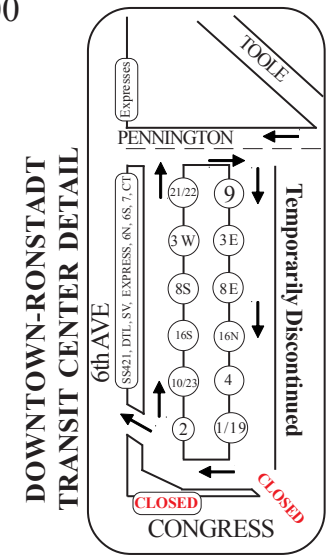
PRE MLK CONSTRUCTION

August 2004



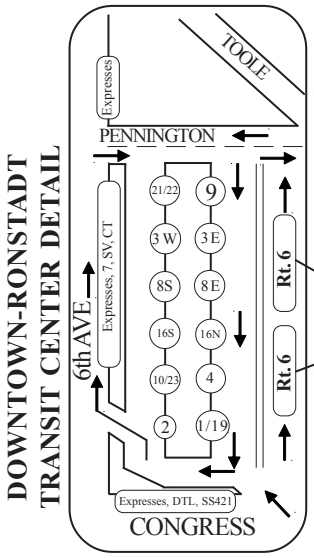
PRE STREETCAR CONSTRUCTION

August 2007



CURRENT

February 2013



Two bays for use by
the 6N and the 6S.
First in first out.

Future 2013

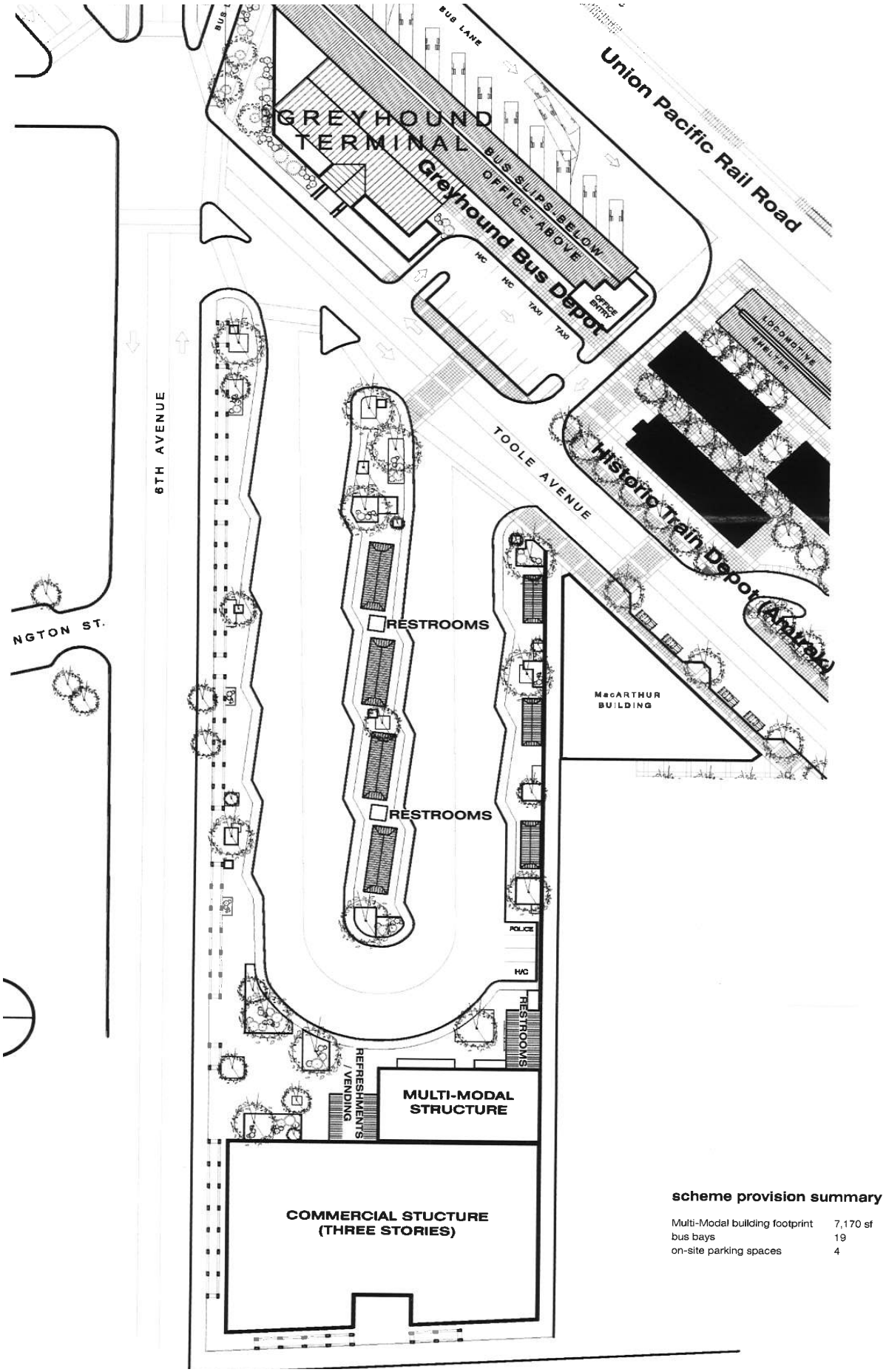
2. Transportation and Feasibility Study, 2005 by Burns Walk Hopkins

Goals:

- Include Sun Tran and Greyhound in the planning process
- Accommodate future growth in planning new facilities
- Coordinate with other downtown planning activities
- Plan transit facilities to serve a future downtown as envisioned in the Rio Nuevo Master Plan
- Consider long-term regional transportation issues
- Enhance safety and security, both real and perceived
- Integrate additional activities/eyes onto RTC to reduce criminal activities
- Maximize commercial activities associated with transit
- Improve pedestrian accessibility and enhance way finding
- Balance needs of ridership with interests of downtown stakeholders
- Meet Title VI requirements for providing equal access to downtown government offices
- Enhance multi-modal transportation system
- Contribute to the long-term vitality of downtown (economic, social, etc.)

Provide connectivity to Alternatives Analysis Recommendations (Streetcar)
4 Project Concepts were explored: Ronstadt Transit Center; Toole Avenue; Fifth Avenue and Seventh Street; Downtown Dispersed. A recommended plan was prepared.

Recommended Sun Tran Transit Center Site



scheme provision summary

Multi-Modal building footprint	7,170 sf
bus bays	19
on-site parking spaces	4

3. Transportation and Feasibility Study Update, 2007 by Burns Walk Hopkins

Goals:

- Accommodate Sun Tran and commercial needs now and for a 20-year planning horizon
- Maximize commercial opportunities
- Assess FTA "joint-development" opportunities
- Maintain ¼ mile distance between streetcar and RTC
- Enhance pedestrian accessibility
- Balance needs of Sun Tran riders with downtown development stakeholders
- Meet Federal requirements for providing equal access for Sun Tran riders
- Coordinate RTC planning with new downtown projects and infrastructure improvements
- Enhance safety – real and perceived
- Enhance multi-modal transportation connections
- Enhance downtown environment through aesthetic enhancement
- Provide multiple uses for the site; possible performance venue
- Provide ridership comfort & convenience, including shade
- Achieve LEED Silver Level green building certification
- Be responsive to neighboring uses

Many different operational/site approaches were explored. Sites shortlisted for further study were: RTC Exterior Bus Mall; RTC Internal Bus Mall; Church Avenue, between Alameda & Pennington; Pennington, Stone & Church around the Library Plaza

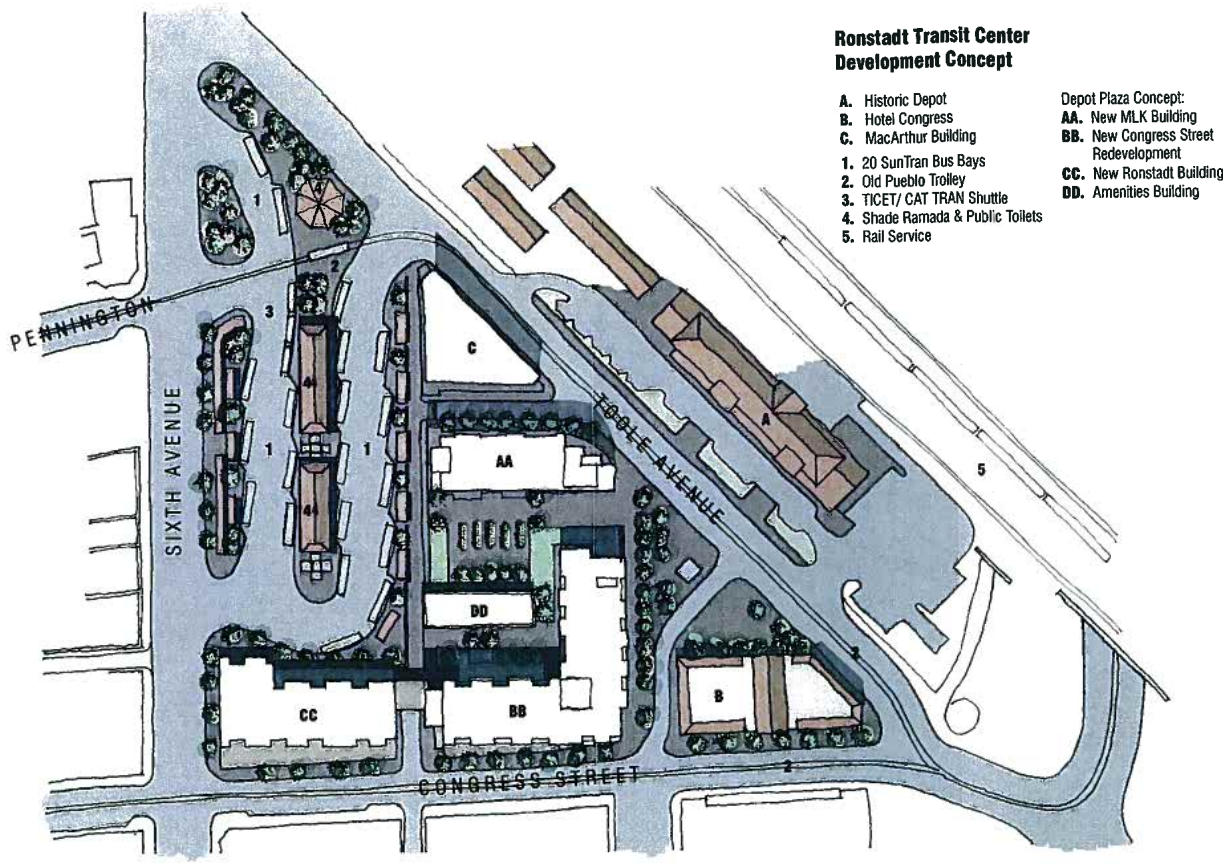
B. Description of Previous Studies

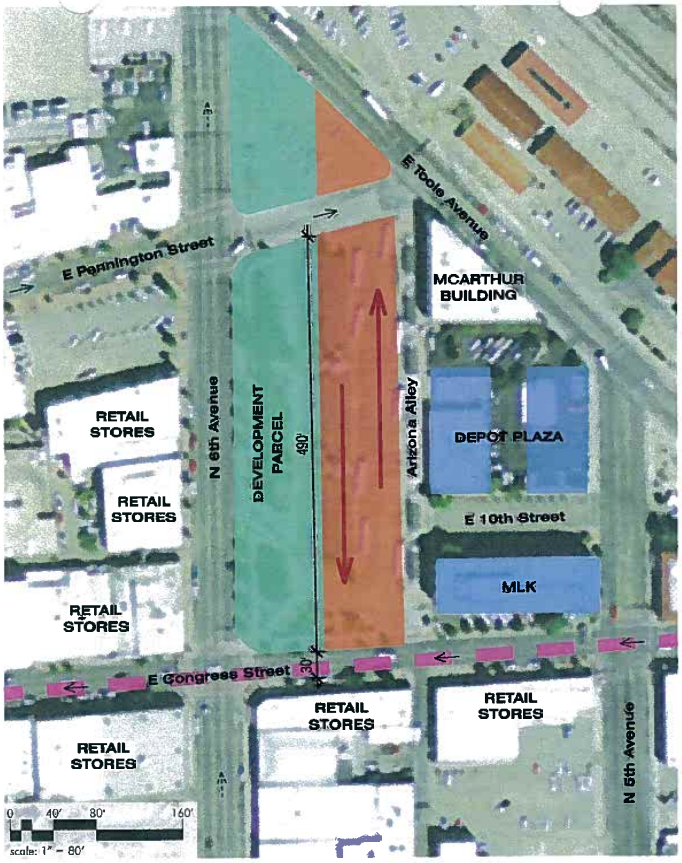
1. Conceptual Study of Modification to Ronstadt Transit Center, 2003 by Burns Walk Hopkins

Goals:

- Provide for seamless coordination of transportation modes
- Provide for future growth of transportation needs
- Enhance safety and security at RTC – TUSD students, youth
- Develop connectivity between pedestrians, Old Pueblo Trolley, TICET, CAT-TRAN
- Develop connection to entertainment venues
- Minimize disruption to existing transit operations and allow for future growth
- Retain open green space
- Contribute to the retail/arts/entertainment of Congress Street
- Retain and enhance qualities that make RTC unique
- Consider comfort of users and mitigate noise and exhaust fumes

Seven schemes and two concept studies were prepared.





PROS:
- This location offers most flexibility
- Works better than external location
- Potential to integrate new development with existing brick arcade
- Potential to include public open space
- Proximity to Modern Streetcar, train depot
- Increased street frontage for development parcel

CONS:
- Less visiblity on RTC site decreases safety

LEGEND:
- One-way street direction
- Current direction of one-way traffic (two-way conversion planned)
- Direction of bus traffic
- Modern Streetcar route

N

RTC - Internal Bus Mall
(Adjacent to Depot Plaza)

PROS:
- Could preserve some brick walkways
- This location offers most flexibility
- Greater visiblity from 6th Avenue is better for safety concerns
- Development Parcel contiguous with Arizona Alley and Depot Plaza
- Proximity to Modern Streetcar, train depot
- Provides open public spaces

CONS:
- Disrupts prime development parcel
- Potential loss of travel lane on 6th Avenue
- Bus maneuvering on Congress Avenue may be difficult

LEGEND:
- One-way street direction
- Current direction of one-way traffic (two-way conversion planned)
- Direction of bus traffic
- Modern Streetcar route

N

RTC - External Bus Mall
(Along 6th Avenue)

4. Ronstadt Transit Center 2009 Analysis and Update, 2009 by Poster Frost Mirto in association with Burns Walk Hopkins

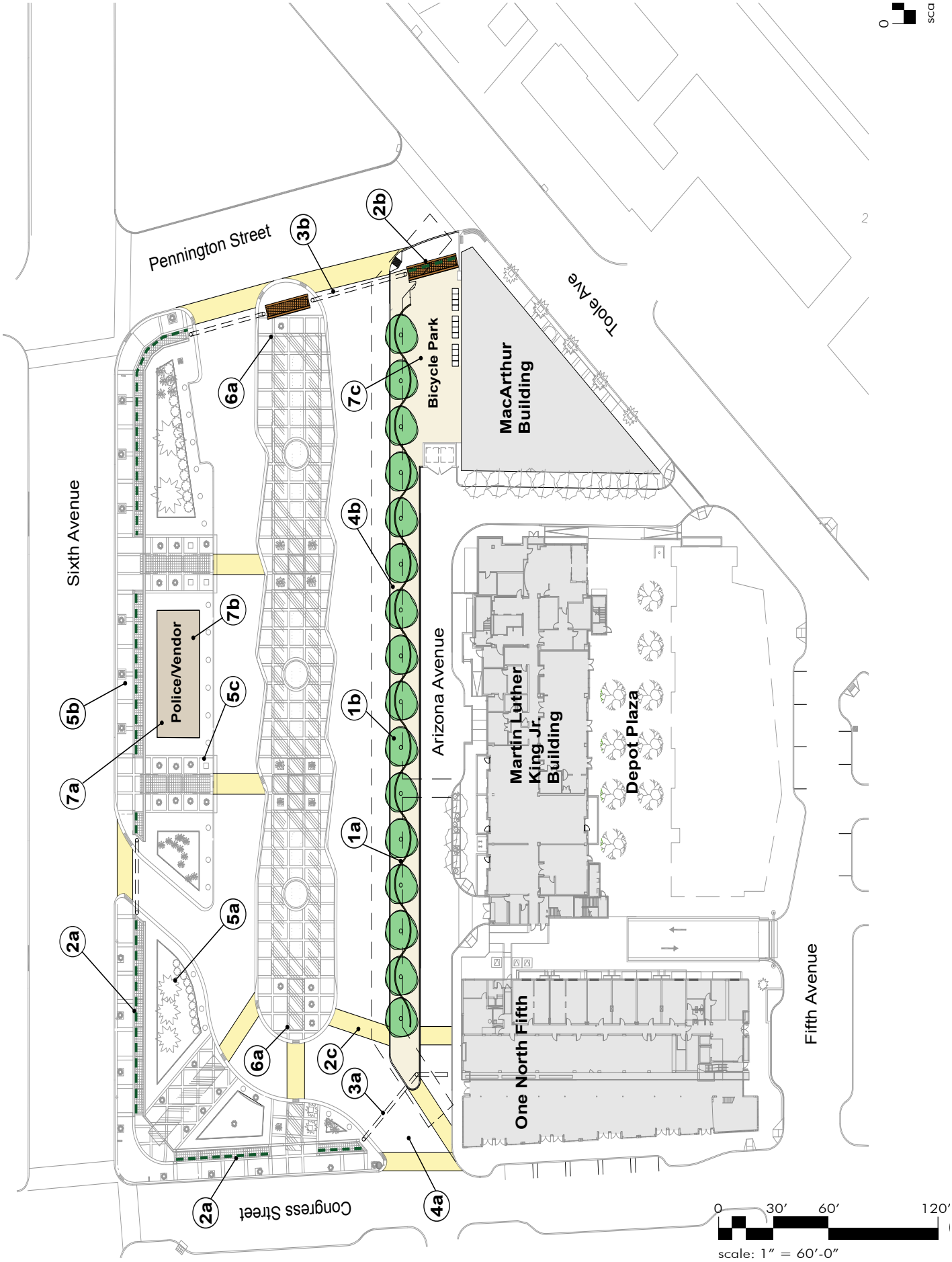
Goals:

- Review of Previous Work: Assemble and review the previous work on the RTC site. This in cludes the June 2004 (BWS), the August 2005 study (BWS-PFA), & the June 2008 (BWS) studies. Develop a short single document that summarizes the previous work.

- Current and Projected RTC Physical Conditions: Meet with limited stakeholders to review current conditions, constraints and potential opportunities. Coordinate with Sun Tran. Work with City of Tucson Housing and Community Development Department and others to understand Depot Plaza impact on east edge and bus bay count and safety.

- Crime Prevention Through Environmental Design (CPTED): Meet with Public Safety representatives and discuss current safety and crime issues on site, both real and perceived. Review and recommend "Safe-By-Design" improvements with a focus on feel, look and real safety. Use a public safety (CPTED) consultant to research conditions and prepare a report.

- RTC Proposed Schematic Design Improvements with Potential Developable Sites: Prepare a revised Schematic Design site plan showing recommended improvements to the RTC. Provide a summary document, a cost estimate, and priority ranking for short term improvements. Study potential developable sites along the south and west periphery for of the RTC for possible commercial uses. Focus on the small building "pads" originally created by the previous work of Fentriss Architects. Investigate the location of utility stubs. Development should enhance economic development, attempt to improve real and per ceived safety, and improve the experience of the user


Pennington Street
Sixth Avenue
Toole Ave
Bicycle Park
MacArthur Building
Police/Vendor
Arizona Avenue
Martin Luther King Jr. Building
Depot Plaza
One North Fifth
Fifth Avenue
Congress Street
1a
1b
2a
2b
2c
3a
3b
4a
4b
5a
5b
5c
6a
7a
7b
7c
0
30′
60′
120′
scale: 1″ = 60′-0″

5. Ronstadt Transit Center Site Selection Study, 2008 by Burns Walk Hopkins

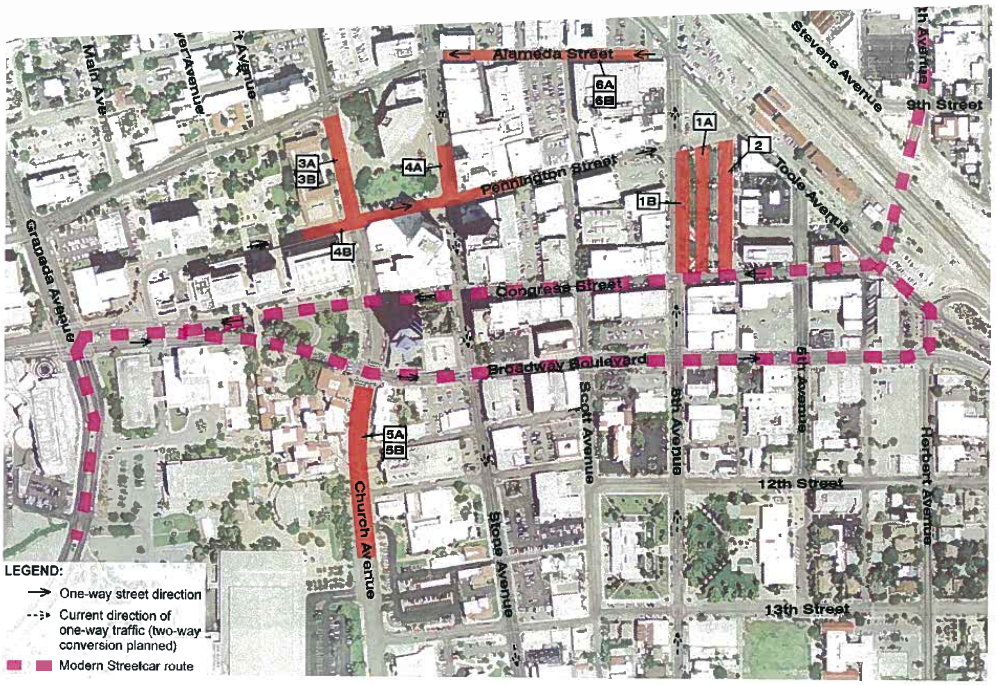
bws ARCHITECTS

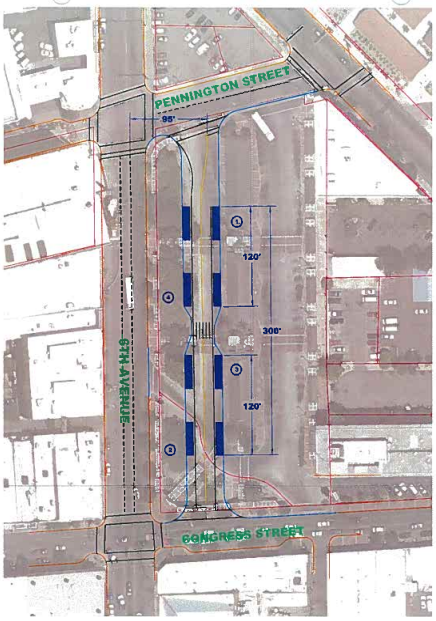
BURNS WALD-HOPKINS SHAMBACH ARCHITECTS

Ronstadt Transit Center

Site Selection Study

9 June 2008
BW Project No. 0701.000

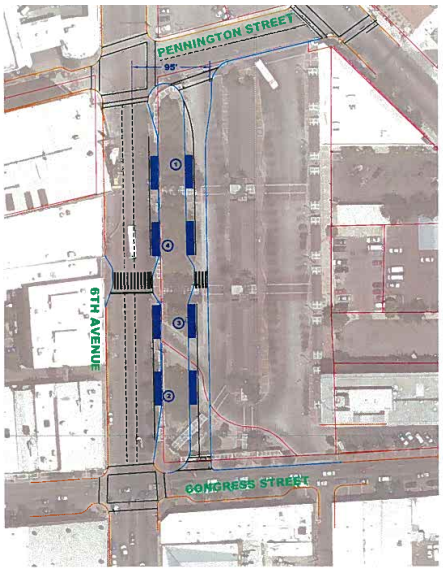




PROS:
- This location offers most flexibility
- Location can serve all bus routes currently going to downtown
- Currently an FTA-owned asset
- Proximity to Modern Streetcar and train depot
- Provides public open spaces
- Development area available east of buses is contiguous with Arizona Alley and Depot Plaza
- Could preserve some brick arcades
- All buses contained on site
- No disruption of traffic on 6th Avenue
- Area for vendors or kiosks between buses and 6th Avenue
- Bus drivers have place to take break

CONS:
- Disrupts part of development parcel
- Bus maneuvering on Congress Avenue may be difficult

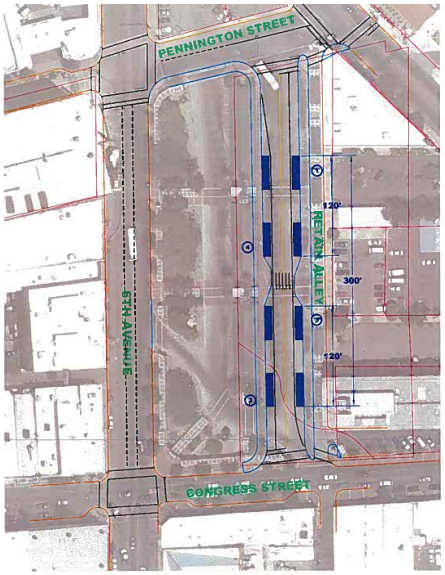
N **RTC - External Bus Mall** **1A**



PROS:
- This location offers most flexibility
- Location can serve all bus routes currently going to downtown
- Currently an FTA-owned asset
- Proximity to Modern Streetcar and train depot
- Provides public open spaces
- Larger development area available east of buses is contiguous with Arizona Alley and Depot Plaza
- Pennington Triangle could be added to development parcel
- Greater visibility from 6th Avenue is better for safety concerns
- Frontage for development parcel provided on both east and west sides

CONS:
- Potential loss of travel lane on 6th Avenue
- Bus maneuvering on Congress Avenue may be difficult
- Eliminates existing brick arcade
- May require closing Pennington Street
- No commercial frontage along 6th Street for development parcel

N **RTC - External Bus Mall** **1B**



PROS:
- This location offers most flexibility
- Location can serve all bus routes currently going to downtown
- Currently an FTA-owned asset
- Proximity to Modern Streetcar and train depot
- Potential to include public open space
- Bus circulation works better than in Options 1A or 1B
- Increased area for development parcel
- Increased street frontage for development parcel
- Potential to integrate new development with existing brick arcade
- Bus area shaded by surrounding buildings

CONS:
- Less visibility on RTC site decreases safety
- More noise due to canyon effect between buildings

N **RTC - Internal Bus Mall** **2**

PHASE I ENVIRONMENTAL SITE ASSESSMENT
RONSTADT TRANSIT CENTER
215 EAST CONGRESS STREET
TUCSON, ARIZONA

Prepared For:

CITY OF TUCSON
Environmental Services
100 North Stone Avenue
2nd Floor
Tucson, Arizona 85701

Prepared By:

SCS ENGINEERS
2410 West Ruthrauff Road
Suite 110
Tucson, Arizona 85705

January 29, 2007
AAI Date: November 21, 2006
File No. 10.204058.11

REGISTERED GEOLOGIST
CERTIFICATE NO.
31004
PATRICIA M.
HARTSHORNE
Date Signed 1/29/07
ARIZONA

The City of Tucson (COT) retained SCS Engineers (SCS) to perform a Phase I Environmental Site Assessment (ESA) of property currently owned by the City of Tucson and occupied by the Ronstadt Transit Center, 215 East Congress Street, Tucson, Pima County, Arizona (site). The Pima County Assessor's Parcel Numbers (APN s) for the site are 117-06-097 A and 117 -06-185A. The ESA consisted of a site reconnaissance; interviews; review of environmental, historical, and physical records pertaining to activities on and adjacent to the site; and interpretation and reporting of findings.

The site is currently occupied by the Ronstadt Transit Center, which is a hub for intra-city bus transit operated by Sun Tran. The site contains shade canopies, two restroom structures, vending machines, an information booth, ticket kiosks, two cooling towers, driveways, bike lockers, landscaping, and pedestrian walkways. Small amounts of custodial cleaning products may be stored and used on site. One drywell that is used to dispose of condensate from an air conditioner at the information booth is reportedly located beneath a brick sidewalk at the site. Because of its location, it is assumed that no runoff can enter the drywell.

By 1886, the site was occupied by residences, a hall, and vacant land. Numerous commercial, retail, and professional businesses and parking lots have been located on the site since that time. Businesses that potentially used or stored hazardous materials or petroleum products on the site included a gasoline station and battery and electrical service station on the northwest corner of the site; an exterminator, spraying company, and chemical company on the northern portion of the site (these may have only been offices); a machine shop with two gasoline aboveground storage tanks (ASTs), auto and tire repair shops and an "auto laundry," paint stores and repair shop, and bicycle and motorcycle repair shops on the western portion of the site; a gasoline station on the northeast corner of lOth Street and 6th A venue; a bus depot on the northwest corner of lOth Street and Arizona Avenue; and a machine shop with gasoline power, a printing company, paint stores and sign painting, and printers on the southern portion of the site. The gasoline and automotive service and repair stations and machine shops have the greatest potential to be historical RECs for the site (see locations on Figure 3 in Appendix A).

The initial development of the site likely occurred before sewer systems were installed in this area, which suggests that septic systems, latrines, or other on-site sewage disposal structures may have been present on the site. At least two water wells were associated with the early residential properties on the site.

Adjoining properties are currently and were historically occupied by numerous commercial, retail, and professional businesses, a museum, residences, and parking areas. Businesses that potentially used or stored hazardous materials or petroleum products included an auto electric and battery service shop and a service station northwest of the site; a cleaners and laundry and a gasoline service station north of the site; a railroad depot northeast of the site; a machine shop with gasoline engines, a laundry, auto repair shops, printers, and paint stores east of the site; cleaners south of the site; and a paint shop, auto and taxi livery and garage, and a service station west of the site. Evidence was not identified to indicate that these businesses had a direct environmental impact on the site.

The site was identified in the environmental database listings as a former registered underground storage tank (UST) facility and closed leaking UST (LUST) facility. One 300- or 550-gallon UST was reportedly removed from the western portion of the site in July 1990. Detectable concentrations of hydrocarbons and benzene were detected in soil collected from beneath the UST; subsequent collection and analysis of soil samples from a soil boring at the former UST location did not detect hydrocarbons or BTEX. There was speculation that the original samples had been cross-contaminated at the laboratory. ADEQ closed the LUST file stating that the soil was apparently defined to below the soil cleanup levels in effect at that time.

Other environmental regulatory database listings identified in the vicinity of the site are not likely to have a direct environmental impact on the site, except for known diesel fuel, gasoline, and other contamination from various and multiple co-mingled sources that occurs in the perched groundwater aquifer in portions of the downtown Tucson area and Aviation Parkway/railroad corridor; the regional aquifer has also been impacted in some places. It is also known that the perched aquifer may have formerly occurred at depths as shallow as 25 or 30 feet bgs. Falling levels of contaminated groundwater can create a "smear zone" of soil contamination in the range between the former and existing groundwater depths. Several wells within the same quarter-section as the site have documented free product, hydrocarbon odors, or stained soil. Based on the above information, groundwater beneath the site may also be impacted.

RECOGNIZED ENVIRONMENTAL CONDITIONS

SCS has performed a Phase I ESA in conformance with the scope and limitations of ASTM Practice E 1527-05 and City of Tucson specifications for the property occupied by the Ronstadt Transit Center (APN 117-06-097A and 117-06-185A). Any exceptions to, or deletions from, this practice are described in Section 10 of this report. This assessment has revealed evidence of the following RECs in connection with the site:

- Groundwater beneath the site has likely been impacted by fuel hydrocarbons and possibly volatile contaminants from off-site sources.

- Gasoline and automotive service and repair stations and machine shops that were previously located on the site have the greatest potential to be historical RECs for the site primarily due to the potential for the presence of USTs. No information was found to indicate whether USTs had been removed from the site other than the one UST found during the construction of the Ronstadt Transit Center; this UST appeared to be related to one of the former service stations. These historical businesses could also have had impacts to soil from ASTs or other business practices.

RECOMMENDATIONS

Based on the findings of this Phase I ESA for the site, SCS recommends the following additional environmental investigation of the site:

- A geophysical survey should be performed to identify whether there may be USTs still present on the site. However, the current structures on the site would not allow an adequate survey of the site; if the current structures are demolished, the survey should be performed. Surface soils on the site should also be observed at that time for evidence of staining in the areas of the former gasoline and automotive service and repair stations and machine shops.

- A soil vapor survey may be useful to assess potential on-site contamination that may be present because of existing or former LUSTs or other historical practices and also to assess the potential for vapor intrusion into structures from volatile compounds that may be present in groundwater beneath the site. This type of survey could be performed with the existing structures and pavement or after demolition.

STATISTICAL RESEARCH, Inc.

ARCHAEOLOGY • ANTHROPOLOGY • HISTORY • HISTORIC ARCHITECTURE

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(520) 298-7044 (fax)

Phoenix
P.O. Box 27748
Tempe, AZ
85285-2681
(480) 774-1920
(voice & fax)
(480) 600-8692 (cell)

CALIFORNIA
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(619) 299-9774 (fax)

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(530) 662-5500 (fax)

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Suite 112
Albuquerque, NM
87111-2681
(505) 323-8300
(505) 323-8314 (fax)
(505) 331-2491 (cell)

TEXAS
El Paso
8201 Lockheed Dr.
Suite 125
El Paso, TX
79925
(915) 781-2200
(877) 781-2205
(915) 781-2201 (fax)

WASHINGTON
Lacey
1110 Golf Club Rd. SE,

February 15, 2013

Bea Gallivan
Office Supervisor
Housing & Community Development Department
City of Tucson
310 N. Commerce Park Loop
Tucson, AZ 85726

Re: Cost estimate to conduct cultural resource testing on the Madden Parking Lot Parcel, Tucson, Arizona (City of Tucson Project 13-02)

Dear Ms. Gallivan:

Statistical Research, Inc. (SRI), is pleased to provide this cost estimate for cultural resource testing on the Madden Parking Lot Parcel, Tucson, Arizona. The goal of the project will be to determine if intact cultural deposits are present in the parcel. Our proposed not-to-exceed cost for this service is $36,630.55 and includes the services listed below. Because the parcel in question currently encompasses an asphalt parking lot, our estimate includes costs to prepare the project area for subsurface archaeological testing.

Services

- Preparation of a testing plan to be approved by the City of Tucson
- Acquire all required permits, including a Stormwater Pollution Prevention Plan (SWPPP) and fugitive dust permit. Because the Best Management Practices that will be recommended in the SWPPP have not been determined, their cost is not included.
- Cutting and removal of existing asphalt over the trench locations
- Rental, installation, and removal of temporary construction fence around the project area
- Conduct archaeological testing of the Madden Parking Lot
- Prepare a draft report on the results of the field investigations
- Address any agency comments on the draft report and submit a final testing report
- Backfill all excavated trenches

Assumptions

- A maximum of 200 linear meters of backhoe trenches will be excavated.
- Fieldwork will be conducted by a crew of 4 for a total of 4 field days. Asphalt cutting and backfilling will be monitored by a single SRI staff person for one day each.
- No artifacts will be collected during testing.
- Asphalt will be removed only over trench locations and will not be replaced after testing.
- Temporary construction fencing will be required for no more than one month.
- Backfilled trenches will not be compacted to construction standards.

Proposed Deliverables

- One hard copy and one electronic copy (PDF format) on CD of the draft testing plan.
- One hard copy and one electronic copy (PDF format) on CD of the final testing plan.
- One hard copy and one electronic copy (PDF format) on CD of the draft testing report.
- One hard copy and one electronic copy (PDF format) on CD of the final testing report.

Schedule

SRI can begin work on the testing plan immediately upon receiving a formal notice to proceed. A draft of the testing plan can be submitted to the City for review in 14 calendar days. Upon receipt of comments, SRI can submit a final draft of the testing plan within seven calendar days. Once approved, SRI can begin fieldwork within 21 calendar days of receiving a formal approval and notice to proceed. Fieldwork can be completed in 6 business days. SRI can submit a draft testing report to the City for review within 21 calendar days of the completion of fieldwork; a final draft of the testing report can be completed in 7 calendar days of the receipt of comments.

Thank you again for the opportunity to provide this cost estimate. We look forward to assisting the City on this project. If you require any additional information, please do not hesitate to contact me.

Sincerely,

Eric Eugene Klucas, Ph.D., RPA
Principal Investigator

Cc: Jonathan Mabry

C. Past Proposal for Development of RTC Sites

In 2004-2005 Poster Frost Associates and Burns Wald Hopkins were hired to develop a site study to determine the appropriate location of a new permanent Greyhound Bus facility in Tucson Arizona. Greyhound was being relocated from a northeast downtown location to a temporary location near the I-10 Freeway. That temporary location, however, would also need to be ultimately vacated to make way for major new construction on that I-10 frontage site.

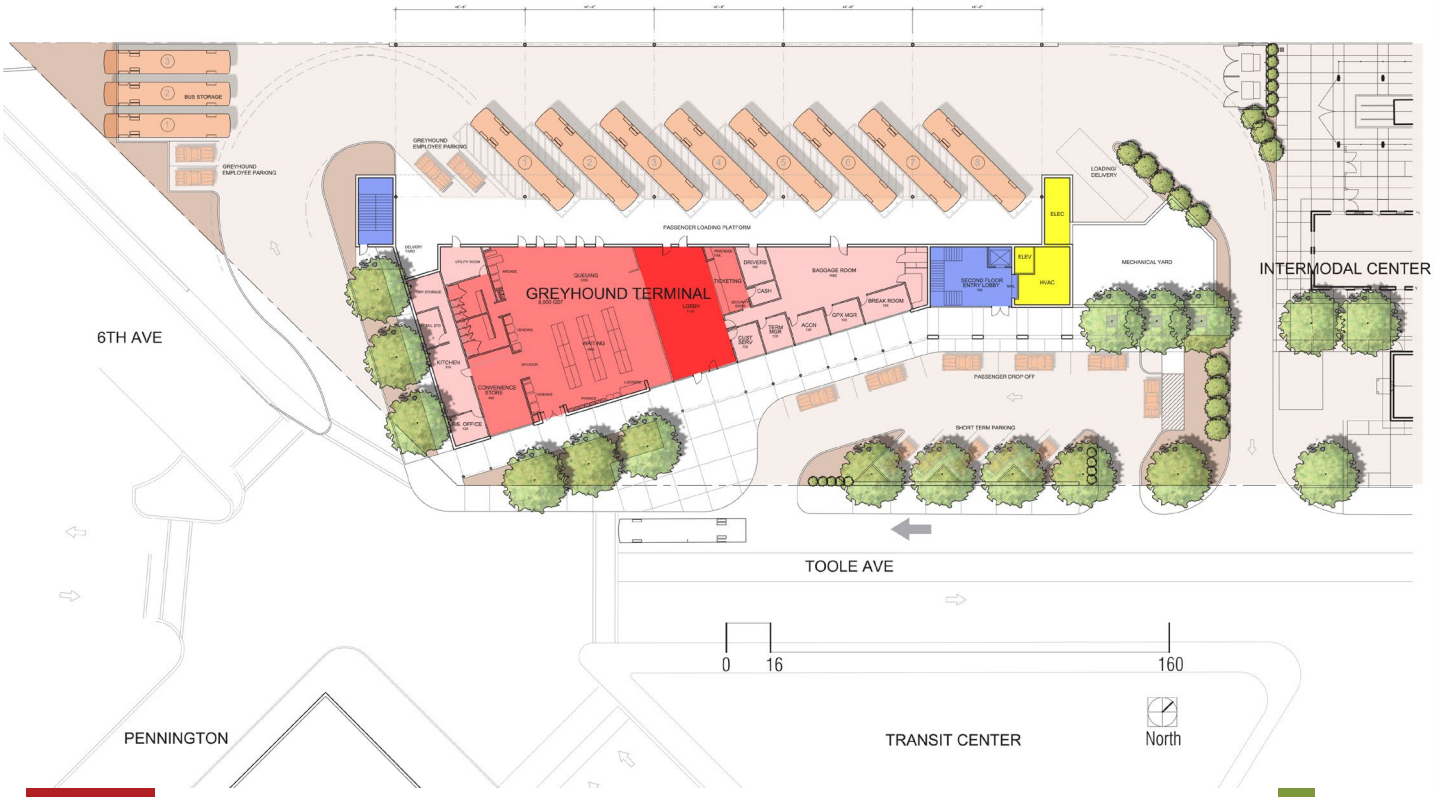
In the 2005 Poster Frost Associates and Burns Wald Hopkins site study, several sites were carefully considered. The Mayor and Council of the City of Tucson ultimately selected the City-owned site located at the eastern corner of 6th Avenue and Toole Avenue, adjacent to the Historic Train Depot. This location was also part of a plan for a Downtown Intermodal Center combining the Union Pacific/Amtrak train station, the Ronstadt Transit Center, the Greyhound Terminal and the Modern Streetcar route.

In September of 2005, the City of Tucson issued a Request for Qualifications for the proposed new Greyhound building on that 6th and Toole Avenue site. Poster Frost submitted for the commission as the prime consultant, in partnership with Burns Wald-Hopkins, and was selected to design the building. The building program was for a Greyhound Terminal on the first story with one story of office space above (26,000 sf in total).

Design work on the project began in October of 2005 and continued until April of 2006, when project managers and downtown planners concluded that the two-story building program was not an intense enough use for the site. As a result, the project was put on hold until May of 2007, when the building program was expanded to include the Greyhound Terminal at grade plus three stories of office space for the City of Tucson Department of Transportation. The total building size increased from 26,000 square feet to 63,600 square feet (1st Greyhound level 12,250 square feet, 2nd Office level, 20,250 square feet, 3rd Office level 16,600 square feet, 4th Office level 16,600 square feet.) Based on that revised program, the Poster Frost/ Burns Wald-Hopkins team began work on a larger mixed-use building and carried the project partially into design development. The project team included DL Withers as a CM@Risk contractor. By October 2007, the project was reviewed by several regulatory committees and came before the Mayor and City Council, where it received a very positive reception.

In late October 2007, uncertainty over project financing caused the project to be halted for a number of months. In May of 2008, the project was reviewed by the Mayor and Council Rio Nuevo Subcommittee, including another review of the site and the building program. In June of 2008, the Mayor and City Council reaffirmed the building program as the Greyhound plus three floors of Tucson Department of Transportation and reaffirmed their commitment to the 6th and Toole site. The only difference in this next stage of production was to be that the project delivery system would be design-bid-build and not CM @ Risk because of federal procurement regulations. Financing was still an issue at this point and several possibilities were investigated by City staff. In April of 2009 a study of the possibility of using federal “Stimulus” formula funding to build the Greyhound/Intermodal Center came to no fruition.

Finally in September of 2009, the team of Poster Frost Associates with Burns Wald-Hopkins Shambach was asked to prepare a short Project Update scope of work, which is intended to be followed by a notice to proceed with the design development and construction documents on the project.



POSTER FROST ASSOCIATES, INC.

City of Tucson Greyhound / Mixed-Use Facility

concept elevation

09 February 2006
PF Project No. 710 / BWH Project No. 0509.000

b w
BURNS WALD-HOPKINS ARCHITECTS

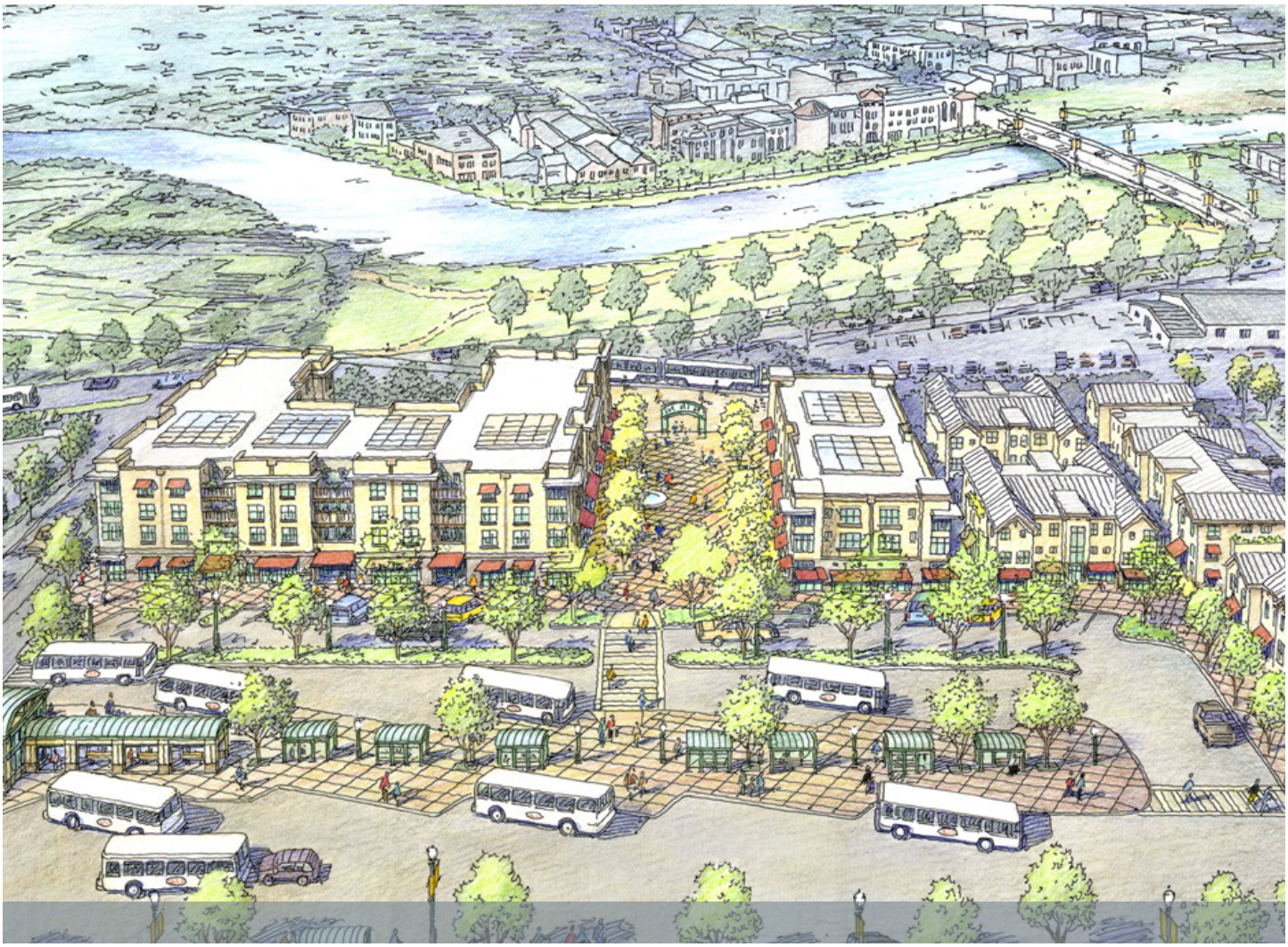
D. Recently Completed Ronstadt Transit Center Upgrades

- Installation of new steel fencing panels in the existing brick arcade to control access to the site.
- Removal of all low plantings to increase visibility and safety
- New paving, masonry and steel fencing, and shade canopies for the entire eastern island which adds two new bus station which have been absent since the eastern portion of the site was demolished for construction of MLK Apartments
- Installation of a high capacity trash compactor which will serve the center as well as nearby downtown businesses
- Repaving of the center island to eliminate tripping hazards
- All new site furnishings including benches, trash receptacles and ash urns
- Replacement of all light fixtures with new, energy efficient LED fixtures
- Installation of a state-of-the-art camera system.
- Repainting of the entire facility
- New route and regulatory signage

POSTER
FROST
MIRTO

Ronstadt Transit Center

50' 100'



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MIRTO

ARCHITECTURE
PLANNING
PRESERVATION

Chapter 3
Integrated Mixed-Use Transit Facilities

Research Document

Prepared by: Poster Frost Mirto

April 15, 2013

TABLE OF CONTENTS

Integrated Mixed-Use Transit Facilities

1. Tempe Transit Center by Architekton

   reference from Arch Daily: http://www.archdaily.com/160316/tempe-transportation-cen ter-architekton/ photos: Bill Timmerman, A.F. Payne Photographic, Architekton, Otak, Skip Neeley

2. Napa Intermodal Transit Center

   reference : Napa Intermodal Transit Center prepared by : Van Me t e r Wi l l iams Po l l a c k A r c h i t e c t u r e • U r b a n D e s i g n

3. San Fransisco Transbay Transit Center

   reference : Arch Daily http://www.archdaily.com/356982/transbay-transit-center-in-san-francisco-pelli-clarke-pelli/ photos: Courtesy of Transbay Transit Center and Pelli Clarke Pelli

4. Hillsboro Intermodal Transit Facility

   references: LRS Architects http://www.lrsarchitects.com/

5. Grand River Station

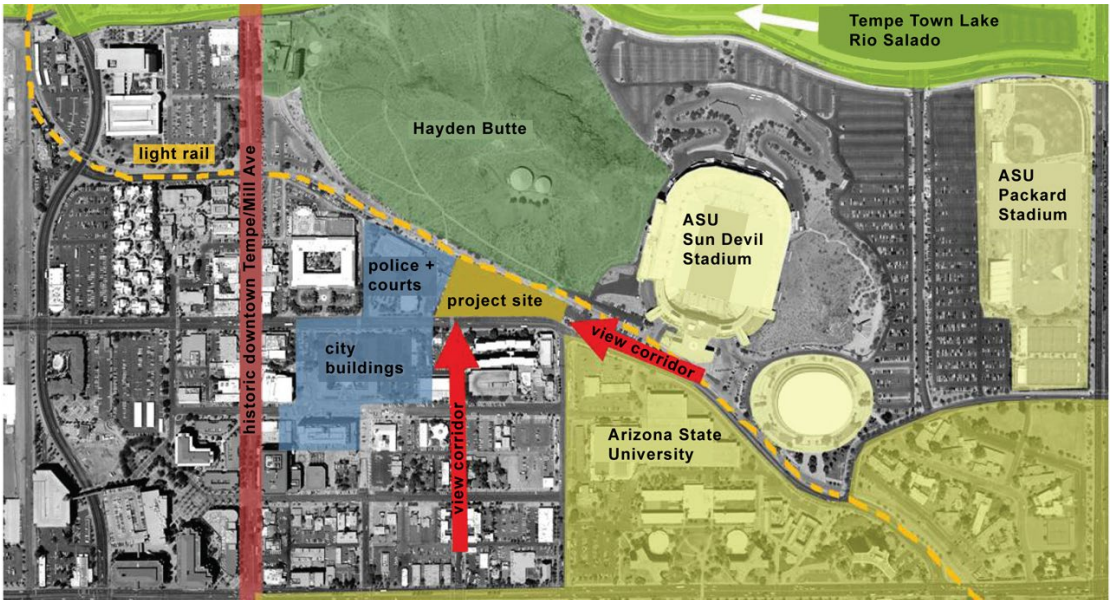
   reference: Gorman & Company Inc. http://www.gormanusa.com/Portfolio/Downtown-Revitalization/Grand-River-Station.aspx

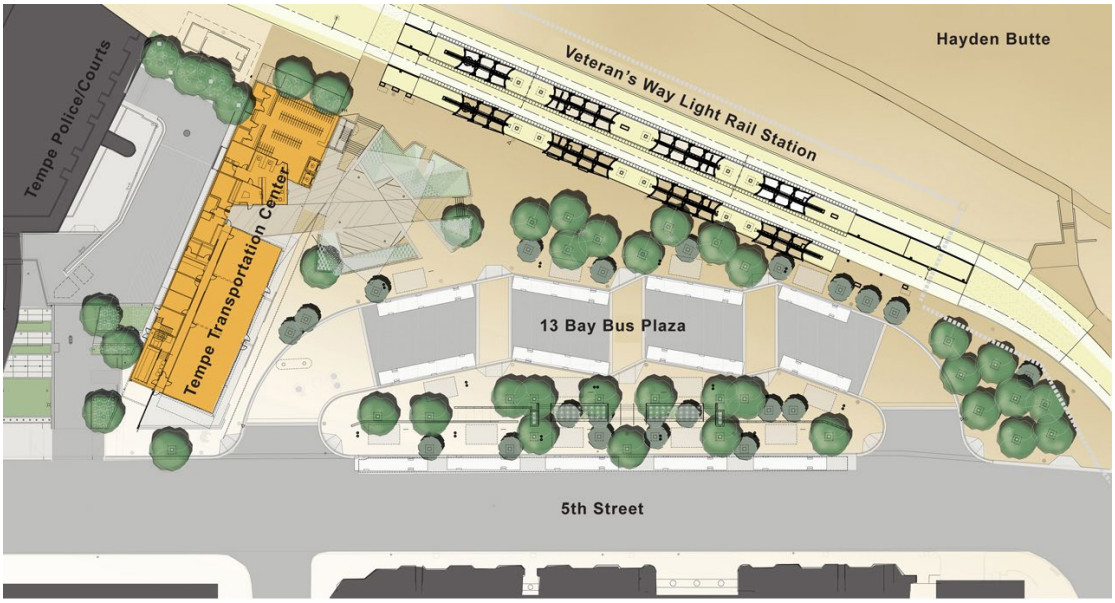
6. Bay Area Bart - South Hayward

Tempe Transit Center: Architekton

Project description:

Architekton's Tempe Transportation Center is a place designed for interaction and community. The architectural form reflects the special nature of gathering spaces juxtaposed against the efficient, rational organization of uses that serve city residents and the Phoenix metropolitan region. The Tempe Transportation Center is the centerpiece of Tempe's award-winning transportation program, geared to becoming the social and transportation hub. The complexities of this triangular urban site include a busy light rail platform, Hayden Butte, ASU Sun Devil Stadium and the Tempe Police/Courts/Jail complex. The historic downtown and expansive ASU campus (69,000 students) are served by the amenities and transportation options of the Transportation Center, a strategic hub for the new 20-mile METRO light rail system, local and regional bus, Zipcar, and Arizona's first bike station.


Tempe Town Lake
Rio Salado
Hayden Butte
light rail
historic downtown Tempe/Mill Ave
ASU
Packard
Stadium
ASU
Sun Devil
Stadium
police +
courts
project site
view corridor
city
buildings
view corridor
Arizona State
University


Hayden Butte
Veteran's Way Light Rail Station
Tempe Police/Courts
Tempe Transportation Center
13 Bay Bus Plaza
5th Street

bikestation
information
support bar
retail lease space
floor 1
community
conference
Tempe Transportation offices
support bar
floor 2
Tempe
T.M.C.
support bar
leaseable office space
floor 3
N
0
10

200

Valley Metro

2. Napa Intermodal Transit Center: by Van Me t e r Williams Poll a c k A r c h i t e c t u r e U r b a n D e s i g n

Project description:

The Napa Intermodal Transit Center and Mixed-Use Development Plan provides the preliminary design,circulation plan, budget, feasibility analysis and implementation strategy for a new intermodal transit center and mixed use development in the Soscol Gateway area. The Development Plan was created through consensus process with the City, the Napa County Transportation Planning Agency (NCTPA) and the Soscol stakeholders committee.

a. The Vision

The Napa Intermodal Transit Center and Mixed-Use Development represents a key opportunity to create a unique, walkable, urban place and a gateway to downtown Napa and the riverfront area. The transit center will include multiple bus bays with individualized bus shelters, plans for a future rail station and a landscaped retail/transit plaza. Joint development of the property, in conjunction with the transit center, will include several mixed-use buildings containing residential and retail uses and transit offices for the NCTPA. Parking for the development will be located primarily in subgrade podium structures and/or in a shared parking lot on the Napa Expo as part of a shared parking agreement. The transit center and its adjacent development are seen as a catalyst piece of the Soscol Vision Plan and the continuing redevelopment connecting to downtown Napa and the riverfront. This Plan document is the result of the Soscol Implementation Plan process that began in February of 2005 and is intended to be used as a tool to assist the City of Napa and the NCTPA with implementation and eventual completion of the Intermodal Transit Center and surrounding development.

b. Study Goals

The primary goals of the plan have been to:

- Recommend the best site for the intermodal facility
- Identify mixed-use development opportunities for the station site
- Prepare a preliminary design plan and implementation action plan for the station site

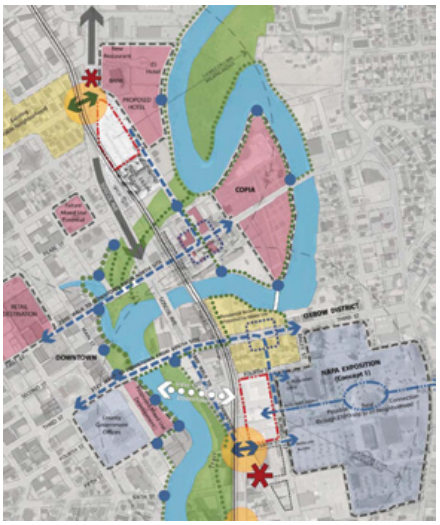
DESIGN FEATURES

- Developed an urban, transit-oriented development
- Integrated pedestrian access from the Transit Center to the surrounding areas
- Integrated the new transit Center with the future of the downtown development and the revitalization of the waterfront

Client: City of Napa, Napa County Transportation Planning Agency (NCTPA)

Density: 75 units, 30K Retail

Contact:
Jean Hasser, Senior Planner
Long Range Planning
Community Planning Department
City of Napa
1600 First Street, P.O. Box 660
Napa, CA 94559
707.257.9349

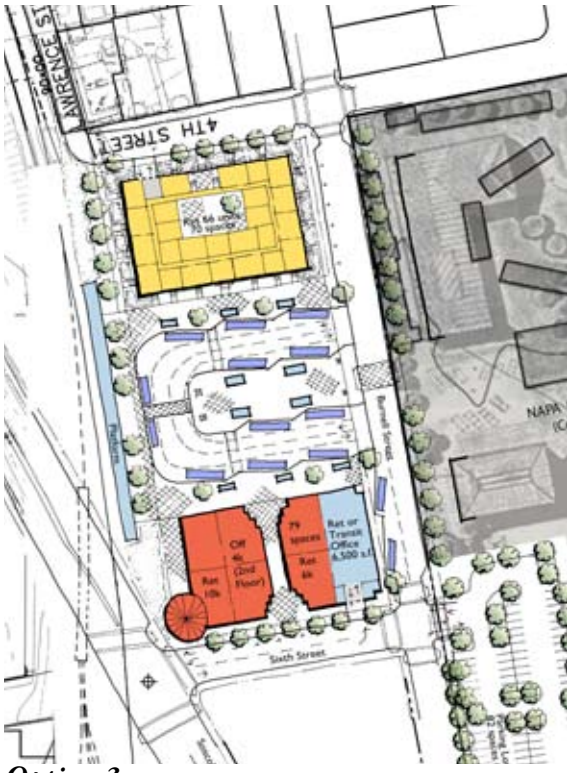


Alternative A

Alternative B

I. Preliminary Site Development Options

Option 2



Option 3

Option 4

Option 4A

IV. Project Vision

Legend :

1. Transit Center
2. Plaza
2A. Railroad Improvements
3. Sixth Street Improvements
4. Burnell Street Improvements
5. North Site Mixed Use Develop.
6. South Site MU Develop.(Retail+Transit Office+Resi)
7. Shared Parking (Retail+Expo)

North Site With Expanded Units:

1 Bedroom Flats	13
3 Bedroom TH/Flats	5
1 Bedroom Townhouses	4
2 Bedroom Townhouses	14
Live/Wk/3 Bedroom	8
Total No of Units	**44**
Residential Parking Provided	***78 spaces***
Retail Area	**7500 SFT**
Retail Parking Provided	***27 spaces***

South Site:

1 Bedroom Flats	19
3 Bedroom Flats	10
2 Bedroom Flats	15
Total No of Units	**44**
Residential Parking Provided	***75 spaces***
Retail Area	**22,000 SFT**
Retail Parking Provided	***80 spaces***
Transit Office Area	**7,900 SFT**
Transit office Parking Provided	***22 spaces***
Additional Transit Park & Ride parking	***25 spaces***

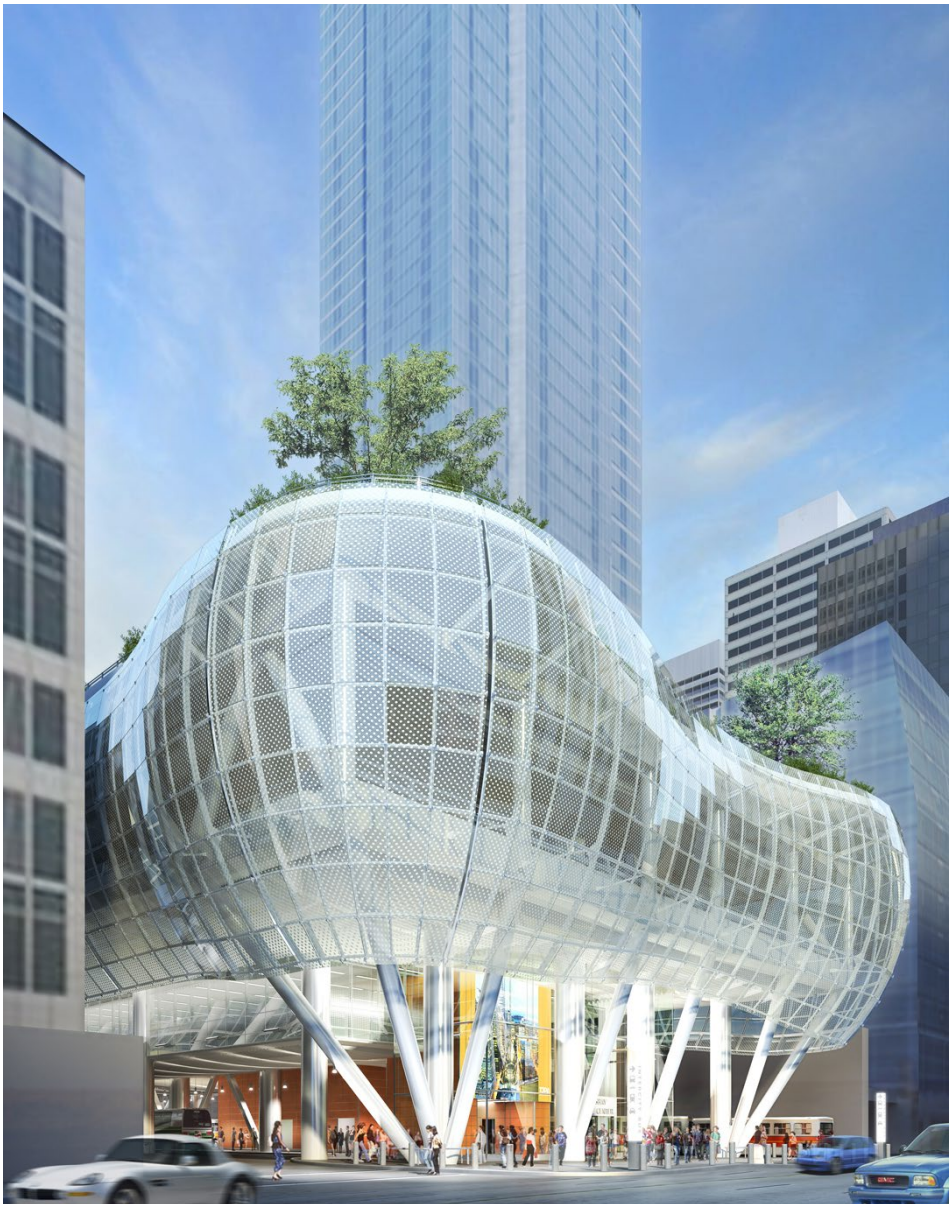
Parking Summary:

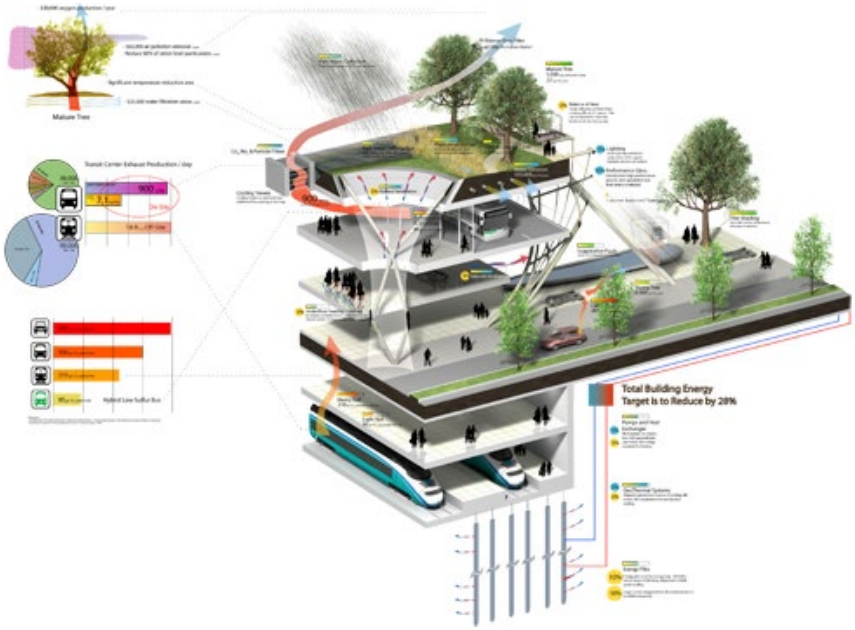
Total Parking Provided	***307 spaces***
Total Parking Available	***215 spaces***
Deficit (To be Shared With Expo Parking)	***92 spaces***

3. San Fransisco Transbay Transit Facility: by Pelli Clarke Pelli

Project description:

San Francisco's newest transit hub will centralize all the transportation in the city by accommodating nine systems under one roof. Pelli Clarke Pelli Architects have designed a new terminal, a 1.3 mile extension of the Caltrain rail line, and the redevelopment of the surrounding area which will add 2,600 new homes, a 5.4 acre park roof and a retail street. And a loan of over $170 million given by the Transportation Infrastructure Finance and Innovation Act has given the project an extra push forward. Once completed in 2014, the terminal will include wind turbines, geothermal heating methods and a graywater recycling system. The hub will be a strong message that green technology can successfully be combined with modern transportation. "We are thrilled to be one of the first modern rail stations in the United States to achieve this historic milestone and look forward to continuing to make progress on the Transbay Project," explained Maria Ayerdi-Kaplan, Executive Director of the Transbay Joint Powers Authority (TJPA).




Mature Tree
Transit Center Exhaust Production / day
Total Building Energy
Target is to Reduce by 28%

4. HILLSBORO INTERMODAL TRANSIT FACILITY: by LRS Architects

Project description:

For pedestrians, the transit facility includes a public plaza as well as a steel canopy that wraps around the southeast corner, providing a covered area for people waiting for transit connections. For bike commuters, the ground floor is home to the area's first "bike station," which consists of bicycle racks, lockers, showers and a secured changing area. The parking area features an innovative concrete moment frame that eliminates the need for shear walls, providing clear visibility for drivers.

Sustainable features include the use of rooftop rainwater to maintain the landscaped areas and a solar array that generates enough power to illuminate the facility during daylight hours.

The transit facility was on a fast-track construction schedule, noisy operations could only be done during off-hours and the closure of major roads was forbidden. Still, the unique facility was completed successfully in September 2010.

Clatsop Community College, the oldest community college in Oregon, was in dire need of seismic upgrades, classroom space and technology improvements. Initially, SRG Partnership signed on to develop a new campus on a new site, but the team ultimately decided that the best way to move forward would involve renovating and adding to the existing Jerome Campus.

5. GRAND RIVER STATION: Gorman & Company

Project description:

A mixed-income, mixed-use development, includes a city's regional transit center, retail and rental apartments. The 72 rental apartments target artists and entrepreneurs, and are designed with live/work space. Fifty-nine of the 72 rental apartments are affordable for residents earning 30, 50 and 60 percent of La Crosse County Median Income.

Twenty-eight apartments are available to all incomes.

All apartment homes will share amenities including a business center, artists' workspaces, an art gallery, theater, fitness room, and green roof with patio area. The 10,000 square foot transit center on the ground level serves as a hub for public transportation in downtown La Crosse. The retail included on this level, along with the convenience of the transit center, enhances the already rich amenity package for Grand River Station's residents.

6. Bay Area Bart - South Hayward

Project description:

South Hayward is a Bay Area Rapid Transit (BART) station located near Tennyson Road in the southern part of Hayward. The station consists of two side platforms. The station serves the industrial part of Hayward. BART's Hayward train yard is south of this station and is where BART sends trains for service and repair, for its Daly City to Fremont, Dublin to Pleasanton, Richmond to Fremont and Daly City lines. While travelling between South Hayward and Union City BART stations, idle BART trains as well as some rare replacement train parts, such as new outer-front A car BART train shells, are visible.

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Chapter 4
Stakeholder Meeting Notes

Prepared by: Poster Frost Mirto
April 15, 2013

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MEETING NOTES

Project:	RTC (Next Phase) Real Estate 317 North Court	Notes No:	**1**
		Date:	**04.01.13**
		Time:	
Architect:	**Poster Frost Mirto, Inc.**		

Attendees: George Larsen, Buzz Isaacson, Mary McLain, Kate Riley, Corky Poster, Bob Kaye, Mike Hammond, Swain Chapman

Comments

1. There aren't a lot of deals out there. No easy deals. Very few clean deals. Congress frontage is the sizzle on this. Entertainment, offices. Too many missing teeth. People will get jazzed about.
2. Excellent site – great. Game-changer, sites like this. If you are going to make transit work. Right by train, hi-speed rail. Transportation component has to be on this site. Spread all around Congress. Ultimately going to a good use. More walkable alternatives.
3. Keep them in the downtown. Another tenant is critical issue.
4. Downtown will become a premium location and be willing to pay the extra money.
5. Skeptical about number of people who use downtown.
6. The developer needs a tenant in hand. Pre-Leasing.
7. How deep is the market?
8. Touch base with the Young Professionals group.
9. Intermodal idea – bring those kinds of operators into a center. Inter-city bus center? Smaller operators. Taxi element. Intercity buses.
10. What would be viable uses? Retail, Hotel, residential and destination retail. Nighttime is important. Student housing, hotel, Stiteler, Schwabe. Market housing. Ground floor restaurant. Destination retail. I-Max, LA Fitness. Mini-Horton Plaza.
11. Parking deck over Ronstadt. Possible – build parking deck above. Divide by keycards. 2 levels of retail above. Residential above. Stacked above.
12. The project needs to be 100,000 – 200,000 SF.
13. $33/SF –
14. Not a lot w/room for storefront.
15. 2 or 3 developers that do.
16. Office isn't going to do it. No demand. Office market doesn't want to be downtown. Office park is only office market.
17. Feasible –Market downtown is debatable because of rent. Is it financially feasible?
18. Does the city think this is a land deal?
19. Balancing act –
20. Financial structure #1
21. Price of hand should be $1 with infrastructure provided by Rio Nuevo
22. Height and zoning
23. Parking ratio. Allowed
24. GPLET'S (not aggressive enough)

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25. City will have to mitigate the enormous risk. Provide cash for offsite.
26. Building up is more expensive.
27. How to produce incentives? Study the benefits to city.
28. Try to do big projects – Bourne got excited.
29. Huge win if Congress was filled.
30. Little financial incentive for City to do anything. Their cut of real estate tax is very small. They get sales tax not property tax. Study the sales tax benefit of this development.
31. They don't have the political will to do another free deal.
32. Consensus on the council- public sector investment takes incentives.
33. Politics #1. Financial #2.
34. Competition – invest $10,000 in a competition.
35. 2 stage – Competition $15,000/per design.
36. Credibility needs to be preserved.
37. Go slowly, not quickly.
38. Vet it politically and financially
39. Step 1- meet with all council members. Give them a story to tell. Assist them with a story.
40. Talk to editorial board.
41. Walking through building to RTC.
42. Residential on Greyhound site.
43. Getting housing up high enough to get a great view.

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MEETING NOTES

Project: RTC PLANNING. Meet with DNaRC

Date: 2 - **04.01.13**

Architect/Planner: **Poster Frost Mirto, Inc.**

Time: **1:00pm**

Attendees: Kate Riley, Mary McLain, Corky Poster
DNaRC: Gene Einfrank, Gretchen Lueck, Judy Dare, Margaret Ward, Les Pierce, John Burr, Chris Gans, Elizabeth Burden

Brief Presentation, Corky Poster

Comments

1. We need a range of developers.
2. Concern about student housing driving out other housing. Only here 8 months per year. Doesn't seem to be a strong basis for downtown development. What happens when that bubble bursts?
3. Conversation being had with everyone. Moving so quickly. People left the area: Consequences, well balanced by a variety of everything.
4. 4 Hotels in the works, Powell lot, MLK, Gadsden, Norville, and UA.
5. Mixed – housing. Diversity of residents. Reasonable set-aside for affordable housing.
6. More volume for Sun-Tran – 3 parcels, reverses transit so that every route has 10 minute lead way. Room for expansion?
7. Silo mentality. Reminds us of Downtown Links by-pass traffic. Closing Congress as a pedestrian mall. Be sure to look with a wide look at a 20 year horizon. Make sure to keep this project from short-circuiting future housing.
8. Student housing has a 30 year life span. Might be a slum in 30 years.
9. Market-rate adaptable re-usable buildings. Family-centered downtown, multi-modal.
10. Improvements for bicycle – bus improvements. Factored in to this discussion.
11. Greyhound?
12. Easily adapted – single purpose student facilities.
13. Need bike racks and bike lockers.
14. Design criteria-woefully short of interesting architecture. Something that doesn't look like it was created in Dallas. Sticks and stucco is not a solid building
15. Low income people should have easy access to transportation. Emphasize broad-based local businesses so that the money stays here. "District" sold and went out of town. Do something well.
16. Walkable grocery store. You need market-rate tenants to support a grocery store.
17. Be careful we don't displace local businesses with new businesses, make it local.
18. Arts culture price. Artists partnering with developers for interim use. Temporary and pop-up things that would be helpful.
19. Create community, to other things downtown.
20. Some bays for inter-city buses. (Freeway not so convenient for bus riders).
21. Cars not part of any proposal. Let people find market rate parking. Amory Park disagrees.
22. Elevators should accommodate bicycles.
23. Poor people can't afford to pay $300 for stickers. Developers should pay for neighborhood stickers.
24. No-car leases? (maybe developers)
25. Car-share programs. No parking may drive up sticker need.
26. Ask developers to develop unique transit innovative program. Diversity of income, age, etc. Talk to neighborhoods. Dead link on the streetcar site.
27. How will the information be on a web-site?

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MEETING NOTES

Downtown Neighborhoods and Residents Council
Position Statement on Ronstadt Transit Center

The Ronstadt Transit Center (RTC) enter is a unique and valuable resource for downtown, downtown neighborhoods and other stakeholders, and the entire region's residents.

The assumption, held by some interests, that the RTC should (or needs to) move is incorrect, and needs to be evaluated. In fact, for best use of current bus and future bus, streetcar, and intercity train riders, the RTC's use as a regional transit center needs to be upgraded and expanded.

It is premature for the Mayor and Council to issue a request for qualifications. Additional steps need to be taken prior to issuing the RFQ, with priority given to a larger, more inclusive public process.

In the near term, it is difficult to predict the future of downtown and transit needs; Downtown Links, Sunlink/Modern Streetcar, and other transportation projects will change the traffic and transit patterns. Moving forward quickly with changes to the RTC may lead to unforeseen consequences; mistakes are likely to be cast in concrete, which will be difficult—if not impossible--to change.

Accurate and complete data are necessary to support any decision, and need to be gathered before any RFQ is issued. A survey of current and potential transit users is key, along with the collection of new data on current bus usage (and limitations). Based on those facts and data, any resulting plan needs to present a long-term vision for an integrated multi-modal transportation center/system.

Any decision about future uses of the RTC needs to be preceded by an open, inclusive process that includes the expertise of bus riders, neighborhood residents, and downtown neighborhood associations as well as downtown business owners, civic leaders, and urban planners. The process needs to be more than a public hearing; it needs to be an inclusive design process in which these key stakeholders participate in shaping the future of a viable regional transit hub.

Downtown neighborhoods individually, and DNaRC as a representative committee, have an interest in a successful transit system and will assist the City in an open, public process to accomplish the goals we suggest

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MEETING NOTES

Project:	RTC (Next Phase) Bus Rider Union Rialto Theater	Notes No:	**3**
		Date:	**04.02.13**
Architect:	**Poster Frost Mirto, Inc.**		

Attendees: Liz Burden (Intro.), Jim Ojeda (Bus Riders Union), 35 people representing a specific groups. 200 people total.

Comments
Make Ronstadt better for the future.

Opening Historical Presentation
Gene Caywood
History of Ronstadt Transit Center RTC 1991
Main point: Opportunity for expansion makes it better for riders.
Open public process.
Right where it belongs –
Moved services. Victory.
Is it time now? Or is it time for a community conversation?

Comments
1. Downtown is for everyone, she uses it everyday for her and her kids.
2. Writes a blog, needs bus. Voice in the transit center. People think the opinion of poor people doesn't matter. Worried about mixed-use. Problem is merchants don't listen to people who use transit center. Many people just take the problems out of site.
3. Senior Citizens need Ronstadt downtown.
4. "Multi-use" facility is focused on consumer, can't serve two gods. Leave it alone.
5. Vietnam vet – Homeless man.
6. Need toilet paper in the bathrooms.
7. Make it more like a mall. Make it more of a community facility. Playground. Need to protect those waiting from the rain.
8. City of Tucson budget problems. Free bus passes for City Employees. Cut pollution and traffic to UA, Raytheon. Get people to ride on buses.
9. Not a regular bus rider. This is what users want – playground – what about a peace garden. Don't need shopping. Need nonpublic spaces. Thing that will currently to grow.
10. Show movies downtown, educational center. Buses should be free. Free is good. Eco-city.
11. 25 year rider. Used to be long lines. RTC makes her feel safe. Make it bigger. Kids should have cheaper fares. Don't move it.
12. Right question. Wrong process. Nice piece of real estate. Wrong direction to do sell to a developer. 6 recommendations to sell property. No studies. Benefit to city and to bus riders.

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13. Political blogger – Sustainability of moving it. Perfect location. Fostering the use of Sun Tran bus. Sustainability should be a pedestrian mall.
14. Love Sun Tran. Love RTC. Don't let developers run the deal.
15. Bus takes too long. Shorter head ways.
16. Takes bus. RTC is a great hub. Helpful to have buses in one place. Buses should run later.
17. This will cost money. Why would you tear this down? Solar panels. Money goes to make RTC better. Back shops are difficult. Visitors at shops. Water fountains, trash cans.
18. Not a regular bus rider. RTC should be a point of pride. Why hide it? RTC can be a meeting place. Lending library, outreach facilities, opinion booth. Treat it like an asset.

Closing Speakers

Karin Uhlich-
Thanks Sun Tran.
Transit advocate. Best money we can spend. It's #4 in the country.
Fight hard to preserve this transit system.
Her job is to listen to everybody. Better outcomes.

Richard Elias
Two things are true:
New pope rides the bus.
Public transportation.
Nobody's turf.

Regina Romero
Keeping it downtown has been a fight and a struggle.

Bus riders' survey
April 16 – MTC Study session on City budget.

Written Comments submitted at the meeting:

1. Improving Sun Tran service (longer hours, more routes, etc.)

- I ride the bus every day it would be nice if buses ran the same hours on weekends as they do weekdays. And my kids wish a child would be cheaper than an adult.
- More routes, more places, more frequency, more/longer hours
- Therefore, Ronstadt Center should stay and furthermore should extend its hours of function. If you do that more people will take advantage.
- Lower bus prices
- Buses need to run til 3AM. It would help reduce drunk drivers.
- We need to act like we are proud to have a bus system in this town! Our stops need shade, we need more buses so our schedule actually works for working people. We also need extended hours on the schedule.
- Increase hours of operation. Increase safety and accessibility. Make it a place all of Tucsonans can be proud of.
- But focus on better cheaper bus service for everyone.
- I care more about bus fare and improved bus service (more routes, night service, etc.) than where the transit center is. What matters is having enough buses running frequently enough to serve bus riders downtown and elsewhere.
- I only once in a while ride the bus but my grandchildren (teenagers) ride buses to their schools and job hunting. They need buses to run later and more often.
- Give government employees free bus passes.
- Free bus passes for city workers. Later bus runs.
- I demand the Ronstadt Center's perpetuation and the stagnation, if not decrease, in bus fees. Improvement at bus stops; longer hours, more routes to other areas; more buses on weekends; new green fuel source; better wages for drivers; lowered fees/free for kids.

- Lowering fares.
- The idea of more bus passes for city employees, university employees, etc. is a great idea.
- Expand routes—they only come every 30 minutes many times and so working people won't ride. Buses need to come every 10 minutes and it will increase ridership (build it and they will come).
- More people would use public transit if it was more available—buses are great but we need express transit from east to we sides!
- Thank you to the organizers and volunteers for creating and supporting this event. I fully support the bus riders union and any initiatives that put more resources into accessible buses and public transportation, particularly for people who are economically disadvantaged, I think the buses should be free
- Free fares The day pass is way too much and even with the $.50 card you can't get a day pass cheaper and the buses should run a little later.
- Water fountains and misters at bus stops, extended routes to the outskirts of town, work on union partnerships
- Need to extend hours on weekends, I have to walk 3 ½ hours on Sunday because the bus stops running at like 8:30PM. Reduce child fare it's way too expensive for working families
- I did not want the price to change.
- More buses on weekends. Later buses servicing until midnight or later. East side transit center/west side transit center.
- More buses downtown for the workers to help with staffing with businesses at late night. More public transport!
- Expand hours and routes—stop road construction!! Bus use saves air only problem is waiting in heat to catch bus, more buses!
- also ways to get more than two (2) bicycles per bus
- We need more and better bus service—more frequency, more routes, more coverage.
- I would really use later hours on the weekends, super important.

2a. Keep Ronstadt Downtown …

- Tucson needs the transit center to be where it is—downtown!
- Yo no quiero que muevan el Ronstadt Center porque me va a quedar muy lejos que se quede como esta
- Do not move the transit center!
- Maintain the status quo.
- My vision for the Ronstadt Transit Center is to stay downtown whether it's kept in the vicinity it is now.
- Oppose relocation of Ronstadt Transit Center
- No Sun Tran money for the trolley. Leave the Ronstadt Transit Center alone! No more redevelopment.
- I believe the Ronstadt center should stay where it is. It needs to [be] centrally located for all people regardless of economic or ethnic background. I'm from Oro Valley and believe that all people should be treated equally and fairly.
- Keeping the Ronstadt Center downtown will tell the world that Tucson cares about public transportation and sustainability. Making the center better is the way to go.
- I think it is crucial to have the Ronstadt Center downtown but it can change as long as it serves its purpose which is to provide bus service. I felt the meeting presented a false dichotomy between "gentrification" and "no change". Downtown Tucson has not been an ideal downtown in my mind so please don't romanticize "no changes".
- I don't mind the bus moving Northish. I would like to see Ronstadt Center be a combination green space and social nexus with cafes to serve folks. A traditional plaza approach.
- Needs to remain where it is not torn down in the way the original MLK apartments were. City council and mayoral rubberstamping of its demolition is unacceptable.
- Keep it as a historical site. Leave it alone, do your job, who is it who pay your paycheck

2b. … with improvements

- Add color via flowers/local artwork, misters. Cut costs using solar power to fund itself. Sell power. Make it a nonsmoking area—smokers can smoke around outside areas not in the middle. Improve bathrooms T.P., Changing tables. Get youth involved. Offer pay for vets & homeless
- Make it a multipurpose open area and incorporate an open-air art exhibit as part of the larger downtown area. The other purpose would be a mix of transit and below ground recreational facilities for youth and adults including some food and bars and nightlife options. Make it an attraction for more outdoor concerts to get to by bus.
- I want the Ronstadt to stay in downtown. I want there to be benches on the periphery of the center. I think there should be food close to the center so while I wait for my bus I can get something to eat or drink. A play area for kids would be great!
- Making it a tobacco-free nonsmoking center will be healthy and reduce transient loitering. I hate smoking, It stinks.
- Better water fountains, vendors/farmer's market, more trees, solar panels/power for lights and emergency phones, place to buy discount work by local artists
- Need more bicycle facilities—racks (short term) and lockers so people using court services can stash tools, pumps, and other accessories that will not go through metal detectors
- The central hub for downtown is for the people. Personally I use it on a daily basis. I live in the area. Improvements I would like to see is remodel the Bathrooms and cooler towers and cold water fountains.
- Customer service, information desk back, more bathrooms, air condition in benches, toilet paper
- Ronstadt Center means to me a hub for viable transit. Keep it where it is and introduce mixed-use options.
- Ronstadt center is very convenient and I like the improvements. I would like more seating in the open areas; staffing in the customer service area. I hope there will be good connections between Greyhound and RTC.
- Changing tables, educational facilities, safety, lending library, outreach facilities, public health facilities, more shade
- I'd like to see the center become a performing space. Nothing like the NYC subway. Maybe like the 4th Ave. underpass.
- Downtown needs the RTC more than high rises! Safe and clean! Need the greyhound station and streetcar station also, but people need the buses to get there! And open late/early enough to get back home/into work. Relax at the nearby coffee and restaurants while waiting for service.
- Please put small eating stands all around Ronstadt (like hot dogs, tacos, corn dogs, mini J.J.'s, mini pizzas, mini subways, and many others). They can promote their regular establishments, great advertisement or promotion, and help economy! Bring more other parts of Tucson to Downtown, save Ronstadt!!
- I believe RTC should balance the need to revitalize and invest in downtown with the needs of transit customers. Effective, efficient, safe, comfortable, and convenience. I think it is important to offer amenities that attract more people to ride transit.
- Keep Ronstadt Center where it is. Covered waiting areas. Misters during very hot weather. Recycle bins. Kiosk with info re: community resources.
- Keep the Ronstadt Center where it is. Improve facilities. Place for kids to play. Information/tourist kiosk. Bathrooms!
- I'm really inspired by the idea of creating a community center out of the Ronstadt Center. Keep the depot downtown is crucial for connecting people to services however, the center should also be made too valuable to sell and this could mean adding property.
- Children's play area; garden; better restrooms. Better restrooms. No more fences. Customer service center. Police Station. The return of Bus stop at the east end. Long bus routes at the center for Downtown business and U of A students. Open space and place to sit and eat.
- If you want to make any changes just make the facilities nicer for the public.

- Solar panels for the center, and the buses. Also electric power would be good for the buses. Change machines all throughout the center would help riders find accurate fares. Community programs for public. Beautification and upkeep for the center would be appreciated. Los Artes, and prison work programs could achieve this.
- As a taxpayer and worker using the bus, I sure would like to see the "ramada" effect that filters light to also protect from rain/snow. I was waiting in the rain for a No. ! University bus while looking at car garage with a roof for cars while I am getting wet. I would also like better facilities that include pull-down change tables for babies and other decent toilet supplies. The entire downtown area needs to be revamped to be more user-friendly like a mall. A mall has facilities, places to sit, friendly people to advise where to go, etc. Instead of police perhaps the "old west" image could be utilized and a friendly "howdy" and maps showing the turquoise trail routes, etc. This downtown should b the most beautiful spot for foreigners visiting and for all of the community.
- Ronstadt Center needs safe, clean, locked, stocked bathrooms, drinking fountains, a garden and playground for kids, and a huge police presence to reduce loitering and graffiti.
- RTC needs more water fountains and more desert vegetation. Also recycle bins for cans and bottles.
- I would like to see RTC remain downtown. I am open to some modifications/development on the site, but it should be compatible with transit and enhance transit.
- I would like to see the transit center improved, by providing mixed uses for riders and downtown customers. Restaurants, air-conditioned areas, nice restrooms, and shops. Maybe more housing, too. I think we can have both buses and comfortable nice spaces.
- What would I do to make Ronstadt better. Better water fountains. Community garden. Vendors/farmers market. More trees. Solar panels to run all electricity
- Community gardens. Movie documentaries. Playground for children.
- Transportation to and out of downtown is important to bus riders. Improve and expand Ronstadt Center based on riders' needs
- Downtown is growing fast and Ronstadt Center needs to stay and get expanded. Don't lease or build in the property, we need the space. Sell monthly passes at Ronstadt.
- Why not more of a park space? There are so many more buildings (all the dorms) so more greenery and outdoor sitting sculpture garden… but keep the buses. Thank you!
- One idea would be to have a center/outlets for the community to teach/learn different arts such as cooking, playing the guitar, handicrafts… places for people to meet that could be part of Ronstadt Center.
- It seems to me, it would be best to keep the Ronstadt Center where it is, as it best serves the community as a whole there. Also to make it more community friendly and beautiful.
- A sensible bus transit point for bus riders. We need more in town. Unisex bathrooms! Vote for Roseanne Barr 2016
- Keep the Ronstadt Center a vibrant hub for public transportation in downtown Tucson! Improve service times on all bus lines.
- Water fountains/misters at bus stops. Heaters for the winter. Garden and playground for children. Large fans/misters/water fountains
- Make central shade panel solar! More cooling. This station works!! Build ridership to downtown. Stop ruining Tucson. Keep the bus.
- Improve the facilities! Fix the bathroom
- Suggestions: solar panels, water fountains.
- Make it a multipurpose open area and incorporate an open-air art exhibit as part of the larger downtown area. The other purpose would be a mix of transit and below ground recreational facilities for youth and adults including some food and bars and nightlife options. Make it an attraction for more outdoor concerts to get to by bus.

3. Importance of democracy, public space, Downtown for Everyone, no privatization

- Important event. So many people here demanding open space! This is an issue of democracy over business. We need to have many more events like this to maintain the original vision of the Ronstadt.
- The Ronstadt should be public educational/historical space. Please keep me informed re: any future initiatives.
- I think that having a strong bus system is extremely important as a form of resistance for two ways. Firstly because it gives agency to poor and disadvantaged residents in a world that systematically discounts the validity of these experiences. Secondly because the public transportation system provides one of the only spaces that strangers in the same community get to interact with each other and share a space that is not defined by commercial interaction.
- City of Tucson/Developers/New Comers/Anglos are gentrifying La calle this is not Portland, Oregon—this is Chukson, AZ.
- Mass transit is a beautiful thing—look at Curitiba, Brazil!! Let's have frequent buses that run on time and stop catering to cutesie rail systems that go nowhere. Everybody would ride if the buses could be relied on and this town would benefit greatly. Keep Ronstadt as a center for us all.
- Public space is a key element of real democracy. If everything downtown is privately owned an meant to sell people things, then the 99% will have no place in the downtown. Downtown will just be another private mall. Downtown must be a truly open and accessible space in the future, especially in a future that reshapes the city to deal with climate change and the high cost of fossil fuels. A vibrant bus system is vital to the economy.
- Keep Ronstadt—Ronstadt not office space above or around the bus terminal. No urban removal of bus riders from downtown! Downtown is for everyone. Seniors, students, rich and poor—all of us!
- I believe that the Ronstadt Center should remain. The downtown should remain for all.
- I support a downtown for everyone. The bus center should not be made smaller and moved. It should remain the way it is.
- I want a vibrant, economically strong downtown for everyone.
- My daughters had a safe place to be in the heyday of Ronstadt after it was built. To say that this cannot be is not true. Please save public space.
- Centralized location a must. Moving bus center will not solve other issues which must be addressed. I love my Sun Tran, I love my Ronstadt Center. If it ain't broke don't fix it especially not for profit for others who don't utilize buses. There will always be problems to address regardless of location.
- Take the time to listen to the people that use public transit as well as others. Moving too fast has hampered longer-term development, creating problems for residents in downtown/UA neighborhoods as well as the general [public]. We need a thoughtful and inclusive process that is not planned around a developer's timeline. Let's change how Tucson plans and get it right this time.
- Downtown is NOT just for those who live or work there. It's for EVERYONE. And all of us who find ourselves DT spend $ there even "poor" people who just lacking money otherwise we are good people. I usually ride my bike downtown—like bus riders I don't have to park—and there is plenty of parking . We need fewer cars and more people downtown. If businesses want customers the streetcar helps, but buses bring folk committed enough to plan and ride the bus. Keep RC open to Congress. Put the business elsewhere on the 2nd floor.
- A downtown for everyone! Including BUS RIDERS! Save the Ronstadt Center. We need a community conversation, and updates about the issues. Why now?? The streetcar will eventually be done. Major money will be made if we remove the Ronstadt center. Don't! College educated. Chose to ride bus. Enjoy it!
- Don't move Ronstadt, don't make it smaller. It's an important part of Downtown Tucson. Don't let the city privatize the Ronstadt Center. The Ronstadt Center—and downtown—is for everyone.

- I support public transportation and the Ronstadt Center. As an indifferent bus rider but supporter of working people, families, students, and struggling communities of Tucson.
- We must struggle to remove the parasitical and destructive finance capitalist class, the transnational corporations, and their political agents in both parties and install a people's agenda. Que Vivan los bus riders!!!
- As corporate greed forces more of us into poverty, more of us will need the bus. Do not let the fortunate few dictate the future of our downtown. Let the rich blight the suburbs they already infest.
- I'm a bus rider. The most important is to save Ronstadt Center. We all need this transit center. A downtown for everyone. There is another bad idea in front of MLK building someone is going to build one. Terrible for everyone.
- They asked for support—and they received. This transit center represents a heart of this city. The Rialto is filled with support, people, a community. Downtown is for everyone. Many rely on buses in order to make it—to work, to school. Take a ride, because if you think this needs to go, you need to look again. Look at US, we are an us. Every decision affects every citizen in some way. We are men, women, children, elderly, students—all together—don't try to take that away.
- I have met many of the local bus riders, and they have touched my heart with their stories and with the history of the RTC. It is important that we provide an environment that all will feel welcome in. Todos somos iguales y necesitamos un lugar en que podemos sentir comodo. El RTC es uno de estas lugares.
- Downtown for everyone. We all benefit ourselves. It is the center point for transferring and that most people are accustomed. And it has become like a tradition. Our future generations will also need it for their transportation for education, social, leisure
- Ronstadt is a beautiful award-winning piece of architecture and must continue to be a bus hub and public space. It should be restored to be more welcoming (take down the new fences and restore a real person to assist bus riders). Let's encourage people to come downtown on the bus, to frequent businesses and not clog it with cars. Downtown must do for everyone!
- The Ronstadt Center should not be moved. Downtown should not, is not, for people with money coming from the foothills, it is for everyone. Please listen to the voice of community members.
- Downtown is starting to feel claustrophobic. Open the remaining space—community space.
- We should stop privatizing everything, stop creating monopolies.
- It is located downtown where the city and county buildings are, also courthouse and city council, where most the day activities and judgments are made. It gives you a chance to hear what is going on and make your own judgments and speak up about something. It gives you a change to find out what is going on and get feedback from public or friends, etc. and present it to appropriate agency particularly if it affects you. Everyone has a voice and it should be respected and heard.
- A downtown for everyone is important for me because is a historic area when the tourists come. Also is important because people need to access many federal buildings.
- The community vision event was inspirational. This will preserve Ronstadt for the people.
- Brings diversity, public ownership, past history important
- Keep Ronstadt as it is—keep it public, keep downtown for everyone
- The Ronstadt Center can't be closed down, it functions as a vital hub for Tucson bus riders. Additionally, the modern streetcar is the most asinine and profit-driven planning project in recent memory. There needs to be affordable AND accessible transit options, NOT a luxury ride for car drivers!
- Downtown is the center life of any city, the working class must have direct access to city courts, libraries, shops, etc., not to mention the direct availability and ease to transfer and continue their daily commutes. Communities need more public spaces and services and less privatization. Power to the workers, down with capitalists!!
- Tucson needs a vibrant, walkable downtown with great bus transportation. Please keep the beautiful Ronstadt Center so everyone can come.

- Ronstadt is important for workers, for student, for families, for Tucson. Closing or reducing services should not be an option. Bus riders and bus employees are a considerable part of Tucson's population.
- We need our Ronstadt Transit Center, downtown is for everyone, it's been like that for years.
- Giving it up to outside influence and developers will NOT lead to the greatness of the city. This decision is from a narrow viewpoint—the center was only JUST built! The public GOOD is what is important.
- Life happens at transit centers. Life happens in a city's downtown. Moving or changing the RTC will kill the life that happens in the city. What would Jesus do? Ride the bus and stand with the bus riders. Stand with the poor and marginalized that rely on the transit center.
- I loved the slide show with the pictures. The Ronstadt Center is so beautiful! It looks and feels like the Old Pueblos should. Very unique to Tucson. Biggest point: Sun Tran, Ronstadt Center is suppose to be in existence to benefit the public transportation needs of Tucsonans. So, currently it's doing its job. Why are we going to spend millions of dollars to break something that is working just fine?! Then, think of all the disabled tenants in the MLK building that must rely on that location. It's not just for poor people. I make over $50K a year and I choose no car.
- So long as downtown keeps a bus center in DOWNTOWN Tucson, it needs to continue serving NSEW citizens.
- 1. What is very important to consider is the architectural and artistic significance of the RTC. The RTC was recognized in architecture journals, it as received national recognition as a fine piece of architecture. 2. The RTC has some of the most significant public art in the state. The 2,500 sq. ft. of hand made tile, designed by one of Tucson's most significant artists needs to be preserved t all cost.
- I support bus riders and transit, but development in some degree—sensitive to transit needs—must happen. Buses in their capacity now impact downtown in several ways, good and bad. Please consider the connections the streetcar will bring. I hope everything can be peacefully agreed upon, compromise and working to everyone's needs. Changes don't mean necessarily compromising access to bus. Ronstadt is not currently an open public space for everyone. However, if these are the conclusions that are drawn through true balanced public process, then that I the democratic process and should be supported. Unfortunately this is just a rally.
- All public bus terminals have transient people why and how can we be different, this is asking the impossible. Also the Greyhound should still be located closer to Ronstadt Bus Terminal so Greyhound riders can easily ride in-town buses.
- I think the Ronstadt is an important community service, it should be preserved as is. I don't think it should be sold for development. I think that other models of development and economic opportunity should be explored. Instead of student housing or high-end retail on the street periphery, why not open up the street for more street vendors? It would be awesome to see the streets have carretas and more of a "swapmeet" style of economic development as opposed to all the high-end retail.

4. Environmental, Traffic and Congestion Concerns

- Also, a third thing is that if Tucson wants to be a member o the environmental movement against global warming and environmental degradation, support the public bus system is essential.
- Bus rides are part of the solution to climate change. We should be congratulated and supported by the entire community.
- Moving the Ronstadt Center seems like it would be a huge headache and take tons of time. Getting rid of it would lead to congestion and negatively affect the day-to-day lives of many Tucson residents.
- Keep transit functionality but reduce number of buses or traffic downtown (move some to north of down town).
- Will the city ever close the downtown to all traffic cars, etc.
- I'm Green. I love the solar idea!

- Ronstadt Center is in a perfect location—near streetcar, restaurants, businesses, and housing. We should encourage people to take the bus and use sustainable transportation instead of encouraging cars downtown.
- The Ronstadt is a vital part of the community. Keep it and improve it. Better yet play a vanguard role in cutting carbon emissions—free public transportation!
- The Ronstadt history was interesting and I'm glad it had a message; getting rid of the Ronstadt doesn't cure congestion.
- City officials must lead the way in transitioning people from single occupancy vehicles onto public transportation! Reduce pollution. Ease traffic congestion. Solve downtown parking problems. Pack the buses!

5. Necessity of Buses/RTC for family, affordability, employment, schooling, livelihood, etc.

- Transportation to work gets me home. Gets me to my mom's!!! It works leave it alone, gets our kids to school, library, home.
- The Ronstadt [has] been here forever and so have the people from Tucson. So don't let it go. We need the downtown transportation not everybody can afford taxis. Good bless the Ronstadt. Thank you for the good.
- I am not a bus rider, however, the Ronstadt center is important for those who live and work downtown and it should be kept exactly how it is.
- I want the bus terminal where it's at now. I live only a mile from here and its very convenient for me to come here for a transfer for my appointments. I've been riding the bus for seven years. The bus service is very good. Thank you.
- Without the Ronstadt Center, I would not be able to get to work. I would lose my job. No one would be able to get downtown. The businesses would fail. Tucson would experience an economic crisis.
- I really need the buses. I have 4 kids and would not be able to survive if it wasn't for the buses. I need to take the kids to school then I need the bus to get to work. Please if I didn't have this transportation I would probably lose my job and be devastated and everything would go downhill if I didn't have the buses. Thank you!
- Don't move Ronstadt from downtown—it's a hub for transfers. I work downtown and need the bus to get to work.
- As a student of U of A, I do not take the bus, but in high school in Phoenix, I had to ride the bus to school and back everyday which was located in downtown Phoenix so I know how important the bus is to so many people who may not be able to afford a car or be physically able to walk there. There is no benefit from taking away a form of transportation to the central point of Tucson.
- I am a student at the University of Arizona and I support bus route access in downtown Tucson. I give thanks for bus access in downtown because it takes me to school, home, church, parks, etc. Thank you. I am glad I can arrive home and to school safe and on time. Free bus pass! Wow, awesome!
- I am a Park and Ride user of Sun Tran, parking at PCC West and taking the #3 downtown. Ronstadt Center is important for its location downtown when I stay downtown, or as a transfer point. I fear discussion about multiuse, seeing what has already happened with the East side bays, forcing us to board along 6th Ave., sometimes standing in the rain.
- Es muy necesario para mi y para todos las residentes de MLK por lo 5th Ave que no nos quiten los buses en downtown porque la mayoria los necesitamos. Tanto par air con el doctor como para hacer nuestras compras de comida y es lo mas cercano que tenemos, ya que en downtown no tenemos tiendas de comida y tenemos que utilizar los camiones que nos quedan muy cerca a nosotros. Gracias!
- The RTC makes Tucson an accessible, safe, and affordable city that cares about all its residents. To take RTC away from the place it is in, and put in a Starbucks? We don't need overpriced coffee in the heart of our city.
- The Ronstadt is very important to my family and to how my kids get to school. A family of 5 with 2 working parents and only 1 car needs a good transit center and there are lots of us.

- Bus riding is not just a type of transportation, its ‘s livelihood. Downtown is not just a location its ‘a home. The Ronstadt is not only a place, it’s a history, a memory, a future. Save the Ronstadt Center! Si se puede!
- I’m a bus rider to go to school and to go to work.
- Need the bus to get to work and other appointments.
- A quien corresponda, yo vengo mucho al Ronstadt me prasporte en a bus para todo para mi es mi primer para aratado so para mi es muy importante que se quede asi para mi y toda mi familia
- I strongly feel that the Ronstadt Bus Transit Center must stay where it is! As bus riders this is very important to me and my family. To get to work and to other activities we are part of daily downtown we but keep this center as it is, NOT make it smaller or into office space or retail space. Thank you for keeping downtown as a place where working families are important.
- A lot of people can’t afford taxis, don’t own a car so need bus transportation 2. Important to preserve downtown bus transportation
- It is important where Ronstadt. I used to live on east side but schedules were not consistent. This is why I lost my last job. I moved to Broadway and Campbell to catch the bus to go to work downtown. This is perfect for me and I don’t want it moved. The site also provides alternative routes.
- I ride the bus and the relocation or elimination of the Ronstadt will move my commute to the U of A. I’m a junior, even harder. I come from southwest Tucson and it is hard enough.
- My child took bus to magnet school (too far from home) she’s not poor, I hate traffic.
- I feel strongly about the bus terminal (Ronstadt). At this time it is my only means of transportation while I’m in a scooter. Although what I think is that there should be special buses just for scooters so that me, myself, and I, including so many others in scooters wouldn’t have to always be first, and have to hear all the whining and bellyaching form those who have to wait. They think we can’t hear what they are saying about us crippled people. They ought to be careful, the too could be in a scooter someday.

6. Public Transportation Important for Businesses, Cities, Access

- RTC is a hub for connecting bus riders with downtown and other places of the city It must be the connection for the streetcar extension too to connect the south of the city with downtown. Let’s think in our present and our future.
- Ronstadt is the most well used, dynamic public facility in downtown. I ride downtown at least 5 times for work, for various reasons, including supporting downtown businesses.
- I recently moved to Tucson from New York City, a city where it prides itself on its public transportation. In NYC, people of all classes use the public transportation and I believe its because its buses/subways are constantly and consistently running. I believe that the key to the success of a city relies on the effectiveness of its public transportation because this is what literally provides the city with movement and excitement.
- The Ronstadt should be kept downtown. The buses help people contribute to businesses on 4th Ave and Congress. The businesses would lose money.
- Ronstadt Transit Center is an important hub for the efficient movement of people around the city. It is located for maximum utility in the heart of downtown. Its design is reflective of our southwest culture. Its open-air architecture makes it very energy efficient for our warm, arid climate.
- Transit belongs in the heart of a city. Moving the Greyhound out of downtown was a mistake. Keep the buses in the city center. The last thing we need is more private dorms.
- Leave it the way it is. The bricks that make up the arches etc. were specially saved and rescued from the buildings torn down as a remembrance and celebration of the building lost. Leave it where it is a hub center for those wanting or needing to come downtown and for end point for access to 4th and other government offices and businesses.
- Without Ronstadt being downtown, downtown will die!

- As is, Ronstadt Center is working. Brings people into downtown. Station is SAFE, beautiful (save the trees) and right where you want to be—walk to train, civic buildings, library—and plenty of cafes/bars for spending any connection wait. Ride when I don't have to because don't worry about parking and feel safe on arrival
- Remember Penn Station New York
- I support having a nice transit center that is safe and pleasant for bus riders and offers other amenities, like shops. However, any development plans must be designed with one major design criterion as a priority: effective bus transit. Any other development criteria should be secondary, e.g. downtown business development. Thus, the goals for the transit center should be effective/efficient bus flow access to buses and transfers by bus riders, and other services necessary for bus riders.

Comments about the session/process

- Gracias por food
- Too much rara very little substance just preaching to the choir.
- Thank you so much for having this event and allowing everyone to speak out.
- It means everything to me!
- Thanks for giving a voice to the little guys!
- Good job
- Excellent event!
- Don't reelect any incumbents. Leave it (the Ronstadt) alone.
- My comment is to talk how in this center. (?) I [appreciate] the help.
- I love Sun Tran.
- I don't understand why the location of the bus center matters as long as there are plentiful stops downtown.
- I really like the high level of community participation plus food is always a plus!
- A "public meeting" where you seek to be inclusive should not be biased. This event is just as guilty of what you accuse the city of doing also. This is propaganda.
- Well organized. Thanks for getting people to talk to each other.
- Important event. So many people here demanding open space! This is an issue of democracy over business. We need to have many more events like this to maintain the original vision of the Ronstadt.

Other Comments

- Why not include light rail—from east to west sides of the city? Can't believe this hasn't happened yet! Also, light rail to Phoenix AND Flag/Grand Canyon! Talk about tourist dollars! Use federal funds for building/construction, etc.
- What about the south side? Every place has a side that doesn't shine and the south side is the place where it does not shine. We need to upgrade on safety. Everyone kept talking about downtown, what about the south side? SMH

Based on the public comments from the April 2, 2013 Tucson Bus Riders Union (TBRU) community forum,

Ronstadt is for Bus Riders and Community--Not for Private Developers

1. Do not make undue changes to a well-functioning public asset.

We agree with the statement by the Downtown Residents and Neighborhoods Council that "moving forward quickly with changes to the RTC may lead to unforeseen consequences; mistakes are likely to be cast in concrete." We also agree with their assessment that "it is premature for the Mayor and Council to issue a request for qualifications."

If the space is to be reconfigured, decisions should be made at the community level, and many of those decisions should wait for completion of changes currently under way, including the Downtown Links roadway and the modern streetcar, that will change the way people move in and around downtown.

2. Retain full bus service and maintain space for expanded bus service.

The Ronstadt Transit Center is essential to the functioning of Tucson's bus system and to the mobility of everyone who uses our downtown. Full public bus service must be retained at the current location; better-used and more frequent bus service must be accommodated. No bus routes currently serving downtown should be removed from the Ronstadt Transit Center.

3. Upgrade the facilities for transit users and the public.

Improvements to the Ronstadt Transit Center should serve the needs of bus riders, making it more comfortable, informative, and useful. Improvements should also make the Ronstadt Transit Center more open, welcoming, and integrated with the surrounding blocks, to facilitate mobility for all people downtown, including pedestrians, bicyclists, and public transit users.

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MEETING NOTES

Project:	RTC (Next Phase) Talk to Neighbors	Notes No:	**4**
		Date:	**04.04.13**
		Time:	
Architect:	**Poster Frost Mirto, Inc.**		

Attendees: Richard & Shana Oseran, Nicole Ewing-Gavin, Jan Fisher, Rick Shear, Kevin Madden, Corky Poster, Mary McLain, Jill Madden, Tom Fisher.

Comments
Introduction about process.

Comments
1. Survey Questions. Those are the wrong questions. Questions in 3 hour shifts. How is it used? What percentage is transferring? Expand its capacity?
2. See something really objective. Quality of information is critical. What's best for the community for the next 50 years?
3. RTC is bringing more traffic in the area
4. Bad calls have been made on hunches.
5. Balance of public transit in a completed area.
6. People rotate around the Madden parking lot waiting to pick people up.
7. There is a cost of the drivers and user's time.
8. Having real data is important. Bus riders union may taint the results. Putting the cart before the horse, if the survey is done. The dynamics would be different based on facts that are secure.
9. Highest and best use shouldn't be on a hunch.
10. Planning without information is just pure luck to hit the target. Good planning needs to be based on good information.
11. Congestion is an issue.
12. Can't ask questions about how transit center is being used.
13. Want housing downtown – affordable, student, workforce, merchant.
14. Is the El Centro the highest and best use? What's next on the agenda? What are the real needs of transit?
15. MLK building. Prime real estate on Congress.
16. It should be a true transit center. Now it is cold in winter, hot in summer. Secure the A/C. Having a passenger loading it in loading the middle of large parking. Center should have amenities.
17. Center should be focused as destinations not transfers.
18. The next change is forever. Don't do it so quickly.
19. Survey should do that – destination & transfer and only that – unbiased. Cart is before the horse.
20. Afraid the RFP will be micro-managed; that developers might be scared away.

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21. There is no more valuable property. This is the most cherished site.
22. Recruiting young doctors. Tough sell. It's tough to make it work.
23. Tom F. – if moved, where it be moved and who would pay for it? Euclid or Volvo site? Suggestion was rejected.
24. Downtown might be a traffic choking point.
25. No-one has talked to Madden
26. The parking is at play if another solution. For the betterment of Tucson. MacArthur wants to see momentum creative…
27. There is fear of gentrification. Fear of people w/money.
28. Downtown should be for everyone.
29. Good incomes are good.
30. Tom Fisher – What are top 5 causes?
31. Traffic and congestion.
32. Greyhound?
33. Traffic congestion – Should that be a requirement for new parking in the RFP?

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MEETING NOTES

Project:	RTC Tucson Pima County Historic Commission	Notes No:	**5**
		Date:	**04.11.13**

Architect: **Poster Frost Mirto, Inc.**

Attendees: Demion Clinco, Sharon Chadwick, Jon Mirto, Helen Erickson, Patsy Waterfall, Frank Dillon, Mary McLain, Corky Poster

Comments

1. Historic buildings along Congress demolished.
2. Transit users – friendly shopping opportunities on that block. Historically compatible would appeal to shoppers.
3. Openings so that is now a solid facade
4. Access at mid-block on Congress and 6th Ave. to the Ronstadt Transit Center.
5. Transit user friendly uses. Other people need to wait for a bus.
6. One of the more beautiful public works and infrastructures. Thoughtfully done.
7. Retain the commercial storefront rhythm
8. Terra-cotta public art tile work
9. Look at European hotels. Look at underground bus use. Public open space. Move facility underground.
10. Transit center is now user-friendly – that should not be reduced.
11. Streetscape rhythm. Rob Paulus' Zoom Juice project has a good scale.
12. What is best functionality?
13. Nice appearance as a porch-lit space. Attracts you to it.
14. Doesn't want a real tall building on North side of Toole.
15. Developing design sketches. Surrounded by historic buildings…respond to historic fabric to make a tall building friendly – you need a break in the facade at the two story building, verses set way back.
16. Permeability is important; being able to move through – not blocked off.
17. Openness. Open so that everyone can see everything.
18. Part of adverse 106 effect at the time.
19. Arguments made.
20. Public Art – The way the opening's work.
21. Walt Rogers – work was in the office.
22. Keep the grid of the streets – opposed to closing Pennington. Prefer Madden parking as a standalone site. Closing Pennington would be difficult.
23. Public Art de-accession issues – Melody Peters would prefer not to close Pennington.
24. Every time you lose a street it hurts the mix. Cuts off access. It changes things dramatically.
25. Permeability and block length. Closed streets makes the blocks longer.
26. Must look like a usable path. Don't chop up the city. Access goes away.
27. Whatever gets designed should go through this group.

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MEETING NOTES

Project:	Transit Task Force Public Works, 6th Floor	Notes No:	**6**
		Date:	**04.15.13**
Architect:	Poster Frost Mirto, Inc.		

Attendees: Peggy Hutchison, Margret Garcia, Gene Caywood, Sami Hamed, Linda Dobbin, Mike Wall, Mary McLain, Kate Riley, George Caria, Rebecca Waid, James MacAdam, Carlos de Leon, Michelle Sturm, Dan Zuhas.

Comments
Corky and Sun Tran gave a short pre-meeting presentation and previewed the two package handouts.

Comments
1. Was Congress added to study (as a pedestrian street)? Submission to PAG to study that (TIP).
2. The Link should incorporate into the Ronstadt Transit.
3. Private transportation should be incorporated - Cabs, drop-offs, intercity buses, or shuttles to Phoenix airport.
4. Whole idea of Intermodal Centers – All types of transportation in the same place. Inter city transportation center – buses, vans, shuttles, open situation where city would provide the space. A place for all kinds of things to happen. Access other types of transportation.
5. RTC was a big improvement over La Placita.
6. Multi-modal needs to be brought together. Those opportunities provide choices.
7. Place to drop people off. Improves visibility to interchanges. Options to move between forms of transportation. Car-share and bicycle rentals.
8. Security – maybe a stronger police presence. BIG ISSUE. Maybe tougher ordinances to deter crime. Add new ordinances if they need to. Important point in the design. Principles of safe design – CPTED principles should be followed.
9. Leave RTC alone but air-rights might work.
10. Step from one form of transportation to another like zip-car.
11. Getting people downtown – movement of people helps business and deters crime. Encourage people to use public transportation. Make sure there is lots of T.O.D. downtown that improves the RTC. Creating that diverse downtown. That will deter crime as well.
12. Still need a grocery store. Catch – 22. Needs lots of people downtown. Arm-twisting.
13. Real and perceived crime. "Daughter sat by the bus driver." Scary place to be.
14. Integrate streetcar w/RTC. Hurt by not putting the Streetcar on Pennington. Lost that opportunity.

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15. Take caution about number of buses the RTC need to handle. Route deletions are a very sensitive thing. Cutting a route to downtown is difficult and will not succeed. Don't shrink RTC by reducing routes. 1 and the 9 are the most likely. For the others it is weak.
16. Looking at the plan on page 15: using Toole is a poor idea. Circulation is a major issue. If we let a developer push a plan with bad circulation. Developer needs a traffic study with an engineer that knows buses.
17. Access and circulation is a big issue.
18. Supporter of turning Congress into Pedestrian Mall Offices retail along Congress would be great. Good idea but not like p. 15. Also connect to rail (Tucson – Phoenix.).
19. Nobody in the committee supports the idea of not touching RTC. RTC should be updated. RTC is important to downtown but so is development. RTC has to be attractive and usable.
20. RTC could be restricted but not moved out of downtown. It needs to be in the downtown proper. Needs to be convenient. Don't do what Las Cruces did.
21. Leave RTC where it is but tweak it if you need. But it could be more mixed-use. In practice it is in right place. It has been where it is since the 1940's. Tweak the perimeter.
22. Money is a big issue. It was wrong that the east island disappeared. Developers should have paid for putting back those bus bays. The same goes for this project. This should be on the developer's money. Don't use FTA money. Ronstadt is not 30 years old. FTA should be reimbursed if RTC doesn't live up to 30 year life. Developer should pay. He has taken away a usable facility.
23. Put a time limit on the development agreement. Rebid if they don't meet their time obligations.
24. Who is going to come in and do this project? Is there a market?
25. Air-rights – RTC closed over by something - problems with exhaust. Should it be out in the open? Can it be indoors? Height is the trick.
26. Sun Tran portion is ripe for development.
27. Give them only the same depth on Congress as Zoom Juice and Sparkroot. Maybe commercial goes on the same footprint as it currently has.
28. Survey downtown workers to see what would make them ride the bus.
29. Open space.
30. Have a permeable entry to RTC that has useable activities. Something of interest to move through activities in the narrower passageway.

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MEETING NOTES

Project:	Downtown Tucson Partnership ParkWise Conference Room	Notes No:	**7**
		Date:	**05.02.13**
Architect:	Poster Frost Mirto, Inc.		

Attendees: TDP Board of Directors

Initial and brief presentation of the two information packets to the DTP Board

Comments

1. TCC discussion. Don't have islands of alienation. Come into downtown and enjoy. Not a blockade.
2. Comment from a person who lives next to the bus station. Listen to the Bus Riders Union. Against commercial on Congress. Didn't want it touched. She walks past there. Make it more enjoyable. Open space is needed. Open space and a place to eat there. Toole is too far away for a bus connection. It needs to be outdoor family-friendly. More of an open area. There should be a police sub-station. Headways matter a lot. The schedule should not end at 9:00.
3. Comment by previous speaker misquoted Bus Riders Union. It is important to improve service. Keep Ronstadt downtown. Improve safety. Help the bus patrons. Open green space. Local art. Lives in Armory Park – also agrees with Bus Riders Union. RTC is a very important place. Some people moved downtown to be near it.
4. Doesn't think RTC should move from Downtown.
5. Survey of bus riders. What were the results? Kate Riley clarified the results of RTC. Discussion followed.
6. It is important to pay attention to other modes: bicycles, cabs, zip-cars.
7. Serious incentives need to be brought to the table. What will the developers need to be viable. Incentives are key.
8. Follow up with the type of footprint of transit center.
9. More bus functions – developers should shoulder the cost – part of the negotiations.
10. Caution about a competition. Are the snazzy proposals achievable, implementable and affordable? Be careful of very attractive eyewash submittals.
11. Can't we use the Greyhound model for bus bays? Pulling into a slot and then moving on?
12. Open space is critical. It needs to be compelling enough so that people will walk through. Safe and open landscape corridor. Festivals could happen on that site. It can be a festival event site. We need more good urban open spaces. That open space should be more like patio areas extended from retail.
13. Isn't ridership going up? Bus depots usually take up more space and a bigger site. Move it to a place where it has room to grow. Downsize the hub and make a bigger place somewhere else.
14. Making a more environmentally-friendly space is difficult with an increased volume of buses. Who wants to sit there and smell diesel fumes?
15. Train tracks are fixed in place. The downtown streets are congested. Take this congestion into account. Every time a bus is delayed it delays everything and increases cost. The streets are getting narrower. Take all these things into account. Don't create a fifty year problem.

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16. Moving the bus terminal from downtown would be a huge mistake. It should stay where it is and be a modern and mixed-use center. It needs to be a state-of-the-art facility.
17. The terminal needs to reflect the infrastructure currently in place.
18. Commercial space may not fit with an expanded number of buses.
19. What type of data will we be basing this on? What objective things will be given to the designers?
20. What if it were at Reid Park?
21. Likes shuttles to move people around.
22. The RFP submitters should have a program: what quantity in square feet of what uses? It needs a vision and data.
23. Transit management decisions need to be made before the RFP. Do it correctly. Don't rush into development without the right information.
24. There are holes in the Sun Tran survey data.
25. This might not be the time to develop this site.
26. There are potential changes in the bus system; changes in the equipment and changes in the industry. Those changes should be part of the RFP.

……

Board Position Statement on
A Re-Envisioned Ronstadt Transit Center
January 30, 2013

The Downtown Tucson Partnership's mission is to revitalize the city's urban core so that it attracts, excites, and economically benefits the entire region. The Partnership was formed to administer the Business Improvement District in 1998, and provide services including enhanced maintenance, enhanced security, marketing and public relations for downtown, advocacy for downtown and issues impacting downtown, and economic development through our support of downtown businesses. The 41-member board is comprised of both the public and private sector stakeholders who are actively engaged in making downtown Tucson vibrant.

Ronstadt Center's central location, critical multi-modal transit role, and proximity to available vacant properties present one of the most significant and unique entertainment/retail/residential development opportunities nationally. The Board's position is a result of careful deliberation informed by case study research and community conversations involving a wide representation of City officials, Bus Riders Union, and downtown stakeholders.

The Downtown Tucson Partnership Board supports the efforts of the City of Tucson to pursue comprehensive redevelopment of the Ronstadt Transit Center and surrounding Congress St./Toole Ave./6th Ave. area into a major, active, transit-oriented, mixed-use downtown destination.

The Partnership Board encourages the City to pursue a process for redevelopment that is:

1. <u>Comprehensive</u> -- encompassing the entire Ronstadt Center and adjacent parcels (Madden triangle (6th Ave. and Toole), vacant Toole Avenue lot west of the Train Station, and bordering streetscapes) in order to create a cohesive vision and capture the full potential of the area.
2. <u>Inclusive</u> -- by continuing the consultative and transparent process begun by Council Member Karin Uhlich, the City can fully incorporate the needs of a diverse set of stakeholders. The city needs to seek a developer with experience in building public/private partnerships, urban mixed use, transit-oriented development, and an

interest in strong municipal relationships, consensus building, and transparent dealings.

Transit decisions, a key consideration, should be guided by bus riders concerns and the need for improved bus service and amenities. Completion of the Sun Tran study of bus rider volumes and travel patterns needs to be accelerated in order to inform decisions.

3. Transit-Oriented -- planning and design guided by conditions and incentives that emphasize well-connected urban parks, public gathering spaces and streetscapes, excellence in urban design, and the creation of local jobs and expanded tax base. Improvements in transit service and amenities, circulation, and parking are critical to the success of Ronstadt redevelopment, downtown Tucson, and the region. Bus service to the project is essential, however full accommodation of local and citywide transfer services on the Ronstadt site will be difficult, particularly as bus ridership grows. Consideration needs to be given to relocating bus transfer locations and express routes to nearby, less congested locations along major arterials including Downtown Links. Specific locations should be determined by an integrated multi-modal transportation plan for the larger downtown area (Euclid-Convento/22nd St-Speedway) that integrates pedestrians, bicycle routes, bus service, the Modern Streetcar, taxi, and auto circulation.
4. Expeditious -- respecting the legal and financial needs of both the City and a developer. The Partnership Board offers its members as a consultative body for use by the City in the development of performance standards, any potential RFP process, and planning and design.

A re-envisioned Ronstadt Center has the potential to place Tucson on a national stage.

Success will require a new level of effort and excellence by all concerned. The Partnership Board believes such success is well within reach and welcomes the opportunity to work to achieve this goal.

……

DOWNTOWN TUCSON PARTNERSHIP
MERCHANTS COMMITTEE
ADDITIONAL COMMENTS REGARDING RONSTRADT TRANSIT CENTER RFP
Draft, May 2, 2013

The Merchants Committee, a standing committee of the Downtown Tucson Partnership, have previously endorsed the DTP Board Position Statement on A Re-Envisioned Ronstadt Transit Center (January 30, 2013). The Merchants Committee is composed of merchants located within the Downtown Business Improvement District (BID), which is the 33-block area in the center of Downtown Tucson.

On May 1, 2013, the Executive Committee of the Merchants Committee met and reaffirmed their support of the DTP position statement. Downtown merchants support the efforts to pursue comprehensive redevelopment of the Ronstadt Transit Center and surrounding Congress Street/Toole Avenue/6th Avenue into a major, active, transit-oriented, mixed-use downtown destination.

In addition, Downtown merchants would like to see included in the RFP:

1. Meaningful inclusion of the Merchants Council in the development process. Downtown merchants are one of the greatest resources available to new developments because of their knowledge of the Downtown market and customers, and would like the opportunity to share this information to ensure the success of additional development Downtown. In addition, merchants are impacted by construction projects and need to be informed about construction schedules so that they may adjust their schedules and marketing efforts accordingly.

2. Merchants have been driving the economic renaissance of Downtown's development, contrary to commonly accepted economic principles ("rooftops drive retail"). However, merchants are mindful of the need for increased market-rate rooftops to support the increasing retail.

3. Multi-modal transportation is important to Downtown businesses and will continue to drive the positive energy existing Downtown. The Merchants Council supports transit as a way to enhance Downtown as a destination – "a Downtown for everyone." Fixed transit has been a focus, but the merchants recognize that buses are affordable, flexible and can reach more parts of the city. It is important that the bus component be comfortable and welcoming to all riders.

4. Needed amenities associated with the Ronstadt Transit Center identified by the Downtown merchants include bathrooms, water fountains, cab stands, and retail. Downtown also would benefit from the inclusion of a police substation in the opinion of some of the merchants.

5. Well-designed and innovative spaces have drawn customers to Downtown Tucson. The Ronstadt Transit Center is a centerpiece of Downtown, and the redevelopment efforts would be most successful if design and aesthetics are high priorities. Merchants would like to see a redevelopment that attracts and inspires people about Tucson.

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MEETING NOTES

Project:	ParkWise ParkWise Conference Room	Notes No:	**8**
		Date:	**05.15.13**
Architect:	Poster Frost Mirto, Inc.		

Attendees: ParkWise Board

Comments
Corky and Kate Riley gave a short pre-meeting presentation and previewed the two package handouts.

Comments
1. Have you include Portland? They have a free transit center. It's a mile long. Free transfer from the transit center. It is a boom for all businesses. But you need a certain geometry
2. Two patterns for downtown Tucson urban design issues.
   - There have been too many deeding over of streets to big projects: County Courthouse, UA Cherry Athletic Field, TEP Jackson Street, 5th Avenue for the District. From a pedestrian standpoint, the more intersections you come to the more interesting the walk. Please don't let Pennington go away. I know it would add land and add to development possibilities, but losing Pennington would be a big mistake. It should stay as a street. It should be more bike and pedestrian friendly.
   - When new buildings get built, they should not turn their back on the historic streetscape. 6th Avenue and Congress in particular need buildings on the street. It would be disrespectful to the east, west and south neighbors. Pima County Court has ot been a good neighbor. It does nothing for the pedestrian. The RTC on 6th Avenue needs to contribute to the activity of the streetscape. Prefers buildings active on the streetscape. Important historic buildings especially on 6th Avenue needs to be respected.
3. Bus-rider – My concern is the cleanliness of the RTC. It is so dirty sometimes. Not sure what can be done. There are times when it is just gross. (17,000 people go through it every day.) Maybe more garbage cans. New fencing and gravel makes it look much better. Don't lose Pennington.
4. It would be wrong for it to just be a transit center. It should have other modes of transportation. How will the streetcar interact? The RTC should be more multi-modal.
5. Most interested in the formulation of the RFQ. Pattern of streets and blocks; not superblocks. Pay attention to the public realm. Be careful of looking at other larger downtowns as examples. We are a postage stamp compared to other downtowns. We need to understand the overall traffic pattern and flow. Study Pennington – needs analysis and data. This should go into the selection criteria. It should not be at the discretion of the submitter.
6. Need to articulate intermodal "park-one" transit center. Needs to be well-connected to the modern streetcar. Sufficient parking to support intermodal activities
7. RTC should be part of a center city activity center with retail. A sense of place – not cloistered and hidden.
8. There needs to be a recognition of the role of the RTC in the system. Look at what the role is. Center point for downtown transit. Center point for regional transit. There are three transit centers. There almost were four. Their role needs to be defined. If central function is not there, it needs to be replaced.

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9. There will be tremendous pressure on the general fund for Sun Tran.
10. Streetscape is very important. Needs to blend with urban nature of the adjoining fabric.
11. See buildings on 6th and Congress with transparency to inside. It almost overwhelms downtown. Missing an opportunity if we don't put buildings on 6thand Congress.
12. He has looked at a map of social service agencies within a half-mile of downtown. Bus station is a social service center. Why is it where it is? Senior housing. Leaving bus station where it is is counter-intuitive. Why is it even being considered in this context? It makes the City third rate.
13. 50 spaces might disappear at Madden. 100 spaces might disappear across Toole. What is the cost of replacing that parking? $20,000 per space? 150 spaces might be $3 million. Plus what is put on that site might generate more parking. ParkWise is here to facilitate downtown parking. How does the transit center fit into that?
14. An RFI could precede an RFQ. Check out Marist RFI. DTP cribbed a bit from Portland model.
15. Most people want downtown atmosphere preserved. The RTC needs to be urban in character. Keep streets and urban network.
16. Look at Heyward CA.
17. General consensus. Enhance atmosphere and probably decrease bus traffic.

CITY OF TUCSON

PARKWISE

July 9, 2013

Nicole Ewing-Gavin
City of Tucson City Manager's Office
P.O. Box 7210
Tucson, Arizona 85726-7210

(Transmitted Electronically)

Dear Ms. Ewing-Gavin,
The ParkWise Commission and staff believe that parking must be considered to be a critical issue in the successful redevelopment of the Ronstadt Transit Center, especially with the inclusion of the Pennington Triangle and the Toole Avenue Lot in the project site.

Given that, the Commission requests that parking expertise, particularly with respect to the integration of parking in a complex mixed-use project, be included in the required qualifications in the anticipated upcoming Request for Qualifications process.

Further, the Commission requests that the ParkWise Administrator be included in the City's project team that plans the Ronstadt Transit Center redevelopment process. The decision to include a public investment in parking, or to require that the selected developer provide parking, will need to be made with a full understanding of the scope of the proposed project, and knowledge of the area's current and anticipated inventory of available parking as the development process unfolds.

We were pleased to hear a presentation on the early planning of this project recently from Corky Poster. Please continue to keep the ParkWise Commission well-informed of the progress of this project.

Thank you for your consideration of this matter.

Sincerely,

Dale R. Calvert

Dale Calvert
Chair, ParkWise Commission

PARKWISE
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Chapter 5
Sun Tran Ronstadt Transit Center Bus Rider Survey

April 15, 2013

SUN TRAN
RONSTADT TRANSIT CENTER BUS RIDER SURVEY
APRIL 2013

Executive Summary

A survey regarding current usage and future improvements to the Ronstadt Transit Center (RTC) was administered to Sun Tran riders on Wednesday, April 10, 2013. The survey was developed and administered by representatives from the Bus Riders Union, Downtown Tucson Partnership, Ward 3 City Council Office, Imagine Greater Tucson and Sun Tran.

Surveyors were stationed at RTC from 5:00 AM to 8:00 PM to administer the survey to Regular Route Riders. Express Route Riders had surveys left on their seats that day because these buses do not currently stop at RTC due to construction detours. Both populations were asked survey questions regarding their preference on improvements to the RTC, their final destination downtown, as well as the purpose for their trip. In addition, Regular Riders were surveyed on their method of arrival at and departure from the RTC, and Express Riders were surveyed on their satisfaction with the current diverted routing through the downtown area.

A total of 2,827 surveys were completed by bus riders; 88% of the surveys were completed by Regular Route riders and 12% by Express Route riders. Data is reported specifically for responses provided by Regular Route riders, Express Route riders and a combination of both groups when appropriate.

Though not a scientific statistically valid survey, the single-day survey results provide a snapshot of the current downtown ridership.

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Improved Amenities:

The most commonly requested improvements for RTC by combined riders were upgraded restrooms (73%), water fountains (48%), customer service representatives to provide transit information (48%), security officers (45%), safety improvements (44%) and bus service information, maps & schedules (42%). The top eight improvements were features that directly support transit. The most commonly chosen mixed-use options were retail food/ produce sales (30%) and restaurants (24%). 25% of all riders wrote in additional ideas, the most popular being designated smoking areas and issues related to security (e.g., fewer drugs/ intoxicated individuals).

Trip Purpose:

Completed responses indicate the most common purposes for traveling through RTC are work (39%), transferring (28%), school (16%) and medical & social services downtown (9%).

Express Routing:

The majority of Express Route riders responded that they prefer the original routing that took them through RTC over the detour routing adopted during streetcar construction. Riders of the 107X and 103X routes most often indicated a preference for the current diverted routing or had no preference for routing. These are the routes which may be the best candidates for permanent diversion from the RTC; however, due to small sample size, further surveying of these routes may be necessary.

Data Summary

Overview: Two bus rider surveys were administered on April 10, 2013 regarding current usage and future improvements to Ronstadt Transit Center (RTC). Representatives from Tucson Bus Riders Union, Downtown Tucson Partnership, Sun Tran, Ward 3 council office and Imagine Greater Tucson participated together in the development and administration of this survey. The survey was administered on a Wednesday, which is typically the busiest day for Sun Tran riders. Surveyors were stationed at RTC from 5:00 AM to 8:00 PM on April 10 to distribute the surveys to Regular Route riders. On the same day, Express Route riders arrived at their buses with a survey and pencil on each of the bus seats. All surveys were collected that day.

The Regular Route surveys asked riders the following questions:

1. What changes and additions would make the Ronstadt Transit Center more pleasant and useful to you?
2. How did you get to the Ronstadt Center right now?
3. How will you get to your final destination?
4. What was your purpose for coming to downtown today?

Riders on Express Routes coming into downtown were asked the following questions:

1. What changes and additions would make the Ronstadt Transit Center more pleasant and useful to you?
2. Where is your final destination?
3. Do you prefer the current downtown routing of your bus or the original downtown routing before streetcar construction started?
4. What was your purpose for coming to downtown today?

Total number of Surveys: In total, 2,827 surveys were filled out by bus riders on that day. 2,509 Regular Route riders and 318 Express Route riders completed the survey.

Top needs and requests for changes to RTC: The top requests for changes to RTC by Regular Route riders were as follows:

- Restrooms upgraded (76%)
- Water fountains (51%)
- Customer service staff (Sun Tran) (49%)
- Security Officers (45%)

The top requests for changes to RTC by Express Route were as follows:

- Safety improvements like security cameras, lighting, etc. (58%)
- Security officers (51%)
- Restrooms upgraded (44%)
- Bus service info, maps, schedules (44%)

The requests for changes to RTC by Regular Route and Express Route riders combined are listed in the chart below in order of preference:

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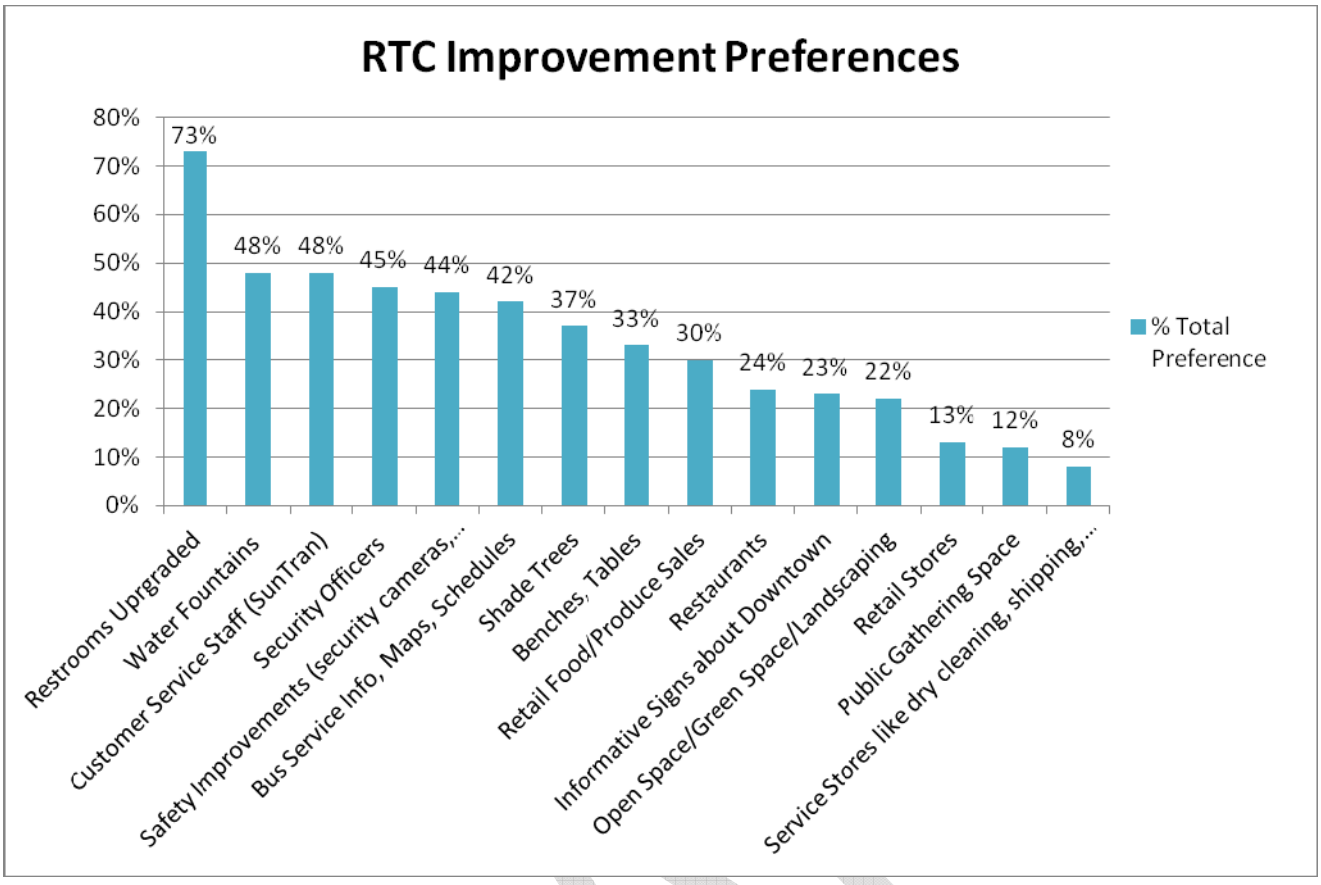


The top eight improvements chosen by riders were items that directly support transit. Upgraded restrooms were the improvement most frequently requested.

There was little consensus on other improvements at RTC beyond those essential for transit. In other words, there was not as much consideration of the other uses in a mixed-use transit facility. The most popular of the mixed-use options were the Retail Food/ Produce Sales (30%) and Restaurants (24%). 13% of all riders mentioned Retail Stores and only 8% mentioned Service Stores such as dry cleaning or shipping.

In addition, 25% of riders listed additional suggestions for changes to RTC beyond the items listed in the survey. Some of the more common of these open-ended comments were the following:

- Designated smoking areas
- Issues related to security (e.g., fewer drugs/ intoxicated individuals)
- Awnings or shelter over benches for rain
- Expanded bathrooms
- Change machine
- ATM machine
- Food carts/ food vending machines

And there were a few open ended responses that were less common but could be promising aspects for a mixed use transit center.

- Electrical outlets for charging phones
- Blue emergency call phones (like at UA and Pima College)
- WiFi

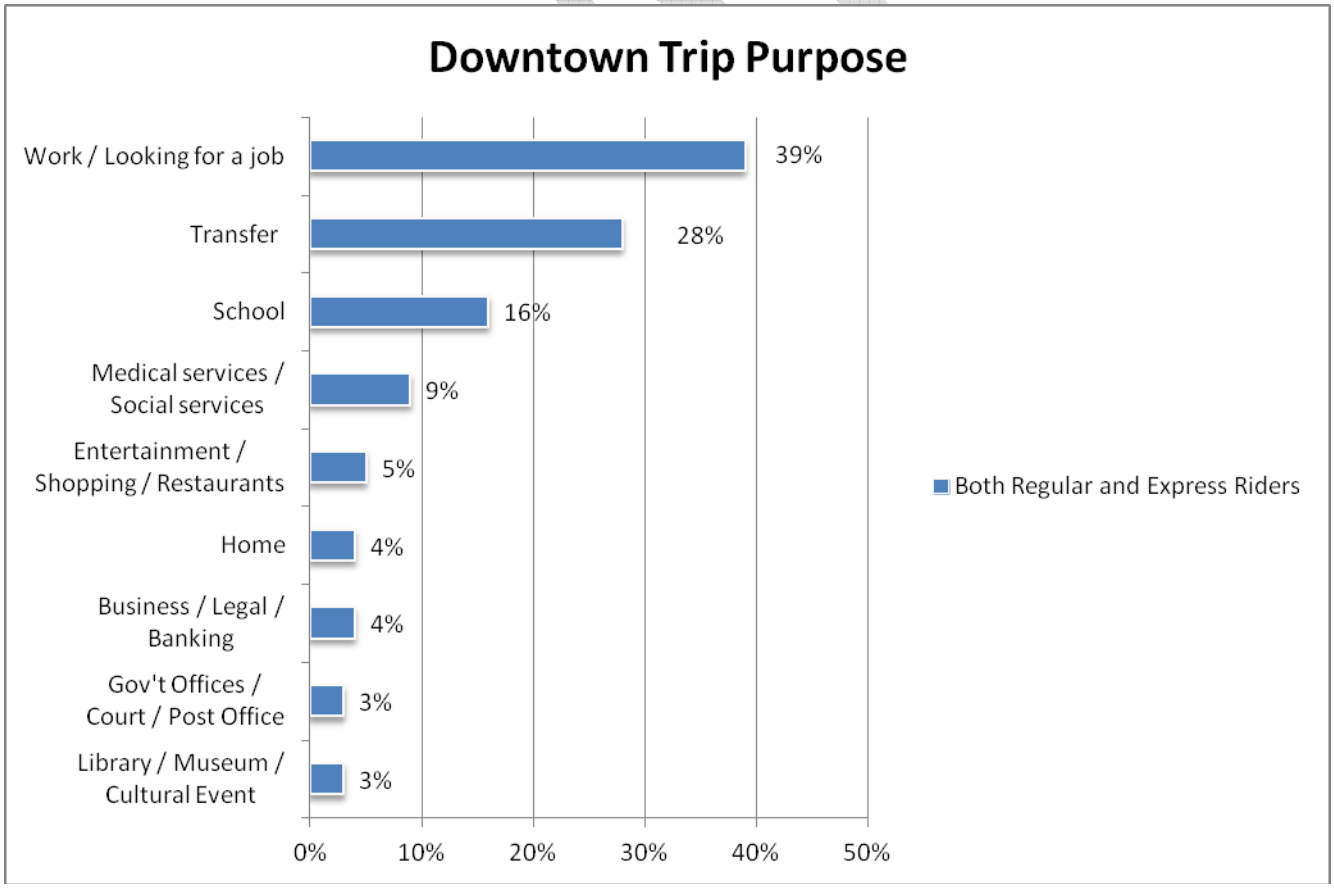
Riders arriving at RTC specifically to transfer to another route: The percentage of riders arriving at RTC specifically to transfer to another route is broken out below for Regular Route riders, Express Route riders and all riders combined.

31% of Regular Route riders indicated that their purpose for being downtown at RTC was to transfer. 12% of Express Route riders indicated that they came downtown by bus to transfer to other routes. For the combined counts for Regular Routes and Express Routes, 28% of riders indicated that their purpose for being at Ronstadt was to transfer to another bus. These numbers are consistent with anecdotal and historical calculations from Sun Tran staff.

It is noted that these numbers were determined for the most part through Question 4 on both surveys inquiring into trip purpose. This was an open-ended question, and similar responses were grouped together. In some cases, the responses to these open-ended questions were re-categorized based on other information listed in the survey responses. For example, riders listing final destinations such as UMC, VA Hospital, or the U of A clearly were transferring to other routes and not staying downtown.

Top trip purposes for downtown trip: Riders were asked in Question 4 about the purpose of their trips downtown. This was an open-ended question, and similar responses were grouped together.

The trip purposes for the combined group of Regular Route and Express Route riders are listed in the chart below:



Note: Some respondents listed more than one trip purpose on their surveys (e.g., Main Library, shopping downtown, Special Services Offices) so the total of all the trip purposes above is 111%.

The top downtown trip purposes for Regular Route riders are as listed below:

- Work (32%)
- Transfer to other route (31%)
- School (18%)
- Medical or social services (10%)

The top responses for downtown trip purposes for Express Route riders are as follows:

- Work (83%)
- Transfer (12%)
- School (3%)

Mode of Travel: Another set of questions were asked of Regular Route riders to determine which modes of travel were used. 72% of Regular Route riders indicated that they arrived by bus to the RTC and would travel by bus to get to their final destination. A review of the surveys indicated that the majority of riders interpreted the question of "how will you get to your final destination" to mean how they would make their return trip several hours later. As a result, there was little information to be gained through these questions. Survey developers often use Mode of Travel questions in conjunction with multiple checkboxes to determine specific modes of transportation such as walking, biking, carpooling, driving to Park & Ride lots, etc. Follow-up questions to Mode of Travel questions determine information such as the walking distances between boarding and de-boarding locations.

Safety and Security at RTC: When indicating their preference for potential improvements to the RTC, Regular Route and Express Route riders addressed the issue of safety at RTC. The charts below compare the safety and security preferences for both populations.

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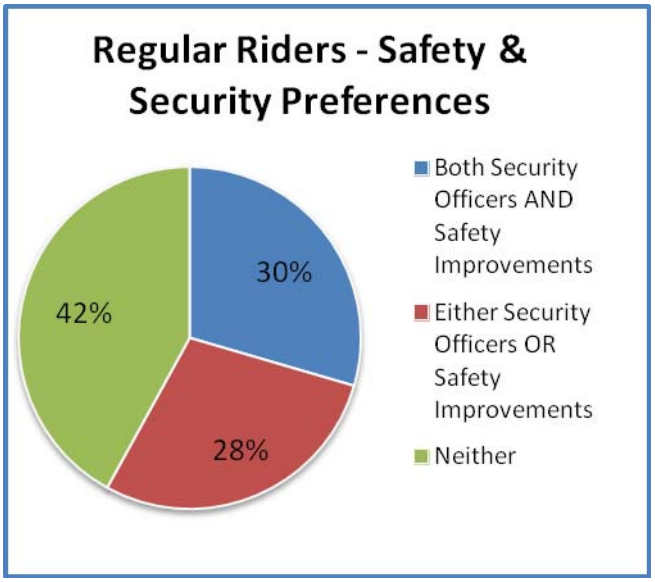
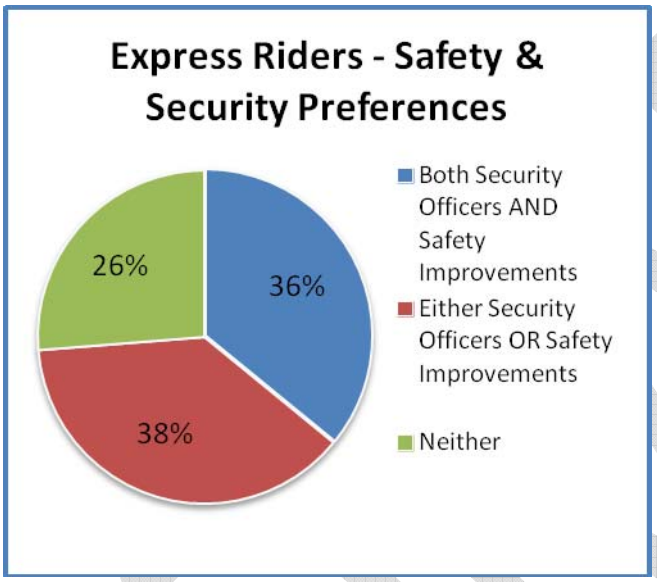
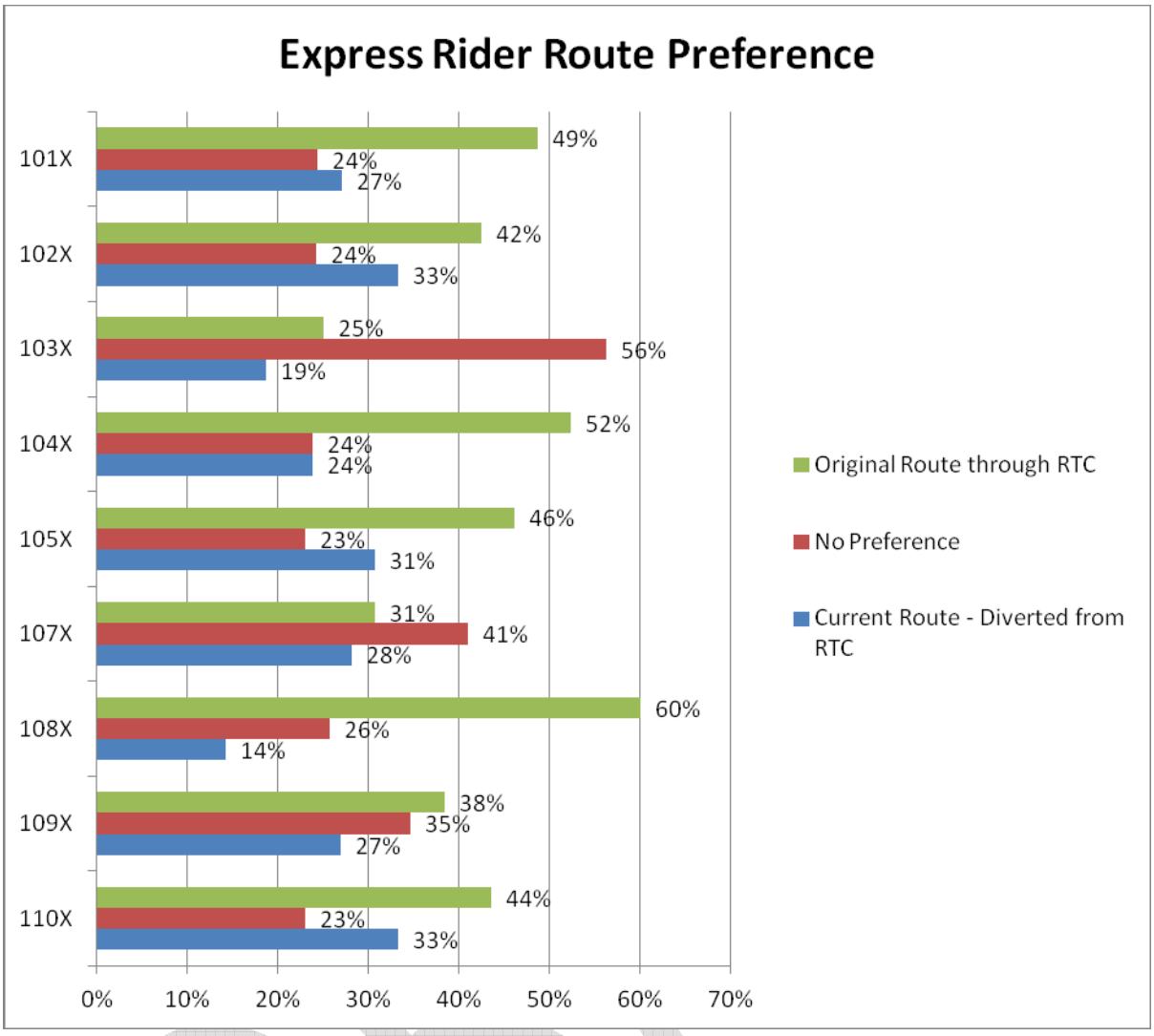




The data showed that 30% of Regular Riders and 36% of Express Riders requested by security officers and safety improvements, while 28% of Regular Riders and 38% of Express Riders requested either security officers or safety improvements. By comparison, only 42% of Regular Riders and 26% of Express Riders did not indicate a preference for the addition of security officers or safety improvements at the RTC.

<u>Routing preference for Express Bus riders:</u> Express Route riders were asked if they prefer the original downtown routing that took them through RTC or the current downtown routing adopted during streetcar construction which diverts them from RTC. Express Route riders could also respond that they had no preference by listing they were "happy with either routing". 43% responded that they preferred the original routing through RTC, 26% preferred the current downtown routing and 31% stated no preference. The chart below shows the complete distribution of routing preference for the nine Express Routes.



Responses for Routes 109X, 107X and 103X indicated a preference for the current diverted routing or no preference for the routing. Because of this, these may be the best candidates for permanent diversion from the RTC; however, because the population size from these routes is relatively small, it may also be advantageous to administer an additional survey on them in order to confirm this result. Among the remainder of the routes, there was either no clear consensus on preference, or a slight to large majority who preferred the original routing through downtown.

Conclusions

Based on the data collected and our review of the responses from both the Regular Rider and Express Rider populations, we can make the following statements:

1. Regular Route respondents show a distinct preference for improvements to the restrooms at the RTC above all other improvements. Express Route respondents also heavily support this improvement.
2. Large percentages of respondents are also in favor of adding or improving water fountains and customer service representatives of Sun Tran and bus service information, maps & schedules.

3. Although they were rated significantly lower than transit-related improvements, the most popular of the mixed-use options were the Retail Food/ Produce Sales and Restaurants.
4. Large percentages of Express Route and Regular Route respondents requested security officers and/or other safety improvements, such as cameras and lighting, emergency call phones, increased presence of TPD officers, or generally stricter enforcement of existing statutes regarding panhandling, public intoxication, illegal substances and vagrancy.
5. Both populations also indicated an interest in the designation of specific smoking/non-smoking areas.
6. 83% of Express Route respondents replied that they travel downtown primarily for work. 12% of Express Route respondents replied they arrived downtown to transfer, and 3% responded that they took the express bus to get to school.
7. The top downtown trip purposes for Regular Route respondents are work (32%), transfer to other route (31%), school (18%), and medical or social services (10%).
8. Express Routes 109X, 107X and 103X appear to be the best candidates for permanent diversion from the RTC; additional surveying of these routes may be beneficial to verify this conclusion.

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Chapter 6
Federal Transit Administration Guidance on Joint Development

U.S. Department
of Transportation

**Federal Transit
Administration**

CIRCULAR

FTA C Reserved

XXXX, 2013

Subject: FEDERAL TRANSIT ADMINISTRATION GUIDANCE ON JOINT DEVELOPMENT

DRAFT

1. PURPOSE. This circular provides guidance to recipients of Federal Transit Administration (FTA) financial assistance on how to use FTA funds or FTA-funded real property for joint development. This circular: (1) defines the term "joint development"; (2) explains how to determine which joint development activities are eligible for FTA funding; (3) describes the legal requirements applicable to the acquisition, use, and disposition of FTA-funded real property; and (4) outlines the most common crosscutting requirements.

   This circular incorporates provisions of the Moving Ahead for Progress in the 21st Century Act (MAP-21), Pub. L. 112-141(2012), advances the goals of 49 U.S.C. § 5315 by informing FTA recipients of opportunities for private sector participation in public transportation projects, and includes the most current guidance for the federal public transportation program.

   The requirements outlined in this circular are intended to assist recipients in administering FTA-funded projects and in complying with federal rules. Recipients must comply with all statutory and regulatory requirements, including those not specifically mentioned in this circular.

2. AUTHORITY. Federal transit law, chapter 53 of title 49, United States Code.

3. CANCELLATION. This circular consolidates and supersedes all of the existing FTA guidance[1] on joint development including, but not limited to, that mentioned in the following sources:

   a. Policy Statement on the Eligibility of Pedestrian and Bicycle Improvements Under Federal Transit Law (76 FR 52046, Aug. 11, 2011);

   b. Notice on Final Agency Guidance on the Eligibility of Joint Development Improvements Under Federal Transit Law (72 FR 5788, Feb. 7, 2007);

   c. Policy on Transit Joint Development (62 FR 12266, Mar. 14, 1997);

   d. FTA Circular 5010.1D, Grant Management Requirements;

[1] As a result of the passage of MAP-21, FTA will have to update many of its program specific circulars. This circular will supersede guidance in those circulars pertaining to joint development.

e. FTA Circular 4220.1F, Third-Party Contracting Guidance;

f. FTA Circular 9030.1D, Urbanized Area Formula Program: Program Guidance and Application Instructions;

g. FTA Circular 8100.1C, Program Guidance for Metropolitan Planning and State Planning and Research Grant Programs;

h. FTA Circular 9300.1B, Capital Investment Program Guidance and Application Instructions; and

i. FTA Circular 9040.1F, Non-Urbanized Area Formula Program Guidance and Grant Application Instructions.

4. WAIVER. FTA reserves the right to waive any provisions of this circular to the extent permitted by federal law or regulation.

5. FEDERAL REGISTER NOTICE. When the final circular is published, FTA will add a citation to the *Federal Register* notice that announces its availability.

6. AMENDMENTS TO THE CIRCULAR. FTA reserves the right to update this circular to reflect changes in policy, revised or new guidance and regulations that undergo notice and comment, without further notice and comment on this circular. FTA will post updates on its website at www.fta.dot.gov. The website allows the public to register for notification when FTA issues *Federal Register* notices or new guidance. Please visit the website and click on "sign up for e-mail updates" for more information.

7. ACCESSIBLE FORMATS. This document is available in accessible formats upon request. To obtain paper copies of this circular as well as information regarding these accessible formats, call FTA's Administrative Services Help Desk, at 202-366-4865. Individuals with hearing impairments may contact the Federal Relay Service at 1-800-877-8339 for assistance with the call.

Peter M. Rogoff
Administrator

FEDERAL TRANSIT ADMINISTRATION GUIDANCE ON JOINT DEVELOPMENT

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CHAPTER I

INTRODUCTION AND BACKGROUND

1. THE FEDERAL TRANSIT ADMINISTRATION (FTA). FTA is one of ten modal administrations within the U.S. Department of Transportation (DOT). Headed by an Administrator who is appointed by the President of the United States, FTA functions through a Washington, DC, headquarters office, ten regional offices, and five metropolitan offices that assist transit agencies in all 50 States, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, the Northern Mariana Islands, American Samoa, and federally recognized Indian tribes.

   The federal government, through FTA, provides financial assistance to develop new transit systems and help improve, maintain, and operate existing systems. FTA oversees thousands of grants to hundreds of State and local transit providers, primarily through its regional and metropolitan offices. These recipients are responsible for managing their programs in accordance with federal requirements, and FTA is responsible for ensuring that recipients follow federal statutory and administrative requirements.

2. AUTHORIZING LEGISLATION. Most federal transit laws are codified at 49 U.S.C. chapter 53. Authorizing legislation is substantive legislation enacted by Congress that establishes or continues the legal operation of a federal program or agency. Congress typically amends FTA's authorizing legislation every six years. FTA's most recent authorizing legislation is the Moving Ahead for Progress in the 21st Century Act (MAP-21), Public Law 112–141, signed into law July 6, 2012. MAP-21 authorizes FTA programs for federal fiscal year (FY) 2013 and FY 2014.

3. HOW TO CONTACT FTA. FTA's regional and metropolitan offices are responsible for the provision of financial assistance to FTA recipients and oversight of grant implementation for most FTA programs. Certain specific programs are the responsibility of FTA headquarters. Inquiries should be directed to either the regional or metropolitan office responsible for the geographic area in which you are located.

   Visit FTA's website, http://www.fta.dot.gov,[2] or contact FTA Headquarters at the following address and phone number:

   Federal Transit Administration
   Office of Communications and Congressional Affairs
   1200 New Jersey Avenue, SE
   Washington, DC 20590
   Phone: 202-366-4043
   Fax: 202-366-3472

4. GRANTS.GOV. FTA posts all competitive grant opportunities on Grants.gov. Grants.gov is the one website for information on all discretionary federal grant opportunities. Led by

[2] Please refer to FTA's website for links to guidance and regulations referred to in this circular.

the U.S. Department of Health and Human Services (DHHS) and in partnership with federal grant-makers including 26 agencies, 11 commissions, and several States, Grants.gov is one of 24 federal cross-agency e-government initiatives. It is designed to improve access to government services via the Internet. More information about Grants.gov is available at http://www.grants.gov.

5. DEFINITIONS. All definitions in 49 U.S.C. 5302 apply to this circular as well as the following definitions:

   a. Disposition: The settlement of the federal interest in property that is no longer needed for the originally authorized purpose. *See generally* 49 C.F.R. 18.31; FTA Circular 5010.1 Chapter IV.

   b. Federal Interest: The percentage of FTA's financial contribution to the purchase of property needed for a capital project. FTA may relinquish its interest in property through the disposition process outlined at 49 U.S.C. 5334(h) and 49 C.F.R. part 18.

   c. FTA Assistance: The financial contribution in the form of a grant made by FTA to a recipient. A recipient may use FTA funds for either capital, operating, or planning expenses.

   d. Incidental Use: The limited authorized non-transit use of real property and equipment acquired with FTA funds for purposes of providing transit service. Such use must be compatible with the approved purposes of the project and not interfere with intended public transportation uses of project assets.

   e. Joint Development: A public transportation project that is integrally related to and often co-located with commercial, residential, or mixed-use development. FTA has an interest in joint development when: (1) FTA funds are used for a capital project related to the development; or (2) joint development takes place on real property that was, or will be, purchased with funds administered by FTA. Joint development may include partnerships for public, private, and/or non-profit development associated with fixed-guideway (rail or bus) transit systems that are being improved through new construction, renovation, or extension. Joint development may also include bus and intermodal facilities, intercity bus and rail facilities, transit malls, and historic transportation facilities.

   f. Program Income: Gross income received by the recipient or sub-recipient directly generated by a FTA grant-supported activity, or earned only as a result of the grant agreement during the grant period. "During the grant period" is the time between the effective date of the award and the ending date of the award reflected in the final financial report. 49 C.F.R. 18.25. Program income resulting from joint development may be used for eligible capital and operating expenses. Proceeds from the sale of real property or equipment will be handled in accordance with the requirements of 49 U.S.C. 5334(h)(4), and 49 C.F.R. 18.31 and 18.32.

g. Public Transportation: Regular, continuing shared-ride surface transportation services that are open to the general public or open to a segment of the general public defined by age, disability, or low income; does not include intercity passenger rail transportation provided by Amtrak, intercity bus service, charter bus service, school bus service, sightseeing service, courtesy shuttle service for patrons of one or more specific establishments, or intra-terminal or intra-facility shuttle services. 49 U.S.C. § 5302(14).

h. Public Transportation Purpose: The activities for which an FTA grant was originally awarded.

i. Recipient: An entity to which FTA awards a grant in support of a specific project. FTA does not take an active role in or retain substantial control over projects financed with grant funds, as set forth in 31 U.S.C. 6304.

j. Satisfactory Continuing Control: The legal assurance that FTA-funded property will remain available to be used for its originally authorized purpose throughout its useful life until disposition.

k. Sub-recipient: An entity that receives an FTA grant indirectly through a recipient.

l. Shared Use: Instances in which a project partner, separate from the recipient, occupies part of a larger facility and pays for its pro rata share of the construction, maintenance, and operations costs. Shared uses are declared at the time of grant award. *See* FTA Circular 5010.1D at I-9. Shared use and incidental use are distinguishable. An incidental use does not affect a property's transit capacity or use, and can be approved after the award of the grant.

m. Subordination: When real property is used to secure a debt, "subordination" refers to making the federal interest in the property junior to that of another lienholder.

n. Value Capture: A type of public financing mechanism where the public sector recoups costs over time as a result of increases to the value of real estate generated through investments in public transportation. While value capture on the large scale often occurs through a special assessment district, tax-increment financing, or similar mechanism, joint development is a meaningful value capture mechanism to be applied on the small scale of one or more related parcels of real property and is the mechanism used most often for public transportation purposes. FTA encourages all forms of value capture that may contribute to the operation, maintenance or expansion of public transportation service.

CHAPTER II

CIRCULAR OVERVIEW

1. INTRODUCTION AND CONTEXT. The purpose of this circular is to provide guidance to recipients on how FTA funds or FTA-funded real property may be used for joint development. "Joint development" commonly refers to the coordinated development of public transportation facilities with other, non-transit development, including commercial and residential development. Coordinated development often involves private and public entities, and is supportive of the private sector participation provisions of 49 U.S.C. § 5315. The transit and non-transit developments are integrally related to one another and are often co-located on the same real estate. Joint development may take place on property associated with any mode of public transportation.

   This circular provides instructions on how to develop FTA-funded real property in a manner that improves coordination between the public and private sector, and public transportation and other forms of transportation. Strategic, coordinated joint development can enhance the value of both the transit and non-transit, public and private activities taking place on real property, resulting in an efficient use of real estate, reduced distances between transportation and destinations, and focused economic development for communities.

   As a matter of policy, FTA encourages recipients to undertake joint development, and promotes the recipient's ability to work with the private sector and others to pursue joint development. Joint development may be pursued through new grants or with property previously acquired. A recipient maintains satisfactory continuing control over a joint development project by ensuring that it continues to have a public transportation purpose. Proceeds derived from a joint development project may be considered program income, which the recipient may apply to eligible capital and operating expenses.

   Although related in purpose—creating vibrant, compact, mixed-use, economically successful communities near public transportation—joint development and transit-oriented development (TOD) differ in several material respects and for purposes of applying FTA's rules. Joint development projects occur on real property with a Federal interest or with an FTA-assisted project on non-transit real property; hence, the recipient is an active partner in joint development. TOD has a neighborhood scope and encompasses as little as several parcels of property to an entire community; the recipient is a stakeholder, but often is not a partner, in TOD. Thus, while joint development is a form of TOD, it is much smaller in scope and, because it is funded or takes place on land that was funded by FTA, Federal requirements apply to a joint development project that may not apply to an entire TOD. The applicability of Federal requirements notwithstanding, FTA's policy is to encourage TOD in all appropriate circumstances. Both joint development and TOD leverage FTA-funded projects to develop local economies and to encourage private investment near public transportation.

   Another key distinction is between a joint development project and a public-private partnership (PPP). A joint development project is a specific manner of developing

federally funded real property or a federally funded transit project, and, in most circumstances, includes the participation of a private entity. PPP is a term of art used in the transportation industry and other sectors to refer to a specific form of procurement, wherein a public entity "partners" with the private sector to assume certain project responsibilities that have traditionally been performed by the public sector. Thus, while a joint development project may include coordination between and the sharing of responsibilities by the public and private sectors, it is not a PPP, per se. A public transportation agency is not precluded from using a PPP to procure its private partner in a joint development project, however.

Because there is no separate FTA-funded program specifically for joint development, this circular does not present requirements that are unique to joint development. Rather, it presents general requirements from the perspective of undertaking a joint development project. FTA funds used for joint development are subject to the requirements of the grant program through which they were received.

2. APPLICABLE PROGRAMS. FTA can support joint development through its various planning and capital assistance programs. This circular should be used in conjunction with FTA's circulars that provide guidance specific to each program. The FTA programs available for funding joint development are identified in chapter III of this circular.

3. FTA JOINT DEVELOPMENT POLICY. FTA's policy is to maximize the utility of FTA-funded projects and encourage transit agencies to generate program income through joint development. The benefits of joint development include revenue generation for the transit system through "value capture" mechanisms, such as income derived from rental or lease payments, and private sector contributions to public infrastructure. Other benefits include shared costs, efficient land use, reduced distance between transportation and other activities, economic development, increased transit ridership, and improved transit connectivity.

   The revenue a recipient receives from an FTA-assisted joint development project is treated as program income and may be used towards eligible capital and operating expenses of providing transit service. It is FTA's policy to give recipients maximum flexibility within the law to work with the private sector and others to pursue joint development. Therefore, as long as the recipient complies with federal requirements, achieves a meaningful level of economic development or private investment, and receives a fair rent, or equivalent payment, for the costs associated with leased space in an FTA-funded facility, FTA will usually defer to the decisions of the recipient's decisions about the particulars of a joint development project.

4. FRAMEWORK FOR ANALYZING A PROPOSED JOINT DEVELOPMENT. FTA funds may be used to pay for many aspects of a joint development, including costs associated with eligible planning and capital activities. There are two categories of issues that FTA typically considers when presented with a proposed joint development: (1) eligibility issues associated with either the use of FTA grant funds or the use of program

income towards a capital project; and (2) issues associated with the acquisition, use, and disposition of real property that was or will be purchased with FTA funds.

5. ELIGIBILITY OF JOINT DEVELOPMENT AS A CAPITAL PROJECT.

a. Source of Funds. FTA recipients may fund joint development with new FTA grants or with program income generated by an existing project. When the source of funds is a new grant, project sponsors shall apply for funding under an authorized FTA program. To be eligible for funding, both a stand-alone joint development and a joint development within a larger project must satisfy the eligibility requirements in the definition of capital project at 49 U.S.C. 5302(3)(G), as interpreted by FTA in this circular, and as amended by MAP-21. Revenues derived from a joint development are program income as that term is defined at 49 C.F.R. 18.25(g) (throughout this Circular, 49 C.F.R. parts 18 and 19 will be referred to as the "Common Grant Rule"). Program income may be used for eligible capital and operating expenses of providing transit service.

b. Eligibility Criteria. This circular incorporates the statutory interpretation FTA made in its 2007 guidance on the eligibility of joint development project under federal transit law (72 FR 5788, Feb. 7, 2007), and its 2010 guidance on the eligibility of bicycle and pedestrian improvements (76 FR 52046, Aug. 19, 2011). Per the eligibility criteria set forth at 49 U.S.C. 5302(3)(G), a new joint development must do the following to be eligible for FTA funding:

(1) Create an economic benefit by enhancing economic development or incorporating private investment;

(2) Provide a public transportation benefit by either: (a) enhancing the effectiveness of a public transportation project and relating physically and functionally to the public transportation project, or (b) establishing new or enhanced coordination between public transportation and other transportation;

(3) Produce revenue and reserve a fair share of that revenue for public transportation; and

(4) Provide that a person occupying space in a facility constructed with FTA funds must pay a fair share of the costs of the facility through rental payments or other means.

c. Real Property. Recipients may use either existing or newly acquired FTA funded real property to pursue joint development.

d. Use. The Common Grant Rule at 49 C.F.R. 18.31(b), requires that real property acquired with FTA assistance be used by the recipient for the originally authorized purpose as long as needed for that purpose. The Common Grant Rule also prohibits a recipient from disposing of real property or encumbering its title or other interests without FTA approval. Discussed below are several requirements on the use of real

property for a new capital project or for the incidental use of property previously acquired with FTA funds.

e. Acquisition. Real property must be acquired, managed, and used in accordance with the Uniform Assistance and Real Property Policies Act of 1970, as amended (Uniform Act), 42 U.S.C. Chapter 61; implementing regulations at 49 C.F.R. part 24; FTA's Master Agreement; FTA Circular 5010.1, Grant Management Requirements; and all other applicable laws, regulations, and guidance. FTA Circular 5010.1 provides guidance on the use of FTA funds for the acquisition of real property.

f. Satisfactory Continuing Control. Recipients must maintain "satisfactory continuing control" over property purchased with FTA funds. Joint development must not interfere with a recipient's continuing control over the use of property or the recipient's ability to continue to carry out the originally authorized purpose for which the property was acquired.

g. Incidental Use. Recipients may pursue joint development through the authorized incidental use of real property acquired with FTA assistance. Incidental uses of real property are non-transit uses of the property made possible by transit operating circumstances. Authorized incidental use of real property acquired with FTA assistance must:

(1) Be compatible with the approved purposes of the project; and

(2) Not interfere with the intended public transportation uses of the property nor the recipient's ability to maintain satisfactory continuing control.

h. Disposition. Recipients must request disposition instructions when real property acquired with FTA funds is no longer needed for the originally authorized purpose. FTA will also instruct recipients on how to handle the proceeds derived from the disposition of FTA funded real property. Once disposed, real property may not be used for a joint development project.

i. Crosscutting Requirements. Upon receipt of FTA funds, a recipient agrees to follow a set of standard terms, conditions, and requirements. These "crosscutting requirements" apply to all FTA-funded projects. The sponsors of a joint development should pay particular attention to those requirements outlined in chapter V of this circular.

CHAPTER III

FTA ASSISTANCE FOR PLANNING AND CAPITAL PROJECTS

FTA can support joint development through its various planning and capital assistance programs. The programs available for funding joint development are identified in this chapter.

1. FTA PLANNING ASSISTANCE FOR JOINT DEVELOPMENT. FTA assistance is available for planning activities that support joint development.[3] Such assistance is also available for transit station area planning that may facilitate transit-oriented development. In general, these planning grants are available to assist States, authorities of the States, metropolitan planning organizations (MPOs), and local governmental authorities with preparing transportation plans and programs, planning, engineering, designing, and evaluating a public transportation project, and conducting technical studies related to public transportation in addition to other statutorily eligible activities. Also, Federal HighwayAdministration (FHWA) planning program funds may be available, through the MPO, to support planning for joint development. As with all FTA grants, transportation planning funds used for joint development must be programmed in the Unified Planning Work Program, the State Planning and Research Program, or the Transportation Improvement Program in accordance with Federal transportation planning requirements.

   Joint development planning activities may also be eligible for assistance from other federal agencies such as the U.S. Department of Housing and Urban Development, the U.S Environmental Protection Agency, the U.S. Department of Commerce, the U.S. Department of Health and Human Services, and the U.S. Department of Agriculture. Please refer to the appropriate agency's website for more information.

2. FTA CAPITAL ASSISTANCE FOR JOINT DEVELOPMENT. Under federal transit law, joint development is a kind of transit capital project.[4] As such, recipients may fund joint development using any FTA funding source that is available to assist a capital project.

   a. Chapter 53 Programs. When the source of funds is a new grant, the funds will be awarded under a particular FTA program. Each FTA grant program has its own requirements and criteria for eligibility. So, depending on the activities involved, a joint development may not be eligible for funding under every program. The FTA grant programs that can be applied to capital projects are:

      (1) Section 5307: Urbanized area formula grants

      (2) Section 5309: Fixed guideway capital investment grants

      (3) Section 5310: Formula grants for the enhanced mobility of seniors and individuals with disabilities

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[3] *See* FTA Circular 8100.1C, Program Guidance for Metropolitan Planning and State Planning and Research Program Grants, September 1, 2008, and FTA Circular 9030.1D, Urbanized Area Formula Program: Program Guidance and Application Instructions, 5-01-2010.
[4] 49 U.S.C. § 5302(3)(G) (definition of "capital project").

(4) Section 5311: Formula grants for rural areas

(5) Section 5337: State of good repair grants

(6) Section 5339: Bus and bus facilities formula grants

b. FHWA Flexible Funds. In addition to these FTA grant programs, certain funding programs administered by FHWA, including the Surface Transportation Program and the Congestion Mitigation and Air Quality Improvement Program, may be used for public transportation purposes.[5] These "flexible" funds are administered as FTA funds and take on the requirements and eligibility of the FTA program to which they are transferred.

c. Program Income. Recipients are encouraged to earn program income to defray program costs. Revenue generated from a federally assisted asset is program income[6] and should be considered as a funding source. Program income may be applied to capital or operating costs associated with any public transportation purpose.

3. ELIGIBILITY REQUIREMENTS. An eligible joint development project must satisfy the four eligibility criteria set forth in the statutory definition of capital project at 49 U.S.C. 5302(3)(G). This definition also specifies common joint development activities that are eligible for FTA funds and activities that are ineligible for FTA assistance.

Eligible joint development activities must:

- Either enhance economic development or incorporate private investment, such as commercial and residential development;
- Either enhance the effectiveness of public transportation and be related physically or functionally to public transportation, or establish new or enhanced coordination between public transportation and other transportation;
- Provide a fair share of revenue that will be used for public transportation; and
- Provide that a person occupying space in a joint development facility shall pay a fair share of the costs of the facility through rental payments or other means.

[5] 49 U.S.C. 5334(i).
[6] *See* 49 C.F.R. parts 18 and 19 concerning program income generally.

<u>The Four Criteria</u>

(i) The economic benefit criterion is satisfied by…	• Enhancing economic development *-OR-* • Incorporating private investment
(ii) The public transportation criterion is satisfied by…	• Enhancing the effectiveness of a public transportation project and relating physically or functionally to that public transportation project *-OR-* • Establishing new or enhanced coordination between public transportation and other transportation
(iii) The revenue criterion is satisfied by…	• Providing a fair share of revenue for public transportation that will be used for public transportation
(iv) The tenant contributions criterion is satisfied by…	• Requiring that a person occupying space in a joint development facility shall pay a fair share of the costs of the facility through rental payments or other means

a. <u>Criterion One: Economic Benefit</u>. To receive FTA funding for joint development the project must either (a) enhance economic development or (b) incorporate private investment. In accordance with the statute's use of the disjunctive "or" rather than the conjunctive "and," FTA shall determine that a transportation improvement satisfies the first criterion for funding if the transportation improvement produces either effect.

(1) <u>Enhances Economic Development</u>. A recipient may satisfy this criterion by demonstrating that the joint development will add value to privately or publicly funded economic development activity occurring in close proximity to a public transportation facility.

(2) <u>Incorporates Private Investment</u>. Private investment need not be monetary; it may take the form of real property, or some other benefit to be generated initially or over

the life of the joint development. The amount and form of private investment shall be negotiated by the parties to the joint development, *i.e.*, the recipient and its partner(s). While FTA will not set a monetary threshold for private investment, it reserves the right to decline funding for a joint development project if the level of private investment or economic development is not meaningful.

b. Criterion Two: Public Transportation Benefit. This criterion presents two possible means of satisfaction: the joint development project can (a) enhance the effectiveness of a public transportation project to which it is related physically or functionally, or it can (b) establish new or enhanced coordination between public transportation and other transportation.

(1) Enhances the Effectiveness of a Public Transportation Project and Is Related Physically or Functionally to That Public Transportation Project. Any reasonable forecast of the joint development impacts that enhance the effectiveness of a public transportation project shall satisfy the criterion. These impacts may include, but are not limited to, any of the following:

- Increased ridership
- Shortened travel times
- Wayfinding
- Deferred transit operating or capital costs
- Improved access to public transportation

The disjunctive requirement of physical "or" functional relationship allows for a joint development to be built separately from, but in functional relationship to, a public transportation project. A joint development satisfies this element if it has a physical or functional nexus to a public transportation project.

(a) Physically Related. A joint development is physically related to a public transportation project if it provides a direct physical connection to public transportation services or facilities. Some examples of physical relationships are:

- Projects built within or adjacent to public transportation facilities
- Avenues of access that connect directly to public transportation, *e.g.*, bicycle paths, pedestrian paths, or parking spaces
- Connections between public transportation and airports, train stations, and other transportation facilities

- Projects using air rights over public transportation facilities

(b) Functionally Related. A joint development is functionally related to a public transportation project if by activity and use, with or without a direct physical connection, it enhances the use of, connectivity with, or access to public transportation. A joint development can also be functionally related to a public transportation project if it provides a transportation-related service (such as remote baggage handling or shared ticketing) or community services (such as daycare or health care) for the public.

FTA's considerations include, among other things, whether there is a reduction in travel time between the joint development project and the public transportation facility, reasonable access between the joint development and the public transportation facility, and increased trip generation rates resulting from the relationship between the joint development and the public transportation facility. A more convenient connection between public transportation and a retail or community development would satisfy the requirement that the joint development project achieve a functional relationship.

A functional, rather than physical, relationship permits an FTA assisted joint development to be located outside the structural envelope of a public transportation facility and even to be separated by an intervening street, major thoroughfare, or unrelated property. However, a functional relationship will not ordinarily extend beyond the distance most people can be expected to safely and conveniently walk or bicycle to use the transit service.[7]

(2) Establishes New or Enhanced Coordination between Public Transportation and Other Transportation. FTA will accept reasonably supported judgments of new or enhanced coordination from the project sponsor.

(a) "Public transportation" is defined as "regular, continuing shared-ride surface transportation services that are open to the general public or open to a segment of the general public defined by age, disability, or low income," and it does not include school bus, charter, sightseeing, intra-terminal or intra-facility shuttle service, courtesy shuttle service for patrons of one or more specific establishments, intercity bus transportation, or intercity passenger rail transportation provided by Amtrak. FTA interprets the term "other transportation" to mean all forms of transportation that are not public

[7] In 2011, FTA published a statement of policy in the *Federal Register* on the subject of the functional relationship between pedestrian and bicycle improvements and public transportation. Within one-half mile of a public transportation stop or station, pedestrian improvements have a *de facto* functional relationship to public transportation. Within three miles of a public transportation stop or station, bicycle improvements have a *de facto* functional relationship to public transportation. Pedestrian and bicycle improvements beyond these distances may also have a functional relationship to public transportation, but the relationship is not *de facto* and must be demonstrated. See Final Policy Statement on the Eligibility of Pedestrian and Bicycle Improvements under Federal Transit Law (76 FR 52046, Aug. 19, 2011), for detailed information.

transportation, including, but not limited to, airplane, school bus, charter bus, sightseeing vehicle, intercity bus and rail, automobile, taxicab, bicycle, and pedestrian transportation.

(b) Connections that can establish new or enhanced coordination between public transportation and other transportation may include proximate or shared ticket counters, termini, park-and-ride lots, taxicab bays, passenger drop-off points, waiting areas, shared or coordinated signage, schedules, ticketing, and bicycle paths and sidewalks that connect public transportation to other transportation facilities. Projects that shorten the distance between public transportation termini and other transportation shall be presumed to enhance coordination. Pedestrian and bicycle improvements that are physically located outside the structural envelope of a public transportation facility may nonetheless be functionally related to the public transportation.[8]

c. Criterion Three: Fair Share of Revenue.[9] What amounts to a fair share of revenue, and what form it takes, shall be negotiated between the parties involved in the joint development. A fair share of revenue is not limited to cash payments made to a transit agency. It may also take the form of an increase in revenue received by a transit agency, for example, in its capacity as landlord or as a result of increased passenger traffic due to the joint development. The recipient must report to FTA the source of such fair share of revenue. While FTA will not expressly define the term "fair share of revenue" and will not set a monetary threshold, it reserves the right to decline funding for a joint development project if the project does not generate a meaningful amount of revenue.

To qualify as a fair share of revenue, FTA requires the following:

(1) The recipient's Board of Directors (or equivalent governing body) must determine, following reasonable investigation, that the terms and conditions of the joint development (including, without limitation, the share of revenues for public transportation that shall be provided thereby) are commercially reasonable and fair to the recipient;

(2) FTA must be provided an opportunity to review and approve the amount of revenue as meaningful; and

(3) Such revenue must be used for public transportation. This enhances the ability of a public transportation provider to negotiate for financial benefits in exchange for the benefits it will convey through the joint development.

d. Criterion Four: Fair Share of Costs. A joint development must provide that a person making an agreement to occupy space in a facility constructed with FTA assistance

[8] *See* note 7, *supra*.
[9] Note, that this criterion is distinct from Criterion Four, discussed below.

must pay a fair share of the costs of the facility. "Person" here includes natural persons as well as business entities. As with the "fair share of revenue" described in Criterion Three, FTA will not attempt to define what amounts to a fair share of the costs of the facility and will not impose a particular valuation methodology. FTA will accept reasonable valuation methodologies used by the recipient to determine a fair share of the costs of the facility. However, FTA reserves the right to decline funding if the rental payment, or other means, are less than the actual cost to the transit agency to operate and maintain the space in its facility.

The fair share may be paid in the form of rental payments, but may also take other forms. Recipients and their partners/tenants have flexibility to form agreements other than for rent, so long as the value of such agreements is equal to the costs of operating and maintaining the leased space.

4. Eligible Activities. Certain capital costs are eligible for FTA assistance. Some of these activities are specifically included in the joint development definition of capital project, and some are eligible under other definitions of capital project. Common eligible capital costs may include, but are not limited to:

   a. Property acquisition, and the relocation of residents and businesses;

   b. Demolition of existing structures;

   c. Site preparation;

   d. Utilities, including utility relocation and construction;

   e. Building foundations, including substructure improvements for buildings constructed over transit facilities;

   f. Walkways, including bicycle lanes and pedestrian connections and access links between public transportation services and related development;

   g. Pedestrian and bicycle access to a public transportation facility;

   h. Construction, renovation, and improvement of intercity bus and intercity rail stations and terminals;

   i. Renovation and improvement of historic transportation facilities;

   j. Open space, including site amenities and related streetscape improvements such as street furniture and landscaping;

   k. Safety and security equipment and facilities (including lighting, surveillance, and related intelligent transportation system applications);

   l. Facilities that incorporate community services such as daycare and health care;

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m. A capital project for, and improving, equipment or a facility for an intermodal transfer facility or transportation mall;

n. Construction of space for commercial uses, although FTA may not fund the outfitting of a commercial space (see "Ineligible Activities" below);

o. Capital project and equipment for an intermodal transfer facility or transportation mall, including acquisition of facilities and equipment, roadbeds, tracks and bus ramps, pedestrian concourses, parking facilities, park-and-ride services, improvements to existing bus or rail transit terminals, stations, major transfer points, and shelters as well as other facilities directly related to the linking of public transportation facilities with other modes of transportation;

p. Transportation-related furniture, fixtures, and equipment (FFE) are eligible costs in all cases; however, due to the restriction at 49 U.S.C. § 5302(3)(G)(vi) against outfitting commercial spaces (other than intercity bus or rail stations) or public facilities not related to public transportation, FFE for such spaces are ineligible;

q. Parking improvements with a public transportation justification and use, or with an intercity bus or intercity rail justification and use, in connection with joint development;

r. Project development activities, including design, engineering, construction cost estimating, environmental analysis, real estate packaging and financial projections (operating income and expenses, debt service, and cash flow analysis), and negotiations to secure financing and tenants; and

s. Professional services, including reasonable and necessary costs incurred to hire professionals to prepare or perform the activities described above, or to assist the grantee in reviewing the same.

5. Ineligible Activities. FTA's authorizing legislation expressly prohibits it from funding two kinds of activities in particular: (1) the "outfitting" of a commercial space and (2) construction of part of a public facility not related to public transportation.

   a. Outfitting of a Commercial Space. With the exception of intercity bus and rail facilities, FTA funds may not be used to "outfit" space that will be occupied by a commercial, for profit entity. FTA interprets the terms "outfit" and "outfitting" to mean the purchase and installation of items needed for exclusively commercial, for profit purposes. For example, the products needed to outfit a café or coffee shop would include signage, shelving, displays, furniture, food preparation equipment, lighting, cash registers, etc.

   While the statute prohibits FTA from outfitting a commercial space, FTA funds may be used to construct the "shell" of a facility that will be occupied by a commercial entity, as long as the statutory eligibility criteria are met. To illustrate, FTA funds could be

used to construct a facility that would be occupied by a coffee shop or news stand in exchange for rent payments. FTA could assist in the construction of the overall facility that includes the commercial space, but could not pay for seating in the commercial areas, shelving, countertops, or other commercial equipment. (Note: as discussed above, occupants of a facility must pay a fair share of the costs of the facility through rental payments or other means.)

b. Public Facility Not Related to Public Transportation. Although geographic vicinity to public transportation can sometimes create a relationship between a non-transit public facility and public transportation, activities associated with a public facility that has merely a *de minimis* connection to public transportation are not eligible. Moreover, geographic closeness to public transportation is not the sole eligibility criterion. A public facility must satisfy the same criteria described above to be considered an eligible public transportation project. A public facility that lacks a physical or functional relationship to public transportation, or does not provide an economic benefit or a fair share of revenue to public transportation will not be eligible. All criteria must be satisfied. For example, absent the satisfaction of other eligibility criteria, FTA funds could not be used to purchase classrooms for a university merely because a bus stop is located in the vicinity.

CHAPTER IV

REAL PROPERTY CONSIDERATIONS

1. INTRODUCTION. Joint development often involves real property that is conveyed by the transit operator to a third party. Conveyances include, but are not limited to, leases, covenants, and easements. Regardless of whether it is purchased by a transit operator or a third party, real property purchased with FTA assistance must be acquired, managed, used, and disposed of in accordance with applicable laws and regulations. The recipients of FTA funds may acquire and transfer rights to real property in various forms, including but not limited to fee simple ownership, surface rights, air rights, leases. This chapter clarifies the relationship between federal transit law and regulations, and FTA's policies regarding the acquisition, use, and disposition of real property.

2. ACQUISITION OF REAL PROPERTY WITH FTA ASSISTANCE. Property acquisition is an eligible activity under the definition of capital project. Real property must be acquired, managed, and used in accordance with the Uniform Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act), 42 U.S.C. Chapter 61, as implemented at 49 C.F.R. part 24; the Common Grant Rule of 49 C.F.R. part 18; FTA's Master Agreement; FTA Circular 5010.1, Grant Management Requirements; and all other applicable laws, regulations, and guidance.

   The purposes of the Uniform Act are to ensure: (1) the fair treatment of owners of real property that is acquired for federal and federally assisted projects; (2) that people displaced by a federally supported project are treated fairly and consistently; and (3) that acquiring agencies implement the regulations in a manner that is efficient and cost-effective. The requirements of the Uniform Act apply to all real property to be used in a federally assisted project, regardless of whether the property acquisition was itself federally assisted.

   Recipients pursuing joint development shall identify parcels of land that may require the displacement of protected persons or entities and develop solutions to ensure that they are in compliance with the Uniform Act. FTA Circular 5010.1D requires recipients to develop a Real Estate Acquisition Management Plan (RAMP). RAMPs are used to assess the possible issues associated with and feasibility of the acquisition of real estate needed for a capital project. Depending on the complexity of the joint development project,[10] a recipient's RAMP shall include, among other things, a relocation plan.[11]

3. USE OF REAL PROPERTY. FTA encourages the pursuit of joint development that can raise revenue for the transit system and enhance transit ridership. In approving a use of real property, or property rights, FTA will rely on the project participants, including, notably, the grant recipient, to determine the appropriate use of real property for joint development, so long as the recipient ensures that the real property remains available for

[10] Relocation planning is required if the property acquisition will displace individuals, families, businesses, or non-profit organizations.
[11] *See* 49 C.F.R. part 24 for direction on relocation planning.

its originally authorized purpose and maintains satisfactory continuing control. Recipients must obtain FTA's concurrence for incidental uses of FTA-funded real property, and must seek instructions from FTA when disposing of property that is no longer needed for the originally authorized purpose.

a. Use. The use of real property is governed by the Common Grant Rule at 49 C.F.R. 18.31 (b), which provides: "Except as otherwise provided by Federal statutes, real property will be used for the originally authorized purposes as long as needed for that purpose; and the grantee or subgrantees shall not dispose of or encumber its title or other interests."

(1) Originally Authorized Purpose. Since October 1, 1996, the FTA Master Agreement has allowed the originally authorized purpose of a grant agreement to include "joint development purposes that generate program income to support transit purposes." FTA's interpretation of the Common Grant Rule at 49 C.F.R. 18.25(g)(2) brings revenues derived from a joint development, from leases or other conveyances, within the definition of program income, thereby permitting their use for eligible capital and operating expenses where the recipient maintains satisfactory continuing control of the property, ensures that the federal interest in the property is reasonably protected, and otherwise meets the eligibility criteria set forth in 49 U.S.C. 5302(3)(G).

When the real property or real property rights are no longer needed for the originally authorized purpose, recipients must request disposition instructions from FTA. The proceeds of a disposition are not considered program income. A fee simple sale of real property always results in a disposition. Once it is sold, such property will be unavailable for a joint development project.

(2) Joint Development Transfers. An outright prohibition on the encumbrance of title to real property has historically affected a recipient's ability to secure willing partners to participate in joint development. In many cases, this occurred because FTA viewed any lien against FTA-funded property as a disposition. Thus, the project sponsor was unable to secure financing at market rates because FTA refused to allow the real property to be used as collateral for a loan. Because federal transit law recognizes joint development as an eligible grant purpose, FTA may authorize a recipient to encumber the title to, or interest in, real property acquired with FTA assistance, so long as the recipient can maintain satisfactory continuing control over the property and ensures that federal interest in the property will be reasonably protected. This does not result in a disposition.

(a) Subordination of the Federal Interest. FTA encourages the use of non-transit investments through private participation to fund or

finance joint development. FTA recognizes that many of the arrangements a recipient may enter into pursuant to a joint development may require subordination of the federal interest to that of a third party. FTA's Master Agreement states FTA's policy on the subordination of the federal interest in property acquired with FTA assistance.

FTA retains an interest equal to the federal share of the costs of the real property until FTA relinquishes its interest in that property. As a result, recipients shall not dispose of, modify the use of, or change the terms of the title to real property or any other interest in the site or facilities in which FTA has an interest without express written consent from FTA. Absent express written consent from FTA, a recipient may not encumber real property by executing any written, oral or other arrangement that would either adversely affect the federal interest in the property or impair the recipient's satisfactory continuing control of the use of the project property. For example, a recipient may enter into the following arrangements, but may not do so without first obtaining FTA's express written consent:

- Transfer
- Sale
- Lease
- Lien
- Pledge
- Mortgage
- Easement
- Covenant
- Third-party contract
- Sub-agreement
- Grant anticipation note
- Innovative finance arrangement, such as a cross-border lease or a leveraged lease

(b) Mandatory Contractual Provisions. Any joint development agreement that subordinates or encumbers FTA's interest in real property must contain provisions that:

- Extend the requirements of the grant or cooperative agreement between the recipient and FTA;

- Ensure that the recipient maintains satisfactory continuing control of the property;

- Ensure that the federal interest in the property will be reasonably protected; and

- Ensure that the recipient participates in any further transfer or disposition of the real property in a manner consistent with this and other applicable guidance, laws, or regulations.

These requirements should not be a deterrent to the pursuit of joint development. In fact, private investment is one of the two ways that a joint development may satisfy one of the threshold requirements for eligibility. It is FTA's policy to give recipients maximum flexibility within the law to work with the private sector and others for purposes of determining what arrangements having an effect on real property slated for joint development are most suitable to the joint development and the parties involved.

b. Incidental Use. FTA Circular 5010.1, Grant Management Requirements, defines incidental use as "the authorized use of real property acquired with FTA assistance for purposes of transit service but which also has limited non-transit use due to transit operating circumstances." Incidental uses must be compatible with the approved purposes of the project and not interfere with either the intended public transportation uses of the property or the recipient's ability to maintain satisfactory continuing control.

(1) As stated above, FTA's policy is to permit maximum flexibility in determining the best and most cost-effective use of FTA-funded property. To this end, FTA encourages incidental use of real property for purposes of joint development that can raise additional revenues for the transit system and enhance system ridership. Income received from authorized incidental use is program income and may be retained by the recipient (without returning the federal share) if the income is used for eligible transit capital and operating expenses. This income cannot be used as part of the local share of the grant from which it was derived. However, it may be used as part of the local share of another FTA grant.

(2) Many joint development projects may include incidental uses of FTA-funded real property. For example, allowing nearby theaters and restaurants to use transit parking spaces during the transit system's off-hours is an incidental use. So is temporary use of transit property as a staging area for nearby construction unrelated to the joint development project. To the extent that the following activities are allowed in a manner that ensures satisfactory continuing control over the ability to use the real property for its originally authorized purpose, FTA considers these and other uses to be permissible incidental uses:

- Parking facilities used by public transportation patrons during the day and theater and restaurant patrons at night;

- Leasing of space in a station for a newspaper stand or coffee shop when the additional uses do not interfere with the original purpose authorized in the grant; and

- The lease of air rights over transit facilities.

(3) FTA Circular 5010.1D, Grant Management Requirements, provides guidelines for the incidental use of real property. Incidental use of property is subject to the following considerations:

(a) Needed Property. This policy applies only to property that continues to be needed and used for an FTA project or program. It is FTA's intention to assist only in the purchase of property that is needed for an FTA project.

(b) Purpose and Activity. The use must not compromise the safe conduct of the intended purpose and activity of the initial public transit project activity.

(c) Satisfactory Continuing Control. The use must not in any way interfere with the recipients' satisfactory continuing control over the use of the property or the recipients' continued ability to carry out the project or program.

(d) Non-Profit Use. While FTA is particularly interested in encouraging incidental use as a means of supplementing transit revenues, non-profit uses are also permitted under certain circumstances.

(e) Income. Income received from the authorized incidental use of air rights may be retained by the recipient (without returning the federal share) if the income is used for eligible transit capital and operating expenses. This income cannot be used as part of the local share of the grant from which it was derived. However, it may be used as part of the local share of another FTA grant.

(4) FTA approval is required before an incidental use may occur. If the incidental use is implemented as described in the grant application, FTA approval of the grant constitutes approval of the incidental use. Contracts, lease agreements, or subrecipient agreements will be examined for requirements imposed on the use of FTA-funded real property. A recipient must ensure that contractors, lessees, and subrecipients using FTA-funded real property do not interfere with the property's project purposes. This can be achieved through annual certifications of use, site

visit inspections, or deed restrictions. Moreover, while FTA is particularly interested in encouraging incidental use as a means of supplementing transit revenue, non-profit uses are permitted under certain circumstances with FTA's approval.

c. Satisfactory Continuing Control. FTA does not allow for the unrestricted transfer, conveyance, or encumbrance of property acquired with FTA assistance. In all circumstances, the recipient must obtain FTA concurrence that it has secured "satisfactory continuing control" of FTA-funded real property.

(1) Mechanisms for Preserving Public Transportation Purpose. Ultimately, FTA will decide whether a proposed transfer, conveyance, or encumbrance will preserve the property's public transportation purpose. In making this determination, FTA will look to the contractual agreement or other instrument between the recipient and the private developer or other third party to determine whether it incorporates provisions that both allow the recipient to adequately maintain satisfactory continuing control and ensure that the private developer or third party will actually proceed with the development as approved by FTA.

Any number of legally enforceable mechanisms may be acceptable. Satisfactory continuing control may be evidenced by a real property transaction or clauses in a contract that are totally separate from the land transaction. For example, a recipient may receive an equity position in the non-transit portion of the development as payment for the land. As part of that documentation, a recipient should expect a clause assuring that access to the real property for its originally authorized purpose will be maintained for the life of the project. This assurance may take the form of an easement.

(2) Duration. For structures, the requirement that a recipient maintain satisfactory continuing control remains for the useful life of the project. For the underlying real property, the satisfactory continuing control requirement remains indefinitely and until the recipient disposes of the real property. Current laws and regulations affecting property bought with federal grant funds are quite clear—a recipient is allowed to dispose of the property (cede satisfactory continuing control) if it applies the proceeds to a new federally eligible capital project or it returns the pro-rata federal share of any net sales proceeds of the property to FTA (the disposition requirements are discussed in more detail below).

4. DISPOSITION OF REAL PROPERTY. As required by 49 C.F.R. 18.31(b), real property acquired with FTA assistance must be used for the originally authorized purpose. When such real property is no longer needed for the originally authorized purpose, a recipient must request disposition instructions from FTA. Once disposed, real property may not be used for a joint development project.

a. Disposition Methods.

(1) Sale of Property. FTA may authorize the sale of property no longer needed for the originally authorized purpose for which it was acquired. 49 U.S.C. 5334(h)(A); 49 C.F.R. 18.32. Pursuant to 49 U.S.C. 5334(h)(4)(B), net proceeds from such a sale should be used by the recipient to reduce the gross project costs of other eligible capital projects. If the recipient cannot use the proceeds towards the capital costs of another eligible project, then the recipient will be required to compensate FTA for the federal interest in the property pursuant to 49 C.F.R. 18.31(c)(2).

(2) Retention of Title. FTA may authorize retention of title to real property no longer needed for the originally authorized purpose. Recipients will be required to compensate FTA for the federal interest in the property. Upon disposition under this method, recipients would be authorized to use the property for a transit or non-transit use. 49 C.F.R. 18.31(c)(1).

(3) Transfer of Title.

(a) Approved Third Party. FTA may authorize the transfer of property no longer needed for the originally authorized purpose to FTA or to a third party designated or approved by FTA. 49 C.F.R. 18.31(c)(3).

(b) Local Governmental Authority. When real property is no longer needed for the originally authorized purpose, FTA may authorize a recipient to transfer the property to a local governmental authority to be used for a public purpose pursuant to 49 U.S.C. 5334(h), if:

- The asset will remain in public use for at least five years after the date the property is transferred;
- There is no purpose eligible for FTA assistance for which the property should be used;
- The overall benefit of allowing the transfer is greater than FTA's interest in the liquidation and return of FTA's share in the asset, after consideration of fair market value and other factors; and
- There is no interest in acquiring the asset for federal government use.

5. PARKING. FTA-funded real property that was originally used as a surface parking lot for automobiles can later be converted to a joint development project. These types of

projects frequently occur on park-and-ride lots near rail stations. When surface parking is converted to a joint development use, FTA does not require the project sponsor to replace existing automobile parking spaces at a one-to-one ratio. However, the project sponsor must consider the following factors:

a. Useful Life. FTA must approve of any change in use (or disposition) of an asset before the end of its useful life. Thus, if a project sponsor wishes to replace an FTA-funded parking lot with a joint development project, it must first determine whether the asset has reached the end of its useful life. If useful life remains, then the project sponsor must account for the remaining federal interest in the asset prior to any change or disposition.

b. Public Transportation Benefit. As with any FTA-funded joint development project, the change in use from parking to joint development must benefit public transportation. The benefit may accrue by enhancing the effectiveness of public transportation or by establishing new or enhanced coordination between public transportation and other transportation. Typically, a project sponsor demonstrates a public transportation benefit through studies indicating that the change in use will result in higher ridership on its system.

c. Prior Grant Commitments. Projects funded pursuant to a Full Funding Grant Agreement, or similar contract, require the recipient to achieve certain "user benefits." Whenever a project sponsor seeks to change the use (or dispose) of real property purchased with funds from such an agreement, FTA must concur that the change will not violate the terms of the funding agreement.

d. NEPA. A change in use from parking to joint development may trigger the need for additional National Environmental Policy Act (NEPA) analysis. If there are no FTA funds in the conversion from parking, the need for additional environmental analysis will depend on the timing of the change, i.e., on whether the original project is still under construction and whether there is an open grant for that project. A project sponsor should work with the FTA regional office to determine whether additional environmental analysis is needed.

CHAPTER V

CROSSCUTTING FEDERAL REQUIREMENTS

1. MASTER AGREEMENT. FTA's Master Agreement contains the terms and conditions governing the administration of a project supported with assistance from FTA through a grant agreement, cooperative agreement, Transportation Infrastructure Finance and Innovation Act (TIFIA) loan, loan guarantee, or line of credit. The requirements of the Master Agreement will vary depending on the type of project, the program under which it is funded, and the recipient's status as a State or local government, private nonprofit entity, or private for-profit entity. This chapter highlights some of the most common requirements encountered by joint developments, regardless of the project sponsor or the FTA program under which the project is financially assisted.

2. PLANNING AND ENVIRONMENTAL REQUIREMENTS. When FTA funds will be used for the joint development, transportation planning requirements apply.[12] As for any FTA-assisted capital project, a joint development, or a larger project that includes joint development, must be included in the applicable metropolitan transportation plan and the Transportation Improvement Program (TIP). In rural areas, the long-range statewide transportation plan (LRSTP) and Statewide Transportation Improvement Program (STIP) must include the proposed effort.

   Planning and environmental requirements will vary depending on the nature of the project and FTA's involvement. Common joint development scenarios include the following:

   a. FTA Is Financially Assisting the Joint Development as Part of a Fixed Guideway Capital Investment or Other Large Project:

      (1) The large transit project that includes the joint development must be included in the metropolitan transportation plan and the TIP (projects in an approved TIP are required by regulation to be included in the STIP without change).

      (2) The National Environmental Policy Act (NEPA)-mandated environmental review of the larger transit project must include consideration of the impacts of the joint development that is part of that project. If land for the joint development is being acquired as part of the larger project but the joint development itself will not occur for several years after the rest of the large transit project has been completed and is in operation, then only the reasonably foreseeable impacts of the joint development need to be included in the NEPA review of the large project.

[12] Federal transportation planning regulations are jointly administered by FTA and FHWA. See Statewide and Metropolitan Transportation Planning, Final Rule (72 FR 7224, Feb. 14, 2007).

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b. FTA Is Financially Assisting the Joint Development as a Separate Standalone Project:

(1) In a metropolitan area, the joint development project must be included in the metropolitan transportation plan and TIP. If the standalone project is part of a joint development program consisting of multiple joint development projects and is not a regionally significant project, it may be included in the plan and TIP within that grouping of similar projects (projects in an approved TIP are required by regulation to be included in the STIP without change).

(2) In a rural area, the joint development project must be included in the LRSTP and STIP. If the standalone project is part of a joint development program in rural areas consisting of multiple joint development projects and is not a regionally significant project, it may be included in the STIP within that grouping of similar projects.

(3) An environmental review of the joint development project in accordance with 23 C.F.R. part 771 is required.

c. FTA Has a Financial Interest in the Property on Which the Joint Development Will Be Located, But FTA Is Not Financially Assisting the Implementation of the Joint Development:

(1) A joint development may make use of real property that was originally acquired with FTA's financial assistance for a different transit purpose. If the real property was acquired specifically for the joint development, it will fall under paragraph (b) above. Because the real property was acquired for a purpose other than joint development, the project sponsor will usually be required to obtain FTA's lack of objection to the joint development plan before beginning the joint development. (Otherwise, the FTA financial interest would have to be returned to FTA or redirected to another eligible transit project.) If FTA is not funding the actual development of the property and is not otherwise involved in project decisions, the FTA planning and environmental requirements would not apply.

3. ENVIRONMENTAL PROTECTIONS AND HISTORIC PRESERVATION. A joint development that is financially assisted by FTA is subject to various federal environmental requirements. The common federal environmental protections that are relevant to joint development include;

(a) NEPA, 42 U.S.C. § 4321 *et seq*;

(b) Council on Environmental Quality regulations on compliance with NEPA, 40 C.F.R. part 1500 *et seq*.

(c) FHWA/FTA regulations, "Environmental Impact and Related Procedures," 23 C.F.R. part 771;

(d) Advisory Council on Historic Preservation regulations on compliance with Section 106, "Protection of Historic and Cultural Properties," 36 C.F.R. part 800; and

(e) U.S. DOT restrictions on the use of public parks, recreation areas, wildlife refuges, and publicly or privately owned historic sites, unless the FTA makes the specific findings required by 49 U.S.C. 303 (commonly referred to as "section 4(f)").

(f) Additional environmental regulations and executive orders may also apply in specific cases.

4. PROCUREMENT. Procurements that are assisted with FTA funds must adhere to certain standards. Among these, is the general requirement for full and open competition. FTA grantees may not use exclusionary or discriminatory specifications, or geographic restrictions. For a full description of procurement requirements that must be observed, and for guidance, refer to the Master Agreement and FTA Circular 4220.1, Third-Party Contracting Guidance.

   If the procurement will make use of union labor, any project labor agreement must comply with Executive Order No. 13502, "Use of Project Labor Agreements for Federal Construction Projects."

5. LEASES AND CONVEYANCES. A joint development sponsor may wish to lease or convey an interest (including a lien or other encumbrance on title) in real property that was acquired with FTA assistance. The federal interest that must be represented in such a lease or conveyance will depend on whether FTA is also financially assisting the construction of improvements on the real property.

   a. No FTA Assistance for New Improvements. If the joint development involves a ground lease or transfer of FTA funded real property, and there is no FTA financial assistance for new improvements, then the following requirements apply to the lessee or transferee and must be incorporated into the lease or the conveyance instrument:

      (1) Language found at 49 C.F.R. 26.7 binding the lessee or transferee not to discriminate based on race, color, national origin, or sex;

      (2) Language found at 49 C.F.R. 27.7, 27.9(b), and 37 binding the lessee or transferee not to discriminate based on disability and binding the same to compliance with the Americans with Disabilities Act with regard to any improvements constructed; and

      (3) Language contained in FTA's Master Agreement, updated annually in October, particularly relating to conflicts of interest, debarment and suspension.

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b. FTA-Assisted Construction of Joint Development. If the construction of the joint development is also assisted by FTA, then the following requirements will apply and must be incorporated into the lease or conveyance instrument:

(1) Buy America. Language making it clear that the steel, iron, and manufactured goods used in the federally assisted project are produced in the United States, as described in 49 U.S.C. 5323(j) and 49 C.F.R. part 661;

(2) Planning and Environmental Analysis. Language making it clear that the grantee must comply with, and the federally assisted project is subject to the requirements of:

(a) The FHWA/FTA metropolitan and statewide planning regulations at 23 C.F.R. part 450;

(b) The National Environmental Policy Act of 1969 (NEPA), as amended, 42 U.S.C. 4321 *et seq*.

(c) Executive Order No. 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" (59 FR 7629, Feb. 16, 1994);

(d) Council on Environmental Quality regulations on compliance with NEPA, 40 C.F.R. Part 1500 *et seq*.

(e) FHWA/FTA regulations, "Environmental Impact and Related Procedures," 23 C.F.R. part 771;

(f) Section 106 of the National Historic Preservation Act, 16 U.S.C. 470f, involving historic and archaeological preservation;

(g) Advisory Council on Historic Preservation regulations on compliance with Section 106, "Protection of Historic and Cultural Properties," 36 C.F.R. part 800; and

(h) Restrictions on the use of certain publicly owned parklands and historic resources, unless the FTA makes the specific findings required by 49 U.S.C. 303.

(3) Cargo Preference. Language making it clear that items imported from abroad and used in the federally assisted improvements were shipped predominantly on U.S.-flag ships and that the project complies with 46 C.F.R. part 381, to the extent these regulations apply to the joint development;

(4) Seismic Safety. Language certifying that a structure conforms to seismic safety standards, as contained in 49 C.F.R. part 41;

(5) Energy Assessments. Language making it clear that the transferee(s) or joint developer agrees to perform a mandatory, energy assessment as prescribed by 23 C.F.R. part 771 and 42 U.S.C. 8373(b)(1) for any buildings constructed, reconstructed or modified with FTA assistance. The assessment shall be incorporated into the Environmental Impact Statement or Environmental Assessment, if the project has one; otherwise the assessment shall be provided with the application for FTA assistance;

(6) Lobbying provisions at 49 C.F.R. part 20;

(7) Labor Protection. Language making it clear that the transferee or joint developer will adhere to labor protection requirements applying to federal projects, such as:

(a) Davis-Bacon, 49 U.S.C. 5333(a), 40 U.S.C. 3141 *et seq*., and 29 C.F.R. part 5;

(b) Copeland "Anti-Kickback" Act as amended, 18 U.S.C. 874 and 29 C.F.R. part 3;

(c) Contract Work Hours and Safety Standards Act, 40 U.S.C. 3701 *et seq*. and 29 C.F.R. part 5; and

(d) Provisions concerning the protection of transit employees, 49 U.S.C. 5333(b);

(8) Civil Rights Requirements. Title 49 U.S.C. 5332 and DOT implementing regulations at 49 C.F.R. part 21 (effecting Title VI of the Civil Rights Act of 1964), 49 C.F.R. part 26 (participation by Disadvantaged Business Enterprises in DOT financial assistance programs) and 49 C.F.R. parts 27 and 37 (respectively, nondiscrimination on the basis of disability in programs or activities receiving federal financial assistance and transportation services for individuals with disabilities); and

(9) Uniform Relocation. If the federally funded site to be improved is occupied by other than the recipient and the occupant is displaced, the transferee(s) or joint developer must comply with 42 U.S.C. 4601 *et seq*. and the regulations at 49 C.F.R. part 24.

6. CIVIL RIGHTS. Recipients and their third-party participants must comply with the federal transit law's prohibition against discrimination on the basis of race, color, creed, national origin, sex, or age. Recipients and third-party participants are subject to Equal Employment Opportunity requirements, myriad federal civil rights requirements (Civil Rights Act, Americans with Disabilities Act, environmental justice requirements, Age

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Discrimination in Employment Act, etc.), and DOT regulations implementing federal civil rights laws.

Certain civil rights requirements follow real property acquired with FTA assistance, even if FTA funds are not involved in the construction of joint development improvements. See the previous section of this chapter, “Leases and Conveyances.”

In addition to the Master Agreement, recipients should refer to the most current versions of FTA Circular 4702, Title VI Requirements and Guidelines; FTA Circular 4703, Environmental Justice Policy Guidance; and FTA Circular 4704, Equal Employment Opportunity Program Guidelines.