



**DATE:** December 14, 2021

**CATEGORY:** Consent

**DEPT.:** Public Works,  
Community Development

**TITLE:** **Extension of the Castro Street Closure, Extension of the Fee Waiver and Suspension of the Renewal Requirements for Sidewalk Café Licenses, and Amendment of Professional Services Agreement, Project 20-58**

### **RECOMMENDATION**

1. Adopt a Resolution of the City Council of the City of Mountain View Amending Resolution No. 18470, as Amended By Resolution Nos. 18489, 18496, 18547, and 18576, Temporarily Suspending and Designating Parking Restrictions and Prohibitions Pursuant to Mountain View City Code Chapter 19 and Temporarily Closing the 100, 200, 300, and 400 Blocks of Castro Street Pursuant to California Vehicle Code Section 21101 to Facilitate Outdoor Dining and Outdoor Business Operations, to be read in title only, further reading waived (Attachment 1 to the Council report).
2. Adopt a Resolution of the City Council of the City of Mountain View Amending Resolution No. 18546, as Amended by Resolution No. 18577, Temporarily Suspending Certain Requirements for Sidewalk Café License Renewals Pursuant to Mountain View City Code Section 36.42 and Waiving Sidewalk Café License Renewal Fee Payments, May 1, 2020 through April 30, 2023, to Facilitate a Consistent Outdoor Dining Program in the Downtown Area, to be read in title only, further reading waived (Attachment 2 to the Council report).
3. Transfer and appropriate \$363,000 from the Construction/Conveyance Tax Fund to Castro Pedestrian Mall Feasibility Study, Project 20-58, increasing the project budget from \$265,000 to \$628,000. (Five votes required)
4. Authorize the City Manager or designee to amend the professional services agreement with Gehl Studio, Inc., for Castro Pedestrian Mall Feasibility Study, Project 20-58, increasing compensation by \$298,000 for a not-to-exceed amount of \$523,000.

## **BACKGROUND**

### **Castro Street Closure**

On March 17, 2020, the County of Santa Clara issued a Shelter-in-Place order in response to the COVID-19 pandemic, and the Mountain View City Council adopted a resolution declaring the [Existence of a Local Emergency](#). On June 1, 2020, the County Public Health order was amended with a new directive that allowed for outdoor dining but continued the prohibition on indoor dining. Following this County order, the City Council adopted [Resolution No. 18470](#) on June 9, 2020, to temporarily close the 100, 200, 300, and 400 blocks of Castro Street, between West Evelyn Avenue and Mercy Street, to vehicular traffic and facilitate outdoor dining within the public right-of-way to support downtown businesses to address the impacts of the pandemic. This program became known as Castro StrEATs.

After Castro StrEATs began, Council amended the program several times to address the changing County Public Health orders, including prohibiting bicycle operations and transportation devices along the closed portion of Castro Street ([Resolution No. 18489](#)); expanding the program beyond outdoor dining to other business uses ([Resolution No. 18496](#)); temporarily suspending the Downtown Sidewalk Café Program renewal requirements ([Resolution No. 18546](#) and [Resolution No. 18547](#)); and extending the Castro Street closure to no later than January 17, 2022 for the 100, 200, and 300 blocks and terminating the street closure for the 400 block ([Resolution No. 18576](#) and [Resolution No. 18577](#)).

Council also adopted a Citywide program that allows temporary business operations on private and public property called Outdoor Mountain View. This program sets requirements that allow businesses to operate outdoors ([Resolution No. 18578](#)). The program is set to end by January 3, 2022.

### **Castro Pedestrian Mall Feasibility Study**

The purpose of Castro Pedestrian Mall Feasibility Study, Project 20-58, was to develop and analyze high-level concepts and alternatives for creating a pedestrian mall or public plaza along the 100 block of Castro Street, between Evelyn Avenue and Villa Street. On December 10, 2019, Council approved a consultant agreement with Gehl Studio, Inc. (Gehl), in the amount of \$225,000 to conduct the Feasibility Study.

At a Study Session on [October 12, 2021](#), Council considered the Castro Pedestrian Mall Feasibility Study's high-level concept alternatives for the 100 block of Castro Street, the potential inclusion of the 200 and 300 blocks of Castro Street into the pedestrian mall

concept, and the continuation of the interim closure of the 100 to 300 blocks of Castro Street to vehicular traffic beyond January 2022. Council supported the following staff recommendations at the Study Session:

- Further develop a pedestrian mall concept for the 100 block of Castro Street based on Alternative B to convert the entire 100 block of Castro Street to a pedestrian mall with the planning and design work, considering the Alternative C concept to realign Evelyn Avenue and incorporate Centennial Plaza as a potential future phase.
- Expand the pedestrian mall concept to the 200 and 300 blocks of Castro Street.
- Extend the temporary closure of the three blocks through January 2023 and develop a plan for low-cost improvements to be made for the interim closure period. Council also indicated that the interim improvements should include providing for consistency in the aesthetics, street furniture, and other features for the three blocks as well as accessibility improvements.

The Study Session memo also outlined the process necessary to permanently close the 100 to 300 blocks of Castro Street to vehicular traffic and establish a pedestrian mall in compliance with the California Pedestrian Mall Law of 1960.

## **ANALYSIS**

To implement Council direction received at the October 2021 Study Session, staff identified the following next steps:

- Council to adopt a resolution in December 2021 to temporarily extend the closure of the 100, 200, and 300 blocks of Castro Street through January 2023 in an effort to continue to support businesses in downtown as they recover from the COVID-19 pandemic. This coincides with the City undertaking the Pedestrian Mall Law process in 2022.
- Staff to develop recommendations for interim improvements to support the temporary closure and the time period needed to design and implement a permanent pedestrian mall should a pedestrian mall ordinance be adopted.

## **Resolutions to Extend the Temporary Closure**

Staff recommends Council adopt the resolution extending the temporary Castro Street closure for the 100, 200, and 300 blocks of Castro Street until January 16, 2023, according

to California Vehicle Code Section 21101, based on the continued need to help facilitate economic recovery during and after the states of emergency (Attachment 1). The resolution would allow the Castro StrEATs program along the 100, 200, and 300 blocks of Castro Street to continue until Tuesday, January 3, 2023 to provide time to prepare the street to reopen to traffic on or before January 16, 2023. Should Council adopt a pedestrian mall ordinance in 2022, the closure of the street would continue beyond January 2023.

As a companion action to extending the temporary street closure, staff recommends that the Sidewalk Café license renewal requirement suspension be similarly extended through January 3, 2023, as applied to all blocks of Castro Street, to facilitate a consistent outdoor dining program in downtown. The resolution in Attachment 2 waives Sidewalk Café renewal fee payments for Fiscal Year 2022-23, consistent with the extension of the Sidewalk Café license renewal requirement suspension.

The Outdoor Mountain View program that applies Citywide will not be extended and will sunset on January 3, 2022 as all indoor operations have resumed and there may be operational impacts if the temporary outdoor operations continue. Most businesses utilizing the Outdoor Mountain View program have stopped operating outdoors and have moved fully indoors. The City will continue to coordinate with the few remaining local businesses utilizing the Outdoor Mountain View program to fully transition operations indoors.

### **Expansion of Pedestrian Mall Feasibility Study**

Staff recommends amending the professional services agreement with Gehl for the Castro Pedestrian Mall Feasibility Study to expand the scope of work for the following purposes:

- Extend the Feasibility Study to include the 200 and 300 blocks to determine, based on the existing conditions on the 200 and 300 blocks, whether there is a need to adapt the alternative for these two blocks and to study the impact of the block closures on the intersections and provide guidance for how to adapt these intersections to better serve movement for all modes.
- Develop design guidelines for the interim street closure, considering components that might be carried into the permanent redesign of Castro Street 100 to 300 blocks, including wayfinding to and from the alleyways, main access roads and streets, and the Transit Center.

- Engage business and property owners in the process to create a platform for dialogue that sets the project up for success.
- Support engagement of other local stakeholders and the general public in the process to build upon current project momentum and support.

The additional scope would consist of the following tasks:

1. **Project Management**—This task includes the consultant working with a project working group comprised of staff from the Public Works, Community Development, Community Services, and Fire Departments.
2. **Traffic Study Circulation Analysis**—The traffic analysis conducted as part of the initial Feasibility Study was based on closing only the 100 block to vehicular traffic. With the extension of the pedestrian mall concept to the 200 and 300 blocks, an additional traffic analysis will be conducted to ensure any issues with a permanent closure over the long term are identified and addressed. In addition, as the current configuration with the interim closure of Castro Street 100 to 300 blocks will potentially stay in place for three to five years, the Feasibility Study will identify interim improvements for the Castro Street intersections at California Street, West Dana Street, Villa Street, and West Evelyn Avenue to enhance pedestrian crossings and connectivity between the pedestrian mall blocks while accommodating the cross-street traffic.
3. **100 to 300 Block Functional Plan**—With the goal of developing a unified framework for the entire 100 to 300 block stretch of Castro Street, Gehl will expand on the studies of the existing conditions conducted for the 100 block to include the 200 and 300 blocks. The Feasibility Study will assess whether there is a need to provide location and/or block-specific adjustments to the preferred alternative supported by Council at the October 2021 Study Session (Alternatives B+C), based on the existing conditions findings, and provide recommendations that reflect this. Additionally, the existing conditions survey will be expanded to include the alleyway behind Castro Street, with the purpose of assessing the suitability for use as public, utility, pick-up, and drop-off spaces as part of a system across the three-block zone.
4. **Interim Design Guidelines**—Based on site observation, lessons learned throughout the temporary street closure, and business and public engagement, the Gehl team will develop a set of design guidelines for an interim pedestrianized Castro Street that follows the spirit of the recommendations of Task 3. The guidelines will be

intended to work with the existing street configuration by specifying temporary, lower-cost interventions intended to be aesthetically attractive, unified, code-compliant, and last up to five years. These guidelines will address, but may not be limited to, the following components:

- a. Accessibility and Americans with Disability Act (ADA) compliance, including ADA parking closer to Castro Street;
  - b. Access points, barricades, and general intersection updates;
  - c. Fire truck access, serving from the alleyways, currently, and whether this is feasible longer-term;
  - d. Loading and delivery service pickup in the alleyways and/or other areas;
  - e. Wayfinding, including to and from the alleyways;
  - f. Outdoor dining design guidelines targeted for the 100 to 300 blocks, including weather protection, canopy, and heaters;
  - g. Integration of other programming to complement outdoor dining and to activate the street when businesses are closed;
  - h. Furnishing palette; and
  - i. General street layout, placing of program zones, and movement zones.
5. **Engagement with Business and Property Owners, Stakeholder Groups, and Public Outreach**—The Gehl team will support the City in the engagement of the business and property owners and members of the public related to Tasks 3 and 4 for the expanded interim street closure and serve as meeting facilitators and collectors of the input provided.
6. **Best Practices for Transitioning from Short Term to Long Term**—Gehl will provide the City with a collection of best practices for transitioning temporary and COVID-related street closures to longer-term public space designs, including: technical and design guidance, management and stewardship models, budgets, engagement practices, and other lessons learned from cities around California and the United States that are grappling with similar challenges to Mountain View and Castro Street.

Staff recommends Council approve the amended scope of work as described above which will require increasing the compensation for the professional services agreement with Gehl by \$298,000, including \$27,000 for additional services. The expanded feasibility study will take up to nine months to complete.

### **Long-Term Impacts to Sidewalk Café Program**

A potential permanent closure of the 100, 200, and 300 blocks would impact the existing Sidewalk Café Program, which is the current outdoor dining program in the downtown area. The Sidewalk Café Program has specific guidelines on location, design, and maximum number of permitted sidewalk cafés in downtown. The purpose of the existing Sidewalk Café Program guidelines is to provide for an attractive and safe outdoor dining experience in the presence of vehicular traffic. The guidelines include requirements for traffic-rated planters and limit the location of outdoor dining areas to allow for two-way traffic lanes through Castro Street, which would not apply to a street closed to vehicular traffic.

Should a pedestrian mall ordinance be adopted, modifications to the existing Sidewalk Café Program will be required to create a comprehensive outdoor dining program. Revised outdoor design guidelines specific to the 100 to 300 blocks of Castro Street will be studied as a part of Gehl's expanded scope of work. These revised guidelines may be considered for use outside these areas to ensure a consistent outdoor dining design in downtown. An amendment to Mountain View City Code 36.42 regulating sidewalk cafés in the downtown area would also be required and would be brought to Council if the pedestrian mall ordinance is adopted.

### **Next Steps**

In order to close one or more blocks of Castro Street permanently, the City will need to comply with the Pedestrian Mall Law of 1960 (Division 13 of the California Streets and Highways Code). The key steps to comply with this law include:

- Council adoption of a Resolution of Intent;
- A public hearing at least 90 days after adopting the Resolution of Intent, at which time a resolution determining whether to abandon the proceedings or establish the pedestrian mall would be adopted; and
- Council adoption of an ordinance.

Business and property owner engagement is a critical component of this process. Over the next few months, staff will intensify ongoing efforts to engage the businesses and property owners along the three blocks of Castro Street in preparation for Council to adopt a Resolution of Intent to establish a pedestrian mall. Staff will bring the Resolution of Intent for Council consideration in spring 2022.

### **FISCAL IMPACT**

The professional services agreement with Gehl is funded from Castro Pedestrian Mall Feasibility Study, Project 20-58, in the amount of \$225,000. Staff recommends increasing compensation by \$298,000, including \$27,000 for additional services, to fund the additional scope of services for a total not-to-exceed amount of \$523,000.

Castro Pedestrian Mall Feasibility Study, Project 20-58, is funded with \$265,000 from the General Fund Transportation Reserve. An appropriation of \$363,000 from Construction/Conveyance Tax Fund to increase the Project 20-58 budget to \$628,000 is recommended to fund the agreement amendment and provide for City project management. There is sufficient balance in the Construction/Conveyance Tax Fund for the appropriation.

There will be costs associated with the implementation of the interim improvements to be identified in the consultant study. Staff will recommend funding for these interim improvements as part of the Fiscal Year 2022-23 Capital Improvement Program to be approved by Council in June 2022.

### **CONCLUSION**

At the October 2021 Study Session for the Castro Pedestrian Mall Feasibility Study, Council supported expanding the pedestrian mall concept to the 200 and 300 blocks of Castro Street, extending the temporary closure of the three blocks through January 2023, and developing a plan for low-cost improvements to be made for the interim closure period. The attached resolutions will extend the temporary closure and suspension of the Sidewalk Café Program renewal requirements to continue to support businesses recovering from the COVID-19 pandemic and facilitate a consistent downtown outdoor dining program. The recommended amendment to the Gehl professional services agreement will include analyzing and adapting the pedestrian mall concept developed for the 100 block of Castro Street to the 200 and 300 blocks. It will also provide professional support to engage businesses and the public and develop interim



improvements plans that could be implemented until a potential permanent pedestrian mall can be designed and constructed.

**ALTERNATIVES**

1. Do not approve the resolutions and contract amendment with Gehl.
2. Adopt alternative resolutions.
3. Provide other direction.

**PUBLIC NOTICING**

Agenda posting and email distribution to the Downtown Committee and Bicycle/Pedestrian Advisory Committee along with the Mountain View Chamber of Commerce and the Old Mountain View Neighborhood Association.

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- Attachments: 1. Resolution Extending the Castro Street Closure  
2. Resolution Temporary Suspending Certain Sidewalk Café Renewal Requirements