

CityClerk

From: Peter Lane <plane@waltonartscenter.org>
Sent: Wednesday, June 3, 2020 2:14 PM
To: CityClerk; Smith, Kyle; Kinion, Mark; Matthew Petty; Mayor; Bunch, Sarah; Marsh, Sarah; Scroggin, Sloan; Gutierrez, Sonia; Turk, Teresa
Cc: Norton, Susan; Howland, Devin; Mike Johnson (mrj03@uark.edu); Anne O'Leary-Kelly; 'Jeffery Koenig'; 'adella@adellagray.com'; 'Sarah Elaine Lewis'; Justin Tennant; 'luribe@uark.edu'; Brian Crowne; Joe Fennel; carl@collierdrug.com; 'Mark Blackwood'; Bill Waite
Subject: Outdoor Refreshment
Attachments: peter1.jpg

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Dear Mayor Jordan and Fayetteville City Councilors,

I write to you today regarding the proposed Outdoor Refreshment Area ordinance. Members of our team have had the privilege now of multiple one-on-one conversations with Devin Howland to discuss this topic and how such a program could have effects on the operations of Walton Arts Center. I've appreciated Devin's approach and his leadership on this project and I want to thank him for taking the time to have those conversations and make sure our concerns were considered. As this proposal comes before you this week, I would like to make clear four considerations from our staff that I hope you will examine before adopting this ordinance.

First, as our team has communicated to Devin, we have great concern with regard to how the implementation of this proposal will impact the public perception of Dickson Street; specifically how it will affect the perception of some of Walton Arts Center's most coveted patron demographics including families with small children and seniors. We know that outdoor alcohol consumption areas work well in other cities. There is no reason to expect that the same will not be true of Fayetteville. However, the messaging and enforcement required to create a smooth start out of the gate will be vital to this change being accepted and not given a knee-jerk reaction within the community. I understand the Transportation Committee has suggested that an initial test run of the program, prior to a sunset date, should include seven days a week of allowed outdoor alcohol consumption. My understanding is that their support of this stems from an interest to help local restaurants and bars who are suffering lost business due to the pandemic. We support that sentiment but would suggest that outdoor consumption be limited to Sunday through Thursday once UA classes resume and the level of foot traffic and alcohol consumption on Dickson tick back up. Regardless of how behavior of patrons on Dickson Street changes in reality, if the perception and reputation of Dickson Street as a safe and family-friendly place are compromised, the damage is done even if there is no increase in crime or ordinance violations. As the City makes a very large public investment in the Cultural Arts Corridor, this must remain top of mind. We must stay aware of the way in which the program affects public sentiment as well as police statistics and sales revenue. We must also stay keenly aware of Dickson Street's proximity to the UA campus and how that is different than some of the models researched in other communities.

Second, I'd like to ask your consideration on the sunset date for the initial ordinance test run. Our staff has discussed with Devin that in order to truly get good data on how the program will function in the long term, the initial run has to include a stress test period, where not only are bars and restaurants running at their full unencumbered capacity but so are the entertainment district's anchor institutions (Walton Arts Center, George's Majestic Lounge, TheatreSquared, etc.) Dickson Street serves many different demographics of patrons and it will be important to our analysis following the sunset date to have an understanding of how all businesses have been affected. To that point, planning for a period of public feedback and perhaps a survey that businesses can send to their patrons during the initial run as the sunset date approaches is in order.

Third, as the business with the most frontage on Dickson Street, and some of the most likely gathering spots for those looking for a place to sit outdoors with their beverages, we anticipate the rollout of this program on a large scale could result in increased cleaning and security costs for our organization. Prior to rollout, we ask that the Council, police and City staff give serious consideration to how littering and loitering will be controlled on unfenced property of local businesses. Having planters and gardens full of used compostable cups and groups of patrons from surrounding businesses gathering on our front steps to sit and drink create certain aesthetic and safety challenges for us that we ask you give serious consideration and would appreciate your assistance in having a plan to manage these issues moving forward that does not rely solely on WAC facilities and security teams to bear the brunt of enforcement. Whether WAC chooses to participate in the program or not, the consequences of the program will literally come to our front door.

Lastly, I ask the Council to weigh carefully instituting a policy of approving additional parklets in the entertainment district so that those businesses without adequate sidewalk real estate can take advantage of the outdoor café portion of the program. As you are well aware, our organization and many of our colleagues on Dickson Street have fought long hard battles previously to ensure that adequate public parking exists in the area to service the needs of all parties. Let us be careful not to solve one perceived problem with a solution that takes us backwards on our progress toward solving another problem.

I appreciate your time and consideration on this matter and would also like to take this opportunity to thank you all for your leadership shown this past week as related to the protests of systemic discrimination within our society. Last night's event on the Square demonstrated to a large degree what makes Fayetteville special and this is a community for which we can all show great pride.

Please stay healthy and safe during this time.

Sincerely,
[cid:9c947aec-15f9-43e0-921c-8cfcc211de5a]
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