CITY OF CUPERTINO

PUBLIC WORKS DEPARTMENT

CITY HALL
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255
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CITY COUNCIL STAFF REPORT

Meeting: September 20, 2022

Subject

1. Review crosswalk options across Rodrigues Avenue in the vicinity of the public pedestrian walkway easement through Tract 9405 (Campo De Lozano subdivision), located near 20138 Rodrigues Avenue; and
2. Review the proposed language for signage to be posted at each end of the pedestrian walkway easement through the Campo De Lozano subdivision.

Recommended Action

1. Consider directing staff to return to City Council one year after the opening of Regnart Creek Trail (tentatively scheduled for November 2023) with recommendations on the necessity for, and location of, potential crosswalks across Rodrigues Avenue in the vicinity of the public pedestrian walkway easement through Tract 9405 (Campo De Lozano subdivision), located near 20138 Rodrigues Avenue; and
2. Review the proposed language for the signage to be installed and posted at each end of the pedestrian walkway easement through the Campo De Lozano subdivision. Installation would occur following Council's approval at the September 20, 2022, meeting.

Background

The improvement project to expand the Regnart Creek Trail has been underway, with multiple phases progressing sequentially. The project has included significant public engagement with interests in the trail, security for neighboring residents, and increased anticipated activity. To address concerns raised during the engagement process, the City Council authorized the replacement of fencing for residences that abut the trail. The construction of the trail is completed at this point, however, with pending fence work for residences that abut the trail continuing through November. Due to the nature of the fencing replacement work, it is unsafe to open the trail until all fencing replacement work is completed. More specifically, the fencing project often blocks the trail to facilitate work and leaves backyard access open from the trail for several days. As this work winds down in November with an anticipating opening date for the Regnart Creek Trail, the new trail will provide an exciting new experience for residents.

In early 2022, Council was asked by the homeowners of the Campo De Lozano subdivision to consider the vacation of a public pedestrian walkway easement through Tract 9405, which runs within the Campo de Lozano subdivision, located near 20138 Rodrigues Avenue (see Attachment B for walkway easement location). The 10-foot-wide easement was granted to the City of Cupertino around 2002 by the original developer of the Campo De Lozano subdivision to facilitate connectivity from the public right of way to the Regnart Creek Trail. Detailed background information pertaining to this particular easement is included in the March 1 City Council staff report (Attachment A.)

At the March 1 meeting, Council did not approve the vacation, but did pass a motion directing staff to further action. The motion directed staff to:

- Return to Council one year after the formal opening of the trail to discuss whether the access point and Lozano easement should remain given the then existing data regarding the crosswalk infrastructure at Lozano, and;
- Come back with a crosswalk mapped both with and without the Lozano Lane entrance informing Council how it will be a safe area for crossing and have staff suggesting proper signage and safety precautions and hours of operation for the trail entrance and considering the value of access points at the Lozano easement at that time; and to come back at a future meeting.

Discussion

Following Council's direction from the March 2022 meeting, staff developed a list of potential alternative locations for a midblock crossing of Rodrigues Avenue in the vicinity of the pathway easement. Rodrigues Avenue contains horizontal curvatures along this section of the road, with a vehicular speed limit of 30 Miles Per Hour (MPH,) which makes locating a crosswalk in the vicinity challenging (Attachment B).

The California Highway Design Manual prescribes that the minimum stopping sight distance, or the minimum distance needed for a driver to stop when an object or pedestrian is observed in the roadway given driver reaction time and braking distance, is 200 feet at 30 MPH. As a result of this constraint, three potential locations, labeled as Concepts A, B, and C (Attachment B,) have been identified by staff and are located approximately as follows:

Concept	Location	Site Distance - west	Site Distance - east
A	Valley Water access gate, 400′ east of Torre Ave and 600′ west of pathway	unlimited	240′
B	70′ west of pathway	200′	unlimited
C	70′ east of pathway	200′	unlimited

Locating the crosswalk closer than 70′ to the pathway is not feasible, due to substandard site distances, and an existing driveway, fire hydrant, and storm drain infrastructure. Locations further than 70′ from the pathway are feasible, based on the California

Highway Design Manual, and result in improving sight distances; however, the utility of the crosswalk decreases as its distance from the pathway increases. It should be noted that pedestrians may be unlikely to walk significantly out of the way to use a marked crosswalk and may instead cross where convenient.

Staff does not recommend installing a crosswalk at this time, due to uncertainty in future trail usage, the unpredictability of human behavior, and the site distances that are at or are approaching minimum allowable distances. Following the opening of the Regnart Creek Trail, anticipated later this year, staff will collect usage data on the trail and pathway easement, including vehicle speeds and volume data along Rodrigues Avenue, for a period of one year. After this time, based on the usage data collected, staff will return to City Council with a recommendation on the necessity of a crosswalk to provide safety and, if necessary, the best location based upon pedestrian travel patterns. If during the year, usage data indicates that more immediate action is necessary, staff will return to Council sooner with the appropriate recommendation. This recommendation is consistent with Council direction given at the March 1 meeting.

Further, at the March 1 meeting, staff was directed to return to City Council one year after the opening of the trail to discuss the ongoing need for the walkway easement through the Campo De Lozano subdivision, contingent upon the usage data collected. As a crosswalk installation in the vicinity of the pathway is naturally tied to the fate of the easement, it is not recommended that a crosswalk be installed in this area at this time.

Separately, staff proposes to install signage at the entrance to the pathway on each end prior to the opening of the Regnart Creek Trail later this year. Staff recommends the language for the signage to read, "QUIET RESPECT NEIGHBORHOOD – DISMOUNT BICYCLE – TRAIL HOURS SUNRISE TO SUNSET" (Attachment C.). This signage will help to address concerns of the neighbors and aid in compliance of the easement terms, which stipulate pedestrian access only.

Staff presented the three crosswalk concepts to the Bicycle Pedestrian Commission (BPC) at their June 15 meeting with the recommendation that no crosswalks be installed until the Regnart Creek Trail opens and staff has had the opportunity to collect data on roadway and pathway usage. The BPC voted to recommend that staff collect usage data for one year following trail opening to determine the need for a crosswalk at Location B or C (near the pathway,) but recommended that City Council consider having a crosswalk at Location A (at the trail fence opening near City Hall) installed prior to the opening of Regnart Creek Trail. Again, staff is not recommending that a mid-block crossing be installed at this time for the reasons listed above.

<u>Sustainability Impact</u>
There is no sustainability impact to the installation of signage or a crosswalk.

Fiscal Impact

Fabrication and installation of signage are ongoing responsibilities of the Public Works Streets Division and included in the regular operation and maintenance budget. Labor and materials for the Streets Division staff to perform the fabrication and installation of the recommended pathway signage is approximately $400. Data collection to determine the need for a midblock crosswalk is approximately $2,000 and is included in the transportation engineering operations budget.

Alternative

Installation of a midblock crosswalk would be approximately $40,000 and would include high visibility striping, signage, and pedestrian-actuated flashing beacons. Design of the midblock crosswalk would be performed by Public Works staff and would have no fiscal impact. Although staff recommends consideration of the crosswalk item in one year following data analysis, if the Council wishes to proceed now a General Fund budget allocation of $40,000 to account number 100-88-844 would be required as a part of the action for this item. The additional costs would be funded by the General Fund Unassigned fund balance which has a current estimated balance of $46.3 million.

Prepared by: David Stillman, Transportation Manager
Reviewed by: Matt Morley, Director of Public Works
Approved for Submission by: Pamela Wu, City Manager
Attachments:
A – March 1, 2022 City Council Staff Report
B – Rodrigues Avenue Aerial Exhibit
C – Proposed Pathway Easement Signage

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CITY COUNCIL STAFF REPORT
Meeting: March 1, 2022

Subject
Consideration of Vacation of a Public Pedestrian Walkway Easement through Tract 9405, which runs through Campo De Lozano subdivision, located near 20138 Rodrigues Avenue.

Recommended Action
Consider conducting a public hearing, adopting Resolution No. 22-xxx (Attachment A) to vacate a public pedestrian walkway easement through Tract 9405.

Discussion
The Campo De Lozano subdivision, located near 20138 Rodrigues Avenue, was subdivided, and developed around 2002. During the entitlement process, the City requested that the original developer grant the City a 10-foot-wide pedestrian pathway easement through the property, from Rodrigues Avenue to Regnart Creek Trail, to facilitate connectivity from the public right of way to the trail (Attachment B.) When the property was developed, Regnart Creek Trail was situated along the southerly boundary line of the Campo De Lozano subdivision and stretched from the westerly property line of the subdivision, eastward, to the westerly boundary of De Palma Lane, where it connected to publicly accessible sidewalks. The 10-foot-wide pedestrian pathway easement provided this section of trail with a second point of connectivity to the public right of way, ensuring that pedestrian access did not simply end at the westerly end of the trail.

In 2020, the City approved construction of new segments of the Regnart Creek Trail, including an extension of the trail westerly from the Campo De Lozano subdivision to Rodrigues Avenue and the Civic Center property. This extension creates an additional point of connectivity to Rodrigues Avenue, approximately 600-feet west of the Campo De Lozano subdivision.

The Campo De Lozano Homeowner's Association (HOA) requested that the City now vacate the existing 10-foot-wide pedestrian pathway easement that runs through their subdivision, since the extension of the Regnart Creek trail will provide other connectivity options to the west. Further, the residents of the subdivision have concerns

regarding the security of their property related to the existing pedestrian walkway and the expansion of public use of the Regnart Creek Trail. If the City vacates the pedestrian pathway easement, the HOA intends to restrict public access to the pedestrian pathway that runs through their property.

Staff is requesting that the City Council consider adopting a resolution vacating the easement under the California Streets and Highways Code.

Sustainability Impact

Goal two in the Cupertino Climate Action Plan is to encourage alternative transportation. Supporting measure C-T-1 is to continue to encourage multi-modal transportation, including walking and biking, through safety and comfort enhancements in the bicycle and pedestrian environment.

The General Plan includes policies that promote connectivity and mobility:

- POLICY M-2.3: CONNECTIVITY: Promote pedestrian and bicycle improvements that improve connectivity between planning areas, neighborhoods, and services, and foster a sense of community.

- POLICY M-3.2: DEVELOPMENT: Require new development and redevelopment to increase connectivity through direct and safe pedestrian connections to public amenities, neighborhoods, shopping, and employment destinations throughout the city.

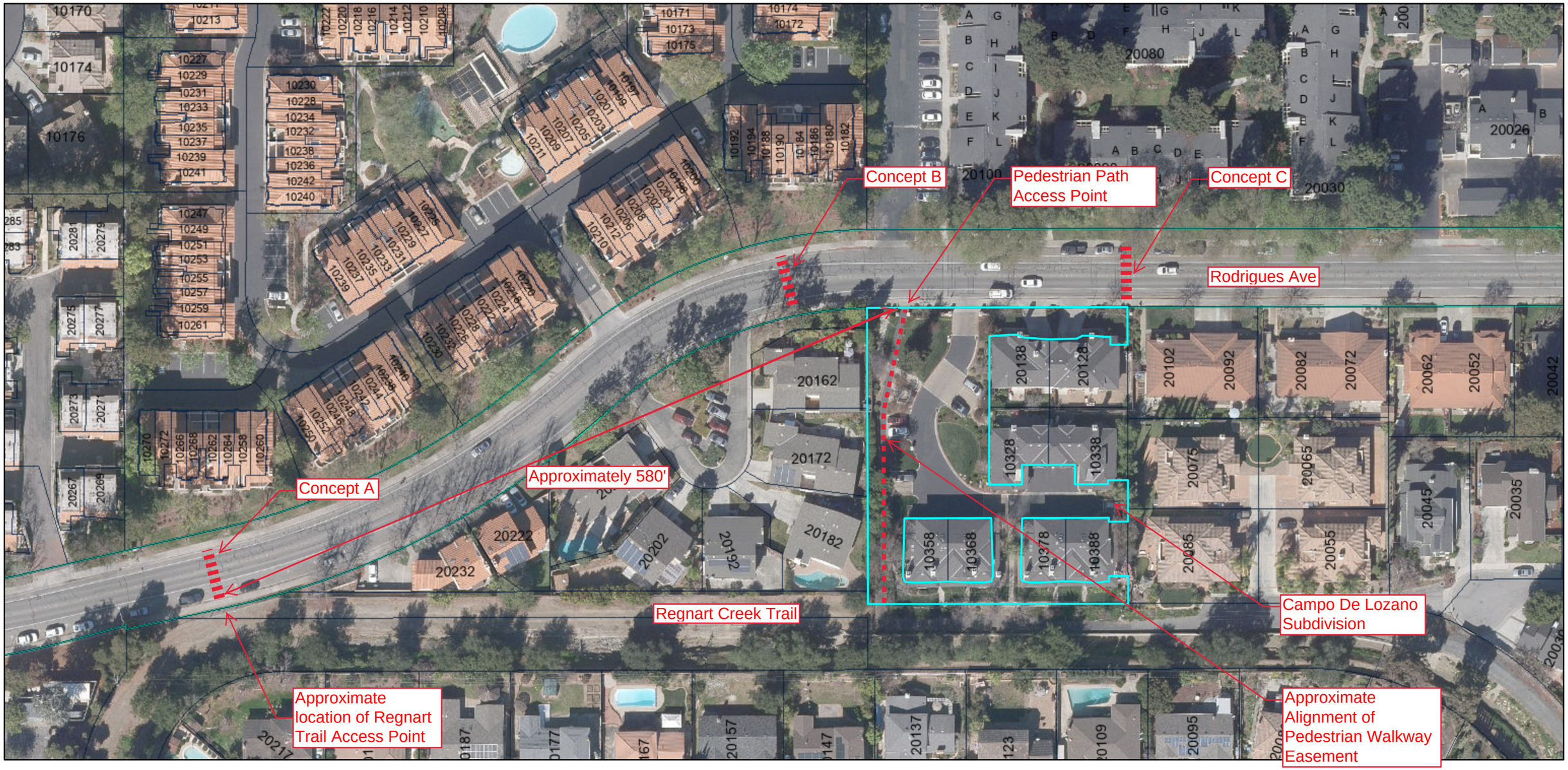
Fiscal Impact

The permit application fee for an easement vacation of this type is $4,368, but the fee is being waived for this application per City Council direction at the February 1, 2022, City Council meeting. City staff time and materials will be absorbed by the City.

Prepared by: Chad Mosley, Assistant Director of Public Works, and City Engineer
Reviewed by: Jimmy Tan, Acting Director of Public Works
Reviewed by: Dianne Thompson, Assistant City Manager
Approved for Submission by: Jim Throop, City Manager
Attachments:
A – Draft Resolution
B – Aerial Exhibit

Attachment B

City of Cupertino Property Information



August 27, 2021

Property Info Poly

City Boundary

Right of Way

2020 Aerial

Red: Band_1

Green: Band_2

Blue: Band_3

1:1,128

0 0.01 0.02 0.04 mi

0 0.01 0.03 0.06 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

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TRAIL RULES

- QUIET - PLEASE RESPECT NEIGHBORS
- TRAIL HOURS: DAWN TO DUSK
- DISMOUNT BICYCLE