

**Council Meeting: April 8, 2008****SUBJECT: Tasman/Fair Oaks Area Parking Issues****REPORT IN BRIEF**

This report responds to an inquiry made by former Councilmember Dean Chu at the October 16, 2007 Council meeting regarding on-street public parking conditions in the Tasman/Fair Oaks area. Staff was asked to investigate if there are steps that can be taken to improve public on-street parking conditions/supply in the area. Former Councilmember Chu made this inquiry in the context of a parking dispute at the Danbury Place development on Karlstad Drive, but other issues in the area, particularly with the Hindu temple on Morse Avenue, warrant a more comprehensive description of conditions. Public Works staff has coordinated relevant input from Community Development, Public Safety, Office of the City Manager, and Office of the City Attorney staff.

Staff concludes that it is physically possible to provide additional on-street parking on certain streets in the Tasman/Fair Oaks area within the existing roadway cross-sections. There may be a negative impact on traffic operations and safety if turn lanes on Tasman Drive are eliminated to create space for additional parking. Reconfiguration of roadways will require a budget modification to increase the Department of Public Works Field Services operating budget. Staff does not believe that conditions warrant the reconfiguration of streets to provide additional on-street public parking. Staff recommends that the City Council take no action on the Tasman/Fair Oaks parking issues at this time. The Bicycle and Pedestrian Advisory Commission commented on this report and supports the staff recommendation.

BACKGROUND**Public On-Street Parking Conditions in the Vicinity of Danbury Place**

Danbury Place is a series of four developments located on Fair Oaks Avenue, Tasman Drive, and Karlstad Drive. It is one of several townhome style developments that are being constructed and occupied in the area. An area map is included as Attachment A.

The City received complaints from some residents who feel there is not enough parking for residents because: 1) the private common stalls within the project are currently marked for guest parking only; and 2) the streets abutting the project do not allow on-street parking. The speakers felt that Tasman and perhaps another abutting street are quite wide and should be studied to

evaluate if on-street parking is feasible. The Council asked staff to investigate these issues.

Planning staff in the Community Development Department has coordinated with the Homeowners Association on the guest parking issues and a Council update was provided on this. The most recent action was to recommend to the Homeowners Association to provide some flexibility in marking parking spaces and defining what constitutes guest parking (Attachment B).

The Department of Public Works was asked to study the potential of on-street parking and report back to Council.

Public on-street parking exists on Karlstad Drive adjacent to Danbury Place. There is no parking currently on Tasman Drive or Fair Oaks Avenue.

On the east side of Karlstad between Tasman Drive and Toyama Drive which is where Danbury Place is located, there is parking available for approximately 44 vehicles. Other land uses on the east side of the street include other townhome developments. A recent count showed that this parking is well utilized during the day, with 40 vehicles parked. An evening count found 21 vehicles parked.

On the west side of Karlstad, land uses are mixed townhome and industrial uses. Approximately 45 vehicles can be parked on-street. Parking occupancy during the day was 33 vehicles. Evening parking occupancy was 13 vehicles.

Because several parcels are currently under construction and construction workers and construction vehicles are utilizing much of the on-street parking during the daytime it is difficult to determine what the ultimate parking demand will be upon completion of redevelopment. At the current time, it appears that there is unutilized parking supply in the evening hours, and sufficient parking supply during the daytime hours.

Other Parking Issues in the Area - Hindu Temple Special Events

The Hindu temple at the corner of Morse Avenue and Persian Drive has a continuing issue with special event permitting, violation of restrictions on the size of special events, and consequent mass violation of parking regulations on public streets in the area, particularly Morse Avenue.

In 1995, a Special Development Permit was approved for the Hindu Temple at 420 Persian Drive. The permit allowed a previous industrial building to be converted for use as a place of worship. At the same time a Special Development Permit was approved for an adjacent industrial parcel (425 Tasman) for the Korean Presbyterian Church. The two permits required a shared parking agreement between the two facilities to assure adequate parking for large gatherings (neither site had sufficient parking available to

accommodate the projected attendance at their larger functions). The conditions of approval for the Hindu Temple site stated that “occupancy at any single occasion shall not exceed 600 persons.”

The Hindu Temple has grown since the original approval and has held special events that attract well in excess of 600 persons. Starting in 2001, staff required a planning permit for these one to three day events through a Miscellaneous Plan Permit. In the past few years the application process has been coordinated through the Office of the City Manager. Up to four special events that bring in many people have been held within a year.

In November 2006, the Hindu Temple received a Special Development Permit (SDP) to revise and upgrade the architecture of their building. As part of that SDP a condition of approval was added to specifically remind the applicants of the need to obtain approval for large events (in excess of 600 people) indicating the type of reviews that would be conducted. This permit has not been officially exercised as no remodeling work has taken place, however, there remains the need for city approval in advance of a special event.

The Hindu Temple has, on several occasions, held events with attendance significantly in excess of what their use permit allows and what the site can accommodate. Impacts of this behavior include:

- DPS receiving complaints of parking violations as well as traffic congestion and pedestrians in the street.
- Multiple requests for DPS enforcement at private parking lots where cars blocked in other cars.
- Parking issues for night patrol with dozens of illegal parkers on Morse.
- Events far exceeding the capacity for the site and the neighborhood.
- Negative impacts on surrounding neighborhoods (blocked driveways, etc).

As stated on the Community Event Application Form, applications for special events should be submitted at least 60 days before the event. For the past three years, the application for the Diwali Mela Festival held at the Hindu Temple has been submitted far less than 60 days before the event. In each case, the applicant was informed of the time requirement.

The information on the anticipated attendance has been underestimated for the past three years. As a condition of the Temple’s Use Permit, special events are limited in size to no more than 600 people over the course of any 24 hour period. The past three applications anticipated attendance at 400- to 500 people per day. According to the India Post News service, over 20,000 people attended the Diwali Mela in 2006.

The Departments of Public Safety, Community Development, and the Office of the City Manager have been working with Temple Leaders over the last three

years in an attempt to find parking alternatives for their special events. DPS officers and the Chief of Public Safety have met with Temple leaders several times. Community Development and Office of the City Manager staff have worked extensively on the processing of event permits. Public Safety has offered to work alongside Leaders to see if adjacent businesses would allow parking on their properties, but Temple Leaders have not enlisted the City's assistance.

Public Safety also came to a verbal agreement that Temple Leaders would notify Public Safety of any upcoming special events, and have in fact assigned a liaison to make contact on regular basis. To date, the Temple has continued their pattern of failing to notify Public Safety of special events.

In 2007, an extraordinary effort was made by staff to work with the Temple Leaders collaboratively to resolve their parking issues in advance of the Diwali Mela festival. Several specific conditions were identified to assist the Temple in reducing the festival's impact on the neighborhood, including providing a remote parking location and shuttle service, providing advance notice of the availability of off-site parking, notifying festival attendees that parking regulations would be enforced, and providing staff to manage parking. These conditions were not sufficiently implemented, and parking problems continued. As a result, the City required the Temple to pay the cost of extra law enforcement services that were required.

Most recently, On March 22, 2008, Public Safety responded to a noise complaint in the area and discovered a large event was taking place at the temple. The crowd was estimated at 10,000 people. The parking lot of the temple was full of people and there were several pop up type tents covering areas where food was being prepared and served. The exits were too small and were being blocked by large numbers of people. The temple itself was full of people dancing and the crowd inside was estimated at 2,000. The maximum occupancy for the Temple building is 257 for dining and 668 for assembly. No notification was given to the City regarding this event.

Vehicular and pedestrian traffic was extensive in the area, and there were numerous parking violations along all the streets in the area including on private property. Many of the violations were for parking in violation of signs, blocking driveways or fire hydrants, and vehicles parked across sidewalks.

Enforcement of issues related to the latest event required almost 17 hours of DPS time. In addition to parking and traffic citations, the City Fire Marshal issued six citations for fire safety related issues. Total cost of enforcement is estimated at \$2,749.73, which will be billed to the Hindu Temple.

This event took place following the BPAC's review of this report.

EXISTING POLICY

Land Use and Transportation Element C3.2.4, Continue to evaluate transportation impacts from land use proposals at a neighborhood and City-wide level.

Land Use and Transportation Element C3.4.6 Manage on-street parking to assure safe, efficient traffic flow.

DISCUSSION

Opportunities to Provide Additional Public On-Street Parking Supply

Staff investigated opportunities to provide additional public on-street parking in the area. The results are as follows:

- Fair Oaks Avenue is a six lane, heavily traveled arterial in the area with a narrow painted shoulder. To provide on-street parking, the roadway would need to be modified by either removing a travel lane or narrowing/eliminating the landscaped median. Removal of a travel lane would cause severe traffic congestion. Modification of the median would be a relatively high cost capital improvement.
- Tasman Drive is a two lane street with center turn lane and bike lanes. On-street parking could be provided by eliminating the two way left turn lane. This could provide approximately 16 spaces on one side of the street between Fair Oaks Avenue and Morse Avenue. Elimination of the two way left turn lane would result in increased delays to vehicles traveling on Tasman Drive, and would have the potential to increase rear end and 90 degree collisions. It is likely that the bicycling community would be concerned with the additional on-street parking adjacent to bike lanes. Cost of re-striping the roadway would be approximately \$1,500.

The bike lanes are a required mitigation for the Tasman light rail transit project. Elimination of bike lanes would necessitate re-visiting the environmental documentation for the Tasman West project, including both California Environmental Quality Act and National Environmental Policy Act concerns. A new environmental analysis would be necessary, likely to include a Federal Transit Administration review.

- Morse Avenue is a two lane street with bike lanes. On-street parking exists between Persian Drive and Tasman Drive, and between the John W. Christian Greenbelt crossing and Weddell Drive. Additional public on-street parking could be provided on one side of the street without eliminating bike lanes or travel lanes. Approximately 52 additional spaces could be accommodated. On the east side of the street, there are three townhome developments on this stretch of Morse, as well as the Parkinson's Institute and industrial development. The Willow Ranch

mobile home community and a townhome development are on the west side of the street. It is likely that the bicycling community would be concerned with the addition of on-street parking adjacent to bike lanes. Cost of re-stripping the roadway would be approximately \$2,000.

Parking could be provided on both sides of the street with the elimination of bike lanes. This is likely to draw significant opposition from the bicycling community.

As an aside, the City currently has a project under design to complete sidewalks on both sides of the street on this stretch of Morse Avenue, as well as on the east side of Fair Oaks Avenue between Tasman and Weddell drives.

Current or Potential Actions to Address Parking Issues in the Tasman/Fair Oaks Area

Public Parking in the Vicinity of Danbury Place

The Danbury Place development actually consists of four “phases”, some of which are physically separated from each other by streets or other developments. Danbury Place is one of several townhome or condominium developments existing or recently approved for the area. Staff is focusing the discussion of parking issues on the Danbury Place development because this development is the source of the recent parking dispute. Staff has not investigated whether other parking problems exist or are perceived with other developments in the area.

Streets immediately adjacent to the Danbury Place developments are Karlstad Drive, Tasman Drive, and Fair Oaks Drive. As previously stated, there is already public on-street parking on Karlstad Drive, and no opportunities exist to increase the parking supply. Provision of on-street parking on Fair Oaks Drive would require removal of a travel lane or modification of a landscaped median. These actions would either cause significant traffic congestion or would have significant capital costs. Only one phase of the Danbury Place development fronts Fair Oaks Avenue. Public on-street parking could be added on Tasman Drive by removing a center turn lane. This would provide approximately 16 parking spaces adjacent or near two of the Danbury Place phases. There are approximately 100 residential units of the Danbury Place development in close proximity to the location where additional parking could be provided on Tasman Drive. Additionally, there are 72 units under construction at another site on Tasman, and the Traditions town home complex and a church is also adjacent to this location. It is unlikely that provision of 16 additional spaces will accrue much benefit to any one site, and only marginal benefit to the totality of land uses along this stretch of Tasman Drive. All of these sites conform to off-street parking requirements.

The most significant opportunity for increasing the supply of public on-street parking is on Morse Avenue. Approximately 52 parking spaces could be created through reconfiguration of the roadway. However, this parking would be a block or more away from the Danbury Place developments. To the extent that increasing the parking supply in the neighborhood might re-distribute the on-street parking demand, providing parking on Morse might provide a small increase in on-street parking supply that could serve Danbury Place. However, staff believes that any benefit would be negligible. Observed parking demand does not exceed supply on Karlstad, so shifting demand elsewhere would be of little benefit. As previously stated, staff is unaware of any other parking issues with other developments in the area, including those located on Morse Avenue or in close proximity to Morse.

Hindu Temple Special Events

To date, the City has taken a proactive approach to working with the festival organizers and informing them of the issues and concerns related to the large-scale events held at the Hindu Temple. Needs and actions identified and communicated to the temple leaders relative to the parking situation include the following:

- Need to find plenty of off-site parking and provide convenient shuttle services, if the parking is not within walking distance.
- Possibility of Economic Development staff introducing festival organizers to businesses in Moffett Park.
- Discussed protocols in controlling the number of people on-site at a given time and the need to check with attendees on arrival if they have parked legally.
- Notification of homeowners associations of the nearby residential complexes so that temple guests were not parking in their developments
- Emphasizing/requiring early planning and that advertising for the event needs to clearly show where to park.
- Establishment of a liaison to facilitate ongoing communications with the Temple.
- Requirements for special events have been strengthened in a pending use permit for improvements at the site.

Staff is not encouraged by the response to date by the temple leaders. However, staff believes that the measures identified to date, if effectively implemented by the Temple, would adequately mitigate the parking impacts of the Temple festivals.

Other options to address festival parking demand exceeding the available parking supply would involve taking steps to increase the amount of available public on-street parking. Reconfiguration of roadways to provide additional on street parking, or temporarily lifting parking restrictions during special events

(effectively allowing people to park in bike lanes in the area) is not likely to provide sufficient parking to meet the overall parking demand created by the Temple's special events. Also, it is possible that the closure of the bike lane combined with increased traffic as a result of a festival could create a hazard to bicyclists using the street. The City Attorney's office states that this may increase the City's liability exposure should a cyclist be injured. A bike lane should not be closed if doing so would potentially create a dangerous condition.

Bicycle and Pedestrian Advisory Commission Input

The Bicycle and Pedestrian Advisory Commission reviewed a draft Report to Council at its March 20, 2008 meeting (See meeting minutes, Attachment C). The Bicycle and Pedestrian Advisory Commission supports the staff recommendation. Commission members expressed several concerns regarding Danbury Place Homeowner's Association rules, decreased safety for bicyclists if on-street parking is increased, and solutions that further contribute to the problem, rather than addressing the root problem.

Commissioners stated that the Danbury Place Homeowners Association has the ability to adjust the number of guest parking spaces, and that this would address the Danbury Place issue. Commissioners cited specific experience with similar situations, noted that this problem would likely self-correct, and urged the City staff to redouble efforts to convince the Homeowners Association to modify guest parking ratios.

Commission members stated that it is a certainty that conditions for bicyclists would be less safe if bike lanes were placed next to on street parking, due to the threat of being "doored", the introduction of vehicles entering and exiting the parking strip, and high speeds on area roads, particularly Morse Avenue. Conditions in the general area are already challenging for bicyclists, particularly on Tasman Drive east of Fair Oaks, and pending growth in the area will increase the potential of bicycle/motor vehicle conflicts.

Commission members confirmed that the bicycling community would be opposed to any elimination of bike lanes. Commissioners noted that bike lanes are not intended for overflow parking, and making room for more cars is not a solution for problems generated by cars. Commissioners stated that vehicular parking requirements for land developments are already generous, but they will never be generous enough relative to car ownership. Ownership of too many cars and failure to implement corrective measures for the Hindu festival situation are the root problems, and bike facilities should not be impacted by any solution.

Upcoming Study Issue Related to Parking Issues

The City Council approved as the Department of Public Safety's highest study issue priority a study that deals specifically with exemptions for regulated parking in conjunction with special events.

FISCAL IMPACT

There is no fiscal impact associated with receiving information on parking issues in the Tasman/Fair Oaks area. Should the City Council desire to increase the on-street parking supply on Tasman and Morse Avenues, an increase in the Department of Public Works Field Services operating budget would be required in the amount of \$3,500. Should the City Council direct staff to close bike lanes and allow for on-street parking in the bike lane space during special events at the Hindu Temple, there would be an associated operating cost for covering "No Parking" signs, but this cost could be passed on to the special event permit holder. The Bicycle and Pedestrian Advisory Commission believes that a significant fiscal impact could be realized if the City were found liable should a cyclist or pedestrian be injured due to changes in parking or bike lanes.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, in the Council Chambers lobby, in the Office of the City Clerk, at the Library, Senior Center, Community Center, and Department of Public Safety; posting the agenda and report on the City's Web site; and making the report available at the Library and the Office of the City Clerk.

ALTERNATIVES

1. Direct staff to modify the roadway configurations of Tasman Drive and Morse Avenue, and to return to the City Council with a budget modification to increase the Department of Public Works Field Services operating budget by \$3,500.
2. Direct staff to close bike lanes and allow parking in bike lanes in the vicinity of the Hindu Temple during Temple special events, and pass the operating cost for implementing these closures to event permittees.
3. Do not take action on Tasman/Fair Oaks parking issues at this time.
4. Other action as directed by Council.

RECOMMENDATION

Staff recommends Alternative 3: Do not take action on Tasman/Fair Oaks parking issues at this time.

Staff concludes that actions to temporarily or permanently increase the public on-street parking supply in the Tasman/Fair Oaks area would not provide significant relief to the parking issues perceived in the area. Requiring and enforcing parking management and other measures for Hindu Temple festivals can be effective in addressing parking issues. The Danbury Place development meets City parking standards, and provision of additional on-street parking on Tasman Drive and Morse Avenue will not noticeably augment the off-street parking supply for this development. Existing public on-street parking demand does not exceed the existing parking supply.

Reviewed by:

Marvin A. Rose Director, Public Works

Prepared by: Jack Witthaus, Transportation and Traffic Manager

Reviewed by:

Hanson Hom, Director, Community Development Department

Approved by:

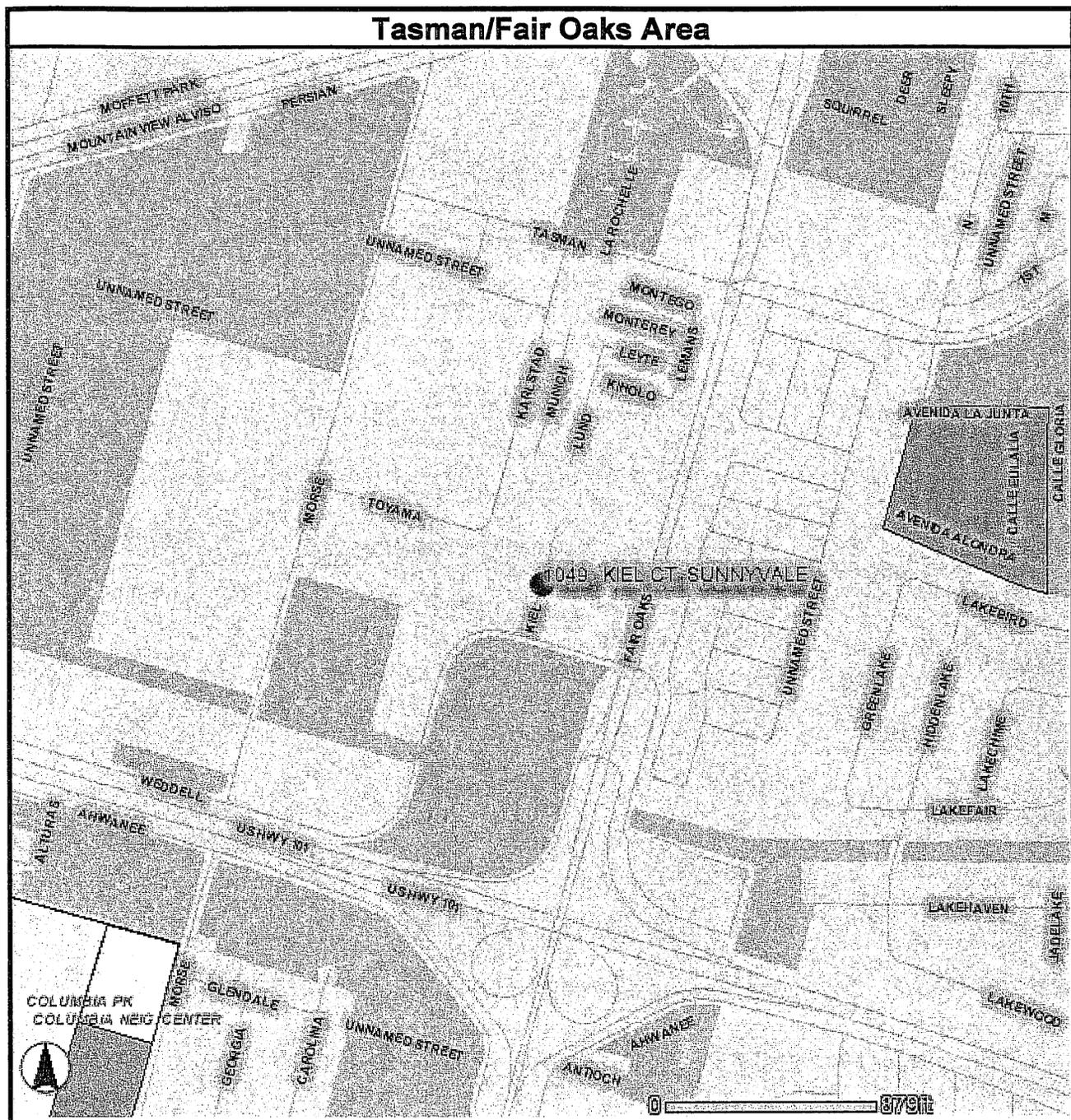
Amy Chan

City Manager

ATTACHMENTS:

- A) Map of Tasman and Fair Oaks area.
- B) Letter to Danbury Place Home Owners Association
- C) Draft Bicycle and Pedestrian Advisory Commission Minutes of March 20, 2008.

Tasman/Fair Oaks Area





December 27, 2007

Danbury Park Home Owners Association
c/o Nancy Lester, Community Manager
Merit Property Management, Inc.
111 Deerwood Road, Suite 200
San Ramon, CA 94583

Dear Association President:

We understand that your association has been discussing ways to manage the unassigned parking at the Danbury Place condominium development and the City would like to clarify some issues regarding parking management while you develop your program.

As a reminder, all garages are required by the City to be available for parking of two vehicles and that unassigned spaces are required to be available for both guest and residents. We have found that it is best if some of the unassigned spaces be reserved and marked specifically for guests. A ratio of 25% and up to 75% is recommended. It is up to the HOA to define "guest" and the timeframes to allow guest to park.

We have also found that the greatest benefit to a development occurs when open spaces are not reserved for the use by an individual; however, individual neighborhood circumstances may require a different approach.

As a reminder, the original Conditions of Approval adopted by the City for your project do not allow the HOA to charge for, sell or lease parking spaces. The City recognizes that nominal fee may be deemed necessary to implement a parking management program.

If we can be of any further assistance, please contact me at the Planning Division at (408) 730-7591 to discuss ideas you may have for parking management.

Sincerely


Gerri Caruso
Principal Planner

cc: Hanson Hom
Trudi Ryan
Kevin Ngo
Patrick Mahoney

ADDRESS ALL MAIL TO: P.O. BOX 3707 SUNNYVALE, CALIFORNIA 94088-3707
TDD (408) 730-7501



DRAFT

**SUNNYVALE BICYCLE AND PEDESTRIAN ADVISORY COMMISSION
Meeting Minutes – March 20, 2008**

The Bicycle and Pedestrian Advisory Commission met at 6:30 p.m. on March 20, 2008 with Committee Chair Jackson presiding. The meeting was held in the West Conference Room, City Hall, 456 West Olive Avenue, Sunnyvale.

ROLL CALL/CONSIDERATION OF ABSENCES

Members Present: Kevin Jackson
Richard Warner
James Manidakos
Ralph Durham
Andrea Stawitcke
Michael Reece

Members Absent: All Commission members attended the meeting

Staff Present: Jack Witthaus, Transportation and Traffic Manager
Heba El-Guendy, Senior Transportation Planner

Visitors: Arthur Schwartz
Patrick Grant
Chad Brower
Cathy Switzer
Garth Williams
Shaun Storm
D. Semer

SCHEDULED PRESENTATION

None.

PUBLIC ANNOUNCEMENTS

None.

CONSENT CALENDAR

- 1.A) Approval of Draft Minutes of the February 21st BPAC Meeting
- 1.B) Approval of the March 20th Meeting Agenda
- 1.C) Approval of the 2008 BPAC Calendar Update

Consent Calendar items 1.B) and 1.C) were approved 6-0.

Chair Jackson – Requested removing the word duplication on the last line of Page 2 of the minutes. Also requested that the third paragraph on Page 3 be revised to reflect his belief that Ms. Gerri Caruso intended to explain that on large projects, there is a greater potential for the building inspector to miss plan items including bicycle parking. Requested revising the third paragraph on Page 5 to read “Requested to add a note at the beginning of the meeting minutes indicating that the minutes are not detailed as defined by Council on January 8th, January 29th, 2008”. In addition, requested that the following revisions be made to Page 6 of the minutes: Third paragraph “Requested ~~marketing~~ promoting the Borregas bridge ...”; second phrase of the sixth paragraph “Also noted that the VTA Bicycle Expenditure Plan is how big projects such as the Borregas Bridge get done, and that Mr. David Simons is the Sunnyvale representative on the VTA BPAC”; first phrase of the seventh paragraph “Noted that he has been living in Sunnyvale for a year and he bike commutes to his work in Mountain View”; and, last paragraph to read “Noted that in between BPAC meetings, the public could report their comments on the web site by going to <http://www.Biking.inSunnyvale.com>”. Revised item (d) in the second paragraph on Page 7 to read “Emphasize ~~bike supply/demand~~ on- and off-street parking surveys”. Also revised the last phrase of the second paragraph on Page 9 to read “The BPAC staff liaison was directed to prepare sufficient distribution products such as copies of the Bicycle Plan Map, pins, reflective strips, etc.”

Consent calendar item 1A was approved 6-0 as amended.

STAFF RESPONSE TO PRIOR PUBLIC COMMENTS

- The City’s Parks and Recreation Department was contacted with regard to the requested installation of bicycle signage in the vicinity of the Sunnyvale entrance to the Baylands Park.
- The City’s building inspector in charge of overseeing the Moffett Towers construction project was contacted with regard to the requested sweeping of H Street. Representative of Lockheed Martin was also contacted in this regard. As a result, H Street was swept and cleared of all construction related debris.
- Vicinity of the Fair Oaks/Tasman intersection, including the southbound travel lanes, was checked. No roadway maintenance issues were identified during the site check. Consequently additional feedback is welcomed with regard to the requested filler at a storm drain.

PUBLIC COMMENTS

None.

PUBLIC HEARINGS/GENERAL BUSINESS

2. DISCUSS: Proposed Policy on the Allocation of Street Space

Commissioner Reece – Requested the following changes: Under the Modal Balance section “The City should consider ~~enhanced standards~~ *enhancing the existing standards* for pedestrian facilities”; under the Transport Versus Non-Transport Uses section: “Historical precedence for street space dedicated for parking shall be a lower priority *than transport uses* when determining the appropriate future use of street space for transport”; under the Use of Engineering/Planning Criteria: “When decisions on the configuration of roadway space are made, staff shall present ~~alternatives~~ *options*, including at a minimum an ~~alternative~~ *option* that meets minimum safety-related design standards for motor vehicles, bicycles and pedestrians”; and, under the Design Standards/Safety section: “If street configurations do not meet minimum design and safety standards for all users, ~~than~~ *then* standardization for all users shall be priority. Safety considerations for all modes shall take *be a* priority over capacity considerations of any one mode”.

Jack Witthaus – In response to concerns raised by Commissioner Reece and Commissioner Durham, suggested making the following revision under the Transport Versus Non-Transport Uses: “~~Minimum safety standards for transport uses shall be considered before non-transport uses are considered.~~ *Facilities that meet minimum safety standards shall be considered*”.

Commissioner Manidakos – Requested that an Action Statement regarding pedestrians be added under the Design Standards/Safety section.

Chair Jackson – Requested a policy clarification that it is intended for collectors and arterials, and not for local residential streets. Also expressed that the policy should not take away the staff’s flexibility, and force all projects regardless of their size to go to Council for approval. Used Sunnyvale Avenue as an example, since staff was able to establish bike lanes along the corridor within a week notice.

Jack Witthaus – Clarified that there are no other situations similar to the Sunnyvale Avenue project, except may be for Duane Avenue. Also noted that he is not definite that the approach taken in addressing the Sunnyvale Avenue project was adequate.

Chair Jackson – Referred to the Chronicle article on the Bay Area’s 25 Deadliest Roads for Cyclists and noted that although the number of collisions decreased by 22% between the years of 1997 and 2006, the number of bicyclists killed in collisions with motor vehicles increased by 28%. Added that Santa Clara County was the deadliest

place for Bay Area bicyclists over the past decade according to the CHP data collected from local police and sheriff's departments. Concluded that this is a time for innovative policies and positive actions to improve safety conditions.

The public hearing was opened.

Cathy Switzer – Expressed her concern with regard to staff possibly losing their flexibility to take actions. Indicated that Council members may not always have the opportunity to review projects in detail. However staff, for example, attend the BPAC meetings and are aware of reported concerns.

Chair Jackson – Explained that Council rely heavily on the staff's recommendation and on BPAC's support to such recommendation.

Arthur Schwartz – Indicated that the policy should not pose a restriction on the staff's prerogative. Added that the policy should not make it mandatory for City Council to make the final decision on all projects.

Chair Jackson – Commented that staff should be allowed to decide on and implement projects administratively for matters that do not rise to the level of needing a Council decision.

Patrick Grant - Noted that the policy needs more substance, and that it needs to be tied with the City's 2006 Bicycle Plan. Asked BPAC members to refer to his e-mail messages of March 15th and 16th for ideas, and to the MTC guidelines. Indicated that based on the Chronicle article, Fair Oaks Avenue makes the top 20 corridors with the highest number of collisions, and makes the top eight (8) if the corridor length/mileage is taken into consideration. Added that the Fair Oaks corridor should be used to framework the policy.

Commissioner Durham – Commented that unfortunately the study referenced in the Chronicle article did not provide information on the number of cyclists that use the corridors.

Shaun Storm – Noted that the policy is too abstract, and that relevant standards need to be stated. Also requested that some attention be paid to establishing an interconnected grid of bicycle facilities that is usable.

The public hearing was closed.

4. DISCUSS: Tasman/Fair Oaks Area Parking Issues – Draft Report to Council (RTC)

Jack Witthaus – As part of describing the staff report, clarified that the issue rose mainly because the Home Owners Association (HOA) of the Danbury Place development has been enforcing guest parking and towing residents' vehicles. Given consideration that there would be additional housing in the area, staff investigated the possibility of increasing the on-street parking supply by reconfiguring lanes on Tasman Drive and Morse Avenue. However the lanes reconfiguration would result in adding only a limited number of parking spaces. This is one of the reasons that staff recommends to take no action. In addition, staff is not in favor of replacing the existing bicycle facilities with street parking. This is especially the case, since the painted shoulder on some area streets is only four feet. City staff attended community meetings as a participant and facilitator. However, no community agreement has been reached. Concerning the Hindu Temple festivals, allowing temporary parking in the bike lanes would adversely affect the operational and safety conditions, and could constitute a liability issue. Feedback of the BPAC members will be incorporated as part of the staff report to Council.

Commissioner Reece – Supports the staff recommendation to do nothing. The HOA is a local government that enforces rules established by the developer. Residents within the Danbury Place development were informed from day one of the number of parking spaces available for residents and guests. The HOA meets every month, and could change conditions if they so wish. Noted his rejection to any changes in lane configuration in order to accommodate additional on-street parking. Believes that undertaking such an action would adversely affect safety conditions and sense of security especially among cyclists and pedestrians. Added that although it may take time, the community would likely reach a resolution on their own.

Commissioner Durham – Noted that residents abutting to a few area streets, such as Montego Terrace, virtually have no parking. Questioned the parking survey results contained in the Draft RTC. Based on his observation at 9:30 on Tuesday March 18th, all on-street parking was used up-to Tasman Drive. It was interesting to see an open garage that is empty while there is excessive demand for street parking. Noted that the trailer park off of Tasman Drive is difficult to access by cyclists and pedestrians. When the area is fully built, there will be more traffic heading towards Fair Oaks Avenue. Consequently, multi-modal, including transit, opportunities along Fair Oaks Avenue must be a priority over accommodating additional on-street parking in the area. Indicated his preference that speed humps be installed on streets with design speed of 25 mph. Installing this physical traffic calming device on streets with higher speeds adversely affect safety conditions including cyclists movements. Supports the "Do Nothing" approach except for the needed provision of pedestrian sidewalks and bike lanes. With regard to the Hindu Temple festivals, these events have been exceeding capacity of the temple and surrounding area. Their event permits are regularly violated and the Sunnyvale Fire Marshal should take the necessary corrective measures.

Commissioner Warner – Noted his observation of motorists traveling at excessive speeds, while some of the area streets do not have sidewalks. Recommends against the provision of on-street parking since it would mainly be on the expense of cyclists and pedestrians.

Chair Jackson – Noted that bike lanes are not intended for overflow parking, and we cannot keep on trying to make more room for cars in order to solve the problems generated by cars. Non-motorized modes of transportation should be a higher priority than street parking. Believes that the vehicular parking requirements are generous, but they will never be generous enough relative to car ownership. Area residents owning too many cars and the Hindu Temple neglecting to implement corrective measures, are the main causes of the problem. Providing more street parking would simply add to the problem rather than solve it. Other alternatives should be considered, such as car sharing practiced in San Francisco and other areas. Also noted that the potential addition of on-street parking would result in safety and liability issues along with associated significant fiscal impacts to the City. Encouraged BPAC's review as this study issue proceeds.

The public hearing was opened.

Shaun Storm – Indicated that the City should prevent such problematic residential developments from being built. Event attendees could park their vehicles at a satellite location and be shuttled to the event.

Chad Brower – Believes that the City should not be subsidizing commercial activities. The City is simply being asked to provide additional street parking for free.

Patrick Grant – Noted that there is a storage lot located on the east side of the East Canal. Also noted that when the City completes the East Canal bike path, there will be more opportunities for cycling and using public transit. Requested that the speed bumps be replaced with speed humps.

The public hearing was closed.

3. DISCUSS: Code of Ethics and Conduct for Elected and Appointed Officials

Chair Jackson – Noted that the reasons for combining the Code of Ethics and Code of Conduct are not persuasive. A better approach is to retain two separate documents, and add notations, when needed, that reference one another. Believes that the Code of Conduct is mostly applicable to City Council, and not necessarily to members of the different Boards and Commissions. In addition, most public members have questions about the Code of Ethics rather than the Code of Conduct. Consequently, turning a three-page Code of Ethics into a nineteen-page document only makes it difficult to the

users even if the resulting document is well indexed. Also noted that the first paragraph on Page 3 of the staff report states "It should be noted that staff are held to similar high standards of ethical conduct, as detailed in the City's Administrative Manual.....". Thus, one could argue that the City's rules set for staff be incorporated into the overall Code of Ethics and Conduct. In addition, would like to encourage City Council to refer to Pages 13 and 14 of the Code of Conduct which address the Council Conduct with the Public. Indicated that he never observed speakers being allocated five minutes each, as noted in the third paragraph on Page 13 of the Code of Conduct. Added that the new speech research poses restrictions on public speaking and discourages participation. In general, believes that the Code of Ethics and Code of Conduct are two separate documents that do not qualify for consolidation, even their tone is very different. Persons would intuitively know the Code of Conduct, but not necessarily the Code of Ethics. Added that Boards and Commissions just got through the revisions made to the Council Policy Manual which also resulted from combining information.

Commissioner Reece - The two documents were very well consolidated. The combined document is still sectioned into "Ethics" and "Conduct" to facilitate the users' reference. Also noted that combining such policy documents eliminates the possibility of having conflicted information in the individual documents. The City could further attempt to make divisions/sub-divisions of the amalgamated document very clear not to intimidate users.

Commissioner Stawitcke - Believes that combining the two documents into one makes sense since the subjects are related and relevant to one another. Is used to reviewing large reports, and whether the overall document is three or nineteen pages would not discourage her from using the document. It is more important to make all relevant information available in one source rather than being concerned about the document's length. The drafted Code of Ethics and Conduct is well delineated and user friendly.

Commissioner Durham - Indicated that consolidating the City's Codes of Ethics and Conduct was largely a good effort.

The public hearing was opened.

No public comments were made on the matter.

5. DISCUSS: Santa Clara Countywide Bicycle Plan

Chair Jackson – Provided a preliminary and general comment that the Countywide Bicycle Plan is detailed, and that the BPAC members participated in its development.

The BPAC members indicated that they will attempt to forward their comments on the Plan to the staff liaison on, or before the 26th of March in order to meet VTA's deadline of April 1, 2008.

NON-AGENDA ITEMS AND COMMENTS

- BPAC ORAL COMMENTS

Commissioner Durham – Indicated that Maude Avenue west of Mathilda Avenue has no space for bicycle lanes unless a vehicular travel lane is eliminated. Noted that the Memorial Ride for the bicyclists killed in Cupertino was attended by three BPAC members. Although sad for the cyclists who were involved in the accident, expressed consideration of the effect of multiple 12-hour shifts on the physical and mental conditions of police officers.

Commissioner Warner – Noted that the Tour of California established a web site "<http://www.yieldtolife.org>" to provide educational information for motorists and cyclists. Also indicated that there is only 100 days remaining before requiring the use of a phone ear set while driving, and for denying the use of a phone by motorists who are under the age of 18 years. However, 50% of drivers are still using hand sets. Consequently, inquired about the possible enforcement measures by the City's Public Safety Department.

Chair Jackson – Inquired about the resurfacing schedule of Wolfe Road. As he recalls, it was planned to be resurfaced within five years. Noted that the planned 11 feet resurfacing should be extended to 13 feet. In addition, noted that motorists regularly park within the transition area south of El Camino Real, which is dangerous.

- STAFF ORAL COMMENTS

None.

INFORMATION ONLY ITEMS

6. Earth Day Event Update
7. BPAC E-mail Messages
8. Active Items List Update

Garth Williams – Is a Sunnyvale resident and board member on the Stevens Creek Trail Extension project. Inquired about the BPAC and staff's position on the matter.

Chair Jackson – Explained that Alternative 3 seems to be the preferred alternative by the project consultant and the public. Also noted that the Water District was involved in the project's consultation process and had no objection on the preferred alternative.

Heba El-Guendy – Noted the policy decision made by Sunnyvale City Council in 1994, which prevent the provision of a trail extension within the Creek corridor. Also referred to other relevant information described in the Sunnyvale staff response to the City of Los Altos. A copy of the staff response letter will be forwarded to all BPAC members and to Mr. Williams.

Chair Jackson – Announced that the Uba Drive ceremony is on April, 12th, 2008, and that the Cupertino Bridge is expected to be opened for use by December 31st, 2008.

ADJOURNMENT

The meeting was adjourned at 9:30 p.m.

Respectfully submitted by:

Heba El-Guendy
Senior Transportation Planner
Division of Transportation and Traffic