



**PUBLIC WORKS DEPARTMENT**

CITY HALL

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**CITY COUNCIL STAFF REPORT**

Meeting: August 21, 2018

Subject

Adopt a resolution to approve the Regnart Creek Trail Feasibility Study and direct staff to prepare design documents and conduct environmental review.

Recommended Actions

1. Adopt Resolution No. 18-XXX to approve the Regnart Creek Trail Feasibility Study and direct staff to prepare design documents and conduct environmental review for the Regnart Creek Trail, and;
2. Approve a Budget Adjustment in the amount of \$380,000 in the Capital Improvement Fund for the Regnart Creek Trail Project (account #420-99-036 900-905) to prepare design documents and conduct environmental review

Background

The Cupertino Bicycle Transportation Plan (Bike Plan), adopted by City Council in 2016, is a long-range planning document designed to encourage bicycling as a safe, practical and healthy alternative to the motor vehicle. Similarly, the Cupertino Pedestrian Transportation Plan (Ped Plan), adopted by City Council in 2018, provides the blueprint for Cupertino to achieve its vision of an inviting, safe and connected pedestrian network that enhances the quality of life for all community members and visitors. Within both of these Plans, the need for a shared bicycle-pedestrian path or trail along Regnart Creek is highlighted. Within the Bike Plan, the Regnart Creek Trail is identified as one leg of the larger The Loop Cupertino Trail, which would provide a mostly off-street network of bike paths circumnavigating the city. Within the Ped Plan, the Regnart Creek Trail is identified as a vital connector of the neighborhood to local destinations in the vicinity of the creek, including the Cupertino Library and City Center, Wilson Park, and Creekside Park. Importantly, the Regnart Creek Trail is also recognized in both Plans as a critical link for schoolchildren in their route to school and in their quest to access the above destinations.

In September 2017, city staff hired HMM Engineers to conduct a feasibility study for the Regnart Creek Trail. The study includes a review of existing conditions along the creek alignment, research and documentation of trail design criteria, the development and

evaluation of various trail alternatives, the development of cost estimates, and a rigorous public outreach process.

### Discussion

The Regnart Creek Trail would extend along the existing creek alignment between Pacifica Drive and E. Estates Drive, where it would connect to the existing pathway into Creekside Park. The Project would include two roadway crossings, at S. Blaney Avenue and at E. Estates Drive. The alignment is primarily within the Santa Clara Valley Water District (SCVWD) right-of-way and would use the existing SCVWD maintenance/access road along most of its length.

There are two unique and challenging locations along the creek. The first is approximately 800 feet east of S. Blaney Ave, across from Wilson Park, where the maintenance road descends to the level of the creek before ascending again to the top of the creek bank. This concrete ramp is critical for ongoing maintenance of the creek by SCVWD and must be preserved as part of the project. The second is approximately 500 feet west of S. Blaney Ave, at the end of the De Palma Lane cul-de-sac where the Creekside maintenance road is discontinuous and a public bicycle and pedestrian access path exists in front of six residences.

Six alignment alternatives were considered in the study, including a no-build alternative. The alternatives, consisting of a mix of creek and non-creek alignments, were evaluated based on the following factors: Purpose and Goals of Bike and Ped Plans; Access and Directness; User Safety; Environmental Considerations; SCVWD Maintenance Access; and Cost. Alternative 1, which is the alternative that follows the Regnart Creek maintenance road alignment over its entire length, crosses S. Blaney Avenue and E. Estates Drive midblock, and does not follow any on-street alignment, ranked overall as the highest scoring alternative.

### *Description of Preferred Alternative*

The preferred alternative proposes to follow the alignment of the existing SCVWD maintenance road between Pacifica Drive and E. Estates Drive.

A trailhead at the intersection of Torre Avenue and Pacifica Drive designates the western terminus of the trail. Proceeding west to east, the trail will run in an east-west alignment through or next to the existing rows of trees along the south side of Library Field between this trailhead and the Regnart Creek maintenance road, where the trail will turn and follow a north-south alignment along the maintenance road parallel to the west side of the creek behind the Cupertino Library and City Hall parking lot. An access point is proposed across from the Cupertino Library to provide trail access to this area.

At Rodrigues Avenue, the creek and the trail again turn to follow an east-west alignment and another trailhead will provide trail access. The trail then runs along the maintenance road on the north side of the creek, south of and adjacent to residential properties, for about 500 feet. At this point, the trail will follow a 400-foot-long strip of land immediately south of the Campo de Lazano development, 20085 De Palma Lane and 20055 De Palma Lane that had been granted for public bicycle and pedestrian access through Joint Use Agreements with SCVWD in 2004 and 2008. Between the Joint Use area and S. Blaney Avenue, the trail would continue again along the existing maintenance road along the north side of the creek, south of and adjacent to the backyards of several residential properties.

A midblock at-grade crossing of S. Blaney Avenue is necessary for continuity of the trail. To enhance pedestrian and bicyclist safety, crossing treatments would consist of a high visibility crosswalk, supplemented with pedestrian-actuated Rapid Rectangular Flashing Beacons (RRFB's) and a median refuge island.

Between S. Blaney Avenue and E. Estates Drive, the Regnart Creek maintenance road is on the south side of the creek, where it remains to E. Estates Drive. The backyard fences of La Mar Drive residential properties are adjacent to the maintenance road along the entire segment. The trail will follow the maintenance road alignment throughout this segment, with the exception of an approximately 300-foot-long stretch where the maintenance road descends to the creek bed and then ramps back to the top of bank. In order to avoid this ramp, prefabricated steel bridges will be installed across the creek at each end of the ramp to allow the trail to bypass the ramp, continue through the southeastern part of Wilson Park, and return to the creek side maintenance road. This will also allow for a trailhead at Wilson Park. The bridges would need to be temporarily removed during SCVWD maintenance operations that require access to the creek beyond the bridges.

At E. Estates Drive, a midblock at-grade crossing is necessary to connect the trail to the existing pathway to Creekside Park. This crossing will be improved with a high visibility raised crosswalk, pedestrian-actuated RRFB's, and bulb-outs.

### Outreach and Public Hearings

Staff committed to providing a robust community outreach process as part of the study and developed multiple formats for community dialogue and interaction. Public outreach events included a "Walkshop" in the field on November 18, 2017, community meetings on January 22 and April 23, 2018, and a focused meeting with Lazano Lane and De Palma Lane residents on May 23, 2018. The primary purpose of the outreach was to listen to adjacent property owners and the community at-large in order to gain an understanding of concerns and desires for the proposed trail. To reach as many residents and community members as possible, outreach events were announced through several channels online and through mailings. Staff also shared information

about the events through social media on NextDoor, Twitter, and Facebook. Additional outreach included emails to subscribers of the City's "Bicycle Transportation Plan" e-notifications, emails to block leaders in the neighboring area, emails to participants from previous outreach events, flyer postings, notifications from Cupertino Safe Routes to School group, advertisements in the Cupertino Courier, and the posting of door hangers on residences adjacent to the proposed trail. Staff maintained an active online presence by posting outreach materials, meeting presentations, and outreach summaries following each event on the project website.

Community response to the project was mixed, with generally positive feedback from bicycle/pedestrian advocates and the school community, and opposition from residents who live adjacent to the trail alignment. Primary concerns raised pertained to safety, security and privacy, details of which can be found within the Study, in the chapter titled *Public Outreach*. Staff has considered and researched these concerns, and has offered the following measures in response:

- Wooden split rail fencing will be provided along the top of the creek bank throughout the trail to prevent trail users from inadvertently falling down the creek bank. The fencing will be removable in select locations in order to allow SCVWD access for maintenance.
- The City will work with adjacent property owners whose backyard fencing is in poor shape and/or less than seven feet high to construct new seven-foot-high wooden fencing as part of the City's project cost, with some possible reimbursement of a portion of the cost from the SCVWD if the fence is in disrepair.
- Sheriff will regularly patrol the trail, including bicycle patrols. Patrols will likely be conducted daily and more often as necessary.

It should be noted that the Santa Clara County Sheriff, which has jurisdiction over the Saratoga Creek Trail in the southeastern portion of Cupertino, as well as the Los Gatos Police Department, which has jurisdiction over the Los Gatos Creek Trail within the Town of Los Gatos, have indicated that there have historically been minimal issues with respect to noise, vandalism, burglary, homelessness, or other crimes along the trails. SCVWD also has indicated that they are not aware of any problems with trail users falling off trails and into the creeks where creek side trails currently exist. Therefore, staff's recommendation that the above measures be implemented is in response to, and to help alleviate, community concerns, and not based on a documented need resulting from the experiences of other communities with creek side trails.

The trail segment in front of the Campo de Lazano development, 20085 De Palma Lane and 20055 De Palma Lane is unique and will require special consideration. Although this 400-foot-long segment was granted for public bicycle and pedestrian access through a Joint Use Agreement with SCVWD, the segment is in very close proximity to

the front yards and front doors of six residences with minimal physical separation. Staff recommends that semi-permeable vegetation be used to provide a moderate visual barrier from the trail; however, staff is willing to continue to reach out to these residents to develop alternative preferable solutions if the Project moves forward.

As part of the Feasibility Study process, staff was continually in touch with, and had several meetings with, SCVWD staff. SCVWD is supportive of the Project, on the condition that the function and integrity of the creek, and SCVWD's ability to maintain the creek, is not adversely affected by the Project. The recommendations presented above are consistent with those goals. Staff would continue to engage SCVWD as an active partner moving forward into the design and environmental assessment of the Project.

#### Sustainability Impact

Construction of the Regnart Creek Trail will encourage bicycling, reduce reliance on the single-occupancy vehicle, and will therefore have a positive impact on sustainability. The trail is consistent with *General Plan: Community Vision 2015-2040* Policy M-1.3: Regional Trail Development, Policy M-2.3: Connectivity, and Policy M-5.3: Connections to Trails.

A preliminary environmental assessment was performed to identify any biological, ecological, cultural, or other environmental considerations. With the inclusion of mitigation measures, to be determined during future study, impacts of the proposed trail are likely not to be significant. A full environmental assessment will be performed during the design phase of the project.

#### Fiscal Impact

This feasibility study was completed with a 2017-18 budget allocation of \$157,000. There is no immediate fiscal impact resulting from the approval and adoption of the Regnart Creek Trail Feasibility Study. However, staff is requesting a budget adjustment in the amount of \$380,000 in the Capital Improvement Fund to prepare design documents and conduct environmental review, which would commence following adoption of the Study. The initial cost estimate for the preferred alternative is \$2,400,000, excluding this completed feasibility study, but including engineering design, environmental review, and construction. This estimate will be refined during the design process. Staff will research further funding opportunities for trail construction as the design process progresses.

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Prepared by: David Stillman, Transportation Manager  
Reviewed by: Timm Borden, Director of Public Works  
Approved for Submission by: Amy Chan, City Manager

Attachments:

A – Regnart Creek Trail Feasibility Study

B – Draft Resolution