

From: Michelle Baumer

Sent: Saturday, December 10, 2022 5:55 PM

Subject: Re: Objection to OBAG-3 Grant: School Street Class 1 Multi-Use Facility Project including Topper Ln

External Email

Dear Mr. Arndt, MTC Programming & Allocations Committee & Staff, and MTC Commissioners:

Re: OBJECTION TO OBAG-3 GRANT: SCHOOL STREET CLASS 1 MULTI-USE FACILITY PROJECT INCLUDING TOPPER LANE

We are writing to oppose the request to fund any portion of any grant or funding requested by the City of Lafayette directed to redevelop Topper Lane.

This objection is on behalf of Safe Equitable Street Solutions (SESS). We are a group of concerned residents who strive to achieve fair and equitable opportunities for federal transportation funds that produce effective solutions and improvements to traffic and health and safety needs in their communities.

As explained in detail below, the basis of the objection is that contrary to the application: (1) Topper Lane is and will remain a lightly used pedestrian and bicycle lane even if the project is funded because there are already more direct walkways in the immediate neighborhood; (2) the proposed redevelopment for vehicular use will not improve traffic circulation or safety; (3) there are other locations outside and within the City of Lafayette where other projects would produce far greater benefits to the community; (4) the proposed project primarily benefits a small wealthy cul-de-sac; and (5) the proposed redevelopment will materially intensify vehicular traffic impacts on Topper Lane causing significant negative environmental impacts.

What follows below is a discussion of the proposed project and our detailed concerns as to misstatements that were made in the application. We submit that the misstatements are likely a result of a hastily prepared proposal that was not prepared with overall community outreach or proper study.

As a result of these misstatements, SESS objects to awarding full funding for this grant application because it would be inappropriate and would unfairly deprive other more deserving priority development areas of critical and limited federal funding.

Project Overview

The project consists of three main components:

- A Class 1 multi-use pathway on School Street (1530 linear feet)
- A Class 1 multi-use pathway on Topper Lane (975 linear feet)
- A 6ft pathway on St. Mary's Road connecting Birdhaven Court to Topper Lane (185 linear feet)

Stanley Middle School, on School Street, is the sole public middle school for Lafayette and draws its student population from all residences of Lafayette (population 25,208 in 2021). Additionally, Lafayette Elementary School, serving the downtown core area, is west of the proposed project fronting Moraga Road and First Street. There is one drop-off/pick-up site for Stanley Middle School, located on School Street.

The Sponsor claims a variety of key Project benefits for the entire scope of School Street, Topper Lane, and St. Mary's Road. However, the benefits defined in the application are attributable to only a subset of the overall Project, specifically the School Street component. By adding the Topper Lane Class 1 multi-use pathway and St. Mary's Road sidewalk (representing 43% of linear feet of the overall project) the Sponsor adds significant scope and seeks funding for elements that have been incorrectly described in the claimed Project benefits below, including:

- Safe Routes to School / Safety
- Traffic Congestion Mitigation
- Air Quality Improvement
- Connectivity to Bikeway / Walkway Network
- Priority Development Area (PDA) Benefit
- Authentic Public Engagement / Community Support

Safe Routes to School / Safety – Topper Lane is Lightly Used by Pedestrians and is a Safe and Low Risk Route to School.

The Sponsor falsely describes the use of Topper Lane as having “...*vehicle congestion and pedestrian and bicycle use is heavy during the school commute periods.*” The SESS group strongly refutes this statement, having conducted pedestrian traffic counts which revealed that on average **6-8 students** use Topper Lane to walk to/from school, out of the 1800 enrolled students at Stanley Middle School and Lafayette Elementary School and compared to the “*700 walking and biking students per day*” traveling to these two schools.

The 6-8 walking students who use Topper Lane reside on Birdhaven Court, a single cul-de-sac one block east, which does not have access to the Lafayette/Moraga Trail. Students on streets east of Birdhaven Court along St. Mary's road all have direct access to the Lafayette/Moraga Trail. The city has not conducted any traffic count in recent years on Topper Lane in direct conflict with their Vision Zero policy. The average vehicle count on Topper Lane is 100-105 cars during school peak commute periods. The project would cause a substantial increase in vehicular traffic on Topper Lane both during peak and nonpeak hours.

Furthermore, the Sponsor misrepresents the safety data in its grant application, and states that the entire “*Project route is within one of the four highest risk areas for collisions involving a pedestrian or bicyclist.*” In reality, a core component of the Project, Topper Lane, has not had a single pedestrian or bicyclist collision and is **not** within the high risk area as stated by the Sponsor. The UCB SafeTREC TIMS tool maps show that all bike and pedestrian collisions are concentrated towards downtown Lafayette, in the opposite direction of Topper Lane and away from the Middle School.

With scarce federal funding available, spending ~\$1.8 million dollars on the Topper Lane component for those 6-8 students that walk to school, who have safe, alternative ways to the schools, raises serious questions about the cost-benefit analysis.

Traffic Congestion Mitigation – Because of the Presence of Convenient Walkways, the Project Will Not Encourage or Increase Pedestrian use of Topper Lane.

Topper Lane is not a heavily used walkway because almost all nearby streets already have more convenient and direct access to the Lafayette-Moraga Regional Trail. The City claims however without any basis that the current number of students biking or walking to school will be increased by the Project. That is not true on Topper Lane. The current 6-8 children who walk to school on Topper Lane today represent the only children who would walk to school using this path, because there are better and more direct routes already available. As a result, the project will not increase the use of Topper Lane for any pedestrian purposes.

This Project does not address vehicular traffic congestion, which the city deems separate from safety. The inclusion of a Class 1 pathway on Topper Lane will not mitigate the traffic congestion or improve traffic flow on School Street, St. Mary's Road, or Moraga Road.

Air Quality Improvement

This issue cannot be addressed without traffic congestion mitigation, which does not apply to Topper Lane as stated above. Nevertheless, the Sponsor claims Environmental Sustainability benefits associated with CMAQ points for the scoring process and evaluation.

Connectivity in Bikeway / Walkway Network – Topper Lane Is Not Heavily Used and Will not Connect to Any Master Bike Plan or Walkway Plan within the City of Lafayette.

Topper Lane is rarely used by pedestrians/bicyclists, as it leads to St. Mary's Road where there is no path or walkway to connect to surrounding areas. If any area warrants improvement it is St. Mary's Road.

The Sponsor states that *“Lafayette also has a Bikeways Master Plan and a Walkways Master Plan which provide proposed projects for the active transportation network in the PDA as well as across Lafayette.”* SESS wants to clarify that Topper Lane is **not** included in the Lafayette Master Bike Plan **nor** in the Master Walkway Plan for Lafayette as it was not deemed necessary.

The cost of providing a Class 1 multi use facility on Topper Lane is excessively disproportionate to the current need and future use.

Priority Development Area (PDA) Benefit – Topper Lane is Outside and in a Different Neighborhood from the PDA.

The City represents this Project as being very beneficial to PDA communities by claiming it will support and extend an active transportation network to key destinations (BART,

retail/commercial, schools, library, parks, a community center, the Lafayette Town Hall Theater, and regional trails). However, Topper Lane sits outside all key destination routes. As a result, the proposed pathway on Topper Lane will not support or benefit the PDA community or any proposed new housing development areas, which sit adjacent to the downtown area (in the opposite direction and beyond the reach of Topper Lane).

Instead of benefitting the PDA communities, a Topper Lane pathway would only serve to benefit residents on Birdhaven Court, which is comprised of single family homes with an average home value of over \$2MM (with the most recent home sale of \$4.2MM in 2022).

Awarding funding for Topper Lane would not be equitable nor benefit the priority development areas in Lafayette.

The Lack of Public Engagement and Community Support

The City of Lafayette did not participate in a good faith public engagement with the community Topper Lane residents prior to the grant application. Rather, until the very end of the process, previous public discussions that took place in November 2021 focused only on School Street and other SRTS opportunities (unrelated to Topper Lane).

It was surprising to Lafayette residents to discover Topper Lane included in the scope of the grant application, considering the lack of public discussion. This lack of transparency resulted in members of the City Council not being aware that a Class 1 pathway on Topper Lane had been included in the Sponsor's Project grant application.

The Sponsor heavily relies on three Safe Routes to School reports. SESS wants to highlight that the information contained in these SRTS reports is purely anecdotal, and reflects feedback from a select few Birdhaven residents that already have alternate safe routes. The Sponsor has failed to substantiate these anecdotes with any factual data or independent studies that would have quantified the few families that would benefit from the proposed pathway.

The Sponsor also references support from the Lafayette Downtown Congestion Reduction Plan (2018), which did analyze substantial data, and did **not** include Topper Lane. Lastly, the Sponsor claims support for this effort as a priority project in the Contra Costa Countywide Bicycle and Pedestrian Plan (CBPP). However, SESS wants to clarify that Topper Lane is **not** included in the CBPP.

In conclusion, given the glaring inaccurate representations related to significant aspects of the qualifying criteria of the grant application, SESS requests that MTC analyze the merits of each of the three components of the project in detail. Furthermore, we request that MTC limit the Project to the Class 1 School Street component of the grant application, and disqualify the Topper Lane component from grant funding.

Any consideration of funding this grant in its entirety would provide an unfair, inequitable advantage to this affluent community and deprive other more disadvantaged communities of much needed federal funds.

Respectfully submitted,

Michelle Baumer, on behalf of SESS