

**From:** lisa merigian [REDACTED]  
**Sent:** Wednesday, February 3, 2021 2:15 PM  
**To:** Lauren Davini <[Lauren.Davini@cityofsanrafael.org](mailto:Lauren.Davini@cityofsanrafael.org)>; April Miller <[April.Miller@cityofsanrafael.org](mailto:April.Miller@cityofsanrafael.org)>  
**Subject:** PUBLIC COMMENT for BPAC agenda - please attach as a "correspondence"

February 3, 2021

RE: Lindaro @3rd, Lootens @ 3rd, Proposed Driveway Closure vs "Exit Only" to Walgreens Driveway

BPAC Members,

Thank you all so much for allowing a broader "public" to attend your meeting and to discuss concerns about this intersection and area of San Rafael that may not be squarely and only focused on bicycle and/or pedestrian advocacy. Although much of the community opposition to the full, permanent closure does, in fact, stem from a conviction that such a closure significantly **DECREASES OVERALL PEDESRIAN SAFETY** in the area - \*specifically, at nearby adjacent intersections where motorists will be forced to confront pedestrians 5 - 8 more times than if allowed simply to exit once from the lot straight onto Lindar with only one pedestrian encounter potential and WITH a signal traffic control - not all of it does. \* (Please see attached "Negative Impact Slide" for what I hope is a helpful visual of the problem).

Additionally, motorists who reside in or have business to attend to south of downtown, or who just want to get back to the S101 onramp, worry that the proposed total closure forces them to make risky driving maneuvers such as cutting quickly and diagonally from Cijos across three lanes of fast-moving oncoming traffic on 3rd (including crossing pedestrians and bicycles) to get to the left turn lane and back onto Lindaro. Or, alternately, motorists would have to cut diagonally into fast-moving oncoming traffic across 3rd from Lootens (confronting bicycles and pedestrians) to get to Brooks, to then dart out from Brooks onto 2nd St. from a difficult almost blind corner (again, avoiding pedestrians and cyclists) into the fast-moving oncoming traffic, and then cut again diagonally across 2nd to turn right onto Lindaro! And all with no traffic signals for safety or regulation. It is a rare occasion where pedestrian, cyclist, AND motorist safety is decreased simultaneously with one permanent alteration to City infrastructure. \*Negative Impact Slide makes some of this visible.

There are other also other concerns from local, small business owners and employees about increased traffic congestion and convoluted driving patterns potentially deterring patrons from visiting the area and the negative impact on pedestrian safety deterring people from accessing their businesses by foot. The community also expressed a general sentiment that driving in a North to South or South to North direction across this

area of downtown is becoming increasingly more difficult and convoluted forcing motorists to confront more pedestrians and more cyclists while trying to eek-out and discover direct paths across downtown.

How do I know? Because for much of December 2020 I walked around and spoke directly with business owners and employees within a one-block radius of the proposed closure, and with residents and concerned citizens shopping and parking in the area. I registered their comments and compiled a list of their comments and concerns.

Unfortunately, this intersection and driveway issue was playing out exactly when we did NOT have a Council representative for this side of town, District 2, largely between November 2020 and now. I have been a vocal (also prolific and likely annoying if you were to ask around) advocate for keeping the driveway open as I and many others believe that, in additions to those concerns listed above, closing the driveway creates even greater pedestrian danger at the Lootens driveway where there is significantly heavier pedestrian traffic than along 3rd St. and no signal for regulation. The City is proposing an "Exit Only" option for the driveway, which represents a compromise. The "Exit Only" option addresses and rectifies many of the concerns listed above, with the exception of increasing pedestrian interaction and risk at the Lootens driveway where now all cars will enter the lot. Stlll, the "Exit Only" option does lessen motorist traffic at the Lootens's driveway by allowing for some of the cars to exit the lot directly onto Lindaro out of the 3rd St. driveway.

Many of our concerns, now and in the future, reach well beyond "just" the proposed driveway closure. We are concerned about and interested in what's going to happen with and to our infrastructure in and around this vital area of downtown as San Rafael continues to grow and develop. And, as importantly, by whom and how will our interests be represented?

This area is already a complex but critical corridor to a vital area of downtown for many of us on the south and east side of the city. This area will also be significantly and directly impacted by the large BioMarin/EdenHouse project slated for the entire adjacent block (Lindaro to Brooks between 2nd & Third Streets). Increase in motorist traffic and pedestrian foot traffic trying to get to downtown is inevitable. BioMarin design plans indicate that there will be a huge park-like area on the corner of Lindaro & 3rd for their employees which will be open to the public. Those people will need to cross 3rd St to get to downtown. Where and how will they do this? What about traffic? What about parking and pedestrian/cyclyst safety?

Again, we all appreciate being able to address motorist concerns at a BPAC meeting and want to assure its members that we are as committed to pedestrian and bicycle safety and access as anyone. In fact, particularly with regards to this driveway closure, many of us see the safety concerns we have for pedestrians and motorists as being inextricably linked in this instance. Far from leaving cyclists out of the equation, it seems with the new and fabulous bicycle paths being installed around the City, bicycle safety in this area is being addressed significantly and head-on with these changes. We all want

better safety for everyone, and we don't think the full closure gets us there. Of course, many of us would rather a wider driveway at 3rd & Lindaro, a flat 3rd St for better egress/ingress, standard curbs and pedestrian crossing markings at the driveway! So, while the "Exit Only" plan may not get us everything we want, it does seem to provide for the safety of many pedestrians, cyclists, and motorists alike. And compromise is generally a good path forward.

I would personally like to thank and credit the hardworking DPW staff, particularly the Third Street Rehabilitation and Third Street Safety Project Managers, for engaging in this kind of community responsiveness and engagement. We all had to work hard to be heard. Really hard. But in the final analysis, the entire DPW team spent much of January 2021 working hard "puzzling through" the driveway and the many complex issues associated with this area. Without their support, we wouldn't be discussing this intersection.

Thank you for your time,

Lisa Merigian, Gerstle Park/Picnic Hill resident

\*For anyone interested in a more detailed account of the "community perspective" on this issue and how we got here before you, I've included a history below.

### **History**

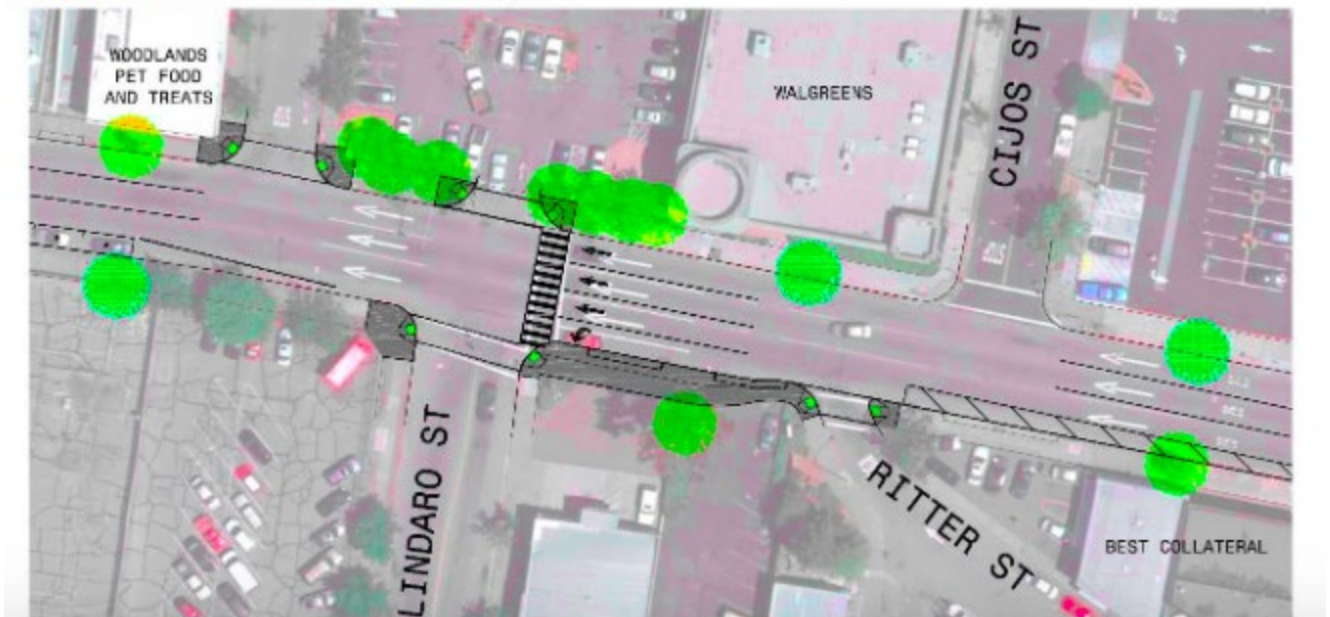
This proposed driveway closure is part of the **Third Street Corridor Rehabilitation Project** (eventually split into the **Third Street Corridor Safety Project**). Since the project's inception, over four years ago, The City's plans for the Lindaro & 3rd St. intersection, including the driveway into the public parking lot adjacent to Walgreens, included the adoption of increased safety measures in the form of bulb-out curbs, clearly marked pedestrian crossing stripes (there is currently NOTHING there to indicate a pedestrian crossing), better (bigger, clearer) traffic signals and pedestrian signals, and removal and/or reconfiguring trees and shrubbery for increased visibility pedestrian, bicyclist, and motorist visibility.

For over three years, the plans, posted both on the City's website of current projects, included in project reports submitted to the Council, and, most significantly, appearing on agendas and discussed at Community, BPAC, and other stakeholder meetings, looked like this: (see attachment, "Lindaro #4, #5)

**Figure 4: Lindaro Street Existing Condition**



**Figure 5: Lindaro Street Proposed Project**



Excerpted from the Project Report, page15, Figures 4 & 5, labeled, "Lindaro Street Existing Condition" and "Lindaro Street Proposed Project."

**THERE IS NO MENTION OF A DRIVEWAY CLOSURE visually or in text in any Staff Report or in the Project Report itself. And there is no traffic study to support the closure and no traffic impact study to demonstrate that the City understand the impact of the closure on surrounding pedestrian, motorist, and bicycle traffic flow and safety.**

**You can see the full report here, submitted to Council June 3, 2019:**

[https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2019/05/0-175017\\_FINAL-REPORT-2019-May-24.pdf](https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2019/05/0-175017_FINAL-REPORT-2019-May-24.pdf)

**And you can see the June 3, 2020 Staff Report:**

<https://publicrecords.cityofsanrafael.org/WebLink/DocView.aspx?id=27653&dbid=0&repo=CityofSanRafael&cr=1>

**Appendix C, the only existing traffic study in relation to the driveway:**

[https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2019/05/0-175017\\_FINAL-REPORT-Appendix-C-2019-May-24.pdf](https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2019/05/0-175017_FINAL-REPORT-Appendix-C-2019-May-24.pdf)

**And a feasibility study here, from June 2019:**

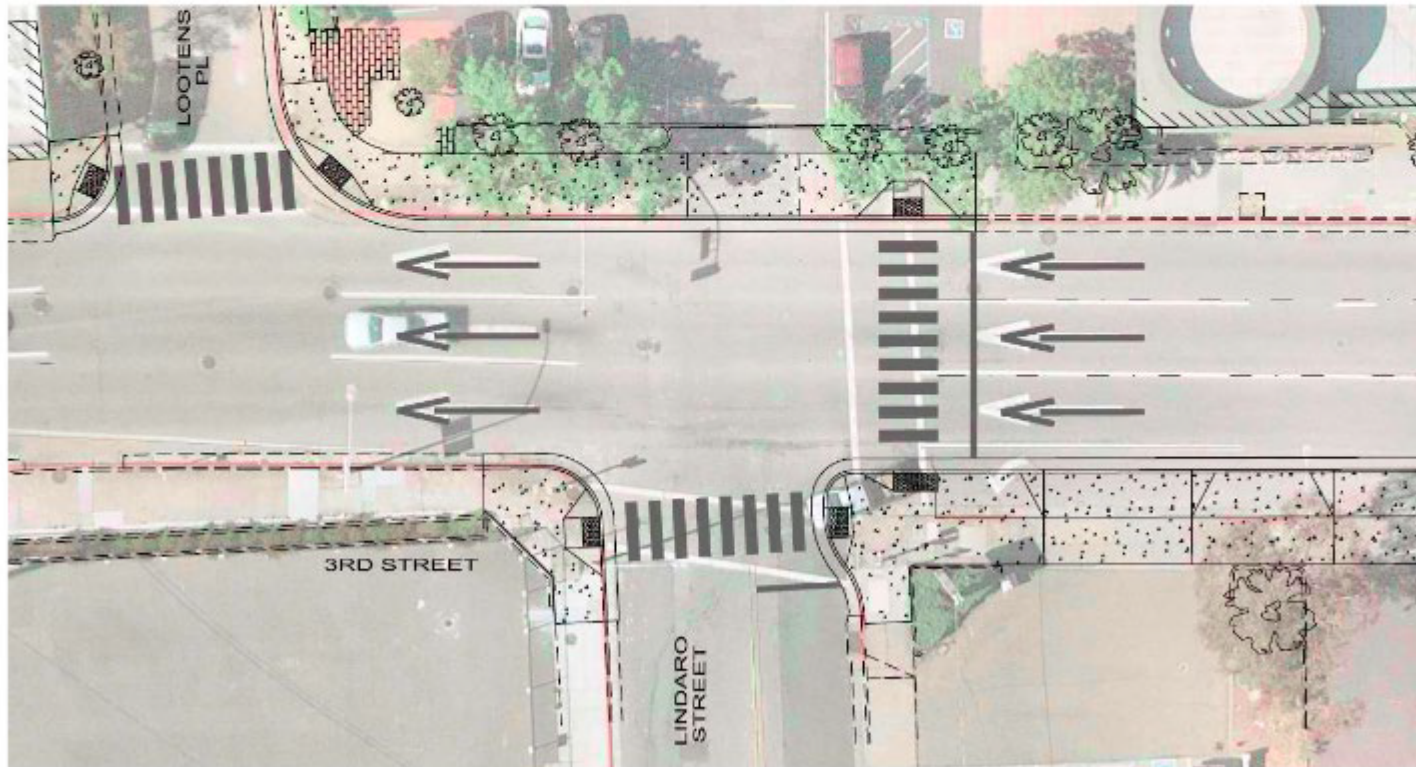
<https://publicrecords.cityofsanrafael.org/WebLink/DocView.aspx?id=27652&dbid=0&repo=CityofSanRafael>

**THERE IS NO MENTION OF A DRIVEWAY CLOSURE anywhere.**

According to the Staff Report presented with the BPAC Agenda for this 2/3/21 meeting, it looks as if the City spent the next 15 months entertaining and contemplating a suggestion by a Council Member at the June 3, 2019 meeting to permanently and totally close the driveway. However, the problem for the community is that such an intention was never communicated to us. City Staff had over a year to discuss this idea with the community. We could have been having these conversations all along if we had been given the opportunity. There were numerous community meetings for various organizations and entities, including neighborhood outreach opportunities, and there was never even a mention that such an idea was being considered. The idea came, seemingly, out of the blue.

For over three years, the Community worked with the City developing and negotiating this project at numerous community meetings. Then, suddenly, **at a Community Meeting in September 23, 2020 seemingly out of nowhere and for no reason, the driveway looked like this:**

# *Intersection* **Enhancement**



(attachment "Intersection Enhancement")

**You can see the full report and agenda for the September 23, 2020 Community Meeting here:**

[https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2020/09/2020-09-23\\_ThirdSt\\_CommMtg.pdf](https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2020/09/2020-09-23_ThirdSt_CommMtg.pdf)

Please note which stakeholder organizations were invited to participate. NO SMALL LOCAL BUSINESSES were invited, not even those within a one-block radius of the proposed closure whose businesses abut or are adjacent to the lot, nor ANY LOCAL

NEIGHBORHOODS, like Picnic Hill, Bret Harte, Gerstle Park whose access to downtown would be severely impacted with the closure.

After presenting the slide once, there were no further opportunities for discussions offered to the community. In the weeks following the Community Meeting on September 23, 2020, there were no additional community meetings scheduled, absolutely no community outreach performed - by City staff or by any organizations present at the September 23rd meeting who represent various stakeholders in the community - to inform them of the radical change in design plans and the permanent alterations to their vital City infrastructure in this critical area of downtown. We think this may have been due to a breakdown in the community liaisons in attendance at the September 23rd Community Meeting charged with representing certain populations. The breakdown may have been because of bandwidth during the pandemic. It also may have been based on the misconception that the individuals they represent (businesses or residents) wouldn't be interested in the closure. It's unclear.

The official recommendation to permanently close the driveway came barely six weeks later as one sentence buried in a Staff Report presented late in the agenda to an outgoing City Council at their second to last meeting together. And the night before one of the most historical Presidential elections of our times! It was simply largely unknown to the community at large this the City was moving forward with plans to close the driveway. It was such a quick moment. If you weren't at the September 23rd Community Meeting, or still at the November 2 Council Meeting, you would have missed that it was happening. You can see the report here:

#### **November 2, 2020 Council Meeting Agenda:**

<https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2020/10/56b48358-5.e-third-street-improvements.pdf>

On page 2 the Staff report states, **"We still recommend that the parking lot entrance to Walgreens from Third Street be closed ...."** Still? That's the first it had been mentioned at least in the public sector.

Unfortunately, many didn't find out about the closure until mid-December 2020. And as the community began hearing about the closure by word of mouth, opposition grew. However, at that point, DPW said there was no room to impact the outcome. They said the City wanted it closed. We reached out to City Council. We were directed back to DPW. They sent us back to the City. No one was sure what we should do. Eventually, we wrote letters, signed petitions, and FINALLY got the City and DPW to pause and hear our safety concerns. So, here we are.

The "Exit Only" compromise is a response to our written submissions. A few community members, as today's Staff Report states, were also fortunate enough to speak directly with DPW staff who listened to our safety concerns and worked with us to explain their perspective and to better understand ours. It's wonderful that (this time) we were able to slow down the push and get someone to listen. And we also hope to avoid this kind of confusion and breakdown in the future. Residents and local, small business owners shouldn't have to work so hard just to be heard.

Some of us are working with DPW Staff and, soon (hopefully!) with our new Council Member Hill, to create better avenues of communication to rectify this kind of problem and to avoid this kind of oversight in the future. At least for our District 2. It seems clear that all involved would like to work together to create better avenues of information dissemination and dialogue for those not clearly represented by organized voices such as BPAC, or Chamber of Commerce, or Safe Routes to School, etc.. The process continues to be learning curve! And we hope to keep learning.



# Negative Impact of Proposed Closure on Pedestrian & Motorist Safety



For Public Comment at BPAC Meeting Feb. 3<sup>rd</sup>, 2021

Re: Driveway closure or exit only change to driveway to public parking lot at 3<sup>rd</sup> and Lootens

From: Jeanne Ross, [REDACTED] San Rafael, CA, 94901

Dear Committee Members,

I am in the process of writing up my comments related to the proposed closure or possible conversion to an exit-only driveway to send to the Public Works Department, but wanted to get something prepared for the committee meeting. Briefly, I have reviewed the Staff Report prepared by Public Works and have the following comments:

The Staff Report cites conflicts between pedestrians and cars at this driveway, but does not document any specific incidents. If pedestrians are not aware they are approaching a signalized driveway, signage and raised truncated domes in the sidewalk could be provided to make them aware of this fact.

The photo example given in the Staff Report shows a large delivery truck turning into the driveway, causing a driver trying to exit the parking lot having to back up to provide room for the truck. This could easily be prevented by having signage directing trucks or large vehicles to the Lootens driveway access.

Closing this driveway or changing it to an exit only impacts citizens driving from the Gerstle Park / Bret Harte neighborhood down Lindaro by forcing them to make a left hand turn at 3<sup>rd</sup> and Lindaro and then go through another intersection (3<sup>rd</sup> and Lootens) to access the public parking lot. Surely the safest way to avoid conflicts between drivers and pedestrians / bicyclists at this intersection and throughout the town is to provide and maintain this direct route between these two neighborhoods, minimizing the number of intersections travelled through to get to and from this public parking lot. Closing the driveway forces traffic to impact additional streets and intersections, which increases the potential of possible conflicts with pedestrians and bicyclists.

Finally, I'd like to recall two incidences that happened to me within the course of less than 24 hours. I live and work in San Rafael. Coming home yesterday I was following an erratic car down Octavia, when a bicyclist came up behind me, decided that both of us motorists were travelling too slow for him, and attempted to pass me on the left, down the middle of the street. If I had had to stop suddenly for the erratic driver in front of me, the bicyclist would have run into my back left fender. The bicyclist was not following the rules of the road, but if an accident occurred the motorist (me) would be liable for his injuries.

This morning, while stopped on C Street at 4<sup>th</sup>; a pedestrian walking along Fourth Street decided to cross the street at an angle so they could get to a business on the corner of 4<sup>th</sup> and C, even though they were within about 75 away from the crosswalk at the corner. Opposite me was a San Rafael police officer in his SUV. He could have easily turned right and spoken to the pedestrian about their unsafe behavior, but he chose to drive on. Every day I see pedestrians jaywalking across 4<sup>th</sup> Street especially around Cain's Tires, but I have never seen police ticket anyone for jaywalking. However, the San Rafael police have been known to stage pedestrian crosswalk "stings" to cite drivers who do not give right of way to pedestrians in crosswalks.

The act of being a bicyclist or pedestrian does not make one more important than motorists. We all share responsibility of safe use of roadways and sidewalks. Bicyclists and pedestrians should be held equally accountable for their unsafe behavior.

SRBPAC

Craig K. Murray

2 3 21

1. TAM Bicycle/Pedestrian Advisory Group Meeting is Thursday, February 11 at 5:30pm  
I spoke with TAM's Planning Manager Derek McGill today. Derek advised that this TAM BPAC meets periodically and is made up not of the TAM Board but representatives from large and small Marin jurisdictions and advocacy groups and that they currently review Bike Ped projects and make recommendations for funding. One of the items this group will review on Thursday's Agenda is a E-Bike Study for Marin. It will be good for coordination to have a SRBPAC member linked to the TAM BPAC.  
REQUEST: SRBPAC request City to appoint a SRBPAC representative to serve on the TAM BPAC.
2. Safe Routes to School (SR2S) Planning Meetings. Update to the SRBPAC Committee from the Wendi Kallins North San Rafael Steering Meeting and Safe Routes needs discussion as I reported at the Dec. 2 SRBPAC: TAM also manages this SR2S Program. Dan Cherrier recently took over Project Management from Derek McGill. Today I asked for an updated funding list from the 2010 list, 2020 evaluation sheets posted on the TAM website and Derek will ask David Chan to provide that updated funding list. Marin County's ½ cent Transportation Sales Tax funds this program and variety of other sources including a 2010 voter approved \$10 Vehicle Registration Fee. I found a vehicle in my area here in San Rafael over a year with tags from Jalisco without CA VLF. This example or others without updated VLF hurts funding for this important program. A reminder that City of San Rafael Parking Enforcement can assist with ensuring vehicles are registered and current in paying VLF. Jim Myhers is San Rafael's Parking Services Manager and can be reached at 415-458-5333.

SR2S funding in North San Rafael is needed for path improvements to the South side of the SMART train tracks under highway 101 to connect HOA areas of the Meadows, Merrydale, Redwood Village and Los Ranchitos to its Venetia Valley School on North San Pedro Road. This weekend San Rafael Clean Team Volunteer David Santischi and I helped remove trash and clean this route. It was a muddy mess. A young Mom and her energetic son were trying to traverse through this area with overgrown broom, trash, graffiti, mudd puddle path and homeless encampment behind the adjacent storage building. It needs some CIP help and quality bike ped path connection and quality San Rafael deserves.

REQUEST: City continue to support Safe Routes To School efforts, to support a North San Rafael priority for this gap closure area under the 101, and continue making improvements to routes in North and other parts of City of San Rafael.



^ Current dirt unimproved trail in use connecting all points south of SMART Station

∨ Trail interconnection south of SMART & to Jury Lot, Venetia Valley School and Civic Center areas

