



## **Hathaway Park Stop Sign Appeal** *The Little Neighborhood Association That Could*

The story of “*The Little Engine that Could*,” teaches children about the importance of optimism, hard work and perseverance; while the tale of “*David vs. Goliath*” highlights the possibility of overcoming seemingly insurmountable odds and impossible situations. The lessons from both of these stories rang true for the Hathaway Park Neighborhood Association when they claimed victory in their quest to make their neighborhood safer for pedestrians.

This story has been three years in the making, dating back to 2007. This is when neighbors in the Hathaway Park area reported the dangerous pedestrian situation created by high-speed traffic on surrounding streets as pedestrians attempted to cross these streets to access Hathaway Park, which is located in the middle of the Hathaway Park neighborhood. The intersections in question not only served as the border and gateway to a neighborhood City park, but also were used as cut-throughs between two major streets – Saratoga Ave. and San Tomas Aquino Rd. Many neighbors reported near-misses with speeding cars as they walked with their children or pets. Concerned members of the Hathaway Park Neighborhood Association (HPNA) contacted the City of San José’s Traffic Calming Department for assistance with this potentially dangerous situation.

The two intersections originally had two-way stop control, which means stop signs in only two directions. However, this was not enough to slow or deter traffic. A traffic study was conducted at the request of the HPNA and my office as to the feasibility and effectiveness of adding all-way stop signs, meaning stop signs in all four directions of an intersection. A stop (sign) study rates an intersection using points that are assigned based on the following factors: crash history, right-of-way conflicts (24-hour), proximity to schools and unusual conditions. The City’s study concluded that additional stop signs were not warranted in that area because both intersections did not meet the 20-point minimum requirement outlined in Council policy, which is based on Caltrans standards. Thus the HPNA’s request was denied.

The neighbors in Hathaway Park disagreed with the findings of the traffic study and the point system. Although the two intersections received minimal points, the study did recognize that Hathaway Park had unusual conditions that resulted in high pedestrian and bicycle activity. The Department of Transportation’s (DOT) denial did not deter the Hathaway neighbors. The next step they took was to appeal DOT’s decision to the Traffic Appeals Commission (TAC).

The TAC conducted a public hearing on the appeal of the denial of the installation of additional stop signs at both intersections. All interested parties present at the hearing were given the opportunity to speak and provide evidence. Three Hathaway Park residents spoke in support of the additional stop signs citing concerns of the speed of traffic through the intersections and that vehicles did not yield to pedestrians. One neighbor spoke out against the stop sign installation, in addition to DOT staff and a police officer from the Police Department's Traffic Enforcement Unit (TEU). After hearing all of the testimony, the TAC voted to uphold DOT's decision and once again deny HPNA's request.

The HPNA still chose not to quit and would not give up. Not satisfied with the answers they were being given, the HPNA decided to continue to push back, work through the system and exhaust their absolute last option – appeal to the City Council (the final authority).

Although my office had guided the HPNA through the City process up to this point, I got even more involved to help the Association make a final big push. Pedestrian safety in neighborhoods and around parks is a top priority for me. I drafted and submitted a memo to the Mayor and City Council fully supporting the HPNA appeal. I proposed that not only should the City Council approve the appeal and reverse the denial of the HPNA's request for the upgrade from two-way stop signs to all-way stop signs at the two intersections, but that the additional stop signs be installed as soon as possible. Click here:

[http://www.sanjoseca.gov/clerk/Agenda/20100817/20100817\\_0601att.pdf](http://www.sanjoseca.gov/clerk/Agenda/20100817/20100817_0601att.pdf) to read my memo. In addition, I once again set up my public advocacy website, SOSsj.com, so that residents interested in this issue could share their thoughts and concerns with the Mayor and City Council easily and quickly via e-mail and fax – helping them make their voices heard.

The Hathaway Park Neighborhood Association had their day in “council” on August 17<sup>th</sup>, when their appeal was heard before the City Council. The Association did a wonderful job of presenting a strong and united front. Approximately 30 residents supporting the appeal attended the meeting and all sat together to make a more effective presence, and a few representatives spoke on behalf of the group. Many were from other neighborhood associations representing the downtown and Willow Glen areas. The appeal proponents were well-spoken and respectful of the Council, which only helped their cause. The public hearing lasted nearly two hours, but it was worth it in the end.

As most of you may already know, the HPNA was successful in their mission to make their neighborhood safer. The City Council ended up voting unanimously to approve my memo supporting the HPNA's appeal – essentially overturning the decisions of DOT and TAC. Several Councilmembers even stated that they were on the fence on this issue until they saw how strong the community support was for these pedestrian safety upgrades.

Congratulations to the HPNA for their perseverance and eventually turning their vision into a reality. Although it took time, the HPNA was patient and persistent and learned how to work through the City's process. They learned how to effectively champion their own cause and proved that the little guy can win. This little neighborhood association took on a seemingly impossible situation and won.