

Executive Summary

Bretton Woods Request for Reconsideration

Bretton Woods' Request for Reconsideration of the relevant Conditions of Approval as set forth below:

1. Substitute asphalt for concrete paths that are maintained by the HOA and not the City. All City maintained paths to remain concrete.
2. Reduce the widths as follows: perimeter ag buffer / arboretum path and from 12 feet to 10 feet, no shoulders.

Reduce the widths of the interior and other connecting paths between Greenway facing homes from 12 feet to 7 feet, no shoulders.

3. Central North-South spine retain 10 feet, no shoulder, asphalt not concrete.
4. City to maintain the cottage neighborhood streets similar to other Bretton Woods streets. HOA to maintain cottage neighborhood off-street parking lots.

Overview of Justification

The Cannery Path design reflects the opposite of how we have designed Bretton Woods paths. Bretton Woods amenities, such as the path design and materials, art, and arboretum features, are supported by research on ameliorating the impacts of aging. Walking, exercising and opportunity for neighborly interactions is Bretton Woods' goal for residents. Addressing senior health and psychological concerns is specifically incorporated into the site plan and home designs.

The interior Greenway paths serving the homes are intertwined in the HOA commonly maintained greenways. These homes were designed to encourage interaction among adjacent neighbors who, in a typical neighborhood, would have their front doors facing a street with little or no neighborly interaction once inside their home. This is typical of residential subdivisions and, unfortunately, other senior designated neighborhoods. The Bretton Woods site design is meant to increase the opportunities for

neighbors to see and interact with each other by having attractive and comfortable walking areas with a non-institutional feeling. This is the overarching goal of the site plan.

Why Asphalt Instead of Concrete

Concrete is a much harder surface to walk on as one ages. See articles in Exhibit E. Concrete places more stress on joints, especially ankles, knees, hips, and some areas of the lower back. By using concrete where a reasonable substitute is available, we are discouraging seniors from walking by making walking uncomfortable as they age. For seniors, concrete discourages the positive benefits of exercise resulting from a material that worsens senior's physical condition. Not surprisingly, our older "four-legged companions" also suffer similar identical impacts by walking on concrete. Decomposed granite or grass would be a superior walking alternative, but foreseeable maintenance issues increase the risk for seniors to trip and fall.

In two recent City path replacement projects asphalt was used; the replacement projects occurred at Russell Blvd. from Hwy 113 west to Stonegate, and along Covell Blvd, F Street to Sycamore Lane. Both of these paths were asphalt and were replaced with asphalt. Because of the lack of city maintenance and overgrowth of weeds, the practical useable width of the highly used Russell Path was less than its' original width of 10 feet, probably closer to 8 ½ feet effectively and it still well served the community in that condition.

According to City Staff roughly 8,000 bicyclists/pedestrians use the East/West Russell Blvd paths daily. That's equivalent to an astounding 240,000 users per month. Until its recent replacement, the Russell path was 10 feet wide with no shoulders. City Police and Fire Department records since 2006, 16 years, indicate there have been only 6 bike and pedestrian or bike and bike accidents reported. During the nearly 50 years of existence, the Russell path was nominally 10 feet in width with no shoulder. While the City Staff recommended concrete for the replacement of the Russell path, the City Council

subcommittee, and the Council as a whole, voted to replace it with asphalt. Why the width increase was justified without any obvious safety issues is a mystery. Wider path widths were included in the 2016 Revised Street Standards. No facts or justification regarding path widths or actual safety concerns were included in any written staff reports nor comments included in the official city records. The focus of the Planning Commission / City Council discussions appears to be primarily on reducing street lane widths to 10 feet, less than the new path widths. The extra path width is costly in dollars and environmental impacts, especially since the City Open Space coordinator opposes shade trees, along ag buffer paths to reduce the heat island effect of unshaded concrete/asphalt. The Cannery perimeter path is an example of the negative environmental and social impacts of unshaded, wide, institutional looking concrete paths.

In the case of Bretton Woods, the perimeter trail and North/South central path will likely have modest bike traffic, but little on the internal Greenway paths. Homeowner's bikes will be stored in the garage adjacent to the public streets and not the paths. Visitors on bikes may use the street side home entrance or the front door on the path. No practical ways of predicting the overall usage by visitors.

Finally, in regard to asphalt, on the opinion from our counsel regarding the applicability of the Americans with Disabilities Act, I believe that in an essentially all senior community, the use of a less physically challenging construction path material for seniors is a reasonable request and thus to deny its' use under these circumstances likely violates the intent of ADA protections, if not now than in the future.

Appeal of Cottage streets being maintained by the HOA rather than the City.

The Public Works Department is refusing to maintain the asphalt streets in the cottage neighborhood because the lanes are less than standard. Visitor Parking is provided by the HOA-maintained parking lots. The "public" streets and HOA parking lots are using RAC (rubberized asphalt construction) which

has a 40+ year life expectancy: TWICE the life expectancy of the City of Davis standard asphalt construction, thus is much less costly for the city to maintain.

This same issue was addressed in the Fouts Pole Line Road development, where the Public Works Department and later the Planning Commission agreed that the city would maintain the street serving these homes but did not require or suggest rubberized asphalt. We are requesting the same consideration for the cottage neighborhood, consistent with all the other Bretton Woods streets. It will be the only neighborhood in Davis using rubberized asphalt which contains 25% materials from used car and truck tires.

Not only will the cottage streets last twice as long as other Davis streets thus requiring LESS maintenance than other neighborhoods; they are environmentally more sensitive by using ground-up tires in the asphalt mixture and helping to eliminate this unhealthy waste product.

Dated: October 6, 2022