

**CITY OF ALBANY
TRAFFIC AND SAFETY COMMISSION
STAFF REPORT**

Agenda date: May 24, 2012
Prepared by: JB

ITEM/ 6-1

SUBJECT: Request to Implement a Residential Permit Parking Program on the 1000 block of Washington Avenue

STAFF RECOMMENDATION

That the Traffic and Safety Commission recommend to the City Council that action on the proposed application be denied based on evaluation criteria required by the Municipal Code, and direct staff to identify residential permit parking boundaries that would more closely meet evaluation criteria and benefit a larger number of residents in the neighborhood.

BACKGROUND/PROJECT DESCRIPTION

On February 8, 2012, the City received correspondence from a resident on Madison Street requesting a residential permit parking zone be created on the 1000 block of Washington Avenue from Adams west to Madison. The proposed permit area is 200 feet in length and accommodates approximately 14 vehicles. Currently the block has a 90-minute parking limit from 8 am to 6 pm, six days a week. The application specifically requests the following features:

- residential permits would be required for anyone parking for more than 30 minutes during the hours of 6 pm to 2 am – seven days a week (Following the March 2012 Traffic and Safety Commission, the applicant clarified that eliminating the 30-minute time would be acceptable); and
- The request is based on an understanding that the annual fee for a permit will be approximately \$23.

In response to a question from staff, the applicant indicated that the zone of residences eligible for a permit would be the following residence on the proposed street in the proposed zone:

- 1000 Washington (six units)
- 1011 Washington (two units)
- 749 Madison (one unit)
- 801 Madison (one unit)

All properties have off street garages.

On March 22, 2012, the Traffic and Safety Commission discussed the application. Comments from Commissioners included questions about whether or not the underlying issue is parking-related and implications if applications of this nature were received from other neighborhoods.

Overview of the Issues Associated with the Club Mallard

Approval of a conditional use permit for the Club Mallard to operate as a bar open to 2:00 am was originally granted by the Planning and Zoning Commission in 1994 and amended in 1995 to allow an expansion to the second floor. The approval included five parking spaces in the rear lot. The lot remains available for parking, although at the moment, the striping effectively limits the parking to four spaces.

Since early 2010, the Community Development Department and the Police Department have been involved in responding to neighborhood complaints about the Club Mallard and other nearby late-night establishments. The issues have centered on the behavior of patrons as they arrive and depart the establishments. City staff and the City Attorney has evaluated a range of possible enforcement tools. Meetings have been held between the owner of the Club Mallard and the neighborhood. In addition, staff has conducted a series of neighborhood observations. To date, staff has not been able to document express violations of the conditions of approval or exceptional levels of public nuisance activity related to the Club Mallard that are different than other late night establishments.

In this neighborhood, options for expanding parking are limited. On the west side of San Pablo, the closest off-street lot is Bev & More, which is about 500 feet. On the east side, the walking distance to both Mechanics Bank and Sizzler is more than 500 feet. Furthermore, portions of both of these lots are in actively used and are adjacent to residential districts.

At a neighborhood meeting in November 2010, City staff suggested that the neighborhood consider requesting a Permit Parking Program. No specific discussion, however, was regarding the area to be served by a permit parking program, nor the parking restrictions contained in the area.

DISCUSSION OF KEY ISSUES

As expressed in the application, the goal of the proposal is to improve quality of life for the residents of one particular block by eliminating evening and early morning bar patron parking. The quality of life issues raised in this application are real, and are experienced in other areas of the City as well.

Analysis of Municipal Code Requirements

The California Vehicle Code allows cities to establish residential parking programs. For Albany Municipal Code Section 9-12, adopted in 1958, details the permit parking procedures, including application requirements, evaluation criteria, and findings required for approval.

The following are the application requirements established in the Municipal Code.

1. A letter describing the parking problem, its cause and worst time periods.

2. A map describing the proposed zone boundaries.
3. A petition signed by at least 50% percent of the residents in the proposed zone. The petition shall be on a form supplied by the City Engineer that discloses to residents the nature of a permit parking zone and the cost of permits.

Upon receipt of the application, the Municipal Code requires staff to evaluate the application against a series of evaluation criteria (see below for details). Among the evaluation criteria is a recommendation from the Traffic and Safety Commission. Once the staff and Commission evaluation process is completed, the City Council will schedule a public hearing on the proposed application. Public notice of the City Council hearing is required.

The Municipal Code provides specific direction on the evaluation criteria to be used in determining the need for the residential parking permit:

1. **Occupancy rate of on-street parking at a "peak parking period" mutually agreed upon by staff and the applicant must exceed 75% percent for the zone for the application to be further considered.**

Comment: Parking surveys were conducted on four occasions in April and May. The results are as follows.

Date	Time	Spaces Occupied	% Occupied
Tuesday, April 17	9:45 p	11	79%
Friday, April 20	7:30 p	10	71%
Friday, May 11	9:00 p	4	29%
Wednesday, May 16	10:00 p	11	79%
Average		9	64%

2. **Evaluation as to whether a substantial number of vehicles parked in the zone belong to nonresidents.**

Comment: Information forthcoming.

3. **Evaluation of appropriate zone boundaries, based on parking study findings and addresses on signed petitions.**

Comment: The addresses on signed petitions are appropriate for the zone boundaries. The parking survey observed that other nearby streets, particularly Adams Street, have high street parking occupancy rates as well, and expansion of the zone to serve a larger neighborhood, if supported by residents, might be appropriate.

4. **Evaluation of the cause of the parking problem and alternative solutions.**

Comment: The underlying issue is the historic layout of the City, with narrow but intensively used commercial districts immediately abutting residential neighborhoods with single-family homes. The implementation of the application is not expected to

directly reduce bar patron parking in residential neighborhoods, nor improve bar patron behavior in the residential neighborhoods. It would, however, disperse the parking over a larger area, and thus reducing the probability of individual households experiences a late night disturbance.

5. Referral of the application and staff evaluation to the Traffic and Safety Commission for discussion and recommendation to the City Council.

Comment: Underway

6. Adverse impacts on other parking needs.

Comment: Because all of the residences in the eligible zone have off street parking, it is not clear whether the number parking permits that can be expected to be issued will be greater or less than the number of street parking spaces. If more permits are issued than parking spaces, then the permit is in effect a "hunting license" that allows but does not guarantee a parking space. If the number of permits is less than the number of spaces, then the permit is in effect an assurance of a street parking space near their residence. This later outcome would be an exceptional situation for a dense urban neighborhood, and would undoubtedly lead to other blocks seeking a similar arrangement. Furthermore, if the on-street parking occupancy is reduced on this block because of this proposal. It is assumed that other nearby residential blocks would observe a corresponding increase in on-street parking occupancy.

In order to approve the application, the City Council must make "findings" specified in the Municipal Code and summarized as follows:

1. the zone is required to enhance or protect the quality of life in the area of the proposed zone threatened by noise, traffic hazards, environmental pollution, or devaluation of real property resulting from the vehicles of commuters or those whose final destination is not within the zone;
2. the zone is necessary to provide reasonable, available and convenient parking for the benefit of the residents within the zone;
3. the zone proposed zone is desirable to encourage the use of car pooling and mass transit;
4. other alternatives do not exist or are not feasible;
5. The zone creates no significant adverse effects on other parking needs.

Fiscal Impact

At approximately \$23 per year, program revenue to the City would be \$230, which translates to less than five hours a year of staff time. Printing and distribution of permits, neighborhood outreach, monitoring, etc., is expected to take far more time. In addition, Police Department

parking enforcement staff are not on duty during the 56 hours a week that the proposed residential parking permit would be required.

Next Steps

There are several alternative paths. The first is to complete the processing of the application by the Traffic and Safety Commission reaching a recommendation and scheduling the public hearing with the City Council. An alternative path could be to direct staff to identify residential permit parking boundaries that would more closely meet evaluation criteria and benefit a larger number of residents in the neighborhood. Another alternative would be to review and update Citywide parking policies including feasibility of adding parking enforcement. One possible outcome of the consideration of this application is that the City's Municipal Code needs to be amended to modernize our ordinance.