

Public Hearing

Agenda Item #	1
Meeting Date	October 22, 2012
Prepared By	Jessie Carpenter City Clerk
Approved By	Suzanne Ludlow Acting City Manager

Discussion Item	Public Hearing on Petitioner's Request to Establish a Residential Permit Parking Area in New Hampshire Gardens
Background	<p>The City Clerk received a petition from residents of the 7300-7500 blocks of New Hampshire Avenue (west side only), the 7300-7500 blocks of Wildwood Drive, the 1100-1200 blocks of Merwood Drive, and the 1200 block of Kingwood Drive, requesting the establishment of residential permit parking on their blocks.</p> <p>Residents in the proposed permit parking zone cited concerns about the lack of available street parking due to parking by residents from the apartments across New Hampshire Avenue and events held at Zion Evangelical Lutheran Church. Residents have also cited litter in the area left by the non-resident drivers and instances of driveways being blocked by vehicles.</p> <p>The petitioners request that parking on the blocks be limited to permit holders from 7:00 a.m. to 7:00 p.m., seven days a week. The administrative regulation that sets forth the process for establishing permit parking areas offers three options for permit parking hours: 8 a.m. to 7:00 p.m. (Monday through Friday); 7:00 p.m. to 8:00 a.m. (Monday through Friday); or 24 hours (Monday through Friday). The Council has deviated from these times in the past, for instance, in the establishment of a permit parking area in the Hampshire Knolls neighborhood across from Belford Towers.</p> <p>The Council held a public hearing on the petitioners' request on June 18, 2012. At that time, the City Clerk advised the Council that she had not provided proper notice of the hearing by placing signs along the streets in the proposed zone. The Council did hear testimony on June 18, but the Mayor agreed to schedule a second hearing after proper notice was provided. The second public hearing is scheduled for October 22.</p> <p>Written comments received for the June 18 public hearing are attached to this agenda item along with a summary of testimony at the hearing. No additional written comments have been received as of noon on Friday, October 19.</p> <p>Notice of the October 22 public hearing was mailed to residences in the proposed permit parking zone and to blocks adjoining the area. Notice signs were posted along proposed permit parking streets.</p> <p>The New Hampshire Gardens Citizens' Association met on September 18, 2012.</p>

	Mr. Todd Leavitt, President of the Association, reported that a quorum was present at the meeting. When a vote was taken, everyone voting supported the establishment of a permit parking zone. There were two abstentions.
Policy	<p>City Code, Section 13.20.030, establishes a process for designation of residential permit parking areas.</p> <p>Administrative Regulation 99-1 provides written rules and procedures for the residential permit parking area petition process.</p>
Fiscal Impact	<p>If the City Council elects to establish a permit parking area as proposed, Public Works would prepare and post the required permanent signage. The approximate cost would be \$1,500 to \$2,000 for labor and materials.</p> <p>The Police Department would purchase parking decals and visitor placards for the area at a cost of \$200-\$400 every two years. This cost would be offset by revenue from the purchase of parking permits by residents.</p>
Attachments	<ul style="list-style-type: none"> • Map of the Proposed Residential Permit Parking Area • Email from Todd Leavitt, President of the New Hampshire Gardens Citizens' Association, reporting on the NHGCA meeting held on September 18, 2012. • Email from Councilmember Schultz reporting on the NHGCA meeting held on September 18, 2012. • Written Public Comments Received by the City Clerk • Summary of Testimony from the June 18, 2012 Public Hearing
Recommendation	Hear testimony at the public hearing.
Special Consideration	

NEW HAMPSHIRE GARDENS RESIDENTIAL PERMIT PARKING ZONE REQUEST

↔ Arrows denote permit parking zone area.



From: TSL Leavitt
To: Jessie Carpenter <JessieC@takomagov.org>
CC: Frederick Schultz <fshultz@starpower.net>
Date: Saturday, September 22, 2012
Subject: NHGCA Parking Zone

Hi Jessie,

Just wanted to let you know that the community association discussed the parking zone (we had enough for a quorum). We took a vote as well; it was unanimous to approve the zone (with two abstentions). Please let me know when this will come up before the council again.

Thanks!

Todd

From: Frederick Schultz <fshultz@starpower.net>
To: Jessie Carpenter <JessieC@Takomagov.org>
CC: Todd Leavitt
Date: Saturday, September 22, 2012
Subject: NHGCA parking permit zone

Jessie:

The New Hampshire Gardens Citizens Association held a well attended meeting last Tuesday, 9/18 in which there was a lively and extended discussion on the subject. I attended and assisted the discussion.

What sort of documentation would you like to receive from Todd Leavitt, president of the association and who presided over the meeting, to satisfy the record as required in the city's regulations. Do you need something in writing, in hard copy, etc.?

Once you are satisfied on this point, I believe it would be appropriate to set a date for the city council's action (namely to re-open the public hearing that was held and then suspended on June 18, 2012 for an indefinite period until proper notification procedure were undertaken). You would need time to properly post the area with public hearing notification signs.

Please let Todd know what he has to do.

Let me know what you and Bruce decide on the scheduling.

Fred

From: TSL Leavitt
To: Jessie Carpenter <JessieC@takomagov.org>
Date: Friday, October 19, 2012
Subject: Meeting notes

Hi Jessie,

Sorry for the delay... thanks for your patience!

Todd

Proposed Parking Zone - 7300 - 7500 NH; 110-1200 Merwood; 7300-7500 Wildwood (from Circle Glenside to Holton); 1200-1300 Kingwood. Hours proposed -- 7 pm - 7 am.
Process - started with a petition process that required signatures of 66% of occupied properties (about 70% were obtained). Petitions were submitted in May and verified. City Council held public hearing in July. Process should be NH Assn hold general meeting to discuss with appropriate notice, City Clerk posts neighborhood notices. No association meeting and no neighborhood notices were posted. City Clerk will post notices and Council will hold another hearing (previous testimony will be preserved and no need to testify again if previously testified). Fred discussed displaced problem with City Clerk and was told City is experienced in dealing with this problem and would take up expansion of zone if problem was moved to non-zoned adjacent areas of neighborhood as result of zoning of proposed areas. Unclear whether all steps would be required again from discussion. Fred said that City would not allow the problem to go elsewhere or resurface. Area was limited at outset to ensure ability to obtain 2/3 signatures of occupied properties. Vote was taken of those present. Most favored with 2 abstentions.

**JUNE 18, 2012 PUBLIC HEARING ON RESIDENTS' REQUEST FOR A
RESIDENTIAL PERMIT PARKING ZONE IN NEW HAMPSHIRE GARDENS**

WRITTEN PUBLIC COMMENTS RECEIVED

From: Lance Pruett
To: "JessieC@Takomagov.org" <JessieC@Takomagov.org>
Date: Monday, June 18, 2012
Subject: Permit Parking in Ward 6

Ms. Carpenter,

I am currently out of the country, but would appreciate your acceptance of this e-mail as my testimony in favor the permit zone. Parking in and around the proposed area is a major issue for many residents there. In my circumstance, late night parties at the Zion Lutheran Church cause frequent disturbances of the peace, as I'm sure the police records can verify. The overnight parking permit zone, will at least have an adverse effect on the church renting its facilities for late night (after 11pm start time) events. Since the church seems unwilling to work with the community to resolve the problem, this is the best solution we have come up with.

Having spoken with other homeowners in the area, it is clear that permit parking is the best way to solve the problems caused by residents of the high rises, across New Hampshire avenue. I support their desire to enact permit parking in the areas being affected by these drivers.

I hope that the council sees fit to pass the measure. We are desperate for help in this regard.

Sincerely,

Lance Pruett
1201 Kingwood Drive

From: PAMELA DENT
To: <clerk@takomagov.org>
Date: Monday, June 11, 2012
Subject: Residential Permit Parking Zone in New Hampshire Gardens

To City Clerk, Jessie Carpenter:

I am a resident of New Hampshire Gardens, and I applaud the city's consideration of the request to establish a Residential Permit Parking Zone on the street where I live. Because of my proximity to New Hampshire Avenue, I am able to watch people park their cars in front of my home and walk across New Hampshire Avenue to the apartments on the east side of the street. I know that if I do not get home by a certain time or if I need to use my car in the evening, I will most likely not have a space in front of my home when I arrive, and I will be forced to park blocks away from my home. My husband doesn't get in from work until 9:30 pm, and he has difficulty finding parking as well. The establishment of a Residential Permit Parking Zone will alleviate the problem that we face every day of the week. I am hopeful that this can be approved and implemented soon.

Sincerely,

Pamela Dent
Merwood Drive

From: "Orr, Kathleen A."
To: "JessieC@takomagov.org" <JessieC@takomagov.org>
Date: Wednesday, June 13, 2012
Subject: Support for Permit Parking - For June 18 Meeting

All:

I am writing in support of the permit parking proposed in the New Hampshire Gardens neighborhood. I own a property in the impacted area that is currently on the market. Although we recently moved away, I feel compelled to write in support of the permit parking because I am still a homeowner in the neighborhood and we were greatly impacted by the parking overflow for the 8+ years that we resided on Wildwood Drive.

In addition to the obvious impact of non-residents parking in the neighborhood (e.g., limited to no parking in front of one's own home, more traffic, and increased noise and foot traffic), we personally experienced the following:

- individuals changing their motor oil and leaving the used oil and parts in our yard;
- loads of trash left in our yard and the shared community spaces (I easily picked up one grocery bag of trash every week or two);
- discarded condoms and hypodermic needles in our yard;
- cars blocking our driveway;
- being threatened when we asked someone not to park directly in front of our house; and
- numerous individuals sleeping in their cars.

I strongly urge the Council to approve the request for permit parking. If there is any doubt, its need is demonstrated by the strong support that the proposed permitting received from the impacted residents.

Thank you.

Kate Orr

Kathleen A. Orr

From: James Barrat
To: <clerk@takomagov.org>, <jessieC@takomagov.org>
Date: Tuesday, June 12, 2012
Subject: Residential Permit Parking Zone/New Hampshire Gardens

Dear Jessie Carpenter,

My family and I live in the 7300 block of Wildwood Drive, and I'm strongly opposed to the establishment of a parking zone.

I don't think a serious problem exists on our block, certainly not serious enough to merit permit parking. My wife and I have two cars, and rarely have trouble parking on Wildwood in front of our house. Only during Sunday services at the Bright Light Baptist Church is parking ever an issue, and we don't begrudge the church a few hours each week.

During the rest of the time, there is plenty of parking available on both sides of the street on our block. Perhaps there's an issue on Merwood, but it certainly doesn't extend to the 7300 block of Wildwood.

Parking registration to me means unwanted red tape < registration, fees, keeping current with the permit, etc. I'm sure some mishap will find me paying a fine for parking in front of my own house, and wasting your time and mine coming down to city hall to straighten it out. Then there's giving temporary permits to guests, house cleaners, and workers. To say nothing of the weekly parkers from the Bright Light Baptist Church.

What a lot of hassle, and for what? Merwood may have a case and a consensus for permits; I don't believe the 7300 block of Wildwood Drive does.

Thanks for hearing me out.

Best Regards,

James Barrat
Wildwood Drive

From: Linette Lander
To: <clerk@takomagov.org>
Date: Tuesday, June 12, 2012
Subject: Statement for Council Hearing Record: NH Gardens Permit Parking

I appreciate the opportunity to submit written comment on the proposed permit parking zones in certain sections of Ward 6/New Hampshire Gardens, which will be the subject of a Public Hearing on June 18, 2012. *****

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Without more compelling information on the non-resident *parking* *problem* than I have so far received*, *, I OPPOSE the plan to make overnight parking in certain sections of Ward Six by paid permit only*. The reasons for my position follow:*****

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. **I have heard noise and litter problems being attributed to motorists parking overnight/late night from out of the immediate neighborhood. Even if those conclusions are true, they are not legitimate reasons for establishing a parking zone. Instead, existing noise and litter ordinances should be enforced if those issues are problems.***

. **It seems possible that this may be but the latest effort in sections of Ward 6 to make certain *public* streets essentially “off-limits” to traffic just as speed bumps discourage motorists who know about them from using those routes, funneling traffic instead to other neighborhood streets without speed bumps (see discussion below).***

. **Parking zones have a disproportionately adverse effect on those without driveways (i.e., those without driveways in a newly created zone would have no choice but to buy a permit). Query: Do the principal proponents of the parking zones have driveways, or other off-street parking options?***

**. **It has been suggested that if there is an adverse impact in terms of increased non-resident parking on adjacent (non-permitted) streets, additional adversely impacted streets could also be considered for permit parking. As we know, a vote is required to achieve that result, and the proponents of the currently proposed zones have stated publicly that they have limited the area covered by current proposals at the outset to make it easier to achieve their desired result of permit parking. This seems to me to suggest recognition that a larger permitted zone could be problematic to achieve. The adjacent streets could therefore feel the brunt of the action the Council is being asked to take.

**** *RELATED ISSUES – MANAGEMENT OF PUBLIC STREETS IN WARD 6 and ELSEWHERE IN THE CITY OF TAKOMA PARK:***

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SPEED BUMPS*:****

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**As suggested above, the presence of speed bumps on some streets has served to increase the volume of traffic – including of heavy trucks and other service vehicles -- on streets without speed bumps. This is

particularly problematic when the non-speed bump streets are also badly paved and do not have sidewalks, creating greater and potentially dangerous competition between pedestrians (including children), bikes, and vehicles. Though there is probably no baseline measure that would indicate the levels of traffic on non-speed bump streets before any nearby speed bump installation, how about putting counters on the streets to measure traffic on speed bump and non-speed bump streets? ****

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PLAY IN THE STREETS:****

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**. **I have noticed a proliferation of the little plastic figures signaling children/slow on streets in the Ward and elsewhere in the City. In some cases, they are accompanied by other recreational items that suggest that public streets may be considered by some as playgrounds. I would be surprised if this is an approach that the Takoma Park Police and others concerned with public and children's safety would endorse.

It is up to parents and guardians and other community members to enforce the age-old caution about looking both ways before crossing streets, which include by extension not treating public streets as playgrounds. Our City and the County have plenty of parks and recreation centers for such activities. Yards are also available for these purposes.

The presence of the plastic warning signs does not change the existing laws – speed limits, stop signs, lane markers and all other traffic conventions remain. Children and youth should not play in the streets. Just as block party street closures require special permission from City officials, use of the public streets for other than the vehicular purposes for which they are intended (and generally maintained) is prohibited.

Thank you.

Linette Lander, Lancaster Rd. ****

NEW HAMPSHIRE GARDENS PERMIT PARKING

TESTIMONY RECEIVED AT THE JUNE 18, 2012 PUBLIC HEARING

Tedd Deppner, Wildwood Drive, supported the permit parking. He said he would prefer that the permit parking be enforced 24 hours a day, seven days a week.

Chris Victoria, Merwood Drive, spoke in support of establishing a permit parking area in the Wildwood/Merwood area. He testified that there is a problem with people from outside the neighborhood parking in the area.

Estrella Deppner, Wildwood Drive, commented on the problems with the church being rented out in the evenings. She supported 24 hour permit parking.

Ronelle Turner, New Hampshire Avenue, commented on the parking problem that results from the high rise buildings across the street. She supported permit parking during night time hours.