



Staff Report

City of Manhattan Beach

TO: Honorable Mayor Aldinger and Members of the City Council

THROUGH: Geoff Dolan, City Manager *GD*

FROM: Richard Thompson, Director of Community Development *RT*
Ana Stevenson, Management Analyst *AS*
Erik Zandvliet, Traffic Engineer *EZ*

DATE: March 18, 2008

SUBJECT: Consideration of the Parking and Public Improvements Commission Recommendation to Maintain Existing "NO PARKING THIS STREET" Signs on Both Sides of the Alley between 542 and 544 Marine Avenue.

RECOMMENDATION:

It is recommended that the City Council pass a motion to approve the Parking and Public Improvements Commission recommendation to maintain the existing "NO PARKING THIS STREET" signs on both sides of the alley between 542 and 544 Marine Avenue.

FISCAL IMPLICATION:

There is no fiscal impact associated with the recommended action.

BACKGROUND:

In December 2007, the City received a request from the resident at 544 Marine Avenue to prohibit parking in the alley because parked cars were blocking access and/or encroaching onto the resident's side yard. After a field inspection and review by City staff, it was determined that the alley was too narrow for parking on either side without blocking vehicular access through the alley and/or encroaching onto private property. "NO PARKING THIS STREET" signs were posted at both entrances to the alley.

In January 2008, the City received a petition from local residents to remove the no parking signs in the alley between 542 and 544 Marine Avenue. The petition was signed by several local residents in favor of allowing parking in the alley.

DISCUSSION:

As described in the attached report, the Traffic Engineer reported that the alley is 15-foot wide between Marine Avenue and 21st Place. The property at 542 Marine Avenue has a fence along the alley right-of-way while 544 Marine Avenue has a three-foot wide paved area on private property adjacent to the house along the east side.

Because of its width, the Traffic Engineer determined that the alley is too narrow for parking on either side without blocking vehicular access through the alley or encroaching onto private property. If parking was allowed in either side, the public's right to access would be prevented.

PPIC Review

On February 28, 2008, the Parking and Public Improvements Commission reviewed the Traffic Engineer's report and heard testimony from five residents. Two speakers felt that parking should be allowed as it had been. However, the other speakers felt that parking in the alley will cause damage to the adjacent property. One speaker voiced concerns about pedestrians walking through the alley.

The Commission held a discussion about the advantages and disadvantages of parking in the alley. The possibility of painting a line was discussed, but it was pointed out that a painted parking line would probably not prevent people from parking or driving on private property. A motion was made and passed 3-1 to accept staff recommendation to make no changes to the existing signs.

Notices were sent to the property owners and residents within 300 feet of the alley between 542 and 544 Marine Avenue at Marine Avenue and 21st Place for both the PPIC and City Council meetings. No further public input has been received.

ALTERNATIVES:

1. **APPROVE** the recommendation of the Parking and Public Improvements Commission.
2. **REMOVE** this item from the Consent Calendar and modify the recommendation or provide staff with direction.


Attachments: A. PPIC report dated 2/28/08, with attachments
B. PPIC Minutes (Draft Excerpt), 2/28/08
C. City Council meeting notice, 3/18/08

ATTACHMENT A.

CITY OF MANHATTAN BEACH
DEPARTMENT OF COMMUNITY DEVELOPMENT

TO: Parking and Public Improvements Commission

FROM: Richard Thompson, Director of Community Development

BY: Erik Zandvliet, Traffic Engineer
Ana Stevenson, Management Analyst 

DATE: February 28, 2008

SUBJECT: Consider Petition to Remove No Parking Signs in Alley Between 542 and 544 Marine Avenue

RECOMMENDATION:

That the Commission recommend no change to the existing "NO PARKING THIS STREET" signs on both sides of the alley between 542 and 544 Marine Avenue.

BACKGROUND:

In January 2008, Mr. and Mrs. McQuitty, at 542 Marine Avenue, submitted a petition to remove existing "NO PARKING THIS STREET" sign in the alley between 542 and 544 Marine Avenue. The petition is signed by seven local residents in favor of restoring the alley to its previous condition allowing parking on both sides.

DISCUSSION:

The alley between 542 and 544 Marine Avenue is a 15-foot wide alley that begins at Marine Avenue and ends at 21st Place about 150 feet southerly. This alley is the only remaining improved alley of a series of alleys just west of Blanche Road between 21st Place and 24th Place that were vacated many years ago. 542 Marine Avenue has a fence along the alley right-of-way while 544 Marine Avenue has a three-foot wide paved area on private property adjacent to the house. Neither property has driveway access to the alley.

In December 2007, the City received a request from the resident at 544 Marine Avenue to remove the parking in the alley because parked cars are blocking access and/or encroaching onto the resident's side yard. After a field inspection and review by City staff, it was determined that the alley is too narrow for parking on either side without blocking vehicular access through the alley or encroaching onto private property. On January 9, 2008, "NO PARKING THIS STREET" signs were posted at both entrances to the alley.

This issue was previously reviewed in 2006, when a local resident requested parking restrictions in the same alley after observing parked cars blocking access. After circulating a notice and

reviewing the location, staff decided not to make any changes at that time, primarily because the neighborhood was highly divided, with a slight majority requesting no parking restrictions.

Municipal Code Section 14.36.110 authorizes the City Traffic Engineer to place signs indicating no parking on one or both sides of a street when the width of a roadway does not exceed thirty feet (30'). In this case, the roadway is 15 feet wide, and any vehicles parked on either side effectively blocks pass-through access. It should be noted that the alley provides very limited access between 21st Place and Marine Avenue, and alternate routes are available. Occasionally, the alley is used as supplemental parking for the adjacent properties, during which other drivers are unable to use the alley. When this occurs, drivers that enter the alley must back out into Marine Avenue or 21st Place.

The Fire Department determined that access through the alley is not critical to their operation, primarily due to the limited turning radius for their larger vehicles, as well as alternate access on 21st Place and Marine Avenue. The Police Department felt that parking could be allowed if vehicles were partially parked on the three-foot wide side yard adjacent to 544 Marine Avenue, so that other drivers could pass the parked vehicle. However, this would endorse public parking on private property which is typically prohibited by posting "Private Property-No Public Parking" signs. If parking were prohibited on the east side, then drivers would drive over the private side yard when going around vehicles parked on the west side.

It is staff's recommendation to leave the existing parking restrictions in place, due to the fact that the alley is a public access, and parking on either side prevents the public's right to that access. California Vehicle Code Section 22651(b) authorizes police officers to tow a vehicle "When any vehicle is parked or left standing upon a highway in a position so as to obstruct the normal movement of traffic or in a condition so as to create a hazard to other traffic upon the highway". The existing "NO PARKING" signs comply with this authority to keep the traveled way open to the public. Also, parking of more than two vehicles in the alley would block the center vehicle(s) from the ability to exit the parking space.

Meeting notices were sent to all adjacent properties along Marine Avenue and 21st Place in the immediate vicinity of the alley.

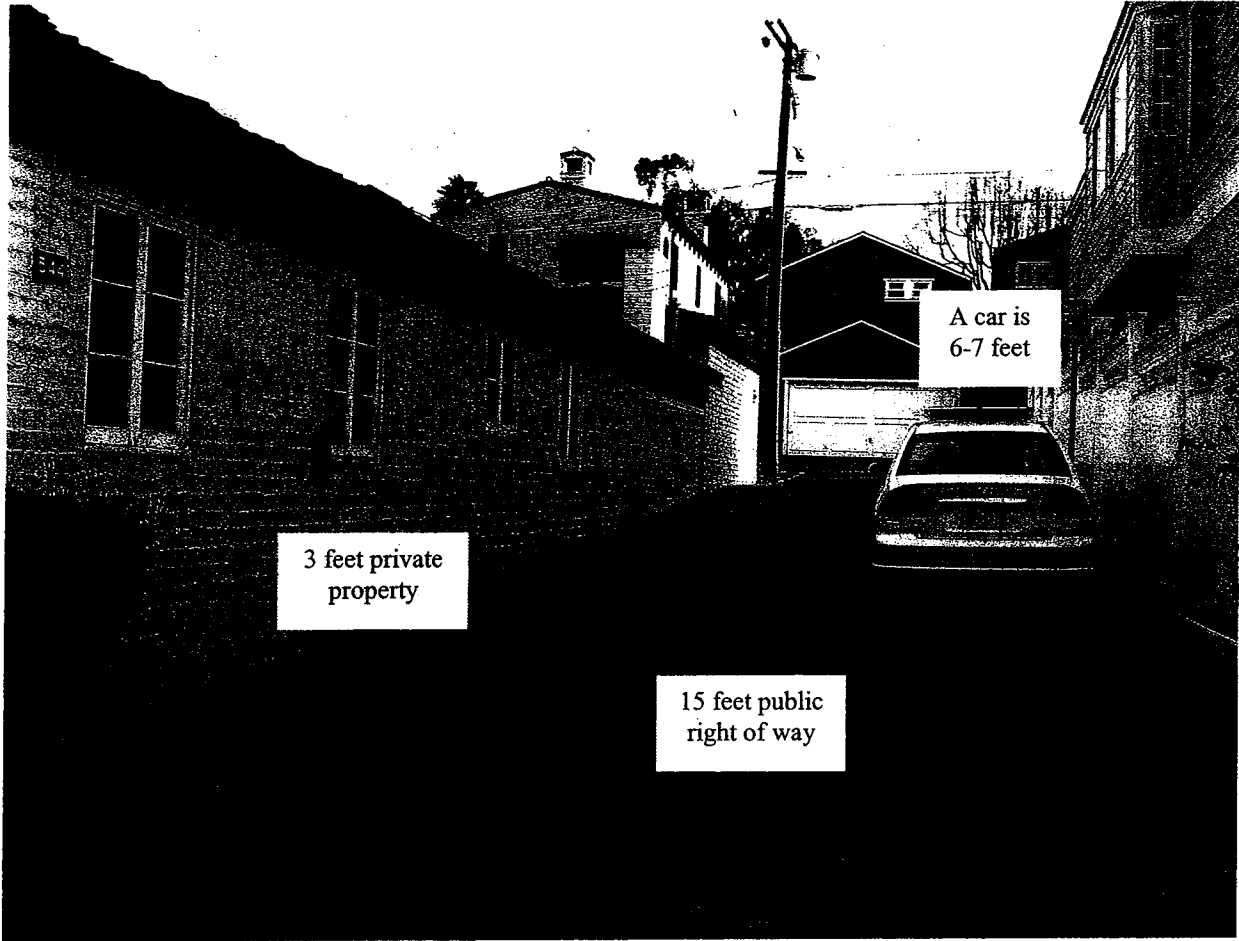
CONCLUSION:

Based on public access rights and the need to prevent parking and circulation problems, it is recommended that the existing "NO PARKING THIS STREET" restrictions remain in place on the alley between 542 and 544 Marine Avenue.

ATTACHMENTS:

1. Location Photo
2. Aerial Location Photo
3. Petition from Mr. and Mrs. McQuitty
4. Meeting Notice

ATTACHMENT 1: PHOTO LOCATION



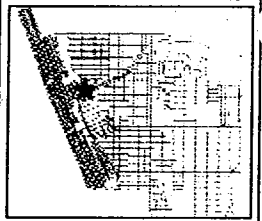
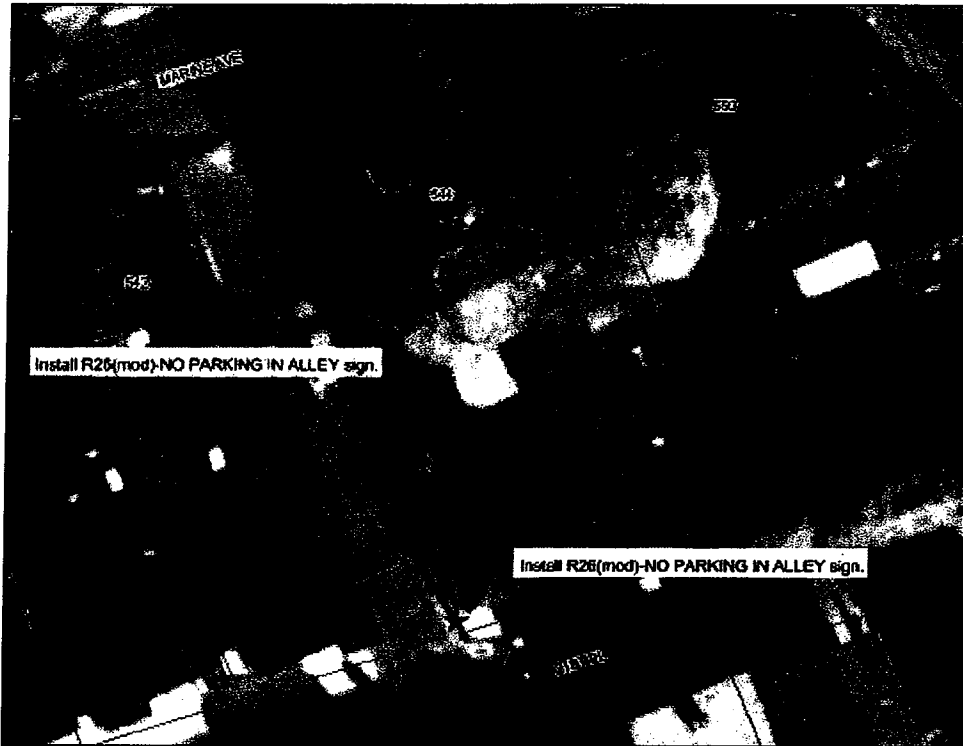
3 feet private property

15 feet public right of way

A car is 6-7 feet

ATTACHMENT 2: AERIAL LOCATION PHOTO

Alley between Marine Avenue and 21st Place



Legend

- Addresses
- Parcels
- 2000 Air color
- Basemap
- BEACH
- BLUCK
- CADEND
- PARK
- PRK
- PRIVATE STREET
- SCHOOL
- STREET
- WATER STREET

0 30 60 90 ft.

Scale: 1:300

This map is a user-generated static output from the "MB GIS Info" Intranet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Notes: Install No Parking Signs.



PARKING AND PUBLIC IMPROVEMENTS APPEAL APPLICATION

City Hall 1400 Highland Avenue Manhattan Beach, CA 90266-4795
 Telephone (310) 802-5000 FAX (310) 802-5501 TDD (310) 546-3501

ENTIRE "BLOCKED" AREA MUST BE FILLED OUT

Resident/Applicant: <u>David & Annie McQuitty</u>	Date: <u>24 Jan 08</u>
MAILING Address: <u>542 Marine Avenue</u>	Phone No. _____
City: <u>Manhattan Beach</u> State: <u>CA</u>	ZIP Code: <u>90266</u>
Appeal Request: <input type="checkbox"/> Red Curb <input type="checkbox"/> Parking <input type="checkbox"/> Traffic Signs/Marks <input type="checkbox"/> Right of Way <input checked="" type="checkbox"/> Other: <u>PETITION</u>	
Address/Intersection: <u>alley off of Marine connected to 21st Place west of Blanche.</u>	
Description: <u>Please remove the no parking sign and restore alleyway to original open parking situation.</u>	
Petition: _____	
Signature: <u>Annie McQuitty</u>	

Cashier	\$ _____	Date _____	Initials _____
TRAN Code	#4502	Amount Rec'd.	Receipt #
Fee Schedule	Permit Appeal	\$465.00	

Legal Description	_____
Map Book	Page _____ APN _____
Comments/Notes	_____
_____	_____

Approved/Denied _____ Date _____

Community Development Department 01/01/08 AS



**City of Manhattan Beach
Parking and Public Improvements Commission
Petition Form**

We, the undersigned residents, do hereby petition the Parking and Public Improvements Commission to restore the parking in the alley between 540 and 542 Marine Avenue. Remove the recently installed No Parking This Street sign from the alley.

We attest that each undersigned person is 18 years or older and is a responsible owner or resident affected by the petition.

The designated contact person(s) are:

CONTACT PERSON: David + Annie McQuitty DAYTIME PHONE NO: 310 802 1414

ALTERNATE CONTACT: Gary + Lynn Kiouss DAYTIME PHONE NO: 310 545 3525

NOTE: Only one responsible signature per residence is required.

	SIGNATURE	PRINT NAME	PRINT STREET ADDRESS	PRINT DATE
1.		LORRAINE MEEBS	551 MARINE AVE	1-14-08
2.		RON SIMICHELE	528 MARINE AVE.	1-14-08
3.		JANE REITZ	643 21 ST ST.	1-14-08
4.		GARY KIOUSS	547 21 ST ST	1-14-08
5.		BEVERLY K. TIEMAN	551 21 ST ST.	1-14-08
6.		LISA TAYLOR	549 21 ST ST	1-14-08
7.		KIM SIEHL	545-21 ST	1-14-08
8.				
9.				
10.				

I declare under penalty of perjury, pursuant to the laws of the State of California, that the foregoing is true and correct.

Signed by Contact

Executed on 25 Jan 08 in Manhattan Beach, California.
Date

ATTACHMENT 4: MEETING NOTICE



City Hall 1400 Highland Avenue Manhattan Beach, CA 90266-4795
Telephone (310) 802-5000 FAX (310) 802-5001

February 8, 2008

***** PUBLIC MEETING NOTICE *****

Re: Request for Removal of "No Parking in this Street" Signs at Alley with no Name Between 542-544 Marine Ave and 21st Pl.

Dear Property Owner/Resident:

The City recently received a petition to remove the "No Parking in this Street" Signs and return to original conditions the alley with no name between 542-544 Marine Ave and 21st Pl.

The Parking and Public Improvements Commission will review this appeal at a public meeting on Thursday, February 28, 2008. The meeting will be held in the City Council Chamber, 1400 Highland Avenue, and will begin at 6:30 p.m. Interested parties are encouraged to attend the meeting and provide comments.

If you have any questions or would like any additional information, please call (310) 802-5540 or email astevenson@citymb.info.

Sincerely,

Ana Stevenson
Management Analyst
Community Development Department

Fire Department Address: 400 15th Street, Manhattan Beach, CA 90266 FAX (310) 802-5201
Police Department Address: 420 15th Street, Manhattan Beach, CA 90266 FAX (310) 802-5101
Public Works Department Address: 3621 Bell Avenue, Manhattan Beach, CA 90266 FAX (310) 802-5301

ATTACHMENT B.

**CITY OF MANHATTAN BEACH
PARKING AND PUBLIC IMPROVEMENTS COMMISSION
MINUTES OF REGULAR MEETING
February 28, 2008**

The Regular Meeting of the Parking and Public Improvements Commission of the City of Manhattan Beach, California was held on the 28th day of February 2008 at the hour of 6:30 P.M. in the City Council Chambers of City Hall at 1400 Highland Avenue in said City.

A. ROLL CALL

Commissioners Present: Gross, Silverman, Stabile, and Chair Paralusz.
Commissioners Absent: Donahue.
Staff Present: Zandvliet; Stevenson
Clerk: Hart.

B. AGENDA CHANGES

Commissioner Stabile noted a correction to the motion he made to reject staff's recommendation regarding 26th Street parking. In addition to what is currently in the minutes the motion also suggested or recommended that parking be restricted by signage on the south side of 26th Street for 100 feet.

Traffic Engineer Zandvliet indicated that on Page 2, the third line of the discussion section "can restrict parking as they see fit" should be changed to "has the authority to restrict parking for safety reasons."

C. APPROVAL OF MINUTES – January 24, 2008

A motion was MADE and SECONDED (Gross/Stabile) to approve the amended minutes of January 24, 2007.

AYES: Gross, Silverman, Stabile, and Chair Paralusz.
NOES: None.
ABSENT: Donahue.
ABSTAIN: None.

D. CITY COUNCIL AGENDA

The recommendation by this Commission on January 24, 2008 not to take action related to the request for a red curb on 26th Street west of Laurel Avenue was upheld by the City Council.

E. AUDIENCE PARTICIPATION

None.

F. GENERAL

1. Ingleside Drive South of 5th Street – Petition to Remove Existing Red Curb

Traffic Engineer Zandvliet presented staff's report and recommendation that the existing red curb on the east side of Ingleside Drive just south of 5th Street remain in place.

Audience Participation

Jon Swidler, 400 Block of 5th Street, voiced his concern that the City did not engage the local residents before eliminating two street parking spaces. Many residents in the area live in older homes that only have one-car garages, therefore requiring residents to park on the street and behind garages. He noted that the previous owner who lived in the property almost 40 years did not have an issue pulling out of the driveway from his garage without a red curb opposite the driveway.

Bill Lovold, 400 Block of 5th Street, indicated that he has lived in his home with a two-car garage since 1966 and has raised three children who all parked on the street when the time came. He believes that the issue is the red curb reduces the available parking by one and one-half to two spaces. Mr. Lovold indicated that the new neighbor has trouble getting his Suburban in the garage.

Margot Schutte, 500 Block of 5th Street, shared that she has a double garage and her driveway exits onto 5th Street. There is no red curb opposite her driveway and sometimes she has to ask neighbors who have parked opposite her driveway to move their cars so she can exit. She noted that cars are bigger and the streets are cleaned regularly which both affect the parking. She stated that she is for keeping the red curb in place.

Matt Whelan, 400 Block of 5th Street, wanted to set the record straight that the house is newly built and his family moved into it in November 2007. They realized immediately that it was very difficult to get out of their garage in which they do park their vehicles. He noted that the street is only 18 feet wide. Mr. Whelan had photos of the area to share with the Commissioners. He discussed the previous owner, indicating that he was a single man who only had one car. Mr. Whelan said that he has a family and, therefore, more cars. He noted that he did not believe he had forfeited his right to have the curb opposite his driveway painted red just because the previous owner had not found it necessary to request the same.

Mike Maurry, 500 Block of 5th Street, shared that he used to rent the garage from the previous owner and that it was very hard to get out of the driveway. He said the previous owner used to cut into the neighbor's bushes as he exited the driveway. Mr. Maurry added that he did a survey from 1st Street to 7th Street and noted that there are 10 garages that exit onto Ingleside Drive and they all have red zones opposite the driveways. If the red zone in question is removed, Mr. Whelan would be the only one without a red zone. He then stated that he was for leaving the red curb in place.

Mike Johnson, 500 Block 5th Street, stated that since parking is so limited, he does not think the red zone is necessary. He added that the previous owner, Bud, had to make three-point turns to exit the driveway. Mr. Johnson offered that he does not think it is right to take away two parking spots.

Karla Mendelson, 400 Block 5th Street, indicated that she is against the red zone as it is currently painted. She believes that moving the red zone a couple of feet would eliminate only one parking space as long as people park correctly. She added that if the City had approached the neighborhood first a lot of angst could have been avoided. Ms. Mendelson said she would like the city to find a way to maximize the space by allowing parking on the grate and allowing the Whelan's to park on the apron next to their property.

Discussion

Commissioner Gross asked Traffic Engineer Zandvliet to explain how the City enforces driveway access on all streets that are 18 feet wide. Traffic Engineer Zandvliet explained that almost all parking reviews are done on a case-by-case basis when requested. He indicated that in this case overall parking was increased although public parking was reduced.

Chair Paralusz asked whether the Traffic Department could look at the red zone again and evaluate whether moving it slightly would add one additional parking space. Traffic Engineer Zandvliet acknowledged that it could be done and that Public Works would need to indicate whether cars could be allowed to park on the sewer grate.

Commissioner Stabile remarked that the issue was déjà vu of the previous Commission meeting and that the impact on public parking needs to be addressed in the planning and permit process.

Commissioner Silverman said that he had driven to the residence in question, pulled into the driveway, and could not have exited without the red curb being where it was.

Chair Paralusz indicated that she also drove on Ingleside and that she agreed with Commissioners Gross and Stabile that the Planning Commission needs to address these issues proactively. She added that Mr. Whelan gave a persuasive argument about not having lost the right to the red zone simply because the previous owner had not requested one. Chair Paralusz

remarked that she does not like to see parking taken away and that she would like to see the red curb evaluated to determine whether an additional space could be found by moving the red zone. She also suggested that in the future the Traffic Department should socialize an action with the neighbors before taking the action.

Action

A motion was MADE and SECONDED (Stabile/Silverman) to defer taking action on removing the existing red curb on Ingleside Drive South of 5th Street and refer it back to staff to determine whether the red curb could be shortened or modified.

AYES: Stabile.
NOES: Gross, Silverman, and Chair Paralusz.
ABSENT: Donahue.
ABSTAIN: None.

MOTION FAILED.

A motion was MADE and SECONDED (Donahue/Silverman) to keep the existing red curb on Ingleside Drive South of 5th Street in place and direct the Traffic Department to reevaluate and to reduce the size of the red curb, if possible.

AYES: Stabile, Gross, Silverman and Chair Paralusz.
NOES: None.
ABSENT: Donahue.
ABSTAIN: None.

MOTION PASSED.

2. Alley between 542 and 544 Marine Avenue – Petition to Remove Existing No Parking Signs

Traffic Engineer Zandvliet presented staff's report and recommendations that no change be made to the existing "NO PARKING THIS STREET" signs on both sides of the alley between 542 and 544 Marine Avenue.

Audience Participation

Loretta Wells, 500 Block of Marine Avenue, shared that her mother purchased their home in 1956 and that she has continued to live there since her mother passed. The property has not changed in that time, but others around her have been splitting lots so the amount of traffic in the area has increased. The paved sidewalk next to her house is part of her property and cars park on it causing breaks and the drivers have no respect for others. Ms. Wells indicated that her mother had originally been offered half of the alleyway as part of her property. She also

noted that at one time she parked her 1984 Town Car beside the house and the Fire Department could not get through. Ms. Wells wanted to go on record for keeping the signs in place. She went on to say that she has to repair some plumbing which will require digging up the sidewalk and she wondered whether the City could help with replacing the sidewalk. Ms. Wells also noted that water drained from spas flows down the alley and contributes to some of her plumbing problems.

Jane Reitz, 500 Block of 21st Street, began by saying that historically there had never been signs and there never was a problem. She went on to say that the neighbor on the other side of the alley, Annie, had indicated that it was okay to park next to her fence. Ms. Reitz mentioned that there used to be parking for three cars in the alley that was very handy during community events. She hopes that as neighbors everyone can get along and everything can be worked out.

Christine Kirby, 500 Block of Marine Avenue, offered that she believes that the alley should be used as a swing space for car washing, parking during family parties, and similar types of activities.

Kevin Pratt, 500 Block of 21st Street, noted that it is a quirky alley. He shared that as a real estate salesman he used the alley to get to Marine because Blanche gets too busy. He suggested a compromise of painting parking lines so people know where to park without damaging the property of others. He added that it does bother him when people disturb and damage Ms. Wells's property. Mr. Pratt also discussed the effectiveness of ticketing illegally parked cars.

Linda Unruh, 2100 Block of Blanche Road, described how people use the alley as a pedestrian walkway to the beach to avoid the traffic on Marine Avenue. She voiced her concerns that pedestrians are at risk because people park and drive on the sidewalk and damage the fence.

Discussion

Commissioner Gross inquired of Traffic Engineer Zandvliet whether he had any comments regarding the suggestion to designate parking spaces. Traffic Engineer Zandvliet replied that if the Fire and Police Departments do not require access, the City could allow parking and spaces could be marked on the west side. He also noted that since there are concerns regarding parking on Ms. Wells's sidewalk perhaps the sidewalk should be raised and a curb created although doing so might create new problems for the City. Commissioner Gross indicated that the sidewalk is the homeowner's responsibility.

Commissioner Stabile remarked that he is not in favor of burdening homeowners to create parking and that he is inclined to go along with the staff's recommendation.

Commissioner Silverman suggested that since the alley is small and not heavily traveled, a white line be painted to indicate Ms. Wells's property and the sign taken down.