

CITY OF OAKLAND

AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2008 JUN 26 PM 4: 19

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Community and Economic Development Agency
DATE: July 8, 2008

RE: **Resolution Approving The Implementation Of Preferential Residential Permit Parking (PRPP) Area On Ruby Street From 38th Street To 40th Street And On 38th Street From Ruby Street To Telegraph Avenue As An Addition To The Existing Area "A" PRPP, And Restricting General Street Parking Within Said Residential Permit Parking Zone To Two Hours, Pursuant To California Vehicle Code § 22507 And Oakland Municipal Code Chapter 10.44**

SUMMARY

A resolution has been prepared approving the extension to a Preferential Residential Permit Parking (PRPP) Area to the existing Area "A" PRPP with a two-hour parking time limit on the following street segments as shown on Exhibit A:

- Ruby Street from 38th Street to 40th Street, both sides of the street,
- 38th Street from Ruby Street to Telegraph Avenue, north side of the street, and
- 38th Street, between Ruby Street and the extension of the west curb line of Clark Street on the south side.

All petition requirements for implementing a PRPP Area have been satisfied per Oakland Municipal Code, Chapter 10.44, and as spelled out by Ordinance No. 10689 C.M.S.

The parking problems that led to the initiation of the PRPP proposal resulted from the increase in long-term parking by commuters using MacArthur BART Station. Furthermore, there are multi-unit apartment buildings in the area resulting in high parking demand. The proposed PRPP should increase the availability of long-term parking spaces for area residents with a PRPP sticker.

FISCAL IMPACT

The estimated cost to install PRPP signs on the six block faces is approximately \$2,500.00. Funds are available in the Public Works Agency budget under Fund 2230 and Traffic Maintenance Organization 30262. After eligible households on a street purchase up to two permits per household for a minimum total of 15 permits, PRPP signs will be installed on the particular street (i.e., Ruby Street or 38th Street). Fees for the PRPP permits are set forth in the

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City's Master Fee Schedule. Currently, the fees are \$25.00 for a resident permit, \$1.00 for a one-day visitor permit, \$5.00 for a 14-day visitor permit, and \$75.00 for a business permit. Currently, the annual renewal fee per permit is \$15.00 for residents and \$75.00 for businesses. Based on the initial requirement of 15 sold permits (the minimum needed per street), at least \$375 ($=\$25/\text{permit} \times 15 \text{ permits}$) will be collected before PRPP signs are installed on Ruby Street or 38th Street. Therefore, at least \$750 ($=\$375/\text{street} \times 2 \text{ streets}$) will be collected if signs will be installed on both Ruby Street and 38th Street.

BACKGROUND

The City may establish preferential residential parking programs for residents and merchants pursuant to California Vehicle Code §22507, provided there is no adverse impact on residents and merchants in the program areas. Residential Permit Parking alleviates parking congestion in residential neighborhoods caused by non-residents (such as employees, shoppers, visitors, BART riders) who park for extended periods of time. Upon implementing PRPP on Ruby Street and on 38th Street as an addition to the existing Area "A" PRPP, signs would be installed to limit on-street parking to two hours on Ruby Street and on 38th Street, except for vehicles displaying an Area "A" permit sticker. The 2-hour time limit was requested by residents who signed the petition. The time limit on adjacent streets is also 2-hour.

The Oakland Municipal Code (OMC) Section 10.44.050 states that a petition requesting establishment of a PRPP area is required to be signed by residents representing at least 51 percent of the addresses within the proposed area. City staff received a PRPP petition for 2-hour parking which contained qualified signatures representing 65 percent of the 53 eligible addresses on Ruby Street and 51 percent of the 35 addresses on 38th Street. The petition is attached in Attachment B.

OMC Section 10.44.050 requires that at least eighty percent of the block fronts in the proposed RPP area must be residentially zoned, and a minimum 75 percent of all on-street parking spaces within the proposed RPP area must be occupied during any two-hour period between 8:00 a.m. and 6:00 p.m. Most of the parcels along the two proposed streets are zoned residential. The exceptions are a church located on the north side of 38th Street just east of Telegraph Avenue, as well as a fast food establishment (3770 Telegraph Avenue) and a motel (490 West MacArthur Boulevard) on the south side of 38th Street between Telegraph Avenue and Clark Street. Of the 88 on-street spaces in the area (49 spaces on 38th Street and 39 spaces on Ruby Street), 88 percent were occupied in the morning and 99 percent were occupied in the afternoon on a weekday in May. Hence, the existing parking occupancy satisfied the OMC requirement.

The nearest street signed for Area "A" PRPP is Manila Avenue, which is approximately three blocks from the Ruby Street and 38th Street intersection. OMC Section 10.44.060 states that upon satisfaction of the requirements as provided in Section 10.44.050, the City Council may, by appropriate resolution, modify an existing residential permit parking area.

A public hearing was held at the Temescal Library on May 12, 2008 on the proposed implementation of PRPP on Ruby Street and on 38th Street as an addition to PRPP Area "A".

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Ten residents attended the hearing. Five were for, two were against and three were undecided about the PRPP.

KEY ISSUES AND IMPACTS

Residents on Ruby Street and on 38th Street have been inconvenienced by long-term parking of non-residents generated by the MacArthur BART Station and nearby commercial activities. Area residents have signed a petition requesting the implementation of PRPP with a two-hour parking time limit, 8:00 a.m. to 6:00 p.m., Monday through Friday. The implementation of PRPP on Ruby Street and on 38th Street in PRPP Area "A" is expected to make parking more available for local residents, especially those who have a PRPP permit. Furthermore, the proposal is expected to reduce the parking occupancy along streets that will be signed for PRPP, thus making short-term parking more available for customers and employees of nearby businesses needing a two-hour parking limit. Therefore, the implementation of PRPP on Ruby Street and on 38th Street in PRPP Area "A" is not expected to adversely affect parking conditions for residents and businesses in the area.

SUSTAINABLE OPPORTUNITIES

Economic: There are no significant economic opportunities.

Environmental: The proposed PRPP is expected to discourage long-term parkers from parking on the subject streets, thereby reducing vehicle emission and noise. These same long-term parkers may become compelled to consider transportation choices other than driving (e.g., bicycling or taking AC Transit) to the MacArthur BART Station.

Social Equity: PRPP is already in place for streets three blocks (on Manila Street off 38th Street) from the proposed block faces. Approval of this proposal will create equity in parking policy on the proposed portions of 38th Street and Ruby Street.

DISABILITY AND SENIOR CITIZEN ACCESS

The proposed PRPP will provide more opportunities for disabled and senior citizens to find available parking. Vehicles displaying a disabled placard will be exempted from the time restriction.

RECOMMENDATION AND RATIONALE

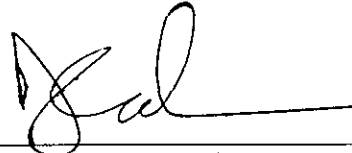
Staff recommends approval of the resolution implementing PRPP Area "A" in accordance with the procedures of the Oakland Municipal Code, Chapter 10.44, in order to alleviate the lack of long-term parking spaces presently experienced by the area residents.

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ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,



Dan Lindheim, Director
Community & Economic Development Agency

Reviewed by:
Michael J. Neary, P.E.
Deputy Director, Community and Economic
Development Agency

Prepared by:
Ade Oluwasogo, P.E.
Supervising Transportation Engineer
Transportation Services Division


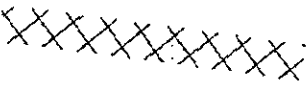
APPROVED AND FORWARDED
TO THE PUBLIC WORKS COMMITTEE:

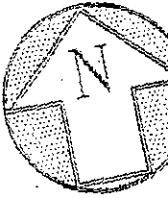

Office of the City Administrator

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ATTACHMENT A

LEGEND

-  EXISTING PRPP AREA A
-  PROPOSED PRPP Area A



Petition Form

(One signature per household only)

RECEIVED
PUBLIC WORKS AGENCY
TRAFFIC ENGINEERING

07 MAR 30 AM 11:04

ATTACHMENT B

Return signed petition form to:

Transportation Services
250 Frank Ogawa Plaza, #4344
Oakland, CA 94612-2033

If there are any questions, please call Transportation Services at (510) 238-3466.

We the undersigned, hereby petition that a 2 zoned Preferential Residential Parking Permit Parking Area be established on
(2 hr. or 4 hr.)

the following streets:

1) Ruby Street side, between the
(Name of street) (N/S/E/W)

intersections of Telegraph 38th St and Franklin 40th St

2) 38th St. side, between the
(Name of street) (N/S/E/W)

intersections of Ruby St and Clarke St.

3) 38th St. side, between the
(Name of street) (N/S/E/W)

intersections of Telegraph and Clarke St.

4) Telegraph side, between the
(Name of street) (N/S/E/W)

intersections of _____ and _____

5) _____ side, between the
(Name of street) (N/S/E/W)

intersections of _____ and _____

6) _____ side, between the
(Name of street) (N/S/E/W)

intersections of _____ and _____

7) _____ side, between the
(Name of street) (N/S/E/W)

intersections of _____ and _____

8) _____ side, between the
(Name of street) (N/S/E/W)

intersections of _____ and _____

We the undersigned are resident's and/ or business owners of the proposed Preferential Residential Permit Parking Area described in this petition. We understand that, if this area is designated as a Preferential Residential Permit Parking area, certain restriction will be placed upon on-street parking within the designated area; that subject to the regulations and restrictions established by the City Council, their visitors will be eligible to obtain permits exempting them from such parking restrictions; that the annual initial fee for a Residential Parking Permit is \$25.00 per vehicle; that a annual renewal fee for a Residential Parking Permit is \$15.00 per vehicle; that a Residential Parking permit may be issued to a resident of the same address, but not more than three Residential Parking Permits shall be issued to any one address, except in areas where it appears that the number of permits issued would exceed the number of legal on street parking spaces where the initial sale would be limited to two or possibly one permit per resident; that no more than one Residential Parking Permit shall be issued to each motor vehicle owned or leased for which a application is made; that fees for one day and 14 day Visitor Parking Permits are \$1.00 per day and \$5.00 per vehicle, respectively; but that no more than two Visitor Parking Permits per any one address shall be issued at any one time. We, the undersigned, hereby request that the City Council consider this petition for establishment of the above-described area as a Preferential Residential Permit Parking Area.

Upon return of the completed petition, The City Traffic Engineer will evaluate the petition, hold neighborhood hearing(s), and make a

Address (PLEASE PRINT)	Phone #
3822 Ruby ST #3 OAKLAND CA	923 0633
3912 Ruby St Oakland, CA	596- 9045
3954 Ruby ST Oakland CA	4632828
3910 Ruby St Oakland CA	655 4228
3912 3908 Ruby ST OAKLAND CA	510 450 1630
470 38th ST OAKLAND, 94609	467-2872
451 B 38th ST OAKLAND, CA 94609	921-0735
457 1/2 38th st Oakland, CA 94609	510 225- 8842
467 38TH ST OAKLAND CA 94609	655- 7571
453 38ST Oakland CA 94609	510 575-1586
472 38th St #B Oakland, CA 94609	510 467 9243
454 38th St Oakland, CA 94609	510 415 299-0019

RECEIVED
 PUBLIC WORKS AGENCY
 CIVIL ENGINEERING
 MAR 30 AM 11:55

Address (PLEASE PRINT)	Phone #
3933 Ruby St Oakland CA 94609 RECEIVED TRAFFIC ENGINEERING AGENCY 07 MAR 30 AM 11:55	510 910-0606
3942 3950 Ruby St Oakland CA 94609	510 807-7727
- 3923 Ruby Upper	510-409- 5010
3909 Ruby St Oakland Ca 94609	(925) 766 9582
3909 Ruby St. Oakland, Ca 94609	568-7201
3901 Ruby St #1 3875 Ruby St.	510 658-4131
3825 Ruby St Oakland-ca 94609	639-8931
3821 Ruby St Oakland, Ca. 94609	510 485-2397
3815 Ruby St Oakland 94609	510 923 0323
4150-38 ST Oakland CA 94609	510 675-7965
3822 Ruby St. #4 Oakland CA. 94609	(510) 427-7753
3822 Ruby St Apt 1 Oakland CA 94609	510 654-6647
3822 Ruby Apt 2 Oakland, CA 94609	510 428- 2884

Address (PLEASE PRINT)	Phone #
475-38 th STREET OAKLAND, CA 94609 <div style="position: absolute; top: 50px; right: 50px; font-size: small;"> RECEIVED PUBLIC WORKS AGENCY TRAFFIC ENGINEERING 27 MAR 30 AM 11:56 </div>	547-4178
473 - 38 th Street Oakland, CA 94609	653 6920
471 38 th Street Oakland CA 94609	594-1188
477 38 th St Oakland Ca 94609	223-3966
488 38 th Street Oakland, CA 94609	652-4862
486-38 th St Oakland, CA 94609	654-7664
478 38 th ST OAKLAND CA 94609	4514 573-1100
482 - 38 th ST OAKLAND CA 94609	1510 535-0283

Address (PLEASE PRINT)	RECEIVED	Phone #
466 38th ST OAKLAND CA	TRAFFIC ENGINEERING AGENCY 07 MAR 30 AM 11:56	510 522,240
475 38th St. Oakland CA 94609		510 547-4178
452 38th ST Oakland CA		510 655 9373

FILED
OFFICE OF THE CITY CLERK
OAKLAND
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Approved as to Form and Legality


City Attorney

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

Introduced by Councilmember _____

Resolution Approving The Implementation Of Preferential Residential Permit Parking (PRPP) Area On Ruby Street From 38th Street To 40th Street And On 38th Street From Ruby Street To Telegraph Avenue As An Addition To The Existing Area "A" PRPP, And Restricting General Street Parking Within Said Residential Permit Parking Zone To Two Hours, Pursuant To California Vehicle Code § 22507 And Oakland Municipal Code Chapter 10.44

WHEREAS, the residents along Ruby Street and 38th Street have petitioned to establish Preferential Residential Permit Parking (PRPP) along their street block, as an addition to the existing Area "A" PRPP program; and

WHEREAS, the Community Economic Development Agency has determined that the expansion of Area "A" PRPP program for residents in this area will not adversely affect parking conditions for residents and merchants in the area in accord with Vehicle Code Section 22507(b); and

WHEREAS, conditions along Ruby Street and 38th Street satisfy all requirements to implement PRPP program as described in Oakland Municipal Code (OMC) Chapter 10.44.050; and

WHEREAS, there are sufficient funds in the project budget for the installation of the PRPP signs totaling \$2,500.00 within the State Gas Tax Fund (2230) and Traffic Maintenance Organization (30262); and

WHEREAS, the requirements of the California Environmental Quality Act (CEQA) of 1970, the Guidelines as prescribed by the Secretary for Resources, and the provisions of the Statement of Objectives, Criteria and Procedures for Implementation of the California Environmental Quality Act: City of Oakland, have been satisfied, because the project is categorically exempt Section 15301, Class 1, minor modifications to existing facilities; now, therefore, be it

RESOLVED: That from 3807 to 3954 Ruby Street and from 451 to 494 38th Street, street parking shall be restricted to two (2) hours, from Monday to Friday, between the hours of 8:00 a.m. to 6:00 p.m., except vehicles displaying Preferential Residential Permit Parking permits for the Area "A" program; and be it

FURTHER RESOLVED: That fines for violation of the above parking restrictions are designated in Oakland Municipal Code Chapter 10.48.010; and be it

FURTHER RESOLVED: That based on the findings contained in the agenda report accompanying this resolution, the City Council hereby finds and determines that the expansion of the PRPP program from 3807 to 3954 Ruby Street and 451 to 494 38th Street will not adversely affect parking conditions for residents and merchants in the area in accordance with Vehicle Code Section 22507(b); and be it

FURTHER RESOLVED: That expansion of PRPP program shall be established for the following locations: from 3807 to 3954 Ruby Street and 451 to 494 38th Street and vehicles displaying Residential Permit Parking permits for this area shall not be subject to the general two-hour street parking restrictions in the area; and be it

FURTHER RESOLVED: That the City shall charge fees for Residential Permit Parking permits as designated in the current City of Oakland Master Fee Schedule.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED THE FOLLOWING VOTE:

AYES – BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND PRESIDENT DE LA FUENTE

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California