



Rochester Hills

Excerpt Minutes

Advisory Traffic and Safety Board

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Thomas Blackstone, Terry T. Brown, Johannes Buiteweg, Ernest Colling, Paul Davis, Jim Duistermars, Scott Hunter, Marc Matich, Carl Moore, Paul Shumejko, Kenneth Zendel

Tuesday, April 12, 2005

7:30 PM

1000 Rochester Hills Drive

2005-0263

Traffic Control Order No. PK-84 for Nawakwa and Hickory Lawn located within Avon Croft Subdivision, Section #34: No Parking between the hours of 5:00 p.m. and 2:00 a.m. within the right-of-way of both sides of Nawakwa, from Shadywood to Rochester and No Parking between the hours of 5:00 p.m. and 2:00 a.m. within the right-of-way of both sides of Hickory Lawn, from Rochester to a point four hundred thirty (430) feet westerly thereof

Attachments: Agenda Summary.pdf; Memo, Shumejko re TCO PK-84.1.pdf; Map, aerial.pdf; TCO PK-84 Supplemental info.pdf; Traffic Summary.pdf; First Proposed Resolution.pdf; Proposed TCO PK-84.pdf

Mr. Shumejko gave the background on the matter, stating that on March 18, 2005 the City received resident complaints regarding overflow parking along Nawakwa and Hickory Lawn due to the new C.J. Mahoney's Pub.

Based upon several field visits by the OCSD and further complaints from residents, it was determined that the primary on-street overflow parking was occurring on Thursday, Friday, and Saturday evenings.

In order to alleviate the overflow parking situation, the OCSD recommended installing "No Parking" signs along both sides of Nawakwa, from Shadywood to Rochester Road, and along Hickory Lawn, from Rochester to approximately 430' west of Rochester, between the hours of 7:00 p.m. and 2:00 a.m. Thursdays through Saturday.

Based on site evaluation, Staff recommends issuing TCO PK-84.1 "No Parking between the hours of 7:00 p.m. and 2:00 a.m. Thursday through Saturday within the right-of-way of both sides of Nawakwa, from Shadywood to Rochester," and TCO PK-84.2 "No Parking between the hours of 7:00 p.m. and 2:00 a.m. Thursday through Saturday within the right-of-way of both sides of Hickory Lawn, from Rochester to a point 430' westerly thereof" to eliminate the overflow parking from C. J. Mahoney's during these hours.

Chairperson Colling asked if anyone present would like to speak on this issue.

*Gary Berry
70 Nawakwa Road
Rochester Hills, Michigan 48307-5021*

He said his house was the first house behind the shopping center, west of Rochester Road. He stated that there has been a tremendous amount of parking on the street, and he felt the "No Parking" signs would solve the situation except that the parking started about 5:20 in the evening, and by 5:30 there was a man standing out in the middle of Nawakwa urinating. He thought it would be better if the signs restricted parking earlier, beginning at 5:00 to 5:30 p.m. to 2:00 a.m., Thursday to Saturday.

*Pat Berry
70 Nawakwa
Rochester Hills, Michigan 48307-5021*

She stated the situation on Nawakwa has become worse since the bar opened. It is difficult to get in and out from Rochester Road at any time of the day or night, but since the bar has been open, with parking on both sides of street, it is very dangerous. You can't see where the traffic is coming from and how to get out. Thursday when she came home from work at 5:10 there were already 15 cars parked out on both sides of the street. She said it seemed like the cars were getting there earlier. The bar has initiated some type of sports broadcast. She would like the parking restrictions to begin at 5:00 or 5:30.

*Kelly Berry-Vettese
355 Eastlawn
Rochester Hills, Michigan 48307-5328*

She said her parents lived at 70 Nawakwa, and she had a couple of things to add. Her children visit their grandparents on Fridays and Saturdays, and since the bar has opened up her parents have put in a huge driveway so the kids would have a place to play safely. It is no longer safe as people "whip" into the driveway to turn around, and park in the middle of their driveway. Her children can no longer play in the driveway on Fridays or Saturdays, or even last Thursday, because of the traffic. Her children were also standing in the front door when the man decided to urinate in the street. Ms. Berry-Vettese said she was concerned because her parents are older and they saved their money for a long time to get a beautiful home. She felt the situation with the overflow parking was just not right.

Seeing no others wishing to speak, Chairperson Colling closed Public Comment, and turned the matter over to the Board.

Mr. Zendel stated that his one issue with this request is that it is singling out the bar by restricting parking from 7:00 pm. to 2:00 am. If it is an unsafe place to park it should be posted "No Parking" at all times, not just certain times or days.

Chairperson Colling said that although he didn't live in that area, he passed it quite often. He thought that before the bar opened, parking on the street wasn't an issue. There are other businesses in the area, but the bar is the first with spillover parking. He wanted to preserve the right of the homeowners to use their property in the same manner as other property owners in the City. He thought that the proposed hours of limited parking would also limit residents having a party on the weekend, and prevent their guests from parking on the street. He compared this situation to that with the church off of Auburn Road, and in that case they tried using a full-time parking prohibition. They received feedback from residents who didn't like that, and then went to a more defined window, which seemed to work better. He said he was inclined to go with Staff's first recommendation.

Mr. Moore pointed out there was already "No Parking" at any time on Shadywood and Nawakwa. This would make this one stretch of road match the rest of the subdivision.

Mr. Shumejko said that he had spoken to one of the residents who mentioned that they would like to be allowed to park on the street when its not the high overflow parking times. He asked if anyone in the audience agreed with that.

Mr. Berry stated that he personally would like to leave the parking the way it was, except for the situation with the parking from the bar. He thought the homeowners should be allowed to have company that parked on the street, and that the hours of parking limitations would solve the problem.

Mr. Brown said he didn't have a problem with restricting the parking times, because this is a situation found in many places in the City. However he felt by specifying Thursday, Friday, and Saturday nights, next month when the bar owner decides that every Tuesday night is "karaoke night" or some other special event, the residents will be back

before the Board with the same complaint. He felt a determination should be made to address the situation fully.

Chairperson Colling said he had gone into the bar, and it was not a large building. He thought the "traditional bar nights" were Friday and Saturday, with a smaller attendance on Sunday. He explained that the reason streets in that subdivision are signed for "No Parking" is because of traffic issues with a church in the area. Since a portion of the subdivision had already lost the use of the street for parking, he suggested they try the limited parking hours requested by the residents before taking the parking off completely, and see how it worked.

Mr. Blackstone said that Mr. Berry had stated he didn't want to restrict residents from having company on weekends. He asked how enforcement would know if a parked car belonged to a bar patron or an invited guest. Mr. Colling thought Mr. Berry was referring to company coming over during the day on a weekend. At that time they would be allowed to park on the street, but after the time they specified "no parking" they would receive a ticket.

Mr. Blackstone asked how many homes the signing would affect, and after some discussion was told eight to ten. Mr. Blackstone asked if a licensed commercial establishment was required by City ordinance to provide adequate parking for its customers. Mr. Colling said the Board had dealt many times with parking issues at medical facilities, bars, etc., and that there was no requirement. Mr. Shumejko clarified that with a new site plan development parking issues were dealt with. But in this case an existing structure was converted, so they didn't have to go through the site plan review process.

Mr. Matich said the site also had a lot of violations with parking in the fire lane, and that the Fire Department has notified the Sheriff's Department to monitor the site. He suggested this would further limit the number of parking spaces available for patrons. They can't park on the roadway, they can't park on their site, and they are overflowing their site. There is also some type of fitness center in the area that generates a lot of traffic.

Mr. Buiteweg asked if the City had occupancy limits for public establishments. Mr. Colling said there were occupancy limits connected with the Fire Codes, but it doesn't affect parking.

Mr. Buiteweg thought it was about time the City did something about it, as it is an ongoing problem. Schools and places of business are built without enough parking. The problems with overflow parking can be anticipated. Before permits for additions are given, additional parking should be provided.

Mr. Colling said the Board had to decide whether to exceed the recommendation for the parking control, or to recommend it as presented.

Mr. Zendel said he would like to add that they were here to discuss the safety of the street and the parking on it. He felt that it is either safe with parking on it, or it is unsafe, and that the time of day had nothing to do with it.

Mr. Colling said his personal opinion was to disagree. He stated that this street was wide enough to support parking under normal circumstances, but when it becomes blocked on both sides due to egregious misuse by a facility, it creates a safety hazard for people accessing the area, and also for law enforcement and fire department vehicles. Since there was a motion and a second on the floor, with no further discussion he called for a roll call vote.

A motion was made by Moore, seconded by Zendel, that this matter be Approved.

To approve Traffic Control Order No. PK-84 for Nawakwa and Hickory Lawn located within Avon Croft Subdivision, Section #34: No Parking at any time within the right-of-way of both sides of Nawakwa, from Shadywood to Rochester and No Parking between the hours of 5:00 p.m. and 2:00 a.m. within the right-of-way of both sides of Hickory Lawn, from Rochester to a point four hundred thirty (430) feet westerly thereof

The motion failed by the following vote:

Aye: Moore and Zendel

Nay: Blackstone, Brown, Buiteweg and Colling

Absent: Duistermars and Hunter

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Mr. Colling stated that the motion had passed, and told the residents they would have signs prohibiting parking seven days a week from 5:00 p.m. to 2:00 a.m.

A motion was made by Brown, seconded by Blackstone, that this matter be Recommended for Approval to the City Council.

To approve Traffic Control Order No. PK-84 for Nawakwa and Hickory Lawn located within Avon Croft Subdivision, Section #34: No Parking between the hours of 5:00 p.m. and 2:00 a.m. within the right-of-way of both sides of Nawakwa, from Shadywood to Rochester and No Parking between the hours of 5:00 p.m. and 2:00 a.m. within the right-of-way of both sides of Hickory Lawn, from Rochester to a point four hundred thirty (430) feet westerly thereof

The motion carried by the following vote:

Aye: Blackstone, Brown, Buiteweg, Colling, Moore and Zendel

Absent: Duistermars and Hunter