

VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL WORKSHOP
NOVEMBER 24, 2009 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
Moratorium of Parking Restrictions on North Side of Jefferson Avenue, east of Brookbank Road	Resolution Ordinance ✓ Motion Discussion Only	Naneil R. Newlon, P.E. Director of Public Works

SYNOPSIS

A petition has been submitted requesting a temporary parking restriction moratorium with respect to parking on grass on Jefferson Avenue east of Brookbank Road.

STRATEGIC PLAN ALIGNMENT

The Five Year Plan and Goals for 2008-2013 identified *Exceptional Municipal Organization*. A supporting objective of this goal is *Top Quality Village Infrastructure and Facilities*.

FISCAL IMPACT

None.

RECOMMENDATION

Denial of the petition requesting a temporary parking restriction moratorium with respect to parking on grass on Jefferson Avenue east of Brookbank Road, on the November 17, 2009 active agenda.

BACKGROUND

This item was brought forward through the Neighborhood Petition Form process. Jefferson Avenue, east of Brookbank Road, is a public street with a 70 foot wide right-of-way. It is partially improved with pavement that averages 14-feet in width with curb and gutter within the south portion of the right-of-way. The north portion of the right-of-way is grass and undeveloped at this time. The condition of the pavement width has existed since 1975. The developer of the platted property to the north will be responsible for completing the remaining roadway when the Nelson Meadow subdivision development occurs. Staff is not aware of a date when this development will start or when formal acceptance by the Village will take place.

The concern expressed by residents is that Jefferson Avenue is narrow with limited on-street space for neighbors and/or visitors to park their vehicles. Parking is not restricted at this location and there is also a concern that parked vehicles restrict access for other motorists and potentially emergency vehicles. The presented petition requested Village authorization to park vehicles on the north, grassed portion of the Jefferson Avenue right-of-way.

This item was presented at the October 14, 2009 Transportation and Parking Commission meeting. The Commission voted unanimously to direct staff to pursue a moratorium on parking enforcement until such time as the public improvements are completed. As this recommendation is in conflict with the Village's regulations that prohibit parking on any parkway (DGMC Chapter 19-16) and require that off-street parking spaces be improved with a hard dustless material (DGMC 28-1404), staff is not in agreement with this recommendation.

The following actions were considered:

1. No change. The homes and street improvements have been in place since 1975 with minimal reported problems or concerns until recently.
2. Prohibit parking on Jefferson Avenue east of Brookbank Road. While this would significantly limit available parking it would insure that parked vehicles do not restrict access to homes.
3. Construct a six foot (6') wide gravel shoulder on the north side of Jefferson Avenue east of Brookbank Road. This would include 240 square yards of improvement at an approximate cost of \$5,000 for materials and labor.

Staff reviewed available actions and recommends no action at this time.

ATTACHMENTS

Meeting Minutes – TAP Commission Meeting October 14, 2009

Exhibit

Neighborhood Petition

Transportation and Parking Commission

October 14, 2009

Minutes

2. File #17-09 Jefferson Avenue - 1100 Block. Parking Modifications - (Mr. Cronin recuses himself.) **Mr. Millette** explained that the residents of the 1100 block of Jefferson Avenue are seeking relief to a parking issue whereby the residents would like to have permitted parking on the north side of the road. However, there is no north side of the road. The roadway is 14 feet wide which is not passable for two vehicles. Staff met with neighbors recently and did an actual drive by on the block. In researching the background of the matter, **Mr. Millette** stated that the platted Nelson Meadow subdivision was located to the north and the northern half of the **Jefferson Ave** right-of-way was dedicated for public use as a road. However, the subdivision was not started and there was a possibility the plat could be abandoned in total because it was initially platted two years ago. Currently, its status is in limbo. In general, **Mr. Millette** stated that staff did not feel comfortable changing the grassy land north of the roadway to parking status in order to be consistent with other subdivisions. Examples followed.

Discussion followed on the fact that there was confusion as to the parking tickets being issued, i.e., some citations were issued based on vehicles parking on private property, while the original ordinance to be enforced was based on parking in a parkway. Due to the current circumstances and not knowing when the property ownership is resolved, it was suggested by a commission member that some allowance be made for the residents to use the north side of the road as a relief parking area or place a moratorium on issuing tickets until more information was gathered.

(For the record, **Mr. Millette** clarified that the above comments received from Mr. Saricks pertained to a copy of an email staff received from one resident, **Mr. John Schofield**, regarding correspondence between **Deputy Chief Bluder** and a resident who had been issued a ticket, which was distributed to commissioners on the dais.)

Regarding ownership of the northern portion of the road, **Mr. Millette** stated it was owned by the public and the Village had concerns that the land was not improved and it could revert back. Other concerns raised by **Co-Chairman Wendt** were the fact that there was no direction from Village Council and that the commission could also be setting a precedent. While he agreed the residents deserved a service, he cautioned the commissioners on what to do.

The matter was discussed further with suggestions to encourage the developer to complete the roadway and/or somehow make the roadway safe for the residents in the interim.

Co-Chairman Wendt opened up the matter to public comment.

In response to the email (referred to above by **Mr. Millette**), **Sgt. Harrison** responded that the issue was confusing and he recommended holding off issuing citations until clarification of the issue was made.

Mr. John Schofield, 1125 Jefferson Avenue, stated the TC-3 has indicated that directions for the Village, although not adopted yet, should focus on the uniqueness of neighborhoods, which he believed this was a unique neighborhood and the petition supported it. He stated the street is very narrow and he believed it was safer to park on the grass and leave the pavement for the traffic rather than vice versa. He also believed the residents would accept any solution which frees up the issuance of tickets. **Mr. Schofield** pointed out that in the Rules of the Road, the rules for rural parking direct that vehicles park off the road and onto the berm for safety purposes, and that is what the residents were seeking. He stated the timeframe for the street improvement of Jefferson Ave had passed.

Ms. Maria Brummel, 1121 Jefferson Avenue, commented that her birthing class may have started this issue, given the number of cars that parked in the area to attend her class. She reported that when people do park on the south side of the street and she tries to maneuver around them, it is somewhat hazardous. The other issue is that whatever the council/commission decides, she asked that there be some reassurance that no one will receive a ticket. She supported the above-mentioned moratorium.

Mr. Ed Wiese, 1137 Jefferson, stated that he asks his visitors to park on the north side of the street as a courtesy for the remainder of his neighbors. He asked for support for his neighbors and to let them continue to police their own area.

Mr. Mark Cronin, 1117 Jefferson, believed the issue was a personal issue between the developer and the residents after the developer had removed 35 trees. He asked for village assistance in the matter.

MR. STUEBNER MADE A MOTION THAT THE COMMISSION DIRECT VILLAGE STAFF TO REQUEST THAT THE VILLAGE MANAGER DECLARE A MORATORIUM ON ISSUING PARKING TICKETS IN THE 1100 BLOCK OF JEFFERSON AVENUE, EXCLUDING OVERNIGHT PARKING, UNTIL PROPERTY OWNERSHIP IS RESOLVED AND THE PROPERTY IS DEVELOPED.

Mr. Schofield, 1125 Jefferson, appreciated the discussion and noted a petition was before the commission. He hoped the commission would affirm the petition and follow up with an appropriate solution.

Ms. Beth Riordan, 1133 Jefferson, acknowledged that her neighborhood was different in that they had half a roadway and there was never an issue parking on the grass until the current builder purchased the property and when residents raised concern about his practices. She discussed the cohesiveness of her neighbors.

Sgt. Harrison suggested that legal council review the wording of the petition and the words “permit parking.” However, in his own experience, he said the police department has granted parking permission for overnight parking due to the confusion of the area. He stated the residents did not appear to see parking as an issue and he would leave the final decision rest with the Village Council and police chief.

MOTION WAS SECONDED BY MR. SARICKS. ROLL CALL:

AYE: MR. WENDT, MR. SCHILLER, MR. STUEBNER, MR. SARICKS, MS. VAN ANNE

NAY: NONE

MOTION CARRIED. VOTE: 5-0-1 (MR. CRONIN ABSTAINS)



JEFFERSON AVE



1203

1137

1133

1129

1125

1121

1117

File #17-09
Jefferson Avenue Parking Modifications

Neighborhood Petition Form

Parking and General Traffic Safety Issues

Dear Resident/Business Owner:

The Village takes its role in traffic safety very seriously. From the requests, complaints, and suggestions we receive from you and from various sources, we can then enhance our transportation system.

Through this Neighborhood Petition Form (NPF) neighbors are encouraged to identify and discuss issues affecting them. We require at least five (5) different addresses be submitted to initiate a staff review.

Staff will then conduct a comprehensive analysis regarding the specific issue(s) checked below. This process may take some time to complete, depending on time of year and available staff resources. Following staff's investigation, all the petitioners (including affected neighbors) will be formally invited to a Transportation and Parking Commission meeting at which time staff's report will be presented. Residents may participate and comment on specific issues at this meeting. The Commission will then vote on staff's report and recommend 1.) to Approve, 2.) to Approve with Changes, 3.) to Reject Entirely, or 4.) Recommend a New alternative. Whatever is decided, the recommendation then is forwarded to Village Council for their vote. If citizens are not satisfied with the recommendation of the Commission, they are permitted to petition Village Council for their alternate recommendation when this item is discussed.

Thank you for your cooperation and understanding.

Street: Jefferson Avenue Between: East end cul-de-sac and Brookbank Road

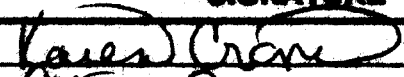
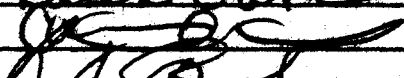


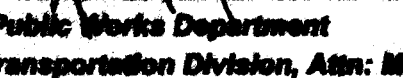
Issue/Concern:
(Check One:)

Parking:

Speeding:

Other:

Brief Description: Permit vehicles to park on the grassy Village right-of-way north of the narrow pavement. There is no other safe place for visitors to park, and parking on the pavement forces traffic over the grass. The area is designated to be graded and paved, so there is no value in protecting the existing turf. Overnight parking ban would still apply. Thank you for your consideration.

PRINT NAME	SIGNATURE	ADDRESS
1.) Kerch Cronin		1117 Jefferson D.G.
2.) Katie Cronin		1117 JEFFERSON D.G.
3.) Andy Brummel		1121 JEFFERSON D.G.
4.) Maria Brummel		1121 JEFFERSON D.G.
5.) John Schofield		1125 Jefferson Avenue

Return Forms To: Public Works Department

Transportation Division, Attn: Mr. Dorin Fara
5101 Walnut Ave.

Downers Grove, IL 60515 FAX 630-434-5485

Date: 7/19/2009

Contact Person: John Schofield

Phone No. 630-810-1403

E-Mail: johnschofield@pub.uchicago.edu

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Issue/Concern:

Parking:

Speeding:

Other:

(Check One:)

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PRINT NAME	SIGNATURE	ADDRESS
1) Dan Renaud	<i>Dan Renaud</i>	1129 Jefferson Ave
2) Lana Renaud	<i>Lana Renaud</i>	1129 Jefferson Ave
3) Timothy J Riordan	<i>Timothy J Riordan</i>	1133 Jefferson Ave
4) Seth Riordan	<i>Seth Riordan</i>	1133 Jefferson Ave
5) Jacqueline Riordan	<i>Jacqueline Riordan</i>	1133 Jefferson Ave.

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5101 Walnut Ave.

Downers Grove, IL 60515 FAX 630-434-5495

Date: 7/19/2009

Contact Person: John Schofield

Phone No. 630-810-1403

E-Mail: johnschofield@gab.uchicago.edu

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Issue/Concern: Parking: Speeding: Other:

(Check One:)
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#	PRINT NAME	SIGNATURE	ADDRESS
1.)	Ed Wiess	<i>Ed Wiess</i>	1137 Jefferson
2.)			
3.)			
4.)			
5.)			

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 5101 Walnut Ave.

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Contact Person: John Schaffeld

Phone No. 630-610-1403