NO CHANGE FROM FIRST READING

CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: July 15, 2019

ITEM:

Motion - Approval of Traffic Code Amendment
No Parking Zones
44th Street – Ashworth Road to 75 feet south of Ashworth Road on the west side

Second Reading, Waive Third Reading, and Adoption of Ordinance in Final Form

FINANCIAL IMPACT: None.

BACKGROUND:

The intersection of 44th Street and Ashworth Road is a T intersection with 44th Street intersecting Ashworth Road from the south. Vehicles parking on the west side of 44th Street near the intersection creates traffic congestion for vehicles turning off Ashworth Road onto 44th Street and for those turning onto Ashworth Road from 44th Street. This ordinance will remove parking from the west side of 44th Street for 75 feet south of the Ashworth Road centerline.

OUTSTANDING ISSUES: None.

RECOMMENDATION:

City Council Adopt:
- Motion approving Second Reading, Waive Third Reading, and Adoption of Ordinance in Final Form

Lead Staff Member: Jim Dickinson, P.E.

STAFF REVIEWS

Department Director	Bret Hodne, Public Services Director
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)			**SUBCOMMITTEE REVIEW** (if applicable)			
Published In	Des Moines Register		Committee	Public Services		
Dates(s) Published			Date Reviewed	July 8, 2019		
			Recommendation	Yes	No	Split

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2019, BY AMENDING PROVISION PERTAINING TO THE TRAFFIC CODE RELATING TO OFFICIAL TRAFFIC CONTROLS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA.

SECTION 1: TITLE 6 (MOTOR VEHICLES AND TRAFFIC), CHAPTER 9, SECTION 6-9-5-1: NO PARKING ZONES: is hereby amended by the following changes:

Add:

Street	From	To	Side
44th Street	Ashworth Road	75 feet south of centerline of Ashworth Road	West

SECTION 2. REPEALER. All Ordinances or parts of Ordinances in conflict with the provision of this Ordinance are hereby repealed.

SECTION 3. SEVERABILITY. If any section, provisions, sentence, clause, phrase or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase or part hereof not adjudged invalid or unconstitutional.

SECTION 4. VIOLATION. Any person who violates the provisions of this Ordinance, upon conviction, shall be punished with a fine not to exceed $100.00 plus applicable surcharge and court costs.

SECTION 5. WHEN EFFECTIVE. This Ordinance shall be in full force and effect from and after its passage, adoption, and publication as required by law.

PASSED AND APPROVED this 15th day of July 2019.

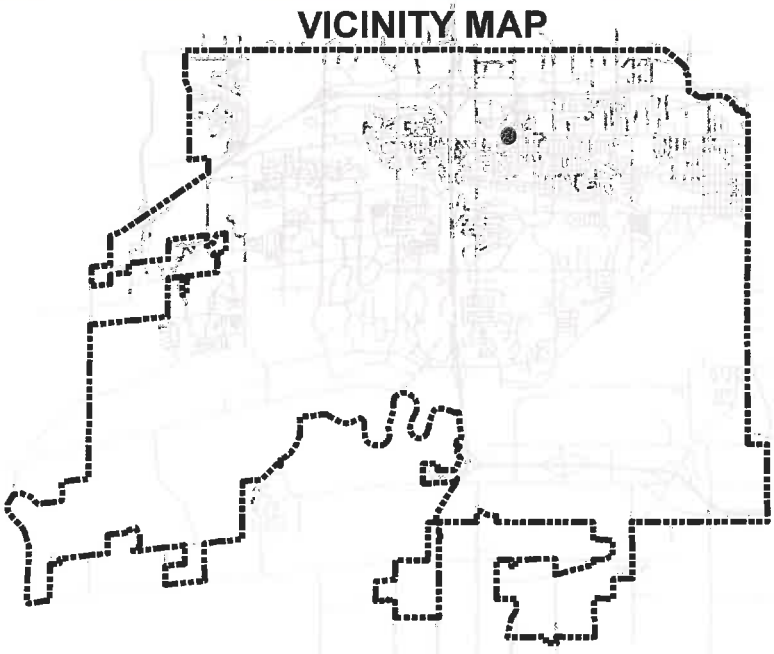
_____
Steven K. Gaer, Mayor

ATTEST:

_____
Ryan T. Jacobson
City Clerk

Published in the Des Moines Register this _____ day of _____, 2019

VICINITY MAP



LEGEND

PROJECT LOCATION

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THE CITY OF WEST DES MOINES

PROJECT:

Traffic Code Amendment No Parking Zones

LOCATION:

44th Street- Ashworth Rd to75 Ft South of Ashworth Rd on the West Side

DRAWN BY: REF	DATE: 5-20-2019	PROJECT: No Parking Zone	SHT. 1 of 1

From: Joe Carver <jvcarver@yahoo.com>
Sent: Thursday, July 11, 2019 11:13 AM
Subject: [EXT] No parking on 44th street

I would like to bring your attention to a city council item that is creating some issues within our neighborhood. There are a number of us who feel that there is not a safety issue if the speed limits are being observed, and that this needs more justification than that there have been complaints from a couple of residents.

There is a recommendation from the city engineer (Jim Dickinson) to make 44th street at Ashworth Rd no parking for 75 feet from the intersection. This recommendation is based on complaints from, what sounds like only two residences on the far end of the block (closest to Aspen Dr). The statement as to the exact nature of the issue has changed each time we asked. Initially we were told that it was that it was difficult to see to exit 44th, then that it was due to the street not being wide enough for a car to enter 44th from Ashworth if there was a vehicle on 44th waiting to exit onto Ashworth. We also have been told that people are not comfortable with the visibility turning from either direction from Ashworth onto 44th.

The city code states that on a side street where parking is allowed, vehicles must be 10 feet from the intersection, and we well beyond that at 40 feet. There have been no accidents, nor have we seen or heard of any near misses due to our presence in the 5 years we have been parking in this location. As we both work from home we can hear when someone peels through the neighborhood, breaks hard, honks, etc. The only two accidents in that time were both speeders who did not stop at the sign and ended up in the lawn across from 44th, as it is a T intersection.

When we attempted to request any hard evidence to support this change, the response has been that this is purely based on complaints, and that it is the same change that has already been implemented on Giles and 40th streets. Both of those streets are high traffic due to both being school zones as well as school bus routes, which is not the case here. The school bus stop that was on this street was de-activated when Phoenix closed, and we called the Transportation office who confirmed that as of now they do not have any stops slated for this road for the 2019-2020 school year, nor do they have any special pickups for disabled students. One of the people complaining stated that they were aware of a disabled student pickup 'down the road', but due to her proximity to Aspen, I believe she is referencing the one on Pommel, which I know accesses the road via Aspen, rather than coming straight down 44th as there is a bus stop on 45th, based on last year's routes. We don't believe that the routes are likely to change much if at all in this vicinity, as there have been no houses bought or sold along this stretch of road.

We don't believe that this change is necessary, based on the lack of traffic and the dimensions of the road. 44th street measures 28 feet in width, which is comparable to the 29 feet 3 lanes of travel on Ashworth Rd. measures. Additionally, with our vehicles only occupying 8 feet of the total road width(including side mirrors), there are 20 feet for two lanes of travel, which exceeds the state minimum of 18 feet for a two-lane road in an urban area. Our vehicles are parked 40 feet from the curb, allowing for more than enough room for a vehicle entering the side street to not only have enough room to enter the road but also proceed around and cross behind an exiting vehicle even if it is driving down the middle of the street, as even the average SUV is only 18 feet in length. In fact just yesterday there was a city truck was replacing the stop sign on the corner and even with this truck (over 20 feet long) and our cars (which we offered to move, and the city worker responded there was plenty of room for cars to pass there was no need to move) there was no impediment to traffic, we watched a box truck (25 feet long) navigate entering the street with no problem and plenty of clearance.

We did make these points at the Subcommittee hearing, whom disregarded in light of the complaints. When requesting some sort of evidence to support their statement that it is a safety issue,

Kevin Trevillyan advised if we continued to press the issue, they would alter the recommendation to extend to the property line, which is close to 100 feet. We also would like to point out that those who do not complain are not being heard here, and we have received feedback from a number of neighbors who will be more directly impacted by this change, none of whom are in agreement with this proposal.

In summary we understand that the board feels that it is just us not wishing to be inconvenienced, but that is not our objection at all. We just want to know how they independently have come to the conclusion that we are causing a safety issue. We would be more than happy to comply with a compromise of 25-35 feet from the intersection being no parking, to prevent parking further behind us, which we can see would be a visibility concern.

Attached are images showing the current parking situation as well as the driver views both entering and exiting 44th street from multiple directions.

Please feel free to reach out if you have any further questions,

Thank you for your time,

Joe & Andrea Carver

4320 Ashworth Rd

515-669-1811

jvcarver@yahoo.com

Below are images of the positioning of our current parking, as well as images of the views from preparing to turn into and out of the street from each direction.

1-Distance from Intersection

2-Left turn from 44th ***to Ashworth***

3-Right turn from 44th to Ashworth

4-Right turn from Ashworth to 44th_1

5-Right turn from Ashworth to 44th_2

6-Left turn from Ashworth to 44th