

Date November 21, 2016

RESOLUTION APPROVING TRAFFIC ANALYSIS POLICY AND AMENDMENT TO SITE PLAN POLICIES REGARDING REQUIRED PROCESS FOR TRAFFIC STUDIES

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 3, 2016, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from the City Traffic Engineer and the City Planning Administer to approve a proposed Traffic Analysis Policy and to approve an amendment to the Community Development Department Site Plan Policies, as amended (“Site Plan Policies”), as described in the attached communication from the Commission; and

WHEREAS, the proposed Traffic Analysis Policy and the proposed amendment to the Site Plan Policies are intended to address the need for uniformity during review of property development, redevelopment, rezoning, subdivision, or other change in site use of real property located within the City of Des Moines, to ensure predictable quality and content for the traffic studies received and reviewed by City staff, to allow for expectations and developer costs to be clearly defined at the start of the process, and to avoid delay and unexpected revision or cost to developers and City staff; and

WHEREAS, the City Engineering Department and City Community Development Department are in support of approval of the proposed Traffic Analysis Policy and amendment to the existing Site Plan Policies, in the form attached hereto.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the Traffic Analysis Policy and the proposed amendment to the existing Site Plan Policies are hereby approved; that the City Engineer and the Community Development Department Director, and their designees, are hereby authorized and directed to implement said documents; and that the Plan and Zoning Commission communication is hereby received and filed.

(Council Communication No. 16- *663*)

MOVED BY _____ TO ADOPT.

FORM APPROVED:

Glenna K. Frank

 Glenna K. Frank, Assistant City Attorney

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

 Mayor

 City Clerk

Existing "Site Plan Policies" amendment

City Traffic Department and Circulation Policies

...

5) Modifications, replacement, repair, or additions of traffic islands, medians, traffic signals, crosswalks, sidewalks, driveways, and street and parking improvements that are needed because of the proposed development are to be paid for by the developer.

...

7) A traffic engineering investigation of the site, paid for by the developer, may be required in accordance with the Traffic Analysis Policy adopted by City Council resolution.

TRAFFIC ANALYSIS POLICY

This policy sets forth the process and requirements for traffic analysis relating to proposed development, redevelopment, rezoning, subdivision, or other change in site use of real property located within the City of Des Moines. This policy is being adopted in accordance with local and State policies and laws, including but not limited to, the Transportation and Land Use elements of PlanDSM: Creating Our Tomorrow, the site plan review requirements of Des Moines Municipal Code Chapter 82 and specifically Section 82-206(b)(1), and Iowa Code Section 354.8 (2015).

Applicability

This policy applies to any proposed change in site use for real property located within the City that is anticipated, by the developer/property owner or the City Traffic Engineer or his/her designee, to create 50 or more vehicular trips entering and exiting the subject property during peak traffic hours (“trips”). Such proposed changes in site use may include, but are not limited to:

- Comprehensive plan amendments (at the discretion of the City Traffic Engineer)
- Rezoning
- Site plan approvals or amendments
- Preliminary subdivision plats and/or final subdivision plats
- Zoning Board of Adjustment relief
- Building permit requests

This policy applies whether or not a pre-application conference is required and whether or not required approvals are handled administratively.

The purpose for this policy is the need for uniformity to ensure predictable quality and content for the traffic studies received and reviewed by City staff. This process will allow for expectations and developer costs to be clearly defined at the start of the process. By having a consistent report format and clear expectations, the submittal of the traffic analysis shall be timely and less “back and forth” revisions experienced between staff and the developer which can result in delay and last minute changes or extra costs.

Process

The traffic analysis process shall occur as follows:

- During pre-application conferences, City Traffic and Transportation Division staff will advise applicants/property owners/developers (herein “applicants”) if this policy applies to their projects. Applicants will receive a copy of this policy and examples of projects expected to generate 50-100 or more trips for use during project planning. Applicants will be informed whether a Traffic Review (for 50-99 trips) or a Traffic Impact Study (for 100+ trips) is required, based on the information submitted at the pre-application conference.
- Prior to submitting an application for change in site use (whether or not a pre-application is applicable to a proposed project), the applicant shall submit a traffic analysis application to the City’s Traffic and Transportation Division. Within a maximum 30 calendar days

following the receipt of said traffic analysis application, City staff will meet with the City's consultant to discuss scope of work items required in the traffic analysis. The applicant is encouraged but not required to attend this scoping meeting. The scope of work shall take into consideration, but may not be limited to, all pre-application minutes and other information provided by the City staff and the applicant.

- Within 10 calendar days following the scoping meeting, the City's consultant will provide a scope of work and estimated fee for the traffic analysis, which information will be shared by City staff with the applicant.
- The applicant shall make payment to the City, in full, for the estimated cost of the traffic analysis. Upon City's receipt of payment, the City's consultant will commence the traffic analysis, with a draft report to be completed and submitted to City staff and the applicant within 30 calendar days unless otherwise agreed to by the consultant and City staff.
- City staff will review the consultant's draft traffic analysis report and provide comments to the applicant within 14 calendar days of receipt of the report. The applicant may provide comment to City staff within said timeframe. The draft report will be finalized by the City's consultant and provided to City staff and the applicant no later than 30 calendar days following this comment period.
- An applicant, at the applicant's sole cost, may hire an independent consultant to review the City consultant's final traffic analysis report following receipt thereof and in the event that the applicant disputes the report findings. Any findings by the applicant's independent consultant shall be provided to the City for consideration by the City Traffic Engineer or his/her designee. Applicants may make informal written appeal of the determination of the City Traffic Engineer or designee to the City Engineer, whose written decision to uphold said determination, reverse said determination, or modify said determination, shall be final. If the applicant elects to hire an independent consultant and make informal written appeal as set forth in this paragraph, the appeal process including final determination must be completed prior to the applicant's zoning application submittal.
- The applicant may make its zoning application submittal following receipt of the City consultant's final traffic analysis report, and/or City Engineer decision on appeal if applicable, and revision by applicant to the proposed project as determined necessary by the final report, City staff comments, and/or decision on appeal. Said submittal shall include a copy of the scope of work for the traffic analysis study, a copy of the final traffic analysis report, and a copy of any written comments provided by City staff during the 14-day comment review process described above.

In the event that a pre-application process is not required for a proposed change in site use to which this policy applies, the applicant will be notified of the need for a traffic analysis pursuant to this policy as soon as practical during the standard City staff review process.

General Conditions

The consultant(s) performing the traffic analysis shall be independent consultants performing work on behalf of the City, with payment made by the applicant.

The applicant shall be solely responsible for payment of the estimated fee for the traffic analysis, as well as any costs incurred for additional work or revisions performed by the consultant at the request of the applicant or City staff. Work will not begin on the traffic analysis until payment is received.

In the event of significant changes to the proposed project that are made by the applicant or required by the City, the scope and level (Review or Impact Study) of the traffic analysis may need to be revised and additional work may be required of the consultant for review by the applicant and City staff. The applicant shall be solely responsible for all costs and any delay associated with such revision(s).

The applicant shall be solely responsible for the cost and construction of all improvements determined necessary by the City as a result of the traffic analysis, unless otherwise agreed to in writing by the City and applicant.

November 14, 2016

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held November 3, 2016, the following action was taken regarding a request for the proposed Traffic Analysis Policy and amendments to the City's Site Plan Policies regarding required process for traffic studies.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 10-0 as follows:

<u>Commission Action:</u>	<u>Yes</u>	<u>Nays</u>	<u>Pass</u>	<u>Absent</u>
Francis Boggus	X			
Dory Briles	X			
JoAnne Corigliano	X			
David Courard-Hauri	X			
Jacqueline Easley	X			
Jann Freed	X			
John "Jack" Hilmes	X			
Carolyn Jenison				X
Greg Jones				X
William Page				X
Mike Simonson	X			
Steve Wallace	X			
Greg Wattier				X

APPROVAL of the proposed Traffic Analysis Policy and amendments to the City's Site Plan Policies regarding required process for traffic studies.

RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the proposed Traffic Analysis Policy and amendments to the City's Site Plan Policies regarding required process for traffic studies.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

The proposed Traffic Analysis Policy and amendment to the City's Site Plan Policies regarding required process for traffic studies are attached.

The Site Plan Policies would be amended to reference additional improvements that a developer may be required to pay for and to reference the proposed Traffic Analysis Policy.

The Traffic Analysis Policy sets forth the process and requirements for traffic analysis relating to proposed development, redevelopment, rezoning, subdivision, or other changes in site use of real property located within the City of Des Moines.

A traffic analysis would be required for any such development that is anticipated to create 50 or more vehicular trips entering and exiting the subject property during peak traffic hours. The analysis would be prepared by consultants who are contracted by the City of Des Moines and paid for by the developer.

The policy is needed for uniformity and to ensure predictable quality and content for the traffic studies received and reviewed by City Staff. It will allow for expectations and developer costs to be clearly defined at the start of the development process. By having a consistent report format and clear expectations, the submittal of the traffic analysis will be timely and result in less "back-and-forth" revisions between staff and the developer. As such, delays, last minute changes or extra costs will be minimized and staff, the Plan and Zoning Commission and the City Council will have more complete information to guide them when making recommendations and decisions.

II. ADDITIONAL APPLICABLE INFORMATION

The City Traffic Engineer will make a presentation on Thursday November 3, 2016 starting at 5:30 PM regarding the proposed Traffic Analysis Policy and amendment to the Site Plan Policies regarding required process for traffic studies.

SUMMARY OF DISCUSSION

Jacqueline Easley asked if anyone was present to speak on this item. None were present or requested to speak.

COMMISSION ACTION:

Jann Freed moved staff recommendation for approval of the proposed Traffic Analysis Policy and amendments to the City's Site Plan Policies regarding required process for traffic studies.

Motion passed 10-0.

Respectfully submitted,


Jason Van Essen, AICP
Senior City Planner

JMV:clw
Attachment