

RESOLUTION # 253**A RESOLUTION AUTHORIZING THE CITY TO REQUIRE TRAFFIC STUDIES TO BE PREPARED BY THE CITY'S TRAFFIC CONSULTANT FOR PRIVATE DEVELOPMENTS THAT HAVE THE POTENTIAL TO INCREASE TRAFFIC VOLUME.**

WHEREAS, the city is concerned about the impact of Traffic from new commercial development and changes to developments that add traffic to the public streets; and

WHEREAS, upon a petition being submitted for a new commercial development and/or the amendment to an existing development if the request is such that the City can reasonably anticipate that a principal part of the business operations is to provide for goods are generally provided in a short time span, or in which goods and services are provided to occupants of motor vehicles who remain in those vehicles, than the site development proposal should be evaluated to determine if the proposal may have such an impact, the staff will also then consider what additional street improvements if any are required to ameliorate such impacts; and

WHEREAS, the Planning staff and the City Engineering staff do not have the expertise to evaluate the impact of such projects; and

WHEREAS, the City may thus determine that they need the services of a Traffic Consultant, because of the proposed development. It is reasonable therefore that the cost be paid by the individual developer, persons, or entities which seek the new commercial development or amendment to an existing development.

NOW THEREFORE, be it resolved by the City Council, City of Chesterfield, Missouri, as follows:

1. Upon application for new Commercial Zoning or the amendment to an existing Commercial Zoning, if a traffic study shall be determined necessary the Department of Planning and the City Engineers they shall notify the Developer in writing and that the Developer shall deposit with the City in a special Escrow the sum of Two Thousand Dollars (\$2,000.00) to be as a deposit for said Development.

2. Said traffic study, obtained by the City shall collect data as determined by the consultant to include traffic counts, measurements of traffic gaps, sight distances along adjoining streets, accident data, locations of nearby driveways, etc. That information shall be collected so that the City may evaluate those issues which are normally expected to arise as a result of developments which increase the traffic on City streets, which would include, but are not limited to:

- a. The amount of traffic the development could be expected to generate at peak hours and for daily traffic.
- b. The ability of the adjoining streets systems to accommodate the added traffic.
- c. The need for additional street improvements (turning lanes, improved traffic controls, etc.
- d. The effect of development on nearby properties, adjacent driveways, etc.
- e. The specific requirements of the study shall be determined by the City Engineer and the Department of Planning.
- f. Current and projected levels of service.
- g. Distance from the development considered

h. Connection to Stub streets.

3. Upon receipt of a request to zone for a new commercial development and submittal of a site development plan and upon the City's determination for the need of a traffic study, the City shall forward a copy of the Site Plan along with any other information concerning the Development proposal to its Traffic consultant. The traffic consultant shall provide a specific proposal for services detailing the action that they would undertake regarding the specific traffic issue presented. After the City has reviewed the proposal and deemed it fair and reasonable, a copy shall be provided to the Developer who shall have an opportunity to respond to the proposal and offer their input as to proposed actions of the consultant. If the developer chooses to accept the consultant's proposal, then upon receipt of the City's authorization, the consultant shall proceed with the work and present the findings to the City. The developer shall provide full payment for said services. Failure of the Developer to pay said funds into the special escrow account shall be a cause for the petition to be held and not to proceed until said payment has been paid.

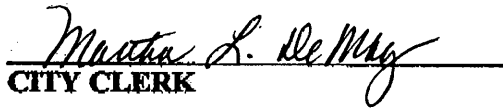
4. Upon the City's receipt of the report from the Traffic consultant, the Developer shall be provided an opportunity to respond to the report and present evidence to rebut, by substantial and convincing evidence, facts to allow for mitigation of the study recommendation or findings.

5. The City shall immediately undertake a study by the Department of Planning to be presented to the Chesterfield Planning Commission for the development of an ordinance to embody the intent and the purpose of this resolution and to present said information to a public hearing at the earliest opportunity.

Passed by the City Council and approved by the Mayor of this 21ST day of
JUNE, 1999.


MAYOR

ATTEST:


CITY CLERK