

Rezoning Transportation Analysis

Petition Number: #2021-256

General Location Identifier: 04913101, 04907101, 04906101, 04903208

From: Jake Carpenter, PE
Jacob.Carpenter@charlottenc.gov
980-221-5675

Reviewer: Travis Miller
Travis.Miller@charlottenc.gov
980-221-5778

Revision Log:

Date	Description
04-12-2022	First Review (AO)
08-22-2022	Second Review (AO)
01-25-2023	Third Review (TM)
03-22-2023	Fourth Review (DR)
04-20-23	Fifth Review (TM)
06-21-23	Sixth Review (DR)

General Review Information

The petition is located adjacent to Old Concord Road, a State-maintained minor thoroughfare, Fairhaven Drive, a City-maintained local street, and Heathway Drive, a City-maintained local street, and Rockland Drive, a City-maintained local street. The petition is located in the Northeast Corridor outside of Route 4.

Active Projects Near the Site:

- XCLT- Orr to Rocky River
 - Cross Charlotte Trail from Orr Rd to Rocky River Rd with connectors
 - Design Phase
 - Project Manager: Sharon Buchanan

CDOT's review of this rezoning petition is intended to provide consistency with council adopted policies, plans, standards and guidelines including, but not limited to, the [Transportation Action Plan \(TAP\)](#), [Vision Zero](#), [Urban Street Design Guidelines \(USDG\)](#), [Center, Corridor and Wedges](#), [Charlotte BIKES](#), [Traffic Impact Study Guidelines](#) and [Charlotte WALKS](#). With a commitment to design complete streets, this review is to ensure that the City's transportation network supports current and future land uses and includes streets that provide safe and comfortable mobility for motorists, pedestrians, bicyclists, and transit users.

This document is primarily for communication to Planning Department staff as part of the overall City staff analysis of the rezoning petition and includes an overall summary of the case from a transportation perspective, information on trip generation, and resolved or outstanding site plan concerns. Additional advisory information about the driveway permit process is provided for information only.

Based on our review of the petition, we offer the following information for your consideration.

Transportation Summary

The site is located on Old Concord Road, a State-maintained minor thoroughfare, Fairhaven Drive, a City-maintained local street, Heathway Drive, a City-maintained local street, and Rockland Drive, a City-maintained local street. A Traffic Impact Study (TIS) is needed for this site due to the site generating more than 2,500 new vehicular trips. The TIS was approved by CDOT on 3/17/2023.

The petitioner has committed to dedicating 35 feet of right-of-way along Old Concord Rd, constructing an 8-foot planting strip and 5-foot sidewalk along all proposed public streets, and an 8-foot planting strip and 12-foot multi-use path along Old Concord Road to meet the City Charlotte WALKS/ BIKES Policies. All outstanding CDOT issues have been resolved.

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Trip Generation

Scenario	Land Use	Intensity	Trip Generation (vehicle trips/day)	Source
Existing Use	Vacant	-	-	Tax Record
Entitlement with Current Zoning	Single Family Attached & Detached (R-3/R-4/R-6CO, 150.775 acres)	539 Dwellings	4,955	General Guidance from Planning
Proposed Zoning	Single Family Attached & Detached (MX-2, 150.775 acres)	683 Dwellings	5,720	Site Plan: 10-26-21
Proposed Zoning	Single Family Attached & Detached (MX-2, 150.775 acres)	649 Dwellings	5,130	Site Plan: 1-10-23

Provide comments to the specified comments below.

Outstanding Issues

Strikethrough = Resolved

1. ~~Outstanding Comment from 4-12-22: Curblines:~~

~~a. Old Concord Road: Distance from centerline to back of curb: 19 feet~~

~~Label and dimension the curb and gutter from the centerline for each road on the site plan.~~

2. ~~Outstanding Comment from 4-12-22: Traffic Study:~~

~~A Traffic Impact Study is necessary for the complete review of this petition due to the site generating more than 2,500 daily trips.~~

~~Staff will receive the petition and begin review, but the public hearing will not be scheduled until the TIS is approved to allow for the minimum time necessary for CDOT to review the study and reach agreement with the petitioner on the required transportation commitments. Any agreed upon commitments shall be included on the last site plan submitted no fewer than 4 weeks prior to the public hearing. Therefore, additional traffic mitigation comments may be forthcoming once the TIS is approved by CDOT (and NCDOT).~~

~~Clarifying Comment 3-22-23: Update conditional transportation notes to include the required transportation improvements from the approved TIS.~~

3. ~~New Comment 4-20-23: Update conditional transportation notes to include the TIS improvement of installing flashing yellow arrow signal heads for all left turn movements at the intersection of Old Concord Road and Orr Road.~~

4. ~~New Comment 4-20-23: Remove note 9 stating petitioner shall not be required to construct off-site improvements.~~

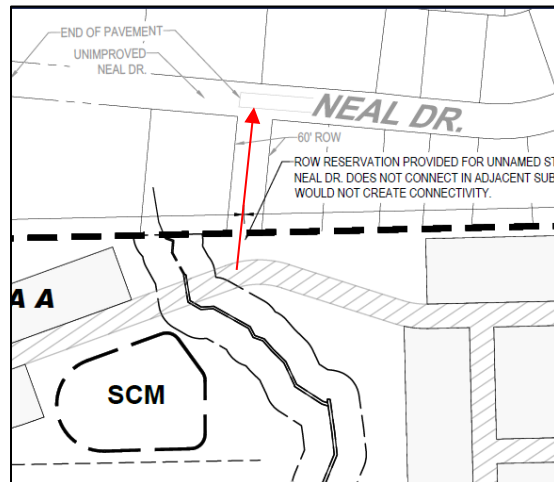
9. In the event that there is not existing right of way for any required off-site transportation improvement, Petitioner shall not be required to construct such off-site transportation improvement. However, in such event, Petitioner shall pay to CDOT an amount equal to the cost to install (exclusive of the cost of the right of way) the relevant off-site transportation improvement in lieu of constructing the same.

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5. ~~Revise site plan and conditional note(s) to commit to dedicate 35 feet of right of way from the road centerline of Old Concord Road. The site plan shall label and dimension the right of way from the road centerline.~~
6. ~~Revise site plan to commit to construct an 8 foot planting strip, and 5 foot sidewalk on all proposed public streets per Chapter 19 / Chapter 20 of City Code. The site plan shall label and dimension both items from the back of curb and gutter.~~
7. ~~Site plan and conditional note(s) revisions are needed to commit to construct bicycle facilities by locating the curb and gutter 19 feet from the center line of Old Concord Road and installing an 8-foot planting strip and 12' multi-use path to meet the City Charlotte BIKE Policy.~~
8. ~~Revise site plan and conditional note(s) and call out all proposed public or private streets and reference street typical section per CLDSM.~~
9. ~~Revise site plan to reflect most recent alignment/ design of XCLT Orr to Rocky River plans, including all easements acquired by the City through condemnation and approved by City Council on March 28, 2022.~~
10. **Outstanding Comment from 4-12-22:** ~~Revise site plan and conditional note(s) to commit to constructing a 12' multi-use path connecting Neal Drive to Development Area "A" to provide connectivity from XCLT to eastern leg of Neal Drive.~~



Comment Rescinded (01-25-23): Add multi-use path to site plan sheet RZ-3 and add conditional note to development standards.

11. ~~A site plan note(s) specifying dedication and fee simple conveyance of all rights of way to the City before the site's first building certificate of occupancy is issued as needed. CDOT requests rights-of-way set at 2' behind back of sidewalk where feasible.~~
12. ~~A site plan note specifying that all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued as needed. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes.~~
13. ~~Add conditional note "All public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system~~

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~~authority. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad north eastern Mecklenburg area, by way of a private/public partnership effort or other public sector project support."~~

Advisory Information

The following are requirements of the developer that must be satisfied prior to driveway permit approval. These requirements shall be reflected on the rezoning plan, as appropriate.

1. CDOT has the authority to regulate/approve all private street/driveway and public street connections to the right-of-way of a street under the regulatory jurisdiction of the City of Charlotte, per the City of Charlotte's Driveway Regulations.
2. Adequate sight triangles must be reserved at the existing/proposed street entrance(s). Two 50' x 50' sight triangles (and two 10' x 70' sight triangles on NCDOT-maintained streets) are required for the entrance(s) to meet requirements. All proposed trees, berms, walls, fences, and/or identification signs shall not interfere with sight distance at the entrance(s) and shall be identified on the site plan.
3. The proposed driveway connection(s) to public streets will require a driveway permit(s) to be submitted to CDOT (and NCDOT on NCDOT-maintained streets) for review and approval. The exact driveway location(s) and type/width of the driveway(s) will be determined by CDOT during the driveway permit process. The locations of the driveway(s) shown on the site plan are subject to change in order to align with driveway(s) on the opposite side of the street and comply with City Driveway Regulations and the City Tree Ordinance.
4. All proposed commercial driveway connections to a future public street will require a driveway permit submitted to CDOT for review and approval.
5. Any fence or wall constructed along or adjacent to any sidewalk or street right-of-way requires a certificate issued by CDOT.
6. A Right-of-Way Encroachment Agreement is required for the installation of any non-standard item(s) (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed/existing City-maintained street right-of-way by a private individual, group, business, or homeowner's/business association. An encroachment agreement must be approved by CDOT prior to construction/installation. Contact CDOT for additional information concerning cost, submittal, and liability insurance coverage requirements.
7. The petitioner needs to complete and submit the [Right of way Abandonment Petition form](#) to CDOT for review. The decision of this rezoning petition does not correlate with the decision of the possible abandonment, as this decision is issued within the separate Right of Way Abandonment process that is controlled by North Carolina General Statutes.
8. To attain a street and pedestrian lighting recommendation, the petitioner should coordinate with Anthony Mendez, CDOT. Please visit the following link:
<https://charlottenc.gov/Transportation/Programs/Pages/StreetLighting.aspx>