

Rezoning Transportation Analysis

Petition Number: #2022-087

General Location Identifier: 04715204, 04715205, 04715206, 04715208

From: Jake Carpenter, PE

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Reviewer:

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Revision Log:

Date	Description
11-28-22	First Review (TM)
12-22-22	Second Review (DR)
1-23-23	Third Review (DR)

General Review Information

The petition is located on the east side of Mallard Creek Road, a State-maintained major throughfare south of Alexander Road, a City-maintained local road. The petition is located in the north east corridor outside Route 4.

Active Projects Near the Site:

- N/A

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 petition is located on the east side of Mallard Creek Road, a State-maintained major throughfare south of Alexander Road, a City-maintained local road. A Traffic Impact Study (TIS) is not needed for this site. Petitioner committed to constructing Private Street A and Private Street B as public roads, installing a 12-foot multi-use path and 8-foot planting strip along Mallard Creek Road, and coordinating access changes during permitting. CDOT has no outstanding issues.

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Trip Generation

Scenario	Land Use	Intensity	Trip Generation (vehicle trips/day)	Source
Existing Use	Single Family Detached	4 Dwelling Units	35	Tax Record
Entitlement with Current Zoning	Single Family (R-3, 10.95 acres)	32 Dwelling Units	355	General Guidance from Planning
Proposed Zoning	Multifamily (Mid-Rise) Single Family Attached (UR-2, 10.95 acres)	278 Dwelling Units 5 Dwelling Units	1,320	Site Plan: 5/16/2022
Proposed Zoning	Multifamily (Mid-Rise) Single Family Attached (UR-2, 10.95 acres)	283 Dwelling Units	1,305	Site Plan: 12/12/2022

Provide comments to the specified comments below.

Outstanding Issues

Strikethrough = Resolved

1. ~~**Curblin**~~: The proposed zoning district has a setback measured from back of the existing or proposed future curblin.

a. ~~**Mallard Creek Road**~~: The future location of curb and gutter is measured at 33 feet from the centerline of the roadway to the BOC.

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

2. ~~**Traffic Study**~~:

A Traffic Impact Study (TIS) is not necessary for the complete review of this petition due to the site generating less than 2,500 daily trips. If during the permitting process the site generates more than 2,500 daily trips, then a traffic study will be required.

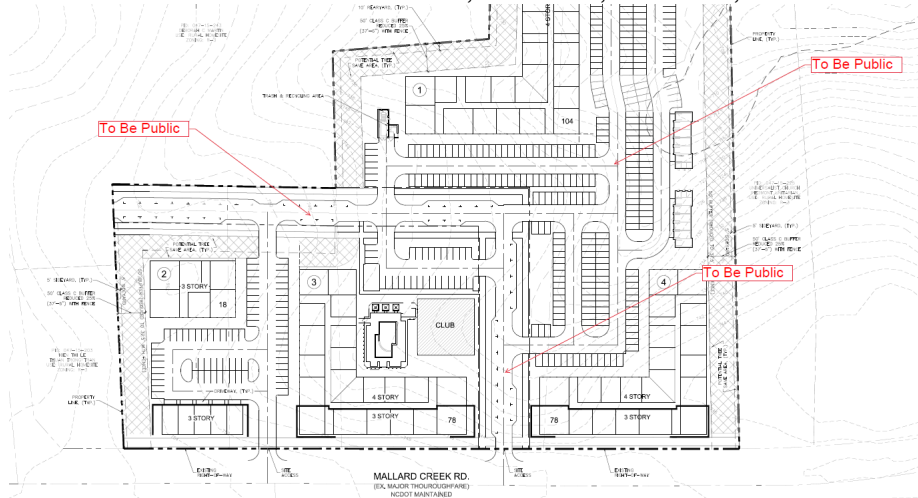
3. ~~Revise site plan and conditional note(s) to commit to dedicate 50 feet of right of way from the road. The site plan shall label and dimension the right of way from the road centerline.~~

4. ~~Revise site plan and conditional note(s) to commit to constructing internal public roadways designed to the standard of CLDSM U-03 and extend the north to south roadway to Alexander Road. The site plan shall label and dimension the ROW, curb and gutter, and the sidewalk from the roadway centerline.~~

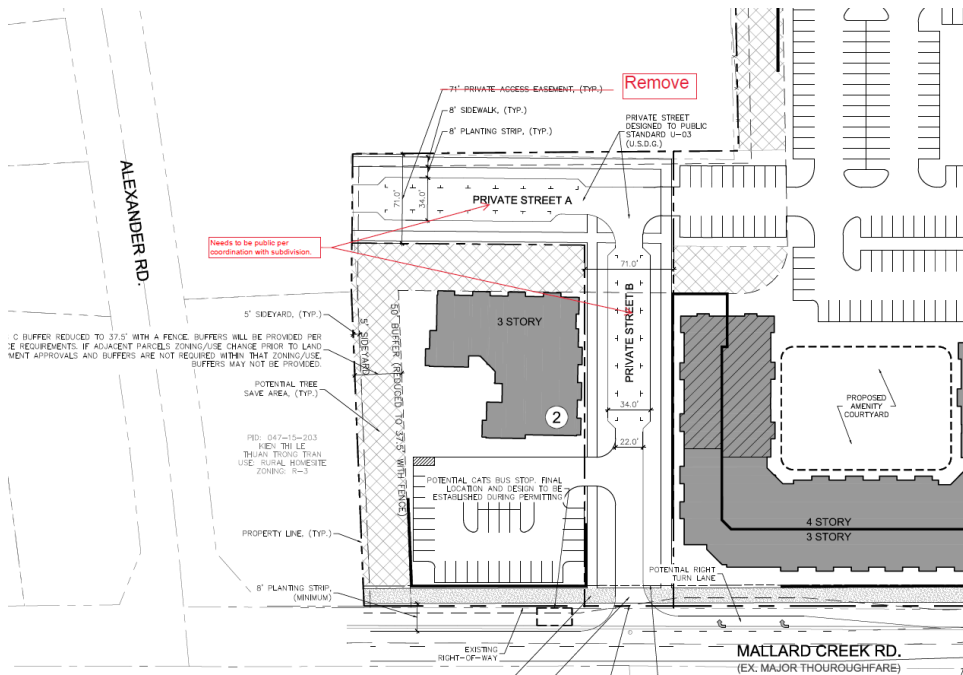
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~~Clarifying comment from 12/22/2022: Private Street A and Private Street B will both need to be public streets per coordination with subdivision. Remove all references to private access easements for Private Streets A and B.~~

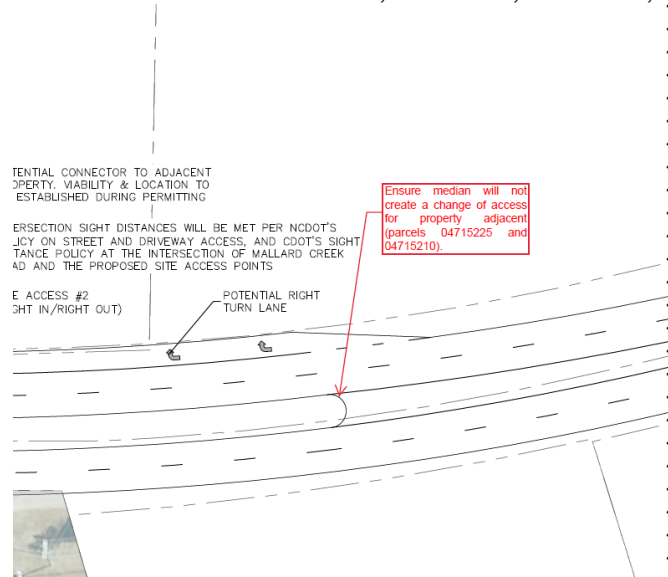


~~5. New comment from 12/22/2022: Modify median to ensure full movement for development adjacent can be retained from parcels 04715225 and 04715210. What is being proposed will create a change of access for the development adjacent to property.~~

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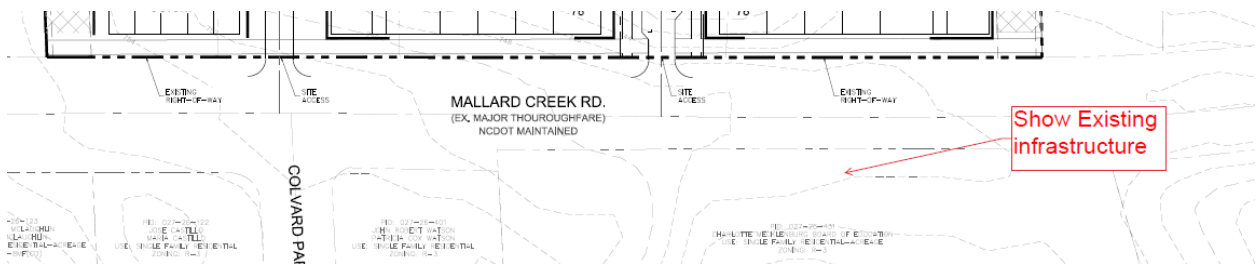
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- 6. ~~The proposed dwelling units exceeds 12 per acre. Per Chapter 20 Subdivision ordinance, site plan and conditional note(s) revisions are needed to commit to construct an 8-foot planting strip, and 8-foot sidewalk along all internal public roads. The wider sidewalk also meets the Charlotte WALKS Policy.~~
- 7. ~~Revise site plan and conditional note(s) to commit to construct an 8-foot planting strip, and 12-foot sidewalk along the sites frontage per Chapter 19. The site plan shall label and dimension both items from the back of curb and gutter and road centerline.~~
- 8. ~~Revise site plan and conditional note(s) to commit to the southern site access as right in or right in/right out only. The northern site access at Colvard Park Way may be constructed as full movement. Site plan shall callout access restrictions of both site entrances.~~

~~Modify conditional note to specify that final design and location of southern driveway access will require additional coordination during permitting and may require infrastructure changes such as re-striping and/or concrete medians.~~

- 9. ~~Revise site plan by showing existing infrastructure along Mallard Creek Road including the existing driveways on the western side of Mallard Creek Road.~~



- 10. ~~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.~~
- 11. ~~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~~

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~~transportation improvements if said improvements and phasing are explicitly described in site plan notes.~~

~~12. 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 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."~~

~~13. **New comment from 12/22/2022:** Either remove conditional note or add as approved by NCDOT/CDOT at the end.~~

L. THE PETITIONER RESERVES THE RIGHT TO MAKE ADDITIONAL ADJUSTMENTS THAT MAY BE NECESSARY TO ACCOMMODATE CHANGES THROUGHOUT THE CONSTRUCTION PROCESS.

~~14. **New comment from 12/22/2022:** Remove word "potential" on callout for right turn lanes at site accesses. This is an NCDOT requirement. Add conditional note regarding right turn lanes at each site access. Label and dimension right turn lanes.~~

~~15. **New comment from 12/22/2022:** Remove "assuming NCDOT approval" on callout for 12 foot multi-use trail.~~

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. The setback for this district is measured from the back of the existing or future curbline as determined by CDOT and Planning during the permitting process.
2. 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.
3. 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.
4. 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.
5. All proposed commercial driveway connections to a future public street will require a driveway permit submitted to CDOT for review and approval.
6. Any fence or wall constructed along or adjacent to any sidewalk or street right-of-way requires a certificate issued by CDOT.
7. 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.
8. 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.

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9. 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>