

# Rezoning Transportation Analysis

Petition Number: #2022-105

General Location Identifier: 05549113, 05549114, 05549115, 05549128

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## Revision Log:

| Date     | Description        |
|----------|--------------------|
| 11-28-22 | First Review (PM)  |
| 12-22-22 | Second Review (DR) |
| 2-22-23  | Third Review (JP)  |
| 12-19-23 | Fourth Review (IW) |

## General Review Information

The petition is located on the north side of Moores Chapel Road, a State-maintained minor thoroughfare and along Rhyne Road, a State-maintained minor thoroughfare street. The petition is located in a west wedge outside of Route 4, and within the I-485 Interchange Analysis Study.

Active Projects Near the Site:

- N/A

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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.

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

## Transportation Summary

The petition is located on the north side of Moores Chapel Road, a State-maintained minor thoroughfare and along Rhyne Road, a State-maintained minor thoroughfare street. A Traffic Impact Study (TIS) was submitted and CDOT to return comments by 1/4/2024. Site plan revisions are needed to meet ordinance requirements and/or the outstanding items including, but not limited completion and approval of the revised TIS, providing 12-foot multi-use path along all public road frontages, clarifying the transportation improvement commitments, and including CDOT standard rezoning notes. Further details are listed below.

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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 (R-3, 3.99 acres)  | 11 Dwelling Units                | 135                                 | General Guidance from Planning |
| Proposed Zoning                 | <del>Super Convenience Market</del><br>Retail (B-1, 3.99 acres)        | <del>6,600 SF</del><br>3,400 SF  | 5,910                               | Site Plan: 6/07/2022           |
| Proposed Zoning                 | Fast-Food w/Drive-Thru Convenience Store/Gas Station (B-1, 3.99 acres) | 2,700 SF<br>16 Fueling Positions | 5,505                               | Site Plan: 12/01/2023          |

Provide comments to the specified comments below.

## Outstanding Issues

**Strikethrough = Resolved**

### 1. 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. A TIS was previously approved by CDOT for this site in September 2019. The TIS will need to be updated prior to the permitting of the future development area established on the rezoning plan. See Transportation Note F.

~~Comment Rescinded 12/22/22: Petitioner has agreed to update TIS prior to any future development exceeding the proposed 6,600 s.f., as per the original TIS. Recent traffic counts and studies in the area have identified the need for transportation improvements proposed as a part of the original 2019 TIS and proposed as a part of this petition.~~

**Updated Comment from 2/23/22:** An updated TIS will be required with this rezoning petition. 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).

2. ~~**Outstanding Comment** Revise site plan conditional note in the transportation section letter e. for Southbound I-485 Off Ramp to say, "Extend existing southbound right turn lane to provide 400' of storage and appropriate taper."~~

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in only driveway as generally depicted on the site plan subject to approval by NCDOT or CDOT, whichever has jurisdiction.

**REWORD:**

Extend SBR to provide 400' of storage and appropriate taper.  
Existing SBR is 200'.

ing areas are generally depicted on the concept plan for the site.

alk will be constructed on the site from the building main entrances to the Rhyne Road right of way, to be cted to public sidewalks on Rhyne Road if approved by NCDOT or CDOT, whichever has jurisdiction on the uction of such sidewalks.

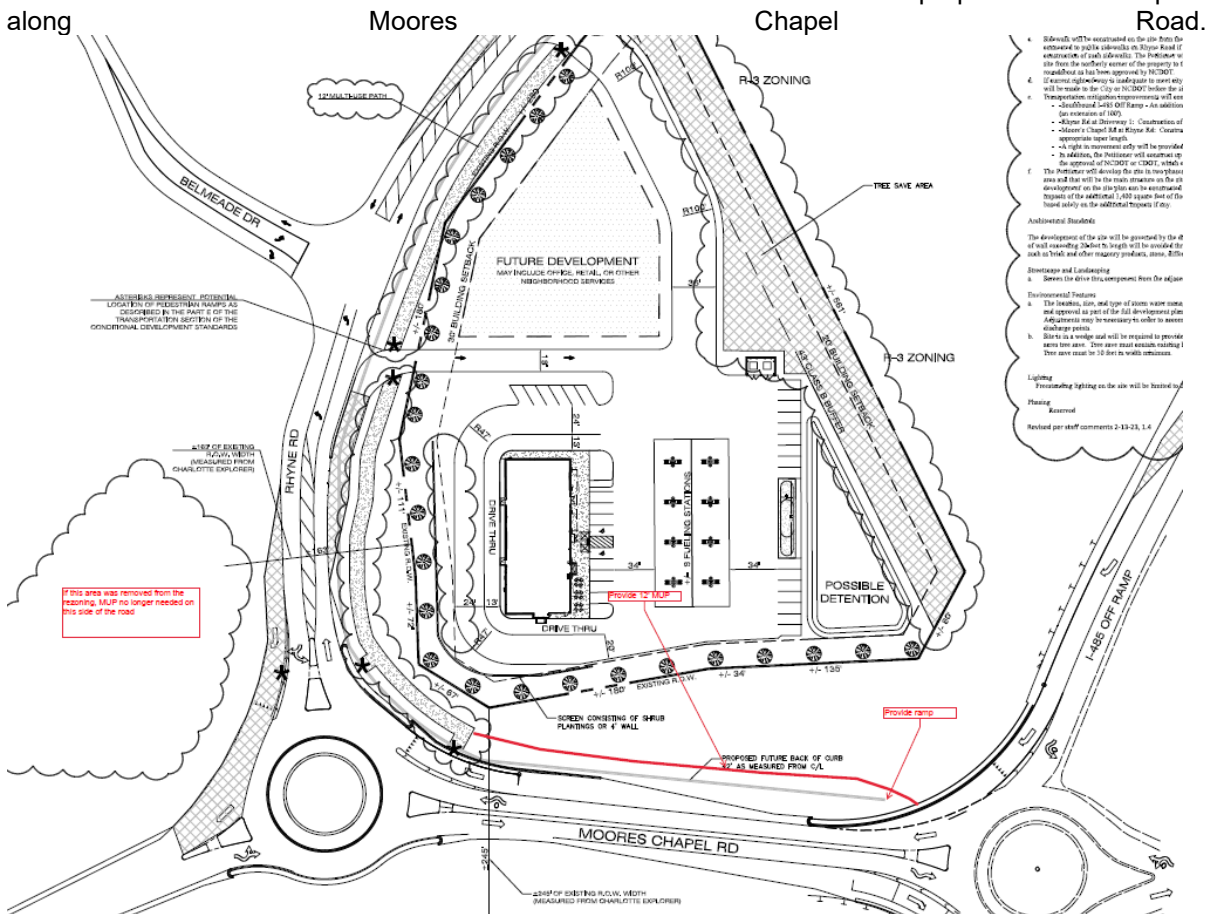
d. If current right-of-way is inadequate to meet city standards, all dedication and fee simple conveyance of all rights of way will be made to the City before the site's first building certificate of occupancy is issued.

e. Transportation mitigation improvements will consist of the following:

- Southbound I-485 Off Ramp - An addition to the southbound I-485 off ramp to provide 300' full storage plus taper (an extension of 100').

**Clarifying Comment from 12/22/2022:** Reword improvement at Southbound I-485 Off Ramp to what is shown in the picture above.

- Outstanding Comment** Revise site plan and conditional note(s) to provide 12-foot multi-use path and 8-foot planting strip along all public road frontages (Moores Chapel Road, Rhyne Road, Belmeade Drive). Revise the ramp locations and conditional note Transportation Note E to include the additional ramps that will be required. Provide SUE located 2-feet behind sidewalk if located outside of the ROW. Add conditional note to coordinate Control of Access Break with NCDOT for proposed multi-use path along



- Outstanding Comment** Revise site plan and conditional notes to provide curb and gutter along the public roads that front the proposed tree save parcel. The minimum distance to the back of curb and gutter is 19-feet from the centerline of Rhyne Road and 30-feet from the centerline of Moore's Chapel Road.

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**Clarifying Comment from 12/22/2022:** Label and dimension streetscape along all public road frontages (12-foot multi-use path and 8-foot planting strip). Revise ramp locations as shown above and update conditional note to incorporate additional ramps. Provide SUE located 2-feet behind sidewalk if located outside of the ROW. Add conditional note to coordinate Control of Access Break with NCDOT for proposed multi-use path along Moores Chapel Road.

**Clarifying Comment from 2/22/2023:** If the tree save area to the west of Rhyne Road was removed from the rezoning, MUP will no longer be required on the west side of Rhyne Road – clarify whether parcel west of Rhyne Road is included in the petition. The MUP along Moores Chapel is required for the rezoning petition. If NCDOT does not allow the MUP during site plan permitting, it will not be required to be constructed. Curb and gutter required for all public street frontages – label, dimension, and commit to curb and gutter and MUP in conditional notes.

- ~~5. 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.~~

~~**Clarifying Comment from 12/22/2022:** Add conditional note.~~

6. **Outstanding Comment:** 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.

**Clarifying Comment from 12/22/2022:** Add conditional note.

7. **Outstanding Comment:** 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 western Mecklenburg area, by way of a private/public partnership effort or other public sector project support."

**Clarifying Comment from 12/22/2022:** Add conditional note as shown above.

## 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.

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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.
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>