

# Rezoning Transportation Analysis

Petition Number: #2022-126

General Location Identifier: 05108127

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## Revision Log:

Date	Description
12-29-22	First Review (TM)
01-24-23	Second Review (DR)
02-23-23	Third Review (DR)
03-22-23	Fourth Review (DR)
4-14-23	Fifth Review (DR)
04-27-23	Sixth Review (TM)

## General Review Information

The petition is located south of Tryon Street, a state-maintained major throughfare east of I-485, a state-maintained highway. The petition is located in a northeast wedge and within the Northeast Area Plan outside of Route 4.

### Active Projects Near the Site:

- Mallard Creek Greenway
  - Greenway from Harris Mill Ln to Cabarrus County Line
- RZP# 2021-150
  - 380 Apartments

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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 site is located on North Tryon Street, a State-maintained major thoroughfare southeast of Floyd Smith Office Park Drive, a Private local street. The 48-acre site abuts Cabarrus County limits. The rezoning petition is Phase 2 of a residential development. Phase 1 was the previously approved rezoning petition 2021-150 which provide 380 apartments. A TIS study is required due to the generated trips being above both NCDOT and CDOT thresholds for both phases. The TIS was approved by CDOT on 3/29/2023 and NCDOT on 4/13/2023. 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 (R-3, 48.09 acres)	144 Dwelling Units	1,415	General Guidance from Planning
Proposed Zoning	Single Family Attached (R-8MF, 48.09 acres)	285 Dwelling Units	2,125	Site Plan: 06-16-22

Petitioner to provide responses to the staff comments below as well as specify other changes to the site plan.

## Outstanding Issues

**Strikethrough = Resolved**

### 1. ~~Traffic Study:~~

~~A Traffic Impact Study is required for the complete review of this petition due this development being part of a larger residential development and it will generate more than 2,500 daily trips and/or triggering other City TIS requirements.~~

~~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 from 3/22/2023:** TIS comments were provided on 3/20/23 and a revision for minor text changes is required for final approval.

### 2. ~~Revise site plan and conditional note(s) to commit to construct an 8-foot planting strip, and 6-foot sidewalk on all internal public roads per Chapter 19. The site plan shall label and dimension both items from the back of curb and gutter or edge of pavement.~~

**Clarifying comment from 1/24/2023:** Add conditional note committing to construct 8-foot planting strip and 6-foot sidewalk on all internal public roads. Label and dimension both items from back of curb.

### 3. ~~Add a conditional note specifying "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."~~

**Clarifying comment from 1/24/2023:** Add conditional note as shown above.

### 4. ~~Show entirety of Public Street A as a Local Residential Wide. Add CLDSM roadway typical section for Local Residential Wide.~~

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**Clarifying comment from 1/24/2023:** Add CLDSM roadway typical section for Local Residential Wide (CLDS U-03A) to sheet 2.

5. Add a conditional note specifying "the Petitioner shall dedicate and convey in fee simple all rights-of-way to the City before the site's first building certificate of occupancy is issued. CDOT requests rights-of-way set at 2' behind back of sidewalk where feasible."

**Clarifying comment from 1/24/2023:** Add conditional note as shown above.

6. ~~Revise conditional note specifying "All transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes."~~

5. UNLESS STATED OTHERWISE HEREIN, THE PETITIONER SHALL ENSURE THAT ALL TRANSPORTATION IMPROVEMENTS ARE SUBSTANTIALLY COMPLETED PRIOR TO THE ISSUANCE OF THE SITE'S FIFTIETH (50<sup>TH</sup>) BUILDING CERTIFICATE OF OCCUPANCY.

**Clarifying comment from 1/24/2023:** ~~Revise conditional note to all transportation improvements will be approved and constructed before the site's first building certificate of occupancy. Instead of the 50<sup>th</sup> building CO as shown in the image above.~~

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- ~~7. Add conditional note specifying "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."~~

~~Clarifying comment from 1/24/2023: Add conditional note as shown above.~~

- ~~8. Add a conditional note that states that the prior to permitting development will coordinate with the City of Charlotte and Mecklenburg County to accommodate a future segment of the Cross Charlotte Trail through the southern portion of the property as needed.~~

~~Clarifying comment from 1/24/2023: 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. 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 35' x 35' 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. To obtain a street and pedestrian lighting recommendation, the petitioner should visit the following link: <https://charlottenc.gov/Transportation/Programs/Pages/StreetLighting.aspx>