

Rezoning Transportation Analysis

Petition Number: 2022-133

General Location Identifier: 02509124, 02509144

From: Jake Carpenter, PE

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Reviewer:

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Revision Log:

Date	Description
1-25-23	First Review (TM)
2-22-23	Second Review (TM)
04-26-23	Third Review (TM)

General Review Information

The petition is along Northlake Mall Drive, a private-maintained local street east of Northlake Centre Parkway, a City-maintained minor throughfare. The petition is located in the Northlake Mixed Use activity Center outside of Route 4, and within the I-485 Interchange Analysis Study.

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 along Northlake Mall Drive, a private-maintained local street east of Northlake Centre Parkway, a City-maintained minor throughfare. A Traffic Impact Study (TIS) is required for this site due to the site generating more than 2500 daily trips. The TIS was approved by CDOT on 1-20-23. Site plan access changes necessitate a TIS update or addendum and an update of the conditional notes regarding transportation improvements. Further details are listed below.

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Trip Generation

Scenario	Land Use	Intensity	Trip Generation (vehicle trips/day)	Source
Existing Use	Vacant	-	-	<i>Tax Record</i>
Entitlement with Current Zoning	CC, 20 acres	-	Too many uses to determine trip generation	<i>General Guidance from Planning</i>
Proposed Zoning	Multifamily (Mid-Rise) (MUDD-O, 20 acres)	603 Dwelling Units	2,785	<i>Site Plan: 06-24-22 & Per TIS</i>

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

Outstanding Issues

Strikethrough = Resolved

1. ~~Curbline:~~

a. ~~Northlake Mall Drive:~~ This is a privately maintained roadway.

2. ~~Traffic Study:~~

~~A Traffic Impact Study is required 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).~~

Update: TIS was approved by CDOT on 1/20/2023 and NCDOT on 1/19/2023.

New Comment 04-26-2023: Site plan updates changed access location impacting both the TIS and the recommended improvements. Update or addendum to TIS required along with updated conditional notes to match TIS improvements.

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."~~

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4. ~~Revise conditional note(s) by removing all references to other rezonings and filling in rezoning information in the notes.~~

manner reasonable agreeable to the Petitioner, the CDOT or NCDOT as applicable.

d. Right-of-way Conveyance. IF APPLICABLE BUT ONLY TO THE EXTENT APPLICABLE, the Petitioner will dedicate via fee simple conveyance any additional right-of-way indicated on the Rezoning Plan as right-of-way to be dedicated, the additional right-of-way will be dedicated prior to the issuance of the first certificate of occupancy. Petitioner will provide a permanent sidewalk utility easement for any of the proposed sidewalks/multi-use path located along the public streets located outside of the right-of-way where ROW dedication is not provided. The permanent sidewalk utility easement will be located a minimum of two (2) feet behind the sidewalk where feasible. A minimum of 52 feet of right-of-way will be dedicated and conveyed to CDOT/NCDOT along the Site's frontage on Mt. Holly Rd as measured from the existing center line. The Petitioner will also dedicate additional right-of-way for the extension of Eagle Feathers Dr. by others as generally depicted on the Rezoning Plan.

e. Alternative Improvements. IF APPLICABLE BUT ONLY TO THE EXTENT APPLICABLE, changes to the above referenced roadway improvements can be approved through the Administrative Amendment process upon the determination and mutual agreement of Petitioner, the CDOT, NCDOT and the Planning Director; provided, however, the proposed alternate transportation improvements provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition in the overall area of the rezoning.

For example, transportation improvements may be substituted and/or payment in lieu for other improvements in the overall area of the rezoning may be implemented as described in subsection (d) above.

Not rezoning
frontage

Fill out info

REZONING PETITION #2022-???

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.”~~

6. Add a 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.”

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 western Mecklenburg area, by way of a private/public partnership effort or other public sector project support.”~~

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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>