

Rezoning Transportation Analysis

Petition Number: 2022-196

General Location Identifier: 05103208

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
3-22-23	First Review (TM)

General Review Information

The petition is located at the corner of Pavilion Boulevard, a City-maintained minor throughfare, and North Tryon Street, a State-maintained major throughfare. The petition is located in a northeast corridor outside Route 4, 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 site is located at the corner of Pavilion Boulevard, a City-maintained minor throughfare, and North Tryon Street, a State-maintained major throughfare. A Traffic Impact Study (TIS) is required for this site due to the site generating more than 2500 daily trips. Site plan and/or conditional note revisions are needed to commit to constructing streetscape to match Charlottes Streets Map along with conditional note revisions. Further details are listed below.

Rezoning Transportation Analysis

Petition Number: 2022-196

General Location Identifier: 05103208

Trip Generation

Scenario	Land Use	Intensity	Trip Generation (vehicle trips/day)	Source
Existing Use	Vacant	-	-	Tax Record
Entitlement with Current Zoning	Retail (CC, 3.29 acres)	27,000 SF	1,370	General Guidance from Planning or RZP# 2004-072
Proposed Zoning	Fast Food w/Drive-Thru Retail (CC, 3.29 acres)	6,417 SF 4,400 SF	3,420	Site Plan: 10-27-22

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

Outstanding Issues

Strikethrough = Resolved

1. Curblines:

- a. **Tyron Street:** The future location of curb and gutter is in its existing location to be confirmed with NCDOT and CDOT during permitting.
- b. **Pavilion Boulevard:** The future location of curb and gutter is in its existing location.

NOTE: Additional distance from center line to back of curb may be required in locations where a median is present or around intersections and interchanges.

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

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 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).

- 3. Revise site plan and conditional note(s) to commit to construct an 8-foot planting strip, and 12-foot shared-use path on Tryon Street per Chapter 19. The site plan shall label and dimension both items from the back of curb and gutter or edge of pavement.
- 4. Revise site plan and conditional note(s) to commit to construct bicycle facilities by installing a 12' multi-use path to meet the Council-adopted Charlotte BIKES Policy on Tryon Street and Pavilion Boulevard. Multi-use paths maintained by the City shall meet ADA/PROWAG requirements.

Rezoning Transportation Analysis

Petition Number: 2022-196

General Location Identifier: 05103208

5. 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.”
6. 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.”
7. 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.”
8. 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.”

.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>