

# Rezoning Transportation Analysis

Petition Number: 2022-205

General Location Identifier: 04705307, 04705303, 04705313, 04705323

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## Revision Log:

Date	Description
4-27-23	First Review (TM)
5-24-23	Second Review (DR)
6-13-23	Third Review (DR)

## General Review Information

The petition is located at the intersection of Mallard Creek Road, a State-maintained major throughfare, and Penninger Circle, a city-maintained local street. The petition is in a northeast wedge outside of Route 4.

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 site is located at the intersection of Mallard Creek Road, a State-maintained major throughfare, and Penninger Circle, a city-maintained local street. The site proposes to add 20 townhomes to the previous permitted 96 townhomes as a part of rezoning petition #2020-099. There is a small increase in the expected number of daily trips to be generated by the site. A Traffic Impact Study (TIS) is not required for this site due to the site the site generating less than 2500 daily trips. Site plan and/or conditional note revisions are needed to meet current standard CDOT conditional notes. Further details are listed below.

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## Trip Generation

Scenario	Land Use	Intensity	Trip Generation (vehicle trips/day)	Source
Existing Use	Single Family Detached	1 Dwelling Unit	10	Tax Record
Entitlement with Current Zoning	Single Family Multifamily (R-3 & R-8MF, 21.12 acres)	2 Dwelling Units 161 Dwelling Units	745	General Guidance from Planning
Entitlement with Current Zoning	Single Family Detached Single Family Attached (R-3 & R-8MF, 21.12 acres)	2 Dwelling Units 96 Dwelling Units	700	General Guidance from Planning & RZP# 2020-099
Proposed Zoning	Multifamily (Mid-Rise) (R-8MF, 21.12 acres)	130 Dwelling Units	575	Site Plan: 10-12-22
Proposed Zoning	Single Family Attached (R-8MF, 21.12 acres)	116 Dwelling Units	835	Site Plan: 5-12-23

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

## Outstanding Issues

**Strikethrough = Resolved**

### 1. Curblin:

- Mallard Creek Road:** Location of curb and gutter to be moved to 33-feet feet from roadway centerline to accommodate the Charlotte Streets Map with a roadway typical section of 4+ Boulevard, Shared Use Path.

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.

**Outstanding Comment from 04-27-23:** 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 required for the complete review of this petition due to the site generating less than 2,500 daily trips and/or not triggering any other City TIS requirements.~~

- Outstanding Comment from 04-27-23:** Revise site plan and conditional note(s) to commit to dedicate 50-feet of right-of-way from the road centerline. The site plan shall label and dimension the right-of-way from the road centerline.
- Outstanding Comment from 04-27-23:** 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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5. **Outstanding Comment from 04-27-23:** Add a conditional note specifying “The petitioner needs to complete and submit the [Right of way Abandonment Petition form](#) to CDOT for review. The Right of Way Abandonment process is controlled by North Carolina General Statutes and is independent of this rezoning process.”
6. **Outstanding Comment from 04-27-23:** 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 northeastern 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 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>