

Rezoning Transportation Analysis

Petition Number: 2022-210

General Location Identifier: 14506122, 14506121, 14506128, 14506120, 14606126.

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Reviewer: Patrick Monroe
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Revision Log:

Date	Description
05-24-2023	First Review (PDM)
06-21-2023	Second Review (DR)
08-23-2023	Third Review (PDM)
09-20-2023	Fourth Review (JP)
10-26-2023	Fifth Review (JP)

General Review Information

The petition is located along Clanton Road, a City-maintained major thoroughfare and South Tryon Street, a State-maintained major thoroughfare. The petition is located in the South Corridor inside Route 4.

Active Projects Near the Site:

- I-77/US 21 Widening
 - Project limits: I-277/US 74 (Belk Freeway) Interchange to South Carolina State Line
 - TIP Number: I-5718A
 - ROW year: 2029
 - Formal NEPA analysis just began

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 located on Clanton Road, a City-maintained major thoroughfare and South Tryon Street, a State-maintained major thoroughfare. A Traffic Impact Study (TIS) is required for this site due to the site generating more than 2,500 daily trips. The TIS Scoping package was submitted by the petitioner and approved by CDOT and NCDOT on 04.14.2023. The TIS was submitted to CDOT and NCDOT for review on 08-24-2023, with comments provided on 09-25-2023. Site plan and/or conditional note revisions are needed to complete the TIS, label and dimensioning streetscape elements, and updating 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	Warehouse	425,968 SF	715	<i>Tax Record</i>
Entitlement with Current Zoning	Retail Warehouse (B-1, B-2, & B-D, 46.8 acres)	63,330 SF 418,250 SF	3,835	<i>General Guidance from Planning</i>
Proposed Zoning	<i>Phase 1A</i>	360 Dwelling Units	44,185	<i>Per TIS Scope</i>
	Multifamily (Mid-Rise)	40,000 SF		
	Fast-Casual Restaurant	12,000 SF		
	High-Turnover Sit-Down Restaurant	10,000 SF		
	Strip-Retail			
	<i>Phase 1B</i>	250 Dwelling Units		
	Multifamily (Mid-Rise)	150 Rooms		
	Hotel	260,000 SF		
	General-Office	45,151 SF		
	Strip-Retail	25,000 SF		
	Sporting Goods Superstore	15,000 SF		
	Fast-Casual Restaurant	15,000 SF		
	Fine-Dining Restaurant	20,000 SF		
	High-Turnover Sit-Down Restaurant	12,000 SF		
	Brewery Tap Room	10,000 SF		
	Drinking Place			
	<i>Phase 2</i>	350 Dwelling Units		
	Multifamily (Mid-Rise)	100,000 SF		
	General-Office	10,000 SF		
	Strip-Retail	50,000 SF		
Supermarket				
<i>Phase 3</i>	148,000 SF			
Free-Standing Discount Store	50,000 SF			
Sporting Goods Superstore	140 Rooms			
Hotel	200,000 SF			
General-Office	7,500 SF			
Fast-Casual Restaurant	5,000 SF			
Fine-Dining Restaurant				
<i>Phase 4</i>	600 Dwelling Units			
Multifamily (Mid-Rise)	100,000 SF			
General-Office	250,000 SF			
Strip-Retail	10,000 SF			
Fine-Dining Restaurant	5,000 SF			
Drinking Place				
(TOD-CC-EX, 46.8 acres)				

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Proposed Zoning	<i>Phase 1A</i>				
	Multifamily (Mid-Rise)	360 Dwelling Units			
	Fast Casual Restaurant	10,000 SF			
	High-Turnover Sit-Down Restaurant	12,000 SF			
	Strip Retail	10,000 SF			
		<i>Phase 1B</i>			
	Multifamily (Mid-Rise)	250 Dwelling Units			
	Hotel	150 Rooms			
	General Office	260,000 SF			
	Strip Retail	45,151 SF			
	Sporting Goods Superstore	25,000 SF			
	Fast Casual Restaurant	15,000 SF			
	Fine Dining Restaurant	15,000 SF			
	High-Turnover Sit-Down Restaurant	20,000 SF			
	Brewery Tap Room	12,000 SF			
	Drinking Place	10,000 SF	34,890	<i>Per TIS Scope</i>	
		<i>Phase 2</i>			
	Multifamily (Mid-Rise)	350 Dwelling Units			
	General Office	100,000 SF			
	Strip Retail	10,000 SF			
	Supermarket	50,000 SF			
		<i>Phase 3</i>			
	Multifamily (Mid-Rise)	600 Dwelling Units			
	Hotel	140 Rooms			
	General Office	400,000 SF			
	Strip Retail	15,000 SF			
	Sporting Goods Superstore	50,000 SF			
	Fast Casual Restaurant	7,500 SF			
	Fine Dining Restaurant	15,000 SF			
	Drinking Place	5,000 SF			

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

Outstanding Issues

~~Strikethrough~~ = Resolved

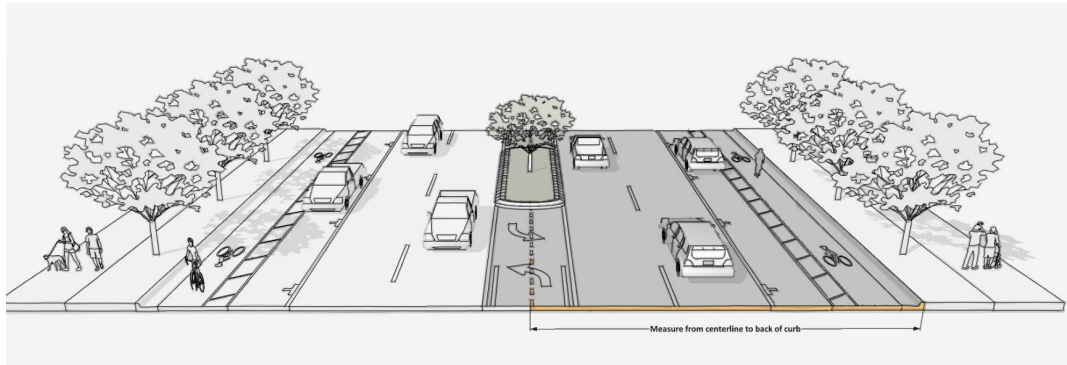
1. Curblin:

- a. **South Tryon Street:** Location of curb and gutter to be moved a minimum of 42.5 feet from roadway centerline to accommodate the Charlotte Streets Map with a roadway typical section of a 4+ Avenue with Buffered/Separated Bike Lanes and On-Street-Parking.

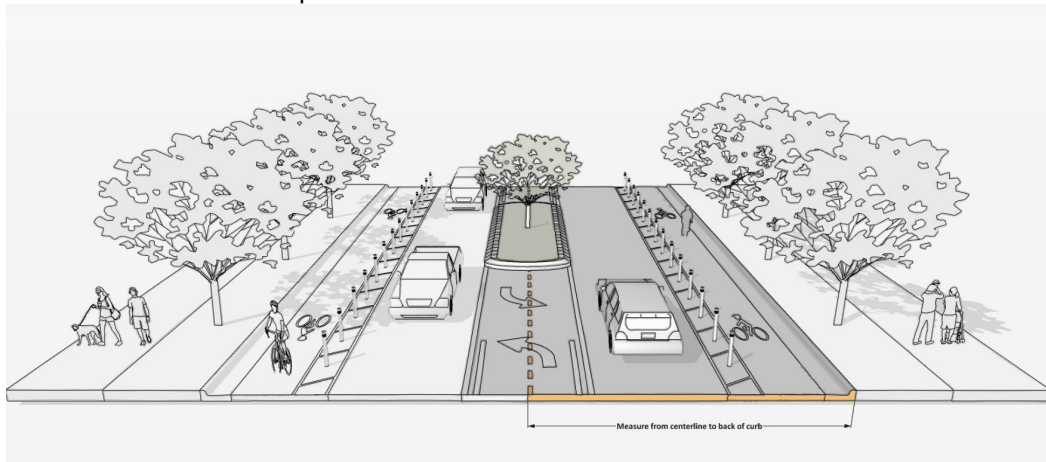
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- b. **Clanton Road:** Location of curb and gutter to be moved a minimum of 27 feet from roadway centerline to accommodate the Charlotte Streets Map with a roadway typical section of a 2+ Avenue with Buffered/Separated Bike Lanes.



NOTE: Additional distance from center line to back of curb may be required in locations where a median and turn lanes are required. Final curbline locations to be reviewed by CDOT once TIS is approved.

Outstanding Comment 9.20.23: Label and dimension the curb and gutter from the centerline for each road on the site plan.

Clarifying comment 6.21.23: Label and dimension the curb and gutter from the centerline for Clanton Road and South Tryon Street.

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.

The TIS Scoping package was submitted by the petitioner and approved by CDOT and NCDOT on 04.14.2023. The TIS needs to be submitted to CDOT and NCDOT for review and approval. 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).

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Outstanding Comment 10.26.23 The final TIS still needs to be submitted and additional comments could be forthcoming based on the impacts.

3. ~~Revise site plan and conditional note(s) to commit to dedicate a minimum of 50 feet of right of way from the road centerline of South Tryon Street and Clanton Road. The site plan shall label and dimension the right of way from the road centerline.~~

Clarifying comment 6.21.23: Label and dimension a minimum 50 feet of ROW from the road centerline of South Tryon Street and Clanton Road.

4. ~~Revise site plan and conditional note(s) to commit to construct an 8-foot planting strip, and 8-foot sidewalk on South Tryon Street and Clanton Road 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 6.21.23: Label and dimension 8-foot planting strip and 8-foot sidewalk from the back of curb and gutter or edge of pavement of South Tryon Street and Clanton Road.

5. ~~Revise site plan and conditional note(s) to commit to construct bicycle facilities by locating the curb and gutter on South Tryon Street and Clanton Road per outstanding comment 1 to meet the Council-adopted Charlotte BIKES Policy.~~

6. **Outstanding Comment 9.20.23:** Revise internal street network to standard public street typical sections per the CLDSM or provide additional information on existing constraints for review and approval of nonstandard typical sections.

network required streets to preserve existing trees.

f. To allow modifications to the required public and network required street cross sections as generally depicted on Sheet RZ.01.

g. To allow encroachments in the public right of way for outdoor dining and amenity areas. It is understood that the Petitioner shall apply for right of way encroachment to the City of Charlotte Department of Transportation.

h. To allow public open space along a block frontage between the building and the public street and/or network required street.

i. To allow a maximum of two (2) retail anchor(s) that:
i. exceeds the maximum building length

Provide additional info on why modifications are necessary

Clarifying comment 6.21.23: Add "as allowed by CDOT"

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f. To allow up to two (2) foot intermittent encroachments into the eight (8) foot pedestrian zone along the required public and network required streets to allow elements that include but are not limited to projecting plant walls, dining, architectural features, split sidewalk conditions, benches, art installations, and other streetscape amenities. Such intermittent encroachment shall not exceed 50% of the block length frontage.

7. ~~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."~~

8. **Outstanding Comment 9.20.23:** Per coordination with NCDOT, confirm ROW and setback requirements for the I-77/US 21 Widening and provide necessary ROW.

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9. ~~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.”~~
10. ~~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.”~~
11. ~~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.”~~
12. ~~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 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 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.
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>