

Rezoning Transportation Analysis

Petition Number: 2022-224

General Location Identifier: 09509222, 09509221, 09509220

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Revision Log:

Date	Description
4-26-23	First Review (IW)
11-27-23	Second Review (ME)

General Review Information

The petition is located at the intersection of Central Avenue, a City-maintained major throughfare, and Morningside Drive, a City-maintained major collector. The petition is located in a southeast corridor and an east wedge, inside Route 4, and within the Center City 2020 Vision Plan.

Active Projects Near the Site:

- There are known active projects in the vicinity.

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 intersection of Central Avenue, a City-maintained major throughfare, and Morningside Drive, a City-maintained major collector. A Traffic Impact Study (TIS) is not required for this site. Site plan and/or conditional note revisions are needed to dimension curb and gutter, dedicate right of way, and update 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 Convenience Store Retail	1 Dwelling Unit 4 Fueling Positions 7,470 SF	1,940	Tax Record
Entitlement with Current Zoning	Retail (MUDD-O, 1.23 acres)	44,000 SF	3,440	General Guidance from Planning & RZP# 2021-060
Proposed Zoning	TBD (MUDD-O SPA, 1.23 acres)			Site Plan: 11-17-22
Proposed Zoning	Retail Multifamily (Mid-Rise) (MUDD-O SPA, 1.23 acres)	24,000 SF 45 Dwelling Units	1,415	Site Plan: 11-13-23

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

Outstanding Issues

Strikethrough = Resolved

1. Curblines:

- a. **Central Avenue:** Location of curb and gutter to be moved to 32.5 feet from roadway centerline to accommodate the Charlotte Streets Map with a roadway typical section of 4 Avenue with Buffered/Separated Bike Lanes.
- b. **Morningside Drive:** 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.

Comment 11-27-23: Label and dimension curb and gutter locations not shown on site plan. Please add to the site plan.

2. ~~Traffic Study: Need additional Density information to make determination.~~

~~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. (For Conventional Petitions) A Traffic Study may be required during permitting per the TOD or other applicable zoning ordinance.~~

OR

~~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~~

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~~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 dedicate 50.5 feet of right-of-way from the Central Avenue road centerline. The site plan shall label and dimension the right-of-way from the road centerline.
Comment 11-27-23: Please add a label and dimension showing right-of-way dimension mentioned above on site plan and revise conditional note(s) to commit to previously mentioned right-of-way dimension.
4. 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."
Comment 11-27-23: Please add the above conditional note.
- ~~5. Revise site plan to add density information for site.~~
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."
Comment 11-27-23: Please add the above conditional note.
- ~~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."~~

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>