

Rezoning Transportation Analysis

Petition Number: 2023-012

General Location Identifier: 14313155, 14314106, and 14327211

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Revision Log:

Date	Description
5-24-23	First Review (PDM)
6-21-23	Second Review (DR)
8-23-23	Third Review (PDM)
9-20-23	Fourth Review (JP)

General Review Information

The petition is located at the corner of Tyvola Road, a City-maintained major throughfare, and City Park Drive, a privately-maintained local street. The petition is located in an old coliseum activity center outside of Route 4, within the Westside Strategy Plan Study Area.

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 Tyvola Road, a City-maintained major throughfare, and City Park Drive, a privately-maintained local street. A Traffic Impact Study (TIS) is required for this site due to the site generating more than 2,500 daily trips. TIS comments were sent on 6.14.2023 by NCDOT and CDOT. A revised TIS addressing outstanding issues needs to be provided. Site plan and/or conditional note revisions are needed to complete the TIS and conditional note revisions regarding the Speer Road extension. Further coordination and clarification needed regarding the installation of a new traffic signal at Speer Boulevard and Tyvola Road. 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	1 Dwelling Unit	10	Tax Record
Entitlement with Current Zoning	MUDD-O, 20.44 acres	-	Too many uses to determine trip generation	General Guidance from Planning or RZP# 2007-082
Proposed Zoning	Single Family Attached Fast Casual Restaurant Retail High-Turnover Sit-Down Restaurant Fast Food Restaurant with Drive-Thru (MUDD-O SPA, 20.44 acres)	216 Dwelling Units 14,000 SF 7,500 SF 3,000 SF 2,500 SF	4,995	Per TIS Scope

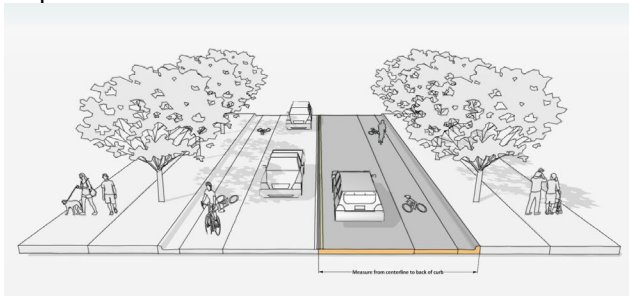
Petitioner to provide responses to the staff comments below as well as specify other changes to the site plan.

Outstanding Issues

Strikethrough = Resolved

1. ~~Curblines:~~

- a. ~~**Speer Boulevard (Shopton Rd Extension):** Location of curb and gutter to be installed 18.5 feet from roadway centerline to the back of curb to accommodate the Charlotte Streets Map with a roadway typical section of a 2-avenue with bike lanes, 8-foot sidewalk and 8-foot planting strip.~~

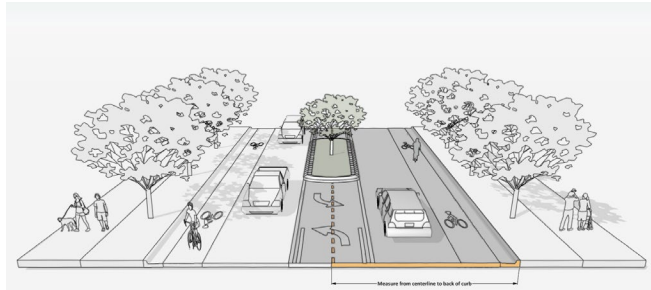


- b. ~~**Yorkmont Road:** Location of curb and gutter to be installed 24 feet from roadway centerline to the back of curb to accommodate the Charlotte Streets Map with a roadway typical section of a 2+ avenue with bike lanes, 8-foot sidewalk and 8-foot planting strip.~~

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~~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.~~

Outstanding Comment from 6.21.23: ~~Label and dimension the curb and gutter from the centerline for each road on the site plan.~~

2. Traffic Study:

A Traffic Impact Study 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 scope was approved by CDOT on 10-20-2022.

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).

Clarifying comment 6.21.2023: TIS comments were sent on 6.14.2023 by NCDOT and CDOT. A revised TIS addressing outstanding issues needs to be provided.

- ~~3. Revise site plan and conditional note(s) to commit to dedicate a minimum of 35 feet of right-of-way from the road centerline on Yorkmont Road and Speer Boulevard. The site plan shall label and dimension the right-of-way from the road centerline.~~

Clarifying comment 6.21.2023: Add conditional note to dedicate a minimum 35 feet of ROW from the roadway centerline of Yorkmont Road and Speer Boulevard. Additionally label and dimension.

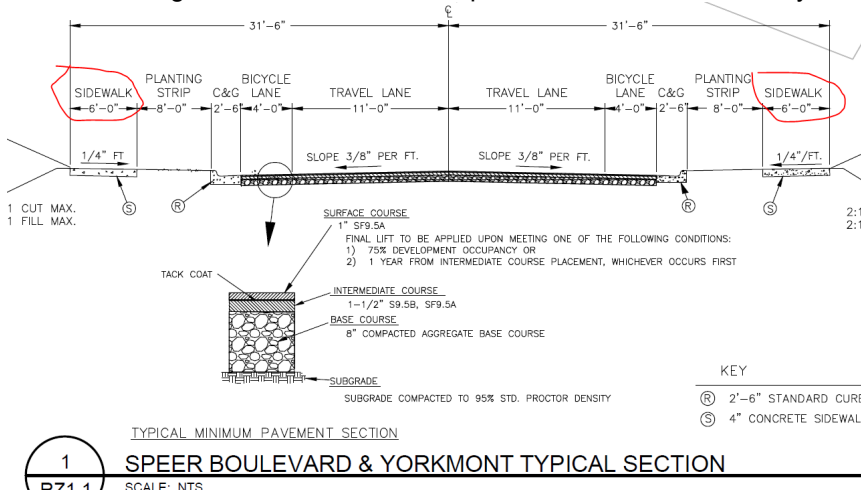
- ~~4. Revise site plan and conditional note(s) to commit to provide an 8-foot planting strip, and 8-foot sidewalk along Yorkmont Road and Speer Boulevard per the Charlotte Streets Map.~~

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Clarifying comment 6.21.2023: Add conditional note to provide 8 foot planting strip and 8 foot sidewalk along Yorkmont Road and Speer Boulevard. Additionally, revise to show 8 foot sidewalk.



5. ~~Revise site plan and conditional note(s) to commit to construct bicycle facilities by locating the curb and gutter 18.5' on Speer Boulevard and 24' on Yorkmont Road from the center line/installing a bike lane to meet the Council adopted Charlotte BIKES Policy.~~

Clarifying comment 6.21.2023: Add conditional note to construct bicycle facilities on Speer Boulevard and Yorkmont Road.

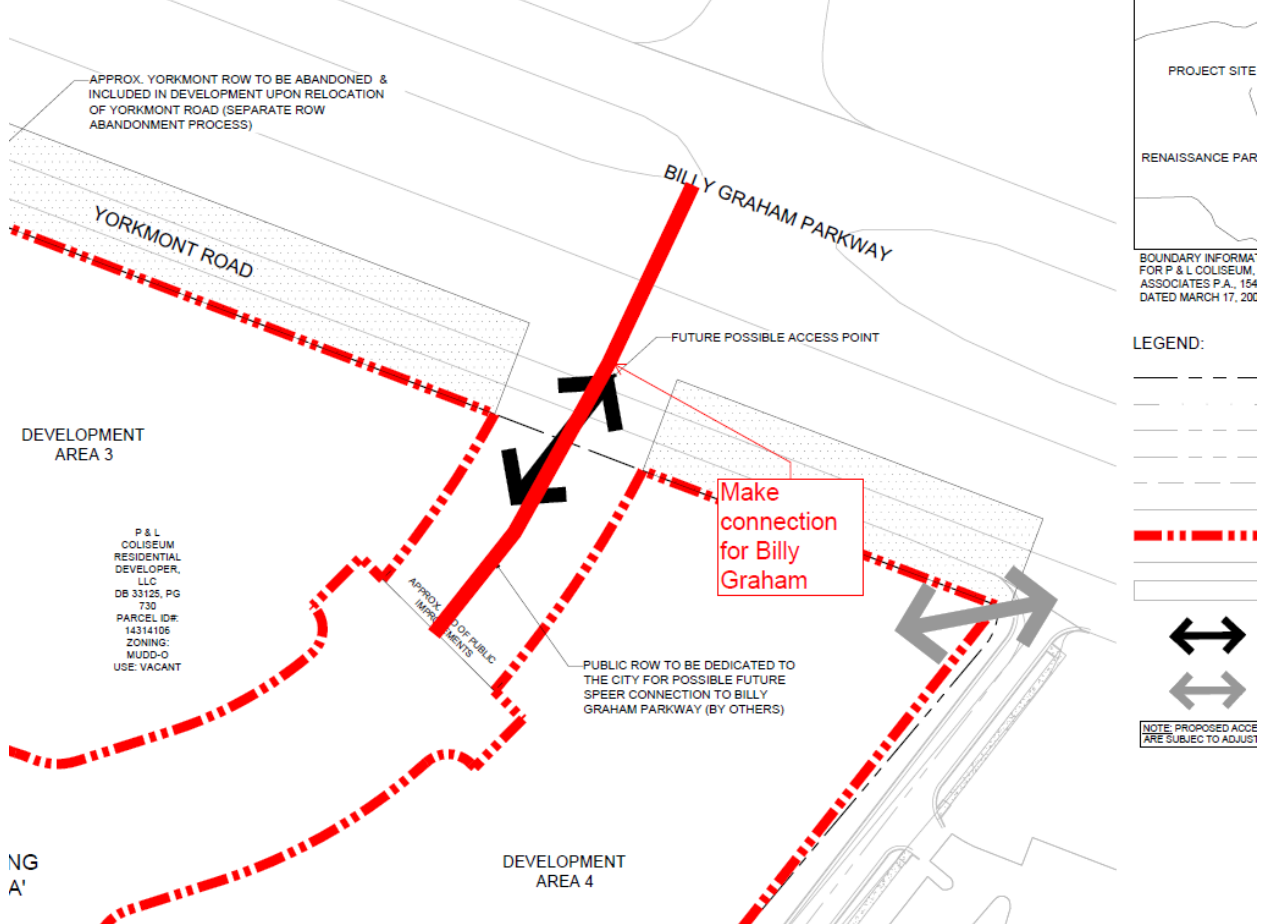
6. ~~Add a conditional note specifying "A Right of Way Encroachment Agreement is required for the installation of any non standard item(s) (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed/existing City maintained street right of way by a private individual, group, 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."~~
7. ~~Revise site plan and conditional note(s) to commit to making the roadway connection from Speer Boulevard to Billy Graham Parkway including improvements to Billy Graham to make the connection~~

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work (further coordination with NCDOT required).



Clarifying comment 6.21.2023: Add conditional note about ROW dedication to the City for possible future Speer connection to Billy Graham Parkway. Speer Road Stub needs to be extended to property line if it will not tie into Billy Graham Parkway.

8. 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."
9. 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."
10. 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 southwestern Mecklenburg area, by way of a private/public partnership effort or other public sector project support."
11. Add a conditional note specifying "The petitioner needs to complete and submit the [Right of way Abandonment Petition form](#) to NCDOT for review. The Right of Way Abandonment process is controlled by North Carolina General Statutes and is independent of this rezoning process."

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12. **Clarifying comment 8.23.2023:** Remove that the City of Charlotte to construct traffic signal and all other signal improvements at Tyvola and Speer. Developer to install traffic signal and all other related signal improvements at Tyvola and Speer prior to first CO of Developer Area A.
 - b. Tyvola Road and Speer Boulevard:
 - City of Charlotte shall construction of a traffic signal at Tyvola Road and Speer Boulevard. If not completed by City by CO, then this condition shall be waived or delayed.
 - Restripe the existing southbound striped out lane to have dual lefts on Speer Boulevard.
 - City of Charlotte shall implement Leading Pedestrian Interval+ (LPI+), Accessible Pedestrian Signals (APS), and right-turn Flashing Yellow Arrow (FYA) with LED blankout sign for the southbound right-turn lane on Speer Boulevard.
13. **Clarifying comment 8.23.2023:** Remove “existing curb ramps to remain”. All non-compliant ramps at South Tryon Street and Tyvola Road are to be upgraded as necessary.
 - b. South Tryon Street and Tyvola Road:
 - Add pedestrian signals including associated work (striping, APS, LPI+ where right turn lanes are present) for all approaches. Existing ramps to remain.
14. **Clarifying comment 8.23.2023:** Remove note below.
 - b. In the event that Petitioner cannot obtain all approvals and permits required to construct the improvements set out above in the Development Standards, then Petitioner shall have no obligation to construct such improvements.

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 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>