

# Rezoning Transportation Analysis

Petition Number: 2023-016

General Location Identifier: 12520151, 12520160

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**Reviewer:**

**Patrick Monroe**

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## Revision Log:

Date	Description
6-28-23	First Review (PDM)

## General Review Information

The petition is located at the intersection of Baxter Street, a City-maintained local street, and Innovate Lane, a privately-maintained local street. The petition is located in a south corridor inside Route 4, within the Center City 2020 Vision Plan.

### Active Projects Near the Site:

- Uptown Cycle Link/Belk Greenway - This segment of the connector will link pedestrians and bicyclists between the Little Sugar Creek Greenway/Cross Charlotte Trail and Irwin Creek Greenway through uptown Charlotte. The project begins at the intersection of Pearl Park Way and Kenilworth Avenue and continues along Baxter Street, in tandem with the Pearl Street Park. The project continues up McDowell Street, under I-277 and ends at the intersection of East Stonewall Street and McDowell Street.

<https://charlottenc.gov/Projects/Pages/BelkConnectorBaxterStonewall.aspx>

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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 Baxter Street, a City-maintained local street, and Innovate Lane, a privately-maintained local street. A Traffic Impact Study (TIS) may be required for this site. Proposed land uses and densities should be provided by the petitioner to determine if a TIS is required for review of this petition. Site plan and/or conditional note revisions are needed to commit to providing 8 ft sidewalks along all public road frontages, labeling/dimensioning the ROW and back of curb, and including the CDOT standard notes. Further details are listed below.

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## Trip Generation

Scenario	Land Use	Intensity	Trip Generation (vehicle trips/day)	Source
Existing Use	Vacant	-	-	Tax Record
Entitled Use	MUDD, 3.11 acres	-	Too many uses to determine trip generation	General Guidance from Planning
Proposed Use	General Office High Turnover Sit-Down Restaurant	322,500 SF 7,500 SF	4,020	Site Plan: 01/30/2023
	or  Multifamily (High-Rise) (MUDD-O PED, 3.11 acres)	or  330 DUs	or  625	

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

### Outstanding Issues

**Strikethrough = Resolved**

**1. 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. More clarification is needed on the proposed land uses and densities proposed. Specifically, what is the intended land use for the 7,500 SF space.

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).

2. Revise site plan and conditional note(s) label and dimension all public rights-of-way and future back of curblines from the centerline of the road.
3. Revise site plan and conditional note(s) to clarify the proposed street(s) as public or private. In addition label each street with the applicable road name. There are discrepancies between Peal Park Way and Baxter Street.
4. Revise site plan, conditional notes, and typical sections to commit to construct an 8-foot planting strip, and 8-foot sidewalk along all public road frontages. The wider sidewalk also meets the Charlotte WALKS Policy.
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,

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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.”

## 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>