

# Rezoning Transportation Analysis

Petition Number: 2023-033

General Location Identifier: 12703201, 12703202, 12703203, 12703204, 12703205

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## Revision Log:

Date	Description
7-26-23	First Review (IW)
08-24-23	Second Review (NK)
9-20-23	Third Review (NK)
10-25-23	Fourth Review (NK)
11-27-23	Fifth Review (NK)
4-23-24	Sixth Review (NK)

## General Review Information

The petition is located at the intersection of Seventh Street, a State-maintained major arterial, and Lamar Avenue, a City-maintained local street. The petition is located in a southeast corridor inside of Route 4, within the Center City 2020 Vision Plan.

## Active Projects Near the Site:

- CIP Elizabeth Bikeway Connection
  - Project ID PMES221723
  - Location: Several different locations In Elizabeth area
  - Project Description: Creating bike facilities in several different locations. To have safer conditions for bicyclists.
  - Project Type: Pedestrian and Bike
  - Project phase: Design
  - Anticipated Completion Date – Early 2025
- 7<sup>th</sup> Street Road Conversion/Resurfacing

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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.

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## Transportation Summary

The site is located at the intersection of Seventh Street, a State-maintained major arterial, and Lamar Avenue, a City-maintained local street. The petitioner has committed to construction of new 8' planting strip and 8' sidewalks along Lamar Avenue, Clement Avenue, and East 7<sup>th</sup> Street. All outstanding CDOT comments have been addressed.

## Trip Generation

Scenario	Land Use	Intensity	Trip Generation (vehicle trips/day)	Source
Existing Use	Church Retail Office	7,174 SF 7,867 SF 2,050 SF	695	Tax Record
Entitlement with Current Zoning	Retail (CG, 1.63 acres)	16,300 SF	920	General Guidance from Planning
Proposed Zoning	<del>Multifamily (Mid-Rise) Fast Food w/Drive Thru (MUDD-O, 1.63 acres)</del>	<del>213 Dwelling Units 5,600 SF</del>	<del>3,245</del>	<del>Site Plan: 01-30-23</del>
Proposed Zoning	Multifamily (Mid-Rise) Retail (MUDD-O, 1.63 acres)	213 Dwelling Units 5,600 SF	1,440	Site Plan: 08-14-23

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

## Outstanding Issues

**Strikethrough = Resolved**

### 1. ~~Curbline:~~

- a. ~~Lamar Avenue:~~ The future location of curb and gutter is in its existing location.
- b. ~~Clement Avenue:~~ The future location of curb and gutter is in its existing location.
- c. ~~East 7<sup>th</sup> Street:~~ Location of future back of curb and gutter to be moved to 27 feet from roadway centerline to accommodate the Charlotte Streets Map with a roadway typical section of 2+ Avenue, Buffered/separated bike lanes.

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.

### 2. ~~Traffic Study:~~

A Traffic Impact Study is not required for the complete review of this petition due to the site generating less than 2,500 daily trips and/or triggering other City TIS requirements.

### 3. ~~Comprehensive Transportation Review (CTR):~~

The Comprehensive Transportation Review was recently approved by City Council under the new UDO. CDOT has requested the petitioner complete a CTR for the site. The petition's zoning falls within the medium to high intensity development which based on the 1,440 daily trips will trigger Tier 1 (5

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mitigation points) for multimodal assessment and Tier 1 (2 mitigation points) for transportation demand management assessment.

The petitioner shall review and assess the publicly accessible pedestrian network within ¼ mile walking distance of the site to identify multimodal infrastructure to meet the Tier 1 (5 mitigation points) for multimodal assessment. Petitioner shall also provide transportation demand management strategies to meet Tier 1 (2 mitigation points) to reduce vehicle trips and encourage alternative modes of transportation.

**Clarifying Comment 10-26-23:** Multimodal mitigation points satisfied by RRFB commitment (5 mitigation points requested and 6 satisfied). CTR assessment received on 10/16/23 and provided comments on 10/19/23. TDM mitigation points met by assessment but provide committed TDM mitigations within rezoning plan.

- ~~4. **Outstanding Issue From 7-26-23:** Revise site plan and conditional note(s) to commit to dedicate 45' of right of way from the E. 7<sup>th</sup> Street road centerline. The site plan shall label and dimension the right of way from the road centerline.~~

**Clarifying Comment 8-24-23:** Revise site plan to reflect proposed 45 feet of right of way dedication. Site plan shall label and dimension from roadway centerline.

- ~~5. **Outstanding comment 7-26-23:** Revise site plan and conditional note(s) to commit to construct an 8-foot planting strip, and 8-foot sidewalk on Lamar Avenue, E. 7<sup>th</sup> Street and Clement Avenue per Chapter 19 & Chapter 20. The site plan shall label and dimension both items from the back of curb and gutter or edge of pavement.~~

**Clarifying Comment 8-24-23:** Label and dimension sidewalk and planting strip on the site plan.

- ~~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. If abandonment required:~~

~~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."~~

- ~~8. CDOT requests that the petitioner revise site plan and conditional note(s) to commit to upgrading the rapid flashing beacon pedestrian crossing at Clement Ave and E. 7<sup>th</sup> Street.~~

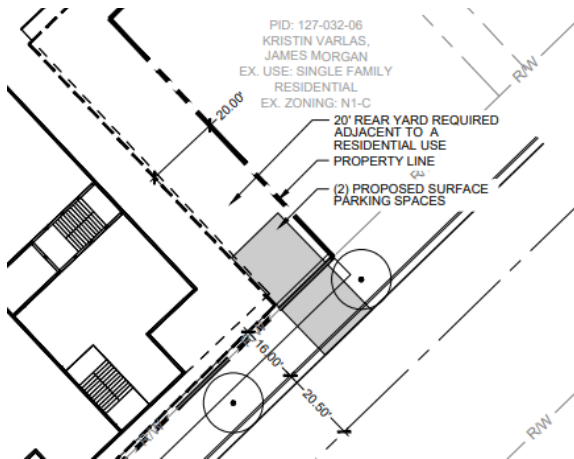
- ~~9. **Outstanding comment 7-26-23:** Provide additional information regarding Optional Provision II and requested maneuvering.~~

**Clarifying Comment 8-24-23:** It is unclear whether proposed parking spaces are encroaching on the required streetscape on Clement and Lamar Ave., provide additional clarification.

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**Clarifying Comment 9-20-23:** Remove the additional parking spaces on Clement and Lamar Ave. Access to parking spaces is not allowed over a streetscape. This access would be considered a driveway and would be required to meet minimum driveway standards including geometric design, spacing, and internal stem requirements.

10. **Outstanding comment 7-26-23:** 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.”

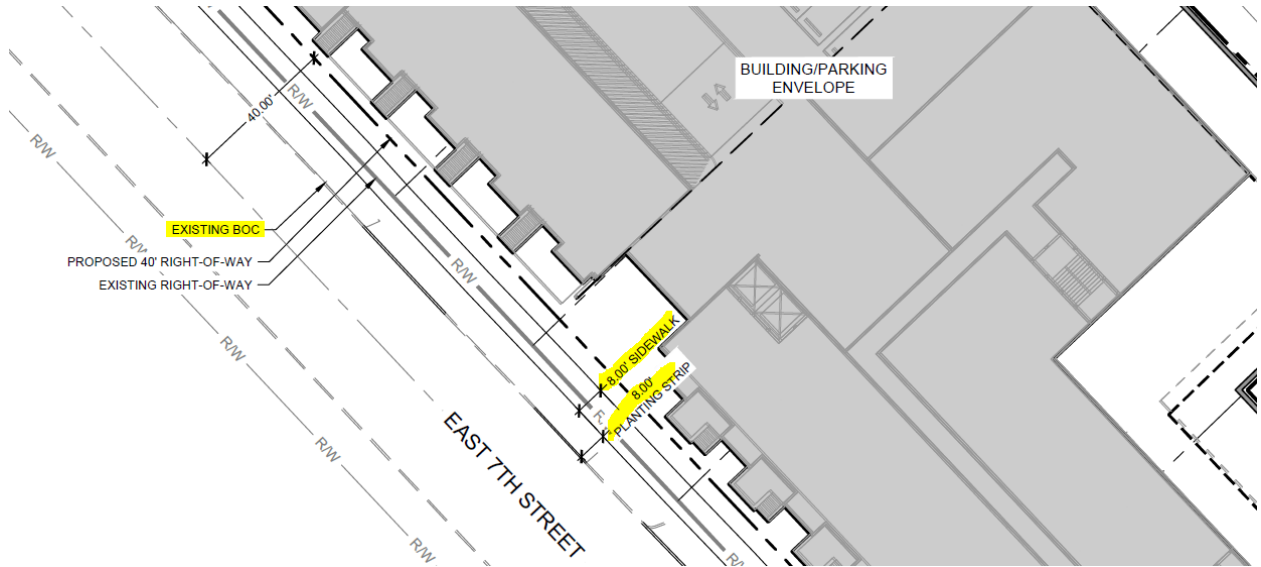
**Clarifying Comment 8-24-23:** Sidewalk must be located within ROW or a sidewalk utility easement, which must extend an additional 2-feet behind sidewalk. Site plan shall label and dimension ROW/SUE. If a sidewalk utility easement is utilized, include a conditional note regarding commitment to placing sidewalk within easement.

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 south Mecklenburg area, by way of a private/public partnership effort or other public sector project support.”
13. **New Comment 10-26-23:** Revise site plan to show future curb line located 27’ from centerline of E. 7<sup>th</sup> Street. Preservation of future curb line allows installation of bicycle facilities in the future to include buffered bicycle lanes. Preservation of space for future buffered bicycle lanes meets Council-adopted Charlotte BIKES policy. Current plan revision removed preservation of space for bicycle facilities and does not accommodate any form of future bicycle facilities.

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14. ~~New Comment 9-20-23:~~ Revise site plan to eliminate encroachment of building and building entrances into the right of way.



15. ~~New Comment 10-26-23:~~ Remove reference to potential angled parking. Angled parking not permitted within the public right of way. Petitioner may work with CDOT during the permitting process to stripe parallel parking if desired.



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## 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>