

Rezoning Transportation Analysis

Petition Number: 2023-038

General Location Identifier: 18722133, 18722134, 18722118, 18734201, 18735106, 18733101

From: Jake Carpenter, PE
Jacob.carpenter@charlottenc.gov
980-221-5675

Reviewer: Isaiah Washington
Isaiah.Washington@charlottenc.gov
980-275-2494

Revision Log:

Date	Description
7-26-23	First Review (IW)
11-27-23	Second Review (DR)

General Review Information

The petition is located adjacent to Providence Road, a State-maintained major arterial, south of Folger Drive, a City-maintained minor collector. The petition is located in a south wedge outside of Route 4.

Active Projects Near the Site:

- Active Rezoning 2023-023 Horizon Old Providence
- Active Rezoning 2023-039 Northwood Raven
- CIP: Sardis Lane Bridge Replacement (further down Sardis Lane, not touching the property lines)
 - Project ID: PM51215036
 - Project Description: This project will replace the bridge on Sardis Lane over the creek, between Carosan Lane and Valleybrook Road.
 - Project Type: Road Construction
 - Project Phase: Complete in 2022

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 adjacent to Providence Road, a State-maintained major arterial, south of Folger Drive, a City-maintained minor collector. A Traffic Impact Study (TIS) is required due to the site exceeding 2,500 trips. The scope for the TIS has been approved on June 8, 2023. The TIS was first submitted on October 23, 2023. Site plan and/or conditional note revisions in addition to adding mitigations resulting from the traffic study. Further details are listed below.

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Trip Generation

Scenario	Land Use	Intensity	Trip Generation (vehicle trips/day)	Source
Existing Use	Tennis and Pickleball Club Single Family Detached Apartments General Office Retail	12 Courts 1 Dwelling Unit 473 Dwelling Units 26,400 SF 48,670 SF	7,135	<i>Tax Record</i>
Entitlement with Current Zoning	Single Family Apartments Retail (R-3, R-12MF, B-1SCD, & R-20MF, 84.16 acres)	29 Dwelling Units 310 Dwelling Units 80,500 SF	5,385	<i>General Guidance from Planning</i>
Proposed Zoning	Multifamily (Mid-Rise) Retail Supermarket Single Family Attached Recreational Community Center General Office (UR-2 & MUDD-O, 84.16 acres)	725 Dwelling Units 80,000 SF 100,000 SF 28,000 SF 30,000 SF	20,060	<i>Site Plan: 01-31-23</i>

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. ~~**Providence Road:** Location of back of curb and gutter to be moved to 33 feet from roadway centerline to accommodate the Charlotte Streets Map with a roadway typical section of 4+ Boulevard, shared use path.~~
 - i. ~~This dimension could change depending on mitigations resulting from the Traffic Study.~~
- b. ~~**Sardis Lane:** Location of back of curb and gutter to be moved to 24 feet from roadway centerline to accommodate the Charlotte Streets Map with a roadway typical section of 2+ Avenue, Bike lanes~~
 - i. ~~This dimension could change depending on mitigations resulting from the Traffic Study~~
- c. ~~**International Drive:** The future location of curb and gutter is in its existing location~~
 - i. ~~This could change depending on mitigations resulting from the Traffic Study.~~

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.

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2. Traffic Study:

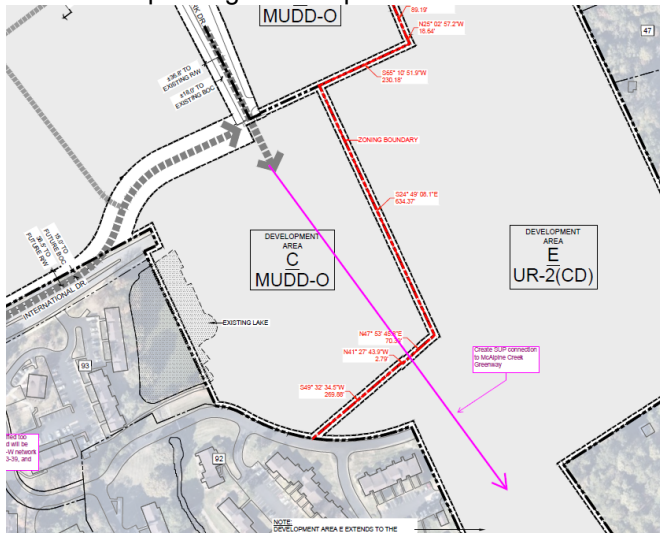
A Traffic Impact Study is required for the complete review of this petition due to the site generating more than 2,500 daily trips and/or triggering other City TIS requirements.

Additionally, this petition is coordinating to study the roadway network in conjunction with other ongoing projects in the immediate area. The overall study may have impacts on the improvements this project may be required to do.

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).

3. Additional comments to be provided by CDOT once traffic study is approved.

- ~~4. Revise site plan and conditional note(s) to commit to dedicate 55' of right-of-way from the Providence Road centerline. The site plan shall label and dimension the right-of-way from the road centerline.
 - ~~a. This dimension could change depending on mitigations resulting from the Traffic Study.~~~~
- ~~5. Revise site plan and conditional note(s) to commit to dedicate 40' of right-of-way from the Sardis Lane centerline. The site plan shall label and dimension the right-of-way from the road centerline.
 - ~~a. This dimension could change depending on mitigations resulting from the Traffic Study.~~~~
- ~~6. Revise site plan and conditional note(s) to commit to construct an 8-foot planting strip, and 12-foot sidewalk on Providence Road per the Council adopted Charlotte Streets map and the Council adopted Charlotte BIKES Policy. Multi-use paths maintained by the City shall meet ADA/PROWAG requirements. The site plan shall label and dimension both items from the back of curb and gutter or edge of pavement.~~
7. CDOT is requesting that the petitioner create a connection to the McAlpine Creek Greenway



- ~~8. 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~~

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~~approved by CDOT prior to construction/installation. Contact CDOT for additional information concerning cost, submittal, and liability insurance coverage requirements."~~

~~9. 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."~~

~~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 South Mecklenburg area, by way of a private/public partnership effort or other public sector project support."~~

13. **New Comment 11-27-23:** Replace "will" with "may" in conditional note b. under Standards, Phasing, and other Provisions.

b. Substantial Completion. Reference to "substantial completion" for certain improvements as set forth in the provisions of this Section 4 shall mean completion of the roadway improvements in accordance with the standards set forth in this Section 4, provided, however, in the event certain non-essential roadway improvements (as reasonably determined by the CDOT and/or NCDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site, then CDOT or NCDOT **will** instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements. In the event that portions of the project are phased, the Petitioner shall only be required to complete as a condition of the first certificate of occupancy for a specified building associated with the applicable phase, the roadway, pedestrian and multi-modal improvements necessary as part of the applicable phase, as set forth in this Rezoning or as otherwise allowed by CDOT, each without the need for a rezoning nor site plan amendment to the Rezoning Plan.

14. **New Comment 11-27-23:** Replace "will" with "may" in conditional note c. under Standards, Phasing, and other Provisions.

c. Right-of-way Availability. IF APPLICABLE BUT ONLY TO THE EXTENT APPLICABLE, it is understood that some of the public roadway improvements referenced in subsection a. above may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts over a minimum of a 60-day period, the Petitioner is unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, then the City Of Charlotte, or other applicable agency, department or governmental body may agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department, or governmental body for the cost of any such acquisition including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in subsection a. above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein and such delay extends beyond the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then the CDOT or NCDOT **will** instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith efforts to complete the applicable roadway improvements; in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable 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 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.

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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>