

Rezoning Transportation Analysis

Petition Number: 2023-041

General Location Identifier: 12501406

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Revision Log:	Date	Description
	7-26-23	First Review (PDM)
	03-20-24	Second Review (KC)

General Review Information

The petition is located at the intersection of Brevard Street, a City-maintained major arterial and Fourth Street, a City-maintained major arterial. The petition is located in an Uptown Center City Activity Center inside of Route 4, within the Brevard Street Urban Design Study.

Active Projects Near the Site:

- Brevard Street Two-Way Conversion
 - Proposed project to convert Brevard Street to two-way traffic from Brooklyn Village to Trade Street.
 - Project Phase: Planning and unfunded

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 Brevard Street, a City-maintained major arterial and Fourth Street, a City-maintained major arterial. A Traffic Impact Study is required for the complete review of this petition. The Traffic Impact Study was approved by CDOT on 09-14-2023. Site plan and/or conditional note revisions are needed to commit to providing multi-use path bike facilities along the public streets per the Charlotte BIKES policy, clarifying and dimensioning the right-of-way and curb lines, and including the CDOT standard rezoning 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
Entitlement with Current Zoning	UMUD, 1.178 acres	-	Too many uses to determine trip generation	General Guidance from Planning
Proposed Zoning	Interim Transit Center (UMUD-O, 1.178 acres)	-	Interim condition and not enough information to determine trip generation	Site Plan: 01-27-23

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. **Brevard Street:** The future location of curb and gutter is in its existing location.~~
- ~~b. **4th Street:** The future location of curb and gutter is in its existing location.~~

~~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.~~

~~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 may be forthcoming once the TIS is approved.~~

- 4. **Outstanding Comment 03-20-24:** Revise site plan and conditional note(s) to commit to dedicate a minimum of 40 feet of right-of-way from the road centerlines of Brevard Street and 4th Street if it does not exist today. The site plan shall label and dimension the right-of-way from the road centerline.

Clarifying Comment 03-20-24: Site plan needs to be updated to show a minimum of 40 feet of right-of-way from the road centerline to meet city ordinance.

- 5. **Outstanding Comment 03-20-24:** Revise site plan and conditional note(s) to commit to construct bicycle facilities by installing a multi-use path on Brevard Street and 4th Street to meet the Council-adopted Charlotte BIKES Policy. Multi-use paths maintained by the City shall meet ADA/PROWAG requirements.

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6. **Outstanding Comment 03-20-24:** Revise site plan and conditional note(s) to commit to provide the streetscape for Uptown Signature Streets on Brevard Street and the streetscape for Uptown Primary Streets on 4th Street.

Table 33-6: Uptown Streetscape Design Elements

	Uptown Street Classifications				
	Uptown Signature Street	Linear Park	Uptown Primary	Uptown Secondary	Tryon Street ¹
Sidewalk/ Shared-Use Path Dimension	12'	12'	10'	8'	12'
Required Amenity Zone Dimension	9.5'	9.5'	8'	8'	9.5'
Amenity Zone Elements	Tree Grates ²	Planter no more than 16' in width	Tree Grates ²	Tree Grates	Tree Grates ²
Pavers	CLDSM ³	CLDSM ³	CLDSM ³	CLDSM ³	Tryon Street Mall Streetscape Guidelines
Pedestrian Lighting ⁴	Required-Open Deluxe Acorn with 60'-80' spacing ⁴	Required-Open Deluxe Acorn with 60'-80' spacing ⁴	Required-Open Deluxe Acorn with 60'-80' spacing ⁴	Required-Open Deluxe Acorn with 60'-80' spacing ⁴	Required to match existing
Curb and Gutter	Granite Curb	Granite Curb	Standard per CLDSM	Standard per CLDSM	Required to match existing

¹ Tryon Street (within Uptown) shall follow existing Tryon Street Mall Streetscape Guidelines for amenity zone elements, pavers, lighting, and curb design but shall otherwise be classified as an Uptown Signature Street.

² Utilities are required in Tree Grates.

³ Concrete paver blocks in herringbone are permitted under encroachment agreement from applicable agency.

⁴ Pedestrian lighting spacing is based on proximity to trees and street lighting, as determined by CDOT. Typically, where trees are spaced 40' apart, provide lighting at 80' spacing, alternating between pedestrian lighting and street lighting. Where trees are spaced 30' apart, provide lighting at 60' spacing with one street light for every two pedestrian lights.

7. **Outstanding Comment 03-20-24:** Revise site plan and conditional notes to provide a 12ft rail trail along the Blue Line and provide a connection to the Rail Trail to the site. Design must accommodate bicycle operations.

Clarifying Comment: Update and revise site plan to accommodate for the rail trail as shown below.



8. **Outstanding Comment 03-20-24:** Update ROW encroachment note to the following: “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.”

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9. **Outstanding Comment 03-20-24:** 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.”
10. **Outstanding Comment 03-20-24:** 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 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>