

# Rezoning Transportation Analysis

Petition Number: 2023-172

General Location Identifier: 03113241

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**Reviewer:**

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## Revision Log:

Date	Description
01-23-24	First Review (IW)

## General Review Information

The petition is located at the intersection of Mount Holly-Huntersville Road, a State-maintained major arterial, and Lawing School Road, a City-maintained minor collector. The petition is located in a Brookshire/I-485 activity Center outside of Route 4, within the I-485 Interchange Analysis Study.

### Active Projects Near the Site:

- There are no known active projects in the area.

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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 Mount Holly-Huntersville Road, a State-maintained major arterial, and Lawing School Road, a City-maintained minor collector. A Comprehensive Transportation Review (CTR) is required for this site due to the site falling within the low intensity development. Based on the 1,601 daily trips, this will trigger a Tier 3 multimodal assessment and Traffic Impact Study (TIS). Site plan and/or conditional note revisions are needed to commit to dedicating right of way, clarifying cross access along Lawing School Road, specifying streetscape on Lawing School Road, and updating conditional notes. Further details are listed below.

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## Trip Generation

Scenario	Land Use	Intensity	Trip Generation			Source
			Daily Trips	AM Peak Hour Trips	PM Peak Hour Trips	
Existing Use	Vacant	-	-	-	-	<i>Tax Record</i>
Entitlement with Current Zoning	Retail (B-1, 0.79 acres)	7,900 SF	563	25	66	<i>General Guidance from Planning</i>
Proposed Zoning	Retail or Coffee Shop w/Drive-Thru (CG, 0.79 acres)	7,250 SF or 3,000 SF	536 or 1,601	23 or 258	62 or 117	<i>Site Plan: 12-11-23</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. **Mt Holly Huntersville Road:** The future location of curb and gutter is 30' from centerline and appears to be in its existing location.

4+ Avenue, Shared Use Path per the Charlotte Streets Map

- b. **Lawing School Road (Spell it out):** The future location of curb and gutter is in its existing location.

CLDSM standard Local Collector Street U-07B

Label and dimension the curb and gutter from the centerline for each road on the site plan.

**2. Comprehensive Transportation Review (CTR):**

A Traffic Impact Study is required for the complete review of this petition due to the site generating site trips over ordinance thresholds found in the Charlotte Streets Manual Table 3.1 and/or triggering other City TIS requirements.

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).

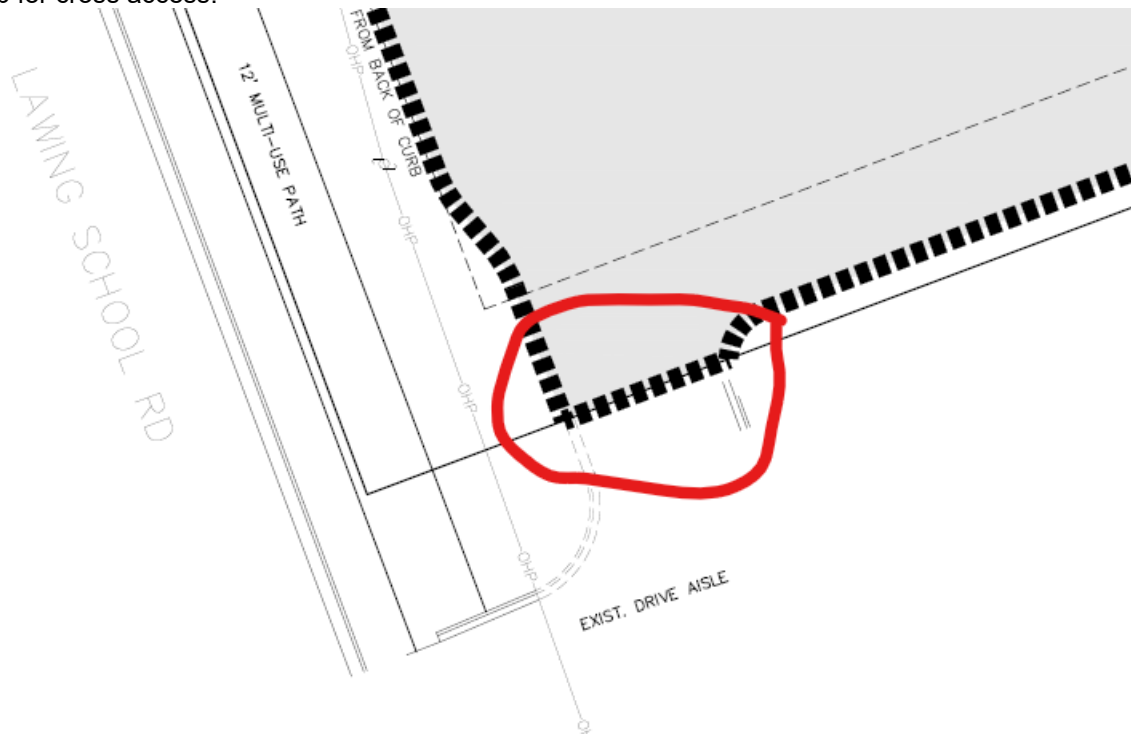
The petition's zoning falls within the low intensity development which based on the 1,601 daily trips will trigger Tier 3 (9 mitigation points) for multimodal assessment. The petitioner shall review and assess the publicly accessible pedestrian network within ¼ mile walking distance of the site to identify multimodal infrastructure to meet the Tier 3 (9 mitigation points) for multimodal assessment.

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3. Revise site plan and conditional note(s) to commit to dedicate 50 feet of right-of-way from the Mt. Holly Huntersville road centerline. The site plan shall label and dimension the right-of-way from the road centerline.
4. Revise site plan and conditional note(s) to commit to dedicate 33.5 feet of right-of-way from the Lawing School road centerline. The site plan shall label and dimension the right-of-way from the road centerline.
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, 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. Revise site plan and conditional note(s) to commit to cross-access at south eastern portion of site along Lawing School Road to align with Article 31 in the UDO. It appears the site may be committing by layout on site plan. CDOT would like to see labeling and/or language stating this will specifically be set up for cross access.



7. Revise site plan and conditional note 5.c. to specify which sidewalk the site is committing to constructing. The site plan shows a 12' MUP but the note references the Local Collector Street, which is actually CLDSM U-07B not a local narrow street. The sidewalk would be required to be 8'. Please update and specify which sidewalk width the site plan will be committing to.

c. LAWING SCHOOL ROAD IS DESIGNATED AS A COLLECTOR STREET. ON COLLECTOR STREETS IN THE CG ZONING DISTRICT, THE FUTURE BACK OF CURB IS MEASURED FROM THE CURB LOCATION OF OFFICE/COMMERCIAL NARROW LOCAL STREET CROSS SECTION IN CLDSM OR EXISTING BACK OF CURB, WHICHEVER IS FARTHEST FROM THE CENTERLINE. A SIX (6) FOOT SIDEWALK IS REQUIRED WITHIN THE EXISTING COMMERCIAL PLACE TYPE PER TABLE 33-4 OF THE ORDINANCE AND AN EIGHT (8) FOOT PLANTING STRIP SHALL BE PROVIDED ALONG LAWING SCHOOL ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN. A TWELVE (12) FOOT SHARED-USE PATH IS ONLY REQUIRED WHEN SHOWN ON THE ADOPTED CHARLOTTE STREETS MAP.

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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 approved by CDOT and 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 north western Mecklenburg area, by way of a private/public partnership effort or other public sector project support.”

## 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 Unified Development Ordinance.
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 to comply with City of Charlotte Unified Development Ordinance regulations.
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>