

# Rezoning Transportation Analysis

Petition Number: 2024-141

General Location Identifier: 04744101, 04743102

**From:** Jake Carpenter, PE

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**Reviewer:**

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## Revision Log:

Date	Description
02-26-25	First Review (TM)
07-22-25	Second Review (TM)
08-13-25	Trip Generation Update (DR)
08-26-25	Third Review (TM)

## General Review Information

The petition is located at the end of Berkeley Place Drive, a City-maintained local street, west of Mallard Creek Church Road, a State-maintained major arterial. The petition is located in a northeast corridor outside of Route 4.

Active Projects Near the Site:

- N/A

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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 end of Berkeley Place Drive, a City-maintained local street, west of Mallard Creek Church Road, a State-maintained major arterial. A Comprehensive Transportation Review (CTR) is required for this site due to the site falling within the low intensity development. Based on the 4,331 daily trips, this will trigger a Traffic Impact Study and Tier 3 multimodal assessment. TIS was approved on 5/16/2025. The petitioner has committed to extend the northbound west turn lane on West Mallard Creek Church Road, perform signal design upgrades to the intersection of West Mallard Creek Church Road and Berkeley Place Drive, reconstruct all accessible curb ramps on all four corners of the intersection of West Mallard Creek Church Road and Berkeley Place Drive and additional streetscape and roadway network improvements internal to the site. All outstanding CDOT issues have been addressed.

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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	-	-	-	-	Tax Record
Entitlement with Current Zoning	<del>Retail</del> Single Family (IC-1, N1-A, CG, 107.31 acres)	13,600 SF 209 DUs	2,792	181	296	General Guidance from Planning
Entitlement with Current Zoning	Single Family (IC-1, N1-A, CG, 107.31 acres)	209 DUs	1,988	146	199	General Guidance from Planning
Proposed Zoning	Single Family Attached (N2-B, 107.31 acres)	575 DUs	4,331	293	341	Site Plan: 12-02-24

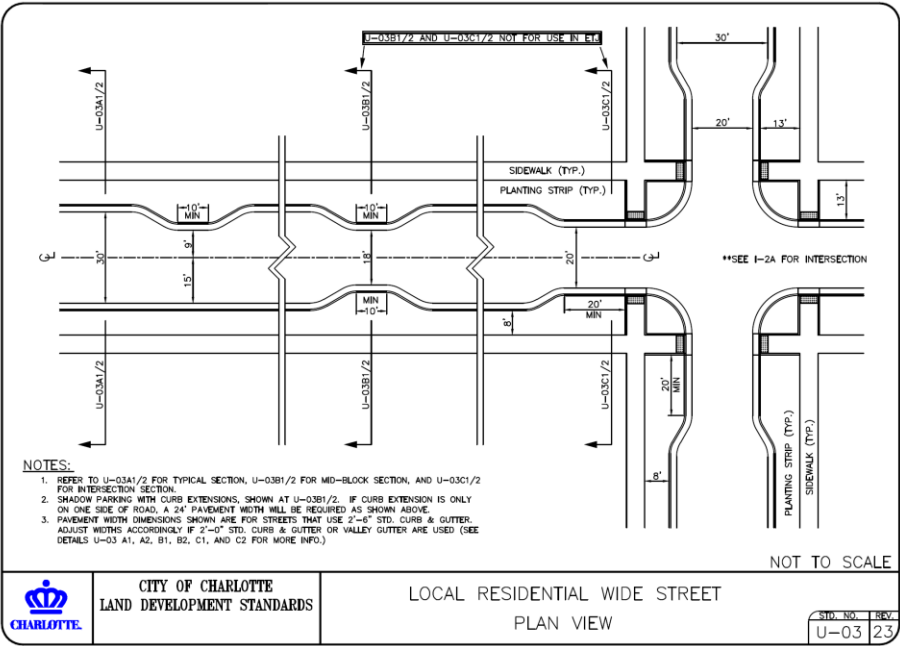
Petitioner to provide responses to the staff comments below as well as specify other changes to the site plan.

## Outstanding Issues

**Strikethrough = Resolved**

### 1. Curblines:

- a. ~~All Internal Roads: Location of future curb and gutter to be constructed per CLDSM U-03 series details.~~



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

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## 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.~~

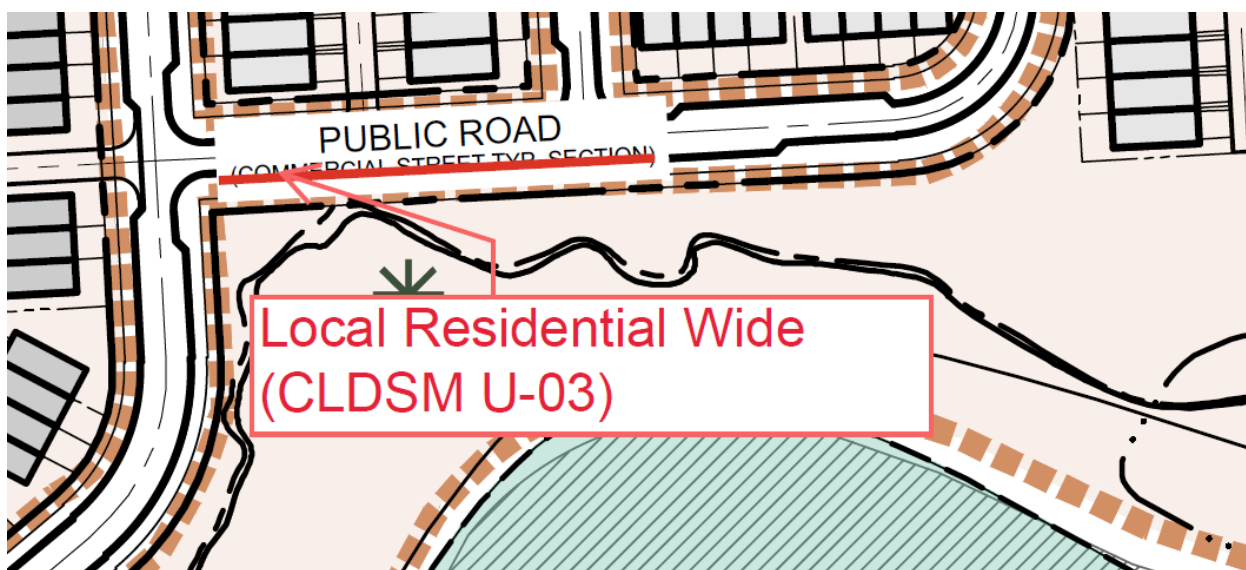
~~Staff will receive the petition and begin review, but the public hearing will not be scheduled until the TIS is approved to allow for the minimum time necessary for CDOT to review the study and reach agreement with the petitioner on the required transportation commitments. Any agreed upon commitments 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 medium to high intensity development which based on the 4,331 daily trips will trigger Tier 3 (14 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 (14 mitigation points) for multimodal assessment.~~

~~Complete CTR summary table and include on the revised plan. CTR table link (use Site Data Table — CTR Summary tab): <https://www.charlottenc.gov/files/sharedassets/city/v/2/growth-and-development/documents/dev-center-fees/resources/udo-site-data-tables-curb-ramps-and-ctr.xlsx>~~

- ~~3. Revise site plan and conditional note(s) to commit to constructing all internal roadways in accordance with CLDSM U-03. The site plan shall label and dimension the right-of-way from the road centerline.~~

**Clarifying Comment 05-21-25:** ~~Revise site plan by changing how the internal roadways are called out. They are currently called out as Commercial Street Typ Section, Revise to say Local Residential Wide.~~

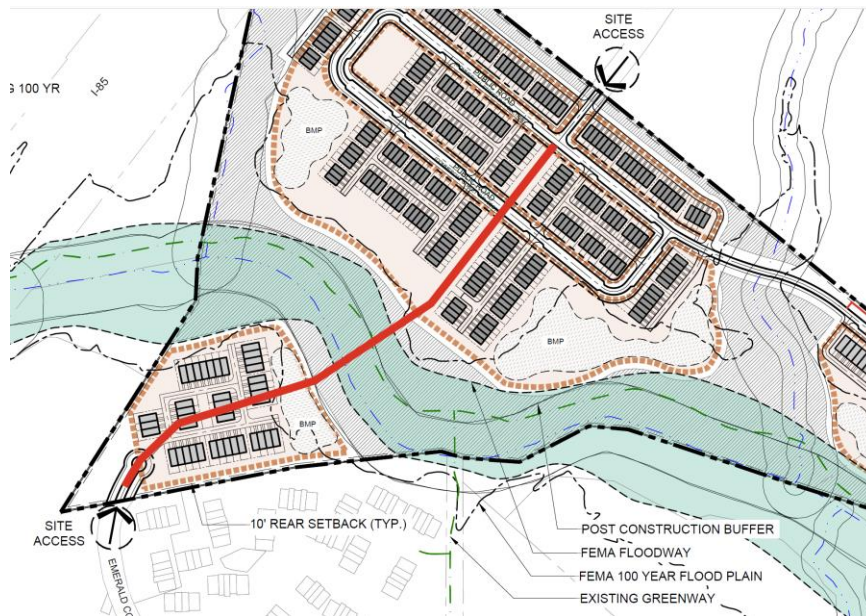


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4. ~~Revise site plan and conditional note(s) to commit to all alleys being privately maintained meeting CLDSM 11.19B and/or CLDSM 11.19C. Coordinate with fire regarding alleyway design.~~
5. ~~Revise site plan and conditional note(s) to commit to dedicate 33.5 feet of right-of-way from the road centerline on all internal streets in accordance with CLDSM U-03. The site plan shall label and dimension the right-of-way from the road centerline.~~
6. ~~Revise site plan and conditional note(s) by committing to constructing an 8-foot planting strip and an 8-foot sidewalk on both sides of all proposed streets. Site plan shall label and dimension sidewalk throughout the site and add conditional notes committing to installing sidewalk per UDO.~~
7. **CDOT REQUEST 02-26-2025: Reach out to CDOT to coordinate a roadway stub and ROW dedication which allows for a future connection to be made via stream crossing. This is an important connection in the overall public roadway network within the University Area.**

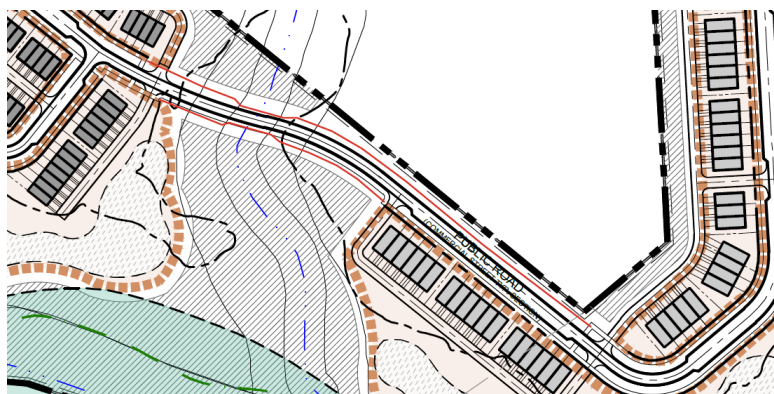


8. ~~Revise site plan and conditional note(s) by committing to construct full public street cross-section throughout the development. Sidewalks may be constructed at back of curb at stream crossing.~~

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- ~~9. 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."~~
- ~~10. 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."~~
- ~~11. 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."~~
- ~~12. 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.~~

- ~~13. 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 eastern Mecklenburg area, by way of a private/public partnership effort or other public sector project support."~~

- ~~14. **New Comment 5.20.25:** Replace comment below with the updated note below it about ROW availability:~~

- ~~P. In the event that the construction and installation of any of the transportation improvements set out above in this Section 3 of the Development Standards requires the acquisition of additional right of way or easements to accommodate the construction and installation of any such transportation improvement, and in the event that the Petitioner cannot obtain such additional right of way or easements from the relevant property owner(s) after having exerted reasonable, good faith efforts to do so, then Petitioner shall not be required to construct and install such transportation improvement. In lieu of constructing and installing such transportation~~

~~c. **Right-of-way Availability.** IF APPLICABLE BUT ONLY TO THE EXTENT APPLICABLE, it is understood that some of the Transportation Improvements 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 (not to exceed fair market value). Furthermore, in the event any of the Transportation Improvements 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, then the CDOT or NCDOT may 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 Transportation Improvement(s); 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.~~

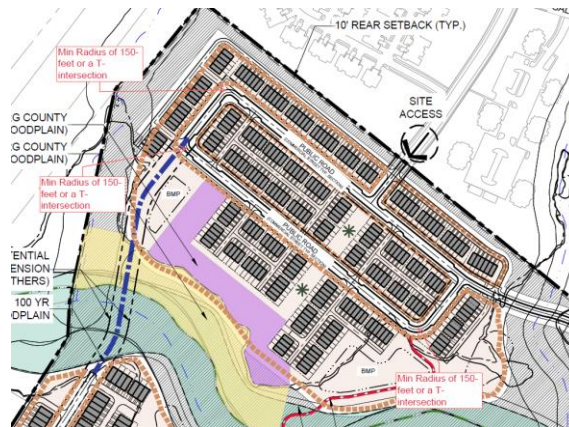


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15. ~~NEW Comment 05-21-25: Revise site plan and conditional note(s) to commit to constructing all internal public roadways to meet CDOT standards with a min horizontal radius of 150 feet along with properly design intersections meeting the intent and design requirements of CDOT. Final design of all roadways to be finalized during the permitting phase.~~



## 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 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.

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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>