

# Rezoning Transportation Analysis

Petition Number: 2023-070

General Location Identifier: 04742104

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**Reviewer:** Travis Miller  
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## Revision Log:

Date	Description
9-28-23	First Review (TM)
03-20-23	Second Review (TM)

## General Review Information

The petition is located adjacent to Mallard Creek Church Road, a State-maintained major arterial, east of Claude Freeman Drive, a City-maintained minor collector. The petition is located in the university research park activity center outside of Route 4, within the University Research Park Area Plan.

## Active Projects Near the Site:

- Mallard Creek Church Road Shared-Use Path (Mallard Creek Road to Claude Freeman Drive)
  - Provide a 12-foot wide shared use path along the south side of West Mallard Creek Church Road from Mallard Creek Road to Claude Freeman Drive. Will also include intersection work at Claude Freeman Drive.
  - Anticipated Completion Year 2023

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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 adjacent to Mallard Creek Church Road, a State-maintained major arterial, east of Claude Freeman Drive, a City-maintained minor collector. A Traffic Impact Study (TIS) is not required for the site due to the development generating site trips under ordinance thresholds and not meeting additional TIS triggers. Site plan and/or conditional note revisions are needed to commit to removing the porkchop within the site access location, providing NCDOT required stem and adding 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	--	0	0	0	Tax Record
Entitlement with Current Zoning	Single Family (N1-A, 0.97 acres)	2 Dwelling Units	20	2	3	General Guidance from Planning
Proposed Zoning	Retail (CG, 0.97 acres)	8,650 SF	595	20	60	Site Plan: 08-04-23

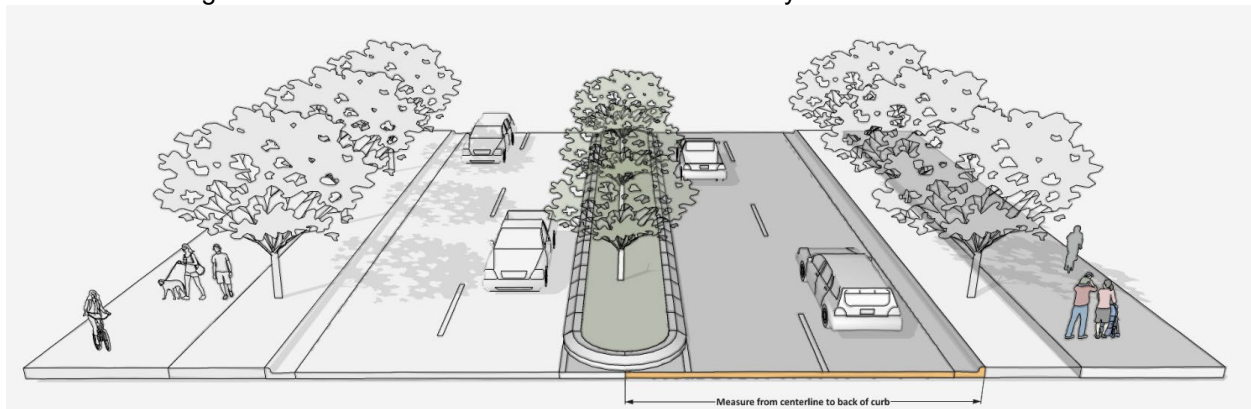
**Petitioner to provide responses to the staff comments below as well as specify other changes to the site plan.**

### Outstanding Issues

**Strikethrough = Resolved**

**1. Curblines:**

**Outstanding CDOT Issue From 09-28-23: Mallard Creek Church Road:** Location of curb and gutter is to be constructed at 33-feet from roadway centerline.



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 (TIS) is not required for the complete review of this petition due to the site generating site trips under ordinance thresholds found in the Charlotte Streets manual Table 3.1 and/or not triggering any other City TIS requirements.~~

**3. Outstanding CDOT Issue From 09-28-23:** Revise site plan and conditional note(s) to commit to dedicate 50-feet of right-of-way from the road centerline. The site plan shall label and dimension the right-of-way from the road centerline.

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4. Revise site plan and conditional note(s) to commit to cross-access to both adjacent parcels to meet minimum UDO requirements regarding parcel access in Chapter 31.2 of the UDO.

**Outstanding CDOT REQUESTS from 09-28-23:** Cross-access is required to both adjacent parcels, to be constructed to the property line. CDOT requests that the petitioner add sidewalk accommodations at both cross-access locations to promote future pedestrian connectivity.

5. **Outstanding CDOT Issue From 09-28-23:** Revise site plan and conditional note(s) to commit to providing a 50-foot driveway stem measured from the edge of pavement along Mallard Creek Church Road in coordination with NCDOT.
6. **Outstanding CDOT Issue From 09-28-23:** Revise site plan and conditional note(s) to commit to removing the raised pork chop median from site plan access on Mallard Creek Church Road. Mallard Creek Church Road is currently a right in right out due to the existing median.



7. **Outstanding CDOT Issue From 09-28-23:** 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.”
8. **Outstanding CDOT Issue From 09-28-23:** 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.”
9. **Outstanding CDOT Issue From 09-28-23:** 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. **Outstanding CDOT Issue From 09-28-23:** 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.”

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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 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>