

Rezoning Transportation Analysis

Petition Number: 2020-145

General Location Identifier: Tax ID: 22313218

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Revision Log:

Date	Description
11-30-20	First Review (LJ)
12-28-20	Second Review (LJ)
01-26-21	Third Review (LJ)
02-08-21	Fourth Review (LJ)

General Review Information

The proposed Novel Ballantyne site connects to three public roads: Johnston Road/Hwy 521 (State-maintained, Class 2 Limited Access Thoroughfare), Marvin Road (State-maintained, minor thoroughfare), and Ballancroft Parkway (City-maintained, local road). The site is located within the South Wedge outside of Route 4. This property was previously rezoned in 2018 (RZP-2018-014).

Active Projects Near the Site:

- NCDOT Lancaster Highway / Johnston Road (US 521), NCDOT TIP #U-6109
 - Road widening project expanding US 521 to six lanes from Ballantyne Commons Pkwy to South Carolina State Line.
 - State Transportation Improvement Program (STIP) with construction scheduled for 2026.
- Charlotte-Mecklenburg Police Department South Division Office
 - A permanent Police Station being constructed north of the Novel Ballantyne project.
 - City of Charlotte constructing the South Division Office which started in 2018 with completion set for 2021.
- Marvin Road Sidewalk
 - Pedestrian and Bike project located on Marvin Road from Johnston Road to Audrey Kell Road. A 12' Shared use path is the recommended bicycle facility.
 - City of Charlotte will construct the project between 2016 and 2021.

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 on Johnston Road/Hwy 521 (State-maintained, Class 2 Limited Access Thoroughfare), Marvin Road (State-maintained, minor thoroughfare), and Ballancroft Parkway (City-maintained, local road). A Traffic Impact Study (TIS) will be required by NCDOT for the complete review of this petition in order to assess the traffic impacts to the existing corridor and evaluate the control access break along the

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State-maintained route. As such, this petition will progress prior to the completion of the TIS, as all other comments are successfully addressed. However, should the outcome of NCDOT review substantially change the site plan for any reason, the petitioner will work with CDOT and other City staff to update the plan accordingly. The current site plan commits to providing public and private streets per Chapter 20 of City Code. The site plan also proposes off-site transportation improvements on the Marvin Road intersections at Johnston Road and at Dixie Hills Drive. Lastly, the site plan commits to an 8-foot planting strip, and 8-foot sidewalk along Public Roads 'A', 'B', and Private Road 'C' in accordance with Chapter 20 and the Charlotte WALKS Policy. Further details are listed below. All outstanding CDOT comments have been successfully addressed.

Trip Generation

Scenario	Land Use	Intensity	Trip Generation (vehicle trips/day)	Source
Existing Use	Vacant	-	-	Tax Record
Entitlement with Current Zoning	Hospital Medical Office	50 Beds 100,000 SF	4,400	RZ-2018-014
Proposed Zoning	Apartments	455 Units	2,480	Site Plan: 07-21-20

Provide comments to the specified comments below.

Outstanding Issues

Strikethrough = Resolved

- ~~1. **Curblines:** The proposed zoning district has a setback measured from back of the existing or proposed future curblines.
 - ~~**Johnston Road/US 521 (NCDOT):** Future location of curb and gutter will be established by the NCDOT TIP #U-6109.~~
 - ~~**Marvin Road (NCDOT):** Future location of curb and gutter needs to be moved to reflect NCDOT standards.~~
 - ~~**Ballancroft Parkway:** Future location of curb and gutter will tie-in and connect with the existing Ballancroft roadway stub with the east side of Public Street 'A'.~~~~

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

2. ~~Traffic Study:~~

~~A Traffic Impact Study (TIS) is necessary for the complete review of this petition as required by NCDOT in order to assess the traffic impacts to the existing corridor and to evaluate the control access break along the State maintained route. Given the trigger for this TIS is tied to a NCDOT controlled access review process, this petition may move forward prior to the completion of this TIS, provided all other comments are successfully addressed.~~

~~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. Revise site plan and conditional note(s) to commit to dedicating 71' right-of-way for the Public Streets 'A' and 'B' per Chapter 20 and CLDSM, U-03A.19. The site plan shall label and dimension the right-of-way from road centerline.~~

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4. ~~The Petitioner shall coordinate with NCDOT to obtain the required right of way width along Marvin Road and Johnston Road. Revise site plan and conditional note(s) to dedicate right of way from each road centerline.~~

~~Revise site plans and conditional notes to commit to constructing an 8-foot planting strip, and 8-foot sidewalk along Public Roads 'A', 'B', and 'C' per Chapter 20, as the proposed dwelling units exceed 12 per acre. The wider sidewalk also meets the Charlotte WALKS Policy. The site plan shall label and dimension both items from the back of curb and gutter to the road centerline.~~

~~Reference (GLDSM standard detail U-03A) for street typical.~~

5. ~~Revise site plan and conditional notes to commit to installing a 12' shared use path to meet the City Charlotte BIKE Policy.~~

6. ~~**Rescinded.** Revise the site plan and conditional note(s) to provide reverse angle parking instead of head-in angle parking on public street 'C'. Dimensions shall be 11' x 19' (tangential to street, perpendicular to street) for a 60-degree bay, with a minimum 12' aisle width. The 11' x 19' dimension shall be scaled accordingly.~~

7. ~~**OUTSTANDING, per III. Transportation, 5., f. (01/26/2021):** Add a site plan note(s) specifying dedication and fee simple conveyance of all rights-of-way to the City before the site's first building certificate of occupancy is issued is needed. CDOT requests rights of way set at 2' behind back of sidewalk where feasible.~~

8. ~~**OUTSTANDING, per III. Transportation, 5., f. (01/26/2021):** Add a site plan note specifying that all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued is needed. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes.~~

9. ~~**NEW COMMENT (01/26/2021):** Petitioner shall remove note, III. Transportation, 5. f.~~

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. The setback for this district is measured from the back of the existing or future curbline as determined by CDOT and Planning during the permitting process.
2. 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.
3. Adequate sight triangles must be reserved at the existing/proposed street entrance(s). Two 35' x 35' 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.
4. 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.
5. All proposed commercial driveway connections to a future public street will require a driveway permit submitted to CDOT for review and approval.
6. Any fence or wall constructed along or adjacent to any sidewalk or street right-of-way requires a certificate issued by CDOT.

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7. 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. The petitioner needs to complete and submit the Right of way Abandonment Petition form to CDOT for review. The decision of this rezoning petition does not correlate with the decision of the possible abandonment, as this decision is issued within the separate Right of Way Abandonment process that is controlled by North Carolina General Statutes.
9. To attain a street and pedestrian lighting recommendation, the petitioner should coordinate with Anthony Mendez, CDOT. Please visit the following link:
<https://charlottenc.gov/Transportation/Programs/Pages/StreetLighting.aspx>