

Rezoning Transportation Analysis
Petition Number: Insert Zoning Petition #2020-194
General Location Identifier: Tax ID 11906424

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Reviewer: Kevin Parker
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Revision Log:

Date	Description
01-21-2021	First Review (KP)
02-12-2021	Second Review (KP)
03-25-2021	Third Review (KP)

General Review Information

The site is located along Toomey Avenue, a City-maintained minor collector, and Tremont Avenue, a City-maintained local street. The petition is in the South Corridor and is inside Route 4. Applicable area plans include the New Bern Transit Station Area Plan.

Active Projects Near the Site:

- N/A

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 along Toomey Avenue, a City-maintained minor collector, and Tremont Avenue, a City-maintained local street. The petitioner has agreed to incorporate vehicular, bicycle, and pedestrian infrastructure that supports the City's Ordinances and BIKES and WALKS Policies, but also complements the surrounding TOD-zoned development. Additionally, the petitioner has agreed to construct a traffic signal at the Remount Road and Toomey Avenue/I-77 Off-Ramp intersection with pedestrian crossings at each quadrant of the intersection. Site plan revisions are needed address the outstanding items including, but not limited to extending the appropriate streetscape(s) and including ADA curb ramps. Further details are listed below.

Trip Generation

Scenario	Land Use	Intensity	Trip Generation (vehicle trips/day)	Source
Existing Use	Warehouse Convenience Market	34,427 SF 2,550 SF	600	Tax Record

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Entitlement with Current Zoning	Single Family (R-5 0.36 acres) Warehouse (I-1 8.44 acres)	1 Dwelling 84,400 SF	190	General Guidance from Planning
Proposed Zoning	Apartments Retail	325 Units 61,000 SF	6,070	Site Plan: 11-10-20

Provide comments to the specified comments below.

Outstanding Issues

Strikethrough = Resolved

1. Curblines:

- a. ~~**Toomey Avenue:** Revise the site plan to relocate the curb and gutter 18 feet from the existing road centerline to back of curb, in line with the City's TOD Commercial Wide Street Section (U-05D).~~
- b. ~~**Tremont Avenue:** Revise the site plan to relocate the curb and gutter 18 feet from the existing road centerline to back of curb, in line with the City's TOD Commercial Wide Street Section (U-05D).~~

~~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 necessary 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).~~

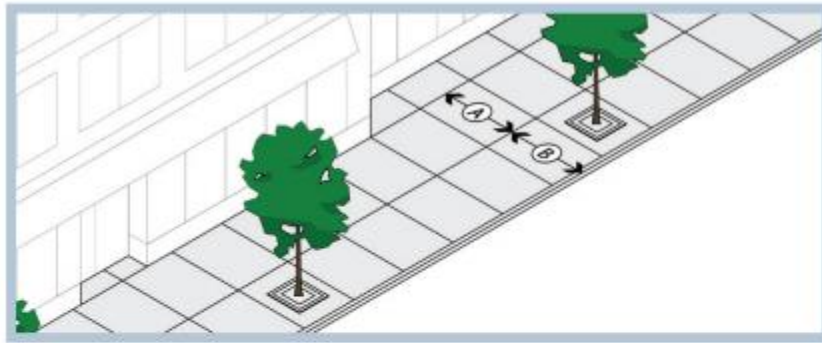
~~**Comment Resolved:** CDOT has agreed to waive the TIS if the petitioner agreed to construct a TOD Streetscape along the site's Toomey Avenue and Tremont Avenue frontage as well as construct a traffic signal at the intersection of Remount Road and Toomey Avenue/I-77 Off Ramp. Petitioner has included both in the site plan.~~

- 3. ~~In accordance with the City's TOD Commercial Wide Street Section (U-05D), revise site plan and conditional note(s) to commit to dedicate 36.5 feet of right-of-way, from the existing roads' centerline, along the site's Toomey Avenue and Tremont Avenue frontages. 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 construct an 8-foot sidewalk, and 8-foot amenity zone, with concrete tree wells, along the site's frontage of Tremont Avenue and Toomey Avenue. Label and dimension both items from the back of curb and gutter and road centerline.~~

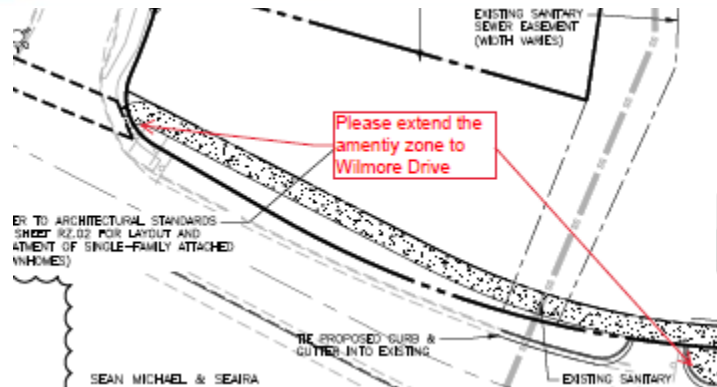
~~**Update to Comment (02-08-2021 Site Plan):** Please extend the amenity zone on Toomey Avenue to Wilmore Drive.~~

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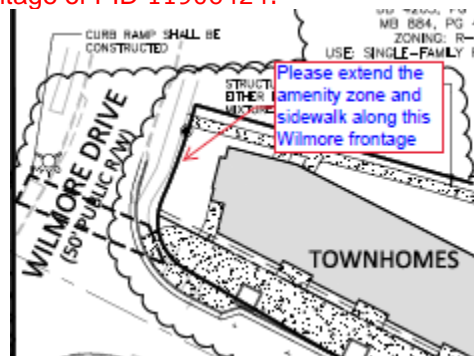


Sidewalk and Amenity Zone Dimensions

		Minimum Dimension*
A	Sidewalk	8'
B	Amenity Zone**	8'*



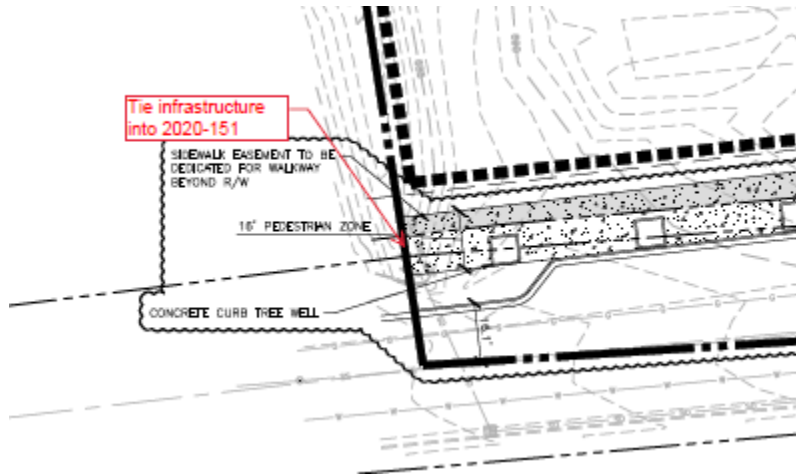
Update to Comment as a Result of the 03/18/2021: Please extend the amenity zone and sidewalk across the Wilmore Street frontage of PID 11906424.



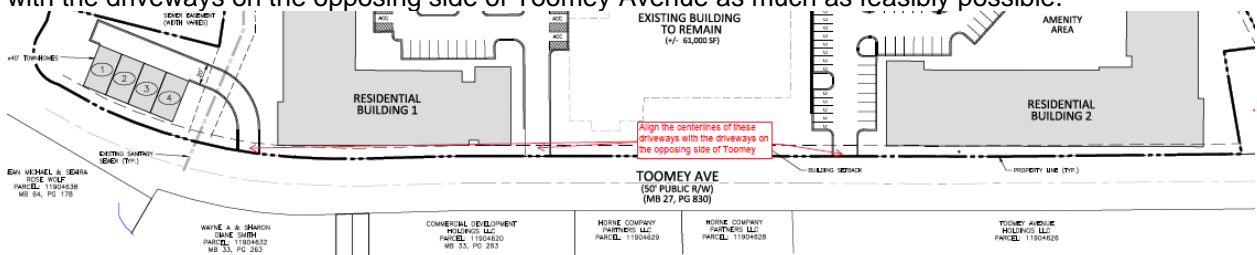
5. ~~Revise the site plan and conditional notes by committing to connecting the curb and gutter, 8-foot planting strip, and 8-foot amenity zone to the curb and gutter, 8-foot amenity zone and 8-foot sidewalk associated with Rezoning Petition 2020-151, which is the adjacent property on Tremont Avenue.~~

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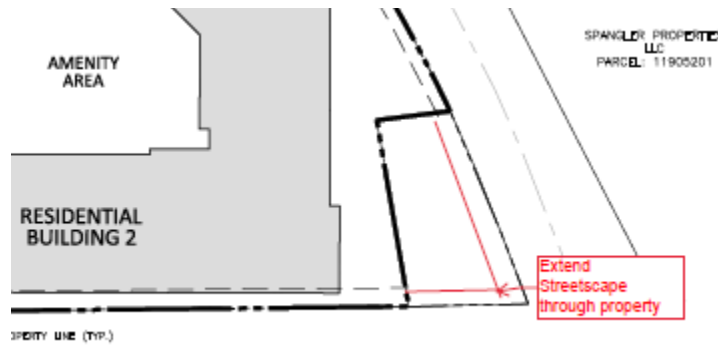
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6. ~~Revise the site plan by including the linework for the driveway cuts on the opposing side of Toomey Avenue. Additionally, the petitioner will align the centerlines of the driveways, associated with this site, with the driveways on the opposing side of Toomey Avenue as much as feasibly possible.~~



7. ~~Revise the site plan and conditional notes by committing to coordinating with the property owner of the parcel at the northeast corner of Tremont Avenue and Toomey Avenue (PID: 11906426), to extend the streetscape (curb and gutter, 8-foot amenity zone, and 8-foot sidewalk) through the property's frontage of Toomey Avenue and Tremont Avenue. Additional driveway cuts and parking accommodations may need to be negotiated with the property owner to accommodate their site's needs.~~



Update to Comment (02-08-2021 Site Plan): Please update conditional note III.E to state: "The Petitioner shall use good faith efforts to coordinate with the adjacent property owner at the northeast corner of Tremont Avenue and Toomey Avenue (Parcel ID 11906426) to extend the streetscape through the property's frontage of Toomey Avenue and Tremont Avenue. Should the petitioner not be able to obtain this easement, documentation will be submitted to the City during final permitting."

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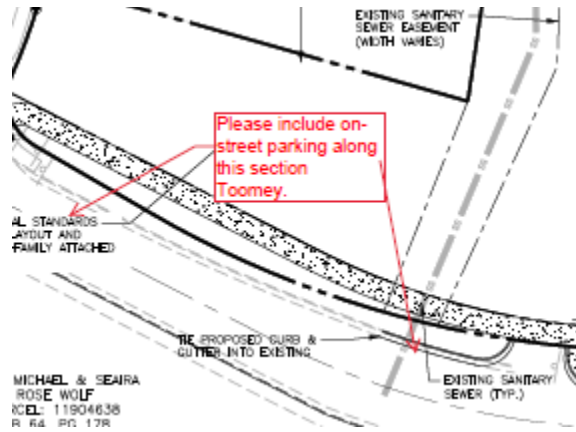
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Should the petitioner not be able to obtain this easement, documentation will be submitted to the City during final permitting.

The Petitioner shall use good faith efforts to coordinate with the adjacent property owner at the northeast corner of Tremont Avenue and Toomey Avenue (parcel 1119-064-26) to extend the streetscape through the property's frontage of Toomey Avenue and Tremont Avenue. ~~However, the Petitioner does not control that property and therefore cannot be required to make the streetscape connection if the adjacent property owner does not permit the streetscape extension along the corner parcel. The issuance of certificates of occupancy for the Site shall not be held up in the event that this improvement cannot be achieved by the Petitioner.~~

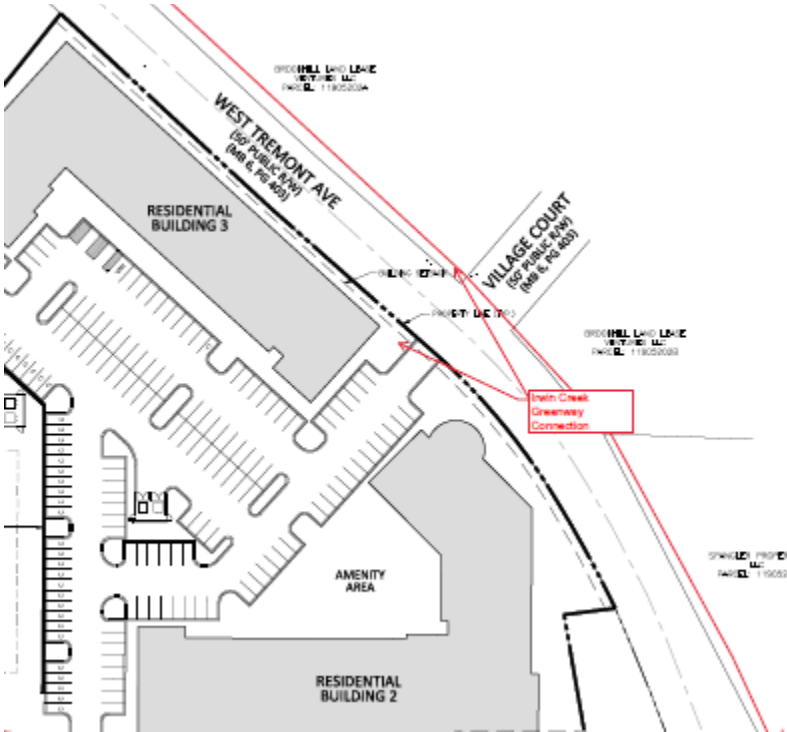
- 8. ~~Revise the site plan and conditional notes by committing to incorporating on-street parking along the site's frontage Toomey Avenue and Tremont Avenue, in accordance with the CLDSM Detail(s) 50.09C and 50.09D (as necessary).~~

~~Update to Comment (02-08-2021 Site Plan): Please extend the on-street parking on Toomey Avenue to Wilmore Drive.~~

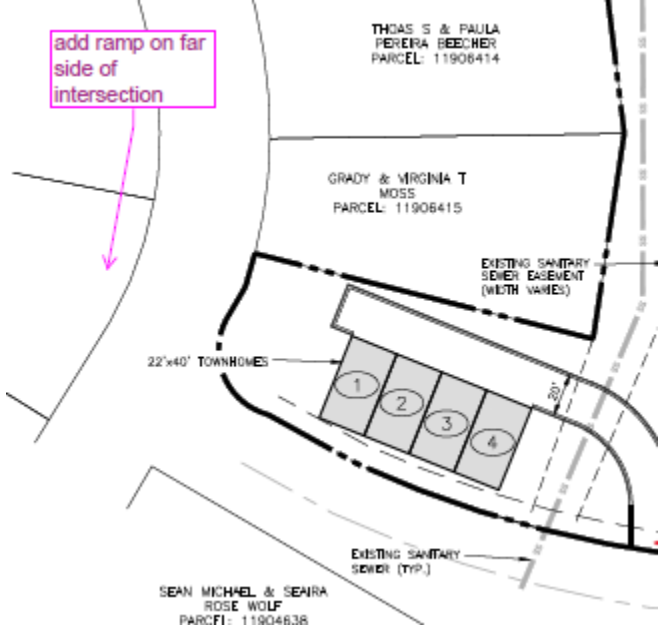


- 9. ~~Revise the site plan and conditional notes by committing to coordinate with Mecklenburg County Parks and Recreation to create a connection to the Irwin Creek Greenway that runs along the south side of Tremont Avenue.~~

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10. Revise site plan and conditional note(s) to commit to construct a CLDSM 10.31A curb ramp at the southeast corner of the Toomey Avenue and Wilmore Drive intersection.



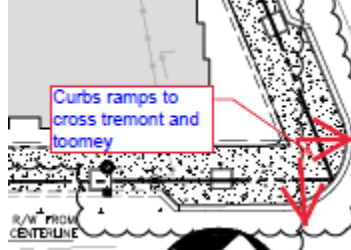
11. A site plan note(s) specifying dedication and fee simple conveyance of all rights-of-way to the City before the site's first building certificate of occupancy is issued is needed. CDOT requests rights-of-way set at 2' behind back of sidewalk where feasible

12. 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

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~~transportation improvements if said improvements and phasing are explicitly described in site plan notes.~~

13. **New Comment as a Result of the 03/16/2021 Site Plan:** Revise the site plan and conditional notes to commit to construct two ADA curb ramps, in accordance with CLDSM, at the corner of Tremont Avenue and Toomey Avenue.



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.
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>