

**Rezoning Transportation Analysis**  
**Petition Number: Insert Zoning Petition #2021-045**  
*General Location Identifier: Tax ID 02918118*

**From: Robyn Byers, Ph.D.**  
Robyn.Byers@charlottenc.gov  
704-336-7404

**Reviewer: Eric Lemieux, PE**  
Eric.Lemieux@charlottenc.gov  
704-336-2683

**Revision Log:**

Date	Description
04-29-21	First Review (EL)
05-27-21	Second Review (EL)
06-30-21	Third Review (KP)

**General Review Information**

The petition is located adjacent to Mallard Creek Road, a State-maintained major thoroughfare, east of Azura Lane, a City-maintained local street. The petition is in the Northeast Corridor outside Route 4. Applicable area plans include the Northeast Area Plan.

**Active Projects Near the Site:**

- Mallard Creek Rd/Derita Rd Widening (I-485 to Concord Mills Blvd)
  - NCDOT STIP# U-6032
  - ROW 2022/ Construction 2025 (Pending FHWA approval)

---

*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 a State-maintained, major thoroughfare road (Mallard Creek Road) within the extraterritorial jurisdiction (ETJ). CDOT encourages the petitioner to continue to coordinate with NCDOT to confirm the interim widening improvements and commitments that will be required for the future NCDOT STIP U-6032 Mallard Creek Road widening project, which will increase the number of lanes from two to seven. The petitioner has committed to dedicate public right-of-way needed for this STIP project along the rezoning site frontage and will either build or contribute toward a shared-use path along Mallard Creek Road. CDOT has no outstanding items with this petition.

# Rezoning Transportation Analysis

Petition Number: Insert Zoning Petition #2021-045  
General Location Identifier: Tax ID 02918118

### Trip Generation

Scenario	Land Use	Intensity	Trip Generation (vehicle trips/day)	Source
Existing Use	Single Family	1 Dwellings	10	Tax Record
Entitled Use	Single Family (R-3 19 acres)	57 Dwellings	620	General Guidance from Planning
Proposed Use	Apartments	288 Units	1,570	Site Plan: 5/18/2021

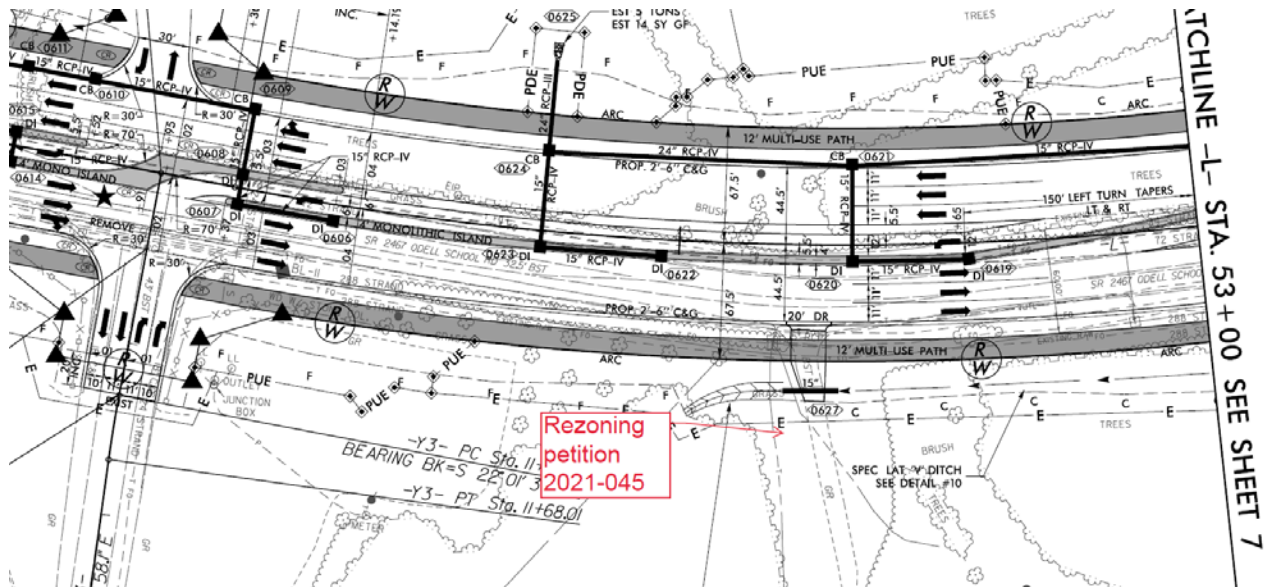
Provide comments to the specified comments below.

### Outstanding Issues

**Strikethrough = Resolved**

#### 1. ~~Curbline:~~

- a. ~~**Mallard Creek Road:** The future location of curb and gutter is shown below, 46 feet to the future back of curb from road centerline, per the 75% design plans for the NCDOT STIP U-6032 Mallard Creek Road widening project. Coordinate with NCDOT to coordinate this rezoning with the STIP project.~~



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 not necessary for the complete review of this petition due to the site generating less than 2,500 daily trips. If during the permitting process the site generates more than 2,500 daily trips, then a traffic study will be required.

# Rezoning Transportation Analysis

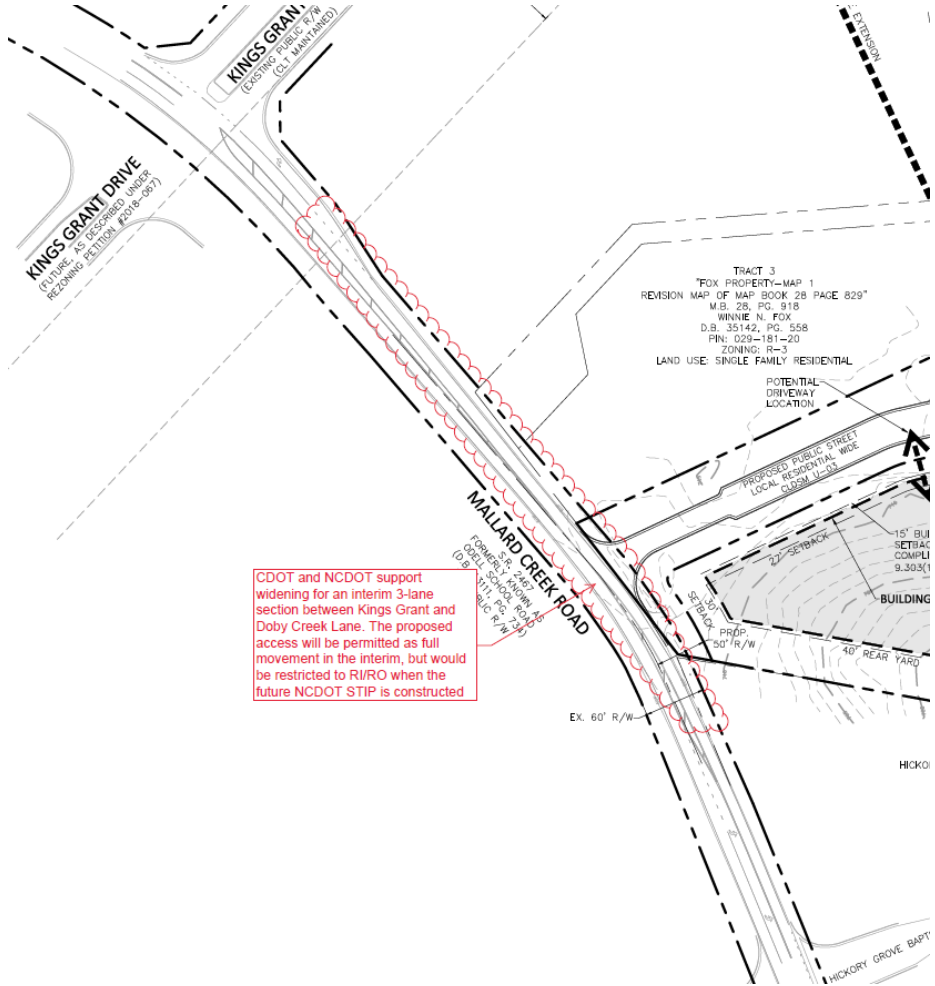
Petition Number: Insert Zoning Petition #2021-045

General Location Identifier: Tax ID 02918118

- 3. ~~Revise site plan and conditional note(s) to commit to dedicate 67.5 feet of public right-of-way plans for the NCDOT STIP U-6032 Mallard Creek Road widening project, measured from the Mallard Creek Road centerline. The site plan shall label and dimension the right-of-way from the road centerline.~~
- 4. ~~Revise the site plan and conditional note(s) to specify that this petition will comply with Chapter 19-173 of the City Code. Coordinate with NCDOT and CDOT to determine if the 8-foot planting strip and 12-foot multi-use path that is proposed within the NCDOT STIP U-6032 Mallard Creek Road widening project will be constructed as part of this land development project, or if the petitioner will commit to a contribution per Chapter 19-173(f)(1,2). The site plan needs to label and dimension both items from the future back-of-curb and gutter and road centerline.~~
- 5. ~~The proposed dwelling units exceeds 12 per acre. Per Chapter 20 Subdivision ordinance, site plan and conditional note(s) revisions are needed to commit to construct an 8-foot planting strip and 8-foot sidewalk along the proposed internal public streets. The wider sidewalk also meets the Charlotte WALKS Council-adopted Policy.~~

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

- 6. ~~Revise the site plan and conditional note(s) to widen Mallard Creek Road to a continuous 3-lane section for an interim full-movement access, to provide a left turn lane into the proposed internal street network. The widening limits are specified below. Specify that these road improvements will be designed in accordance with NCDOT standards.~~



**Rezoning Transportation Analysis**  
**Petition Number: Insert Zoning Petition #2021-045**  
*General Location Identifier: Tax ID 02918118*

~~7. Update to comment (site plan dated 2021-05-17):~~ Revise the conditional note below to specify that all right-of-way will be dedicated prior to the first building CO. 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.

installation and maintenance of a bench or shelter on the waiting pad.

E. Prior to the issuance of a certificate of occupancy for the ~~sixth new building~~ **first** constructed on the Site, Petitioner shall dedicate and convey to the City of Charlotte or to NCDOT as applicable (subject to a reservation for any necessary utility easements) those portions of the Site located immediately adjacent to Mallard Creek Road that are depicted on the Rezoning Plan as required to provide right of way measuring 67.5 feet from the centerline of Mallard Creek Road as shown on the plans for NCDOT STIP U-6032, to the extent that such right of way does not already exist.

~~8. Update to comment (site plan dated 2021-05-17):~~ Revise all required improvements to be constructed prior to first CO, unless a phasing plan is provided to CDOT for review and approval. 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.

H. All transportation improvements required to be constructed by Petitioner under this Section 3 of the Development Standards will be approved and constructed or bonded prior to the issuance of a certificate of occupancy for the ~~sixth new building~~ **first** constructed on the Site.

~~9. New comment (site plan dated 2021-05-17):~~ Replace all conditional note references regarding a permanent sidewalk easement to a sidewalk utility easement.

I. Petitioner will dedicate to the City of Charlotte or to NCDOT as applicable via fee simple conveyance any additional right-of-way indicated on the Rezoning Plan as right-of-way to be dedicated, and the additional right-of-way will be dedicated prior to the issuance of a certificate of occupancy for the first new building constructed on the Site. The Petitioner will provide a permanent sidewalk easement for any of the proposed sidewalks located along the public streets located outside of the right-of-way. The permanent sidewalk easement will be located a ~~minimum of two (2) feet~~ behind the sidewalk where feasible.

**4. ARCHITECTURAL STANDARDS**

**sidewalk utility easement**

**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's Driveway Regulations.
2. 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.
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

**Rezoning Transportation Analysis**  
**Petition Number: Insert Zoning Petition #2021-045**  
*General Location Identifier: Tax ID 02918118*

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.

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. 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.
7. 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.
8. 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>