

Rezoning Transportation Analysis

Petition Number: 2021-079

General Location Identifier: 15705136

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Revision Log:

Date	Description
08-02-2021	First Review (WB)
08-23-2021	Second Review (WB)
09-17-2021	Third Review (KP)
10-18-2021	Fourth Review (PDM)
12-20-2021	Fifth Review (WB)
01-25-2021	Sixth Review (WB)

General Review Information

The site is located adjacent to North Wendover Road, a State-maintained major thoroughfare, and Beal Street, a city-maintained major collector. The site is in the Southeast Corridor outside Route 4. Applicable area plans include the Independence Boulevard 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 on North Wendover Road (State-maintained major thoroughfare), between Beal Street (City-maintained major collector) and Latrobe Drive (City-maintained minor collector). The site commits to installing a 12' multi-use path with a 9-foot planting strip along Wendover Road in accordance with the Charlotte BIKES Plan. A Traffic Impact Study (TIS) is required and was submitted on December 8th for review. NCDOT and CDOT have submitted comments and await revisions to the study. Traffic mitigation comments may be forthcoming once the TIS is approved by CDOT and NCDOT. Further details are listed below.

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Trip Generation

Scenario	Land Use	Intensity	Trip Generation (vehicle trips/day)	Source
Existing Use	Retail	80,222 SF	5,350	Tax Record
Entitled Use	Retail	77,550 SF	5,060	RZ 1990-056
Proposed Use	Retail	142,667 SF	11,190	Site Plan: 1/14/2022
	Drive-thru Restaurant	3,500 SF		
	Drive-thru Restaurant	4,000 SF		

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.~~

~~a. **North Wendover Road:** The future location of curb and gutter is in its existing location.~~

~~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).

3. ~~Revise site plan and conditional note(s) to commit to dedicate 50' right of way from the road centerline. The site plan shall label and dimension the right of way from the road centerline.~~

4. ~~**Outstanding Comment from 08-02-2021:** Site plan and conditional note(s) revisions are needed to commit to installing a 12' multi-use path with an 8' planting strip along the site's frontage of Wendover Road to meet the Charlotte BIKES Policy.~~

5. ~~Revise site plan to adequately depict the existing Pedestrian Hybrid Beacon (PHB) to remain on Wendover Road.~~

6. ~~Revise site plan and conditional note(s) to commit to provide convenient pedestrian access from the PHB into the site without crossing the drive thru.~~

7. ~~Add a site plan note 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.~~

8. ~~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. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes.~~

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- ~~9. Add conditional note "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 south-eastern Mecklenburg area, by way of a private/public partnership effort or other public sector project support."~~

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>