

Rezoning Transportation Analysis

Petition Number: 2021-119

General Location Identifier: 05906114

From: Brandon Brezeale, PE

Brandon.Brezeale@charlottenc.gov

704-432-5561

Reviewer:

Kevin Parker

Kevin.Parker@charlottenc.gov

704-432-6511

Revision Log:

Date	Description
09-23-2021	First Review (KP)
11-22-2021	Second Review (KP)
12-20-2021	Third Review (KP)
03-21-2022	Fourth Review (KP)

General Review Information

The petition is located adjacent to Freedom Drive, a State-maintained major thoroughfare and Pinebrook Circle, a City-maintained local street. The petition is located in the Northwest Wedge outside Route 4. Applicable area plans include the Westside Strategy Plan Study Area.

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

This site is located adjacent to Freedom Drive, a State-maintained major thoroughfare and Pinebrook Circle, a City-maintained local street. There is an existing Traffic Impact Study (TIS) for the area that was updated in 2020. The proposed Site Plan Amendment will lower the vehicular trips from the land use that was approved with the previous Traffic Study; therefore, CDOT and NCDOT did not request an update to the Traffic Study. The petitioner has committed to improve the transportation network by providing additional connectivity to the surrounding local residential streets and committing to coordinate with NCDOT to construct a left-turn lane on Freedom Drive. Additionally, in accordance with City Ordinances and the Charlotte WALKS Policy, the petitioner has committed to provide an internal pedestrian network that will connect to the adjacent, approved, Freedom Flats Multifamily Development, and connect to the existing pedestrian network on Toddville Road.

CDOT has no outstanding issues.

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Trip Generation

Scenario	Land Use	Intensity	Trip Generation (vehicle trips/day)	Source
Existing Use	Vacant	None		Tax Record
Entitled Use	Townhomes/Flats Single Family Retail Senior housing MF Single Family (R-3 6.5 acres)	374 Units 77 Dwellings 24,000 SF 20 Units 19 Dwellings	5,420	RZ 2008-017, RZ 2011-007, and General guidance from planning
Proposed Use	Townhomes	165 Units	1,210	Site Plan: 4/22/2021
Proposed Use	Townhomes	160 Units	1,170	Site Plan: 11/16/2021
Proposed Use	Townhomes	146 Units	1,065	Site Plan: 3/8/2022

Provide comments to the specified comments below.

Outstanding Issues

Strikethrough = Resolved

1. ~~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.~~

2. ~~Revise site plan and conditional note(s) by classifying each proposed public street in accordance with the USDG Street Cross Sections depicted in the Charlotte Land Development Standards Manual.~~

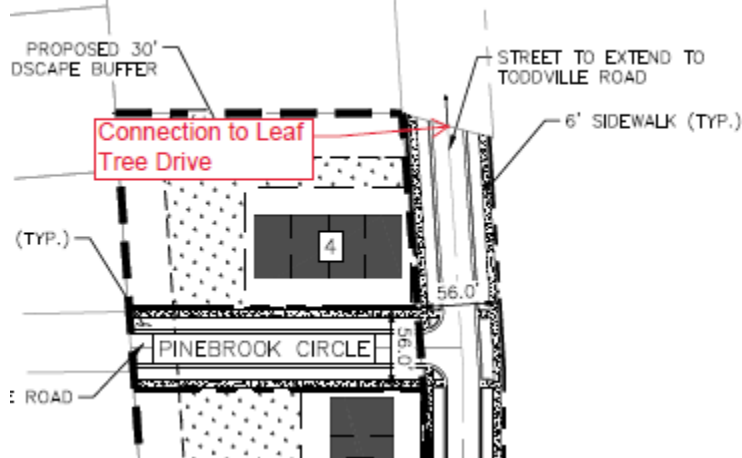
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- ~~3. Revise site plan and conditional note(s) by committing to connecting proposed Public Street B to existing Leaf Tree Drive. This connection will be subject to CDOT approval during permitting.~~

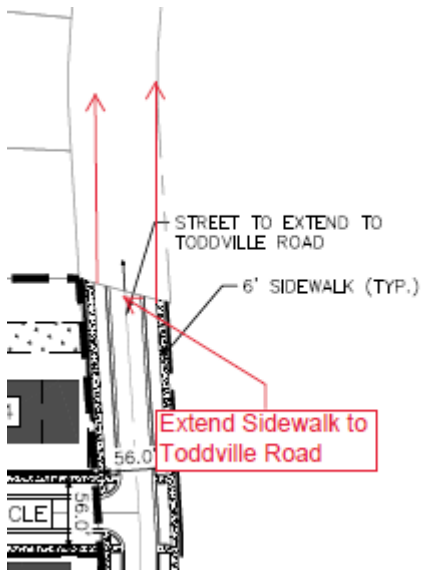


- ~~4. Revise site plan and conditional note(s) by committing to extend the sidewalk along proposed Public Street B, and existing Leaf Tree Drive, and connect to the existing sidewalk at the intersection of Toddville Road and Leaf Tree Drive. Additionally, the appropriate PROWAG and ADA curb ramps will be constructed at the intersection of Toddville Road and Leaf Tree Drive.~~

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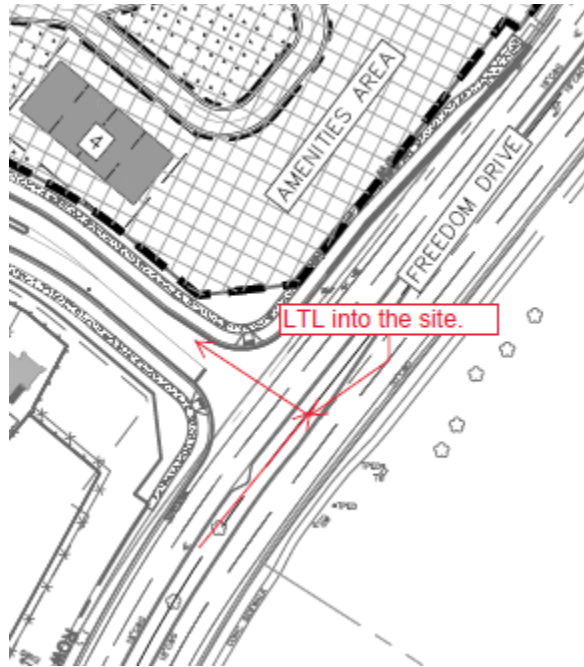


- ~~5. Revise site plan and conditional note(s) by committing to coordinating with NCDOT, during permitting, to construct a westbound left turn lane, with 100 feet of storage and appropriate bay taper length, on Freedom Drive to turn onto Woodford Lane. The appropriate storage and bay taper lengths will be subject to NCDOT approval.~~

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Update to Comment as a Result of the 11-15-2021 Site Plan: Revise Site Plan Note 2 to: "Developer will coordinate with NCDOT, during permitting, to construct a left turn lane on northbound Freedom Drive to turn onto Woodford Lane. The left turn lane will be subject to NCDOT standards and approval!"

SELECTE 10366
S.30652, PG.244
PR.0258-023-01

PHONE 301-4414
U.S. AT. PC.483
STREET 8
EDNA PHILLIPS
D.S.33355, PG.348
PR.0258-023-03

LOT 55
MILBERRY POND
PHONE 301-4414
U.S. AT. PG. 486
DAND & LARRY
MAYN
U.S. 33355, PG. 348

LOT 55
MILBERRY POND

CONWAY (PG) STATE

SITE PLAN KEYNOTES

- 1) STREET & SIDEWALK TO EXTEND TO TODDVILLE ROAD/LEAF TREE DRIVE CONNECTION WITH APPROPRIATE PROWAG AND ADA CURB RAMPS AT THE TODDVILLE ROAD/LEAF TREE DRIVE INTERSECTION.
- 2) DEVELOPER TO COORDINATE WITH NCDOT, DURING PERMITTING, ~~REGARDING A POSSIBLE WESTBOUND LEFT-TURN LANE FROM NORTHBOUND FREEDOM DRIVE.~~
- 3) ARCHITECTURAL TREATMENTS AND/OR WINDOWS TO BE PROVIDED TO AVOID BLANK WALL EXPANSES GREATER THAN 20'.
- 4) ANY REQUIRED ROADWAY IMPROVEMENTS WILL BE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE FIRST BUILDING ON THE SITE SUBJECT TO THE PETITIONER ABILITY TO POST A BOND FOR ANY IMPROVEMENTS NOT IN PLACE AT THE OF THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY. THE PETITIONER WILL ALSO WORK WITH NCDOT AND CDOT TO DETERMINE THE TIMING OF THE COMPLETION OF THE LEFT TURN LANE AND THE ISSUANCE OF CERTIFICATES OF OCCUPANCY AS DESCRIBED ABOVE. NCDOT AND CDOT MAY ALLOW CERTIFICATES OF OCCUPANCY TO BE ISSUED PRIOR TO THE COMPLETION OF THE LEFT TURN LANE.

"to construct a left-turn lane on NB Freedom Drive to turn onto Woodford Lane. This turn-lane will be subject to NCDOT Approval."

6. ~~Revise the site plan by changing proposed Public Street A and Public Street C to private streets. Additionally, please label and dimension the back-of-curb locations and the planting strip(s) and sidewalk(s).~~

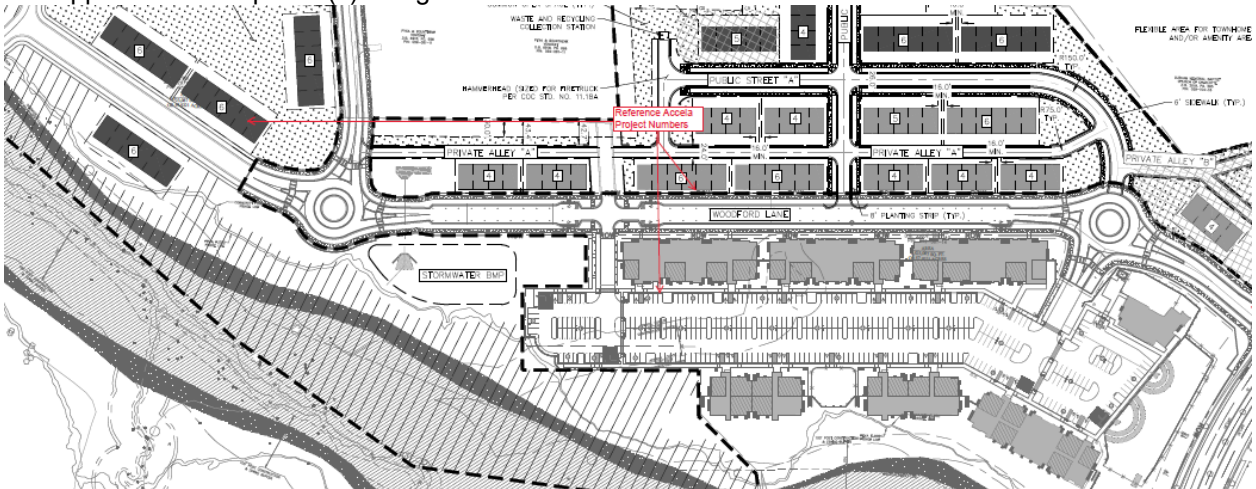
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- ~~7. Revise the site plan by including the Accela Project Numbers associated with each previously permitted and approved development(s) along Woodford Lane.~~



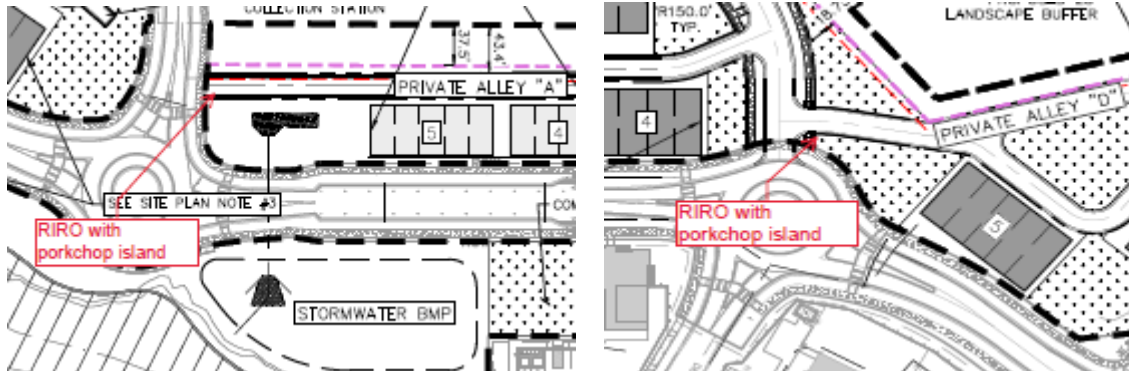
- ~~8. A site plan note(s) specifying dedication and fee simple conveyance of all rights-of-way to the City before the site's first building certificate of occupancy is issued. CDOT requests rights-of-way set at 2' behind back-of-sidewalk where feasible.~~
- ~~9. Revise the conditional notes by incorporating the following 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 north central Mecklenburg area, by way of a private/public partnership effort or other public sector project support."~~
- ~~10. **New Comment as a result of the 11-15-2021 Site Plan:** Revise the site plan and conditional notes to commit to provide right in right out ingress and egress at the intersections of Private Alley D and Public Street A and Private Alley A and the approved public street associated with the Freedom Flats Multifamily Development (LDGP-2020-00201). A porkchop island shall be utilized on Private Alley D~~

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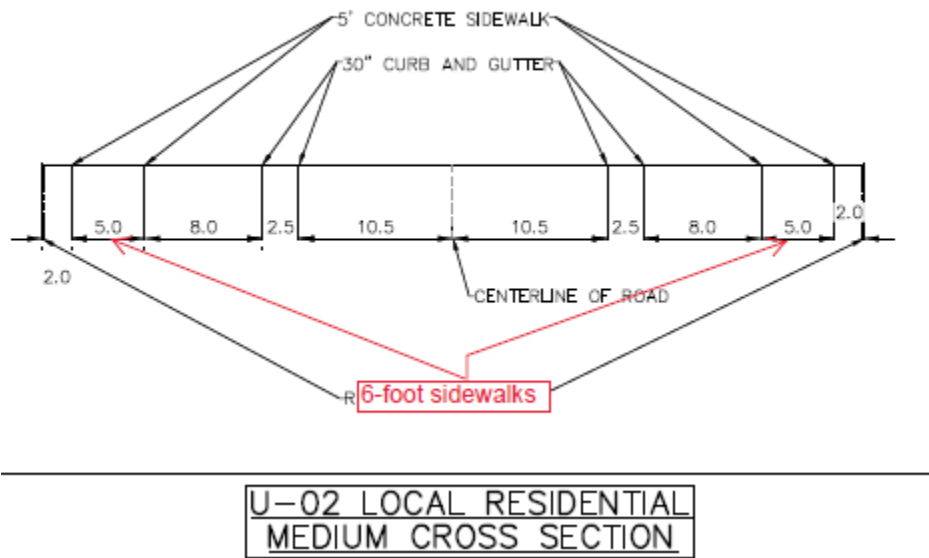
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and Private Alley A, with appropriate ADA pedestrian accommodations, to direct the right in right out movements.



11. **New Comment as a result of the 11-15-2021 Site Plan:** Revise the site plan by modifying the U-02 cross section, shown on sheet RZ-1, to incorporate 6-foot sidewalks as labeled and dimensioned on the site plan.



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 curblines 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

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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>