

# Rezoning Transportation Analysis

Petition Number: 2021-168

General Location Identifier: 07108107

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## Revision Log:

Date	Description
11-19-2021	First Review (KP)
12-20-2021	Second Review (KP)

## General Review Information

The petition is located adjacent to Berryhill Road, a City-maintained major collector, and State Street, a City-maintained minor collector. Additionally, the petition is located in the West Corridor inside Route 4. Lastly, this site is located within the limits of the Westside Strategy Plan Study Area and the Center City 2020 Vision Plan.

## Active Projects Near the Site:

- Stewart Creek Greenway Extension (Mecklenburg County project)
- State St. pedestrian crossing (City project; schedule coordinated with greenway extension)

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*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.*

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Based on our review of the petition, we offer the following information for your consideration.

## Transportation Summary

The petition is located adjacent to Berryhill Road, a City-maintained major collector, and State Street, a City-maintained minor collector. A Transportation Technical Memo (TTM) is required for this site, and CDOT is coordinating with the petitioner to submit the scope. Additionally, in accordance with the City's Ordinances and Charlotte WALKS Policy, the petitioner has committed to improving the pedestrian infrastructure along the site's frontage of Berryhill Road and State Street.

Site plan revisions are needed to meet ordinance requirements and the outstanding items including, but not limited to completion of the TTM, and labeling and dimensioning the curb lines. Further details are listed below.

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## Trip Generation

Scenario	Land Use	Intensity	Trip Generation (vehicle trips/day)	Source
Existing Use	Warehouse	66,100 SF	150	Tax Record
Entitled Use	Warehouse (I-2 3.8331 acres)	57,496 SF	140	General guidance from planning
Proposed Use	Retail	76,176 SF	5,000	Site Plan: 7/01/2021

## Outstanding Issues

**Strikethrough = Resolved**

1. **Curb line:** The proposed zoning district has a setback measured from back of the existing or proposed future curb line.
  - a. **Berryhill Road:** In accordance with CLDSM U-07 (Local Collector Street), the future location of back-of-curb and gutter will be 17.5-feet from the existing centerline, however, due to site constraints, the curb and gutter may remain in its existing location.
  - b. **State Street:** In accordance with CLDSM U-07 (Local Collector Street), the future location of back-of-curb and gutter will be 17.5-feet from the existing centerline, however, due to site constraints, the curb and gutter may remain in its existing location.

**Outstanding Comment from 11-19-2021:** Label and dimension the existing and future back-of-curb and gutter from the existing centerline of each road.

### 2. Traffic Study:

A Transportation Technical Memo 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.

### 3. ~~Right-of-way:~~

- a. ~~**Berryhill Road:** Revise the site plan and conditional notes to commit to dedicated 36-foot of right-of-way from the existing road centerline, in accordance with CLDSM U-07 (Local Collector Street).~~
- b. ~~**State Street:** Revise the site plan and conditional notes to commit to dedicated 36-foot of right-of-way from the existing road centerline, in accordance with CLDSM U-07 (Local Collector Street).~~

~~The site plan shall label and dimension the dedicated right-of-way from the existing centerline of each road.~~

~~**Comment Resolved as a result of 12-08-2021 Coordination Call with Petitioner:** 25.5-foot of right-of-way dedication to be provided.~~

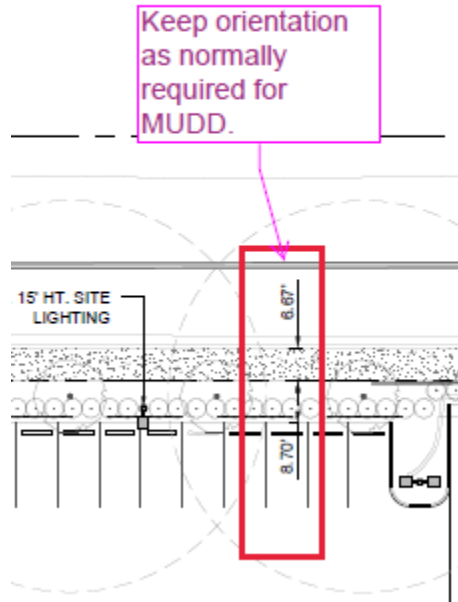
4. ~~Revise site plan and conditional note(s) to commit to construct an 8-foot planting strip, and 6-foot sidewalk along the site's frontage of Berryhill Road and State Street. The planting strip and sidewalk shall be oriented where the planting strip is located in between the sidewalk and back-of-curb. The site plan shall label and dimension both items from the back of curb and gutter.~~

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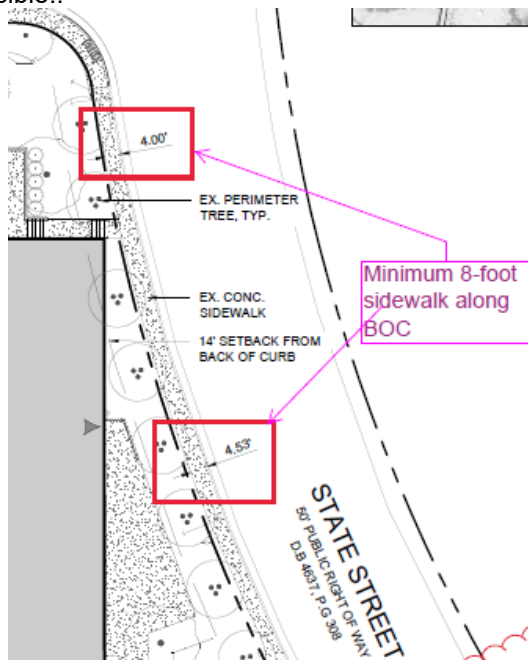
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~~Comment Resolved as a result of 12-08-2021 Coordination Call with Petitioner~~ Streetscape was previously approved due to site constraints.



5. ~~Revise site plan and conditional note(s) to commit to construct a minimum 8-foot sidewalk along the site's frontage of State Street and Berryhill Road where the sidewalk is located at the back of curb. Additionally, the sidewalk width will be maximized where the existing building(s) or other site constraints inhibit an 8-foot sidewalk. These location(s) and sidewalk width(s) will be subject to approval by CDOT during permitting. Lastly, remove conditional note 2.b~~

~~Comment Resolved as a result of 12-08-2021 Coordination Call with Petitioner:~~ Sidewalk will be maximized as much as possible.



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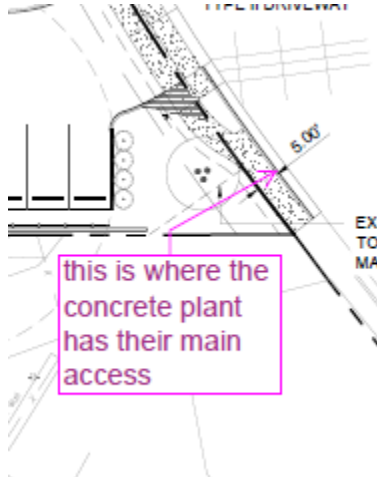
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## 2. OPTIONAL PROVISIONS:

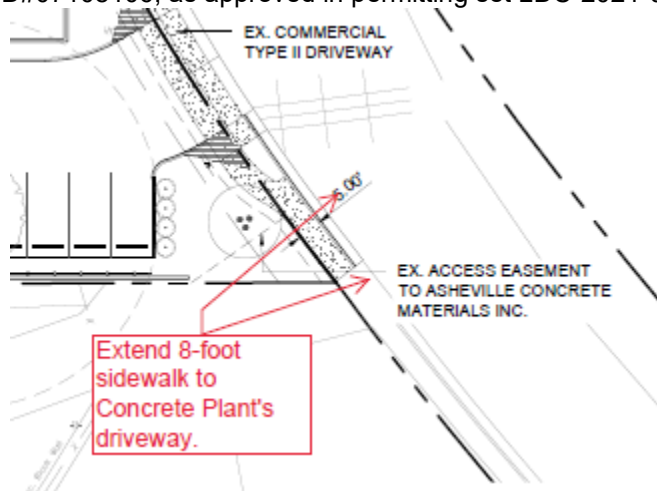
The following optional provisions shall apply to the Site:

- a. To allow parking and maneuvering areas between the buildings and the Berryhill Road setback.
- b. To allow a modified sidewalk and planting strip width and configuration due to existing site conditions, as generally depicted on the Rezoning Plan.

6. ~~Revise the site plan and conditional notes by showing the driveway location associated with Asheville Concrete Materials, PID#07108106, as approved in permitting set LDC-2021-00081. This driveway shall not be affected by any improvements associated with this site.~~



7. ~~Revise the site plan and conditional notes by committing to connect the 8-foot sidewalk, located at the back-of-curb along the site's frontage of State Street, into the driveway associated with Asheville Concrete Materials, PID#07108106, as approved in permitting set LDC-2021-00081.~~

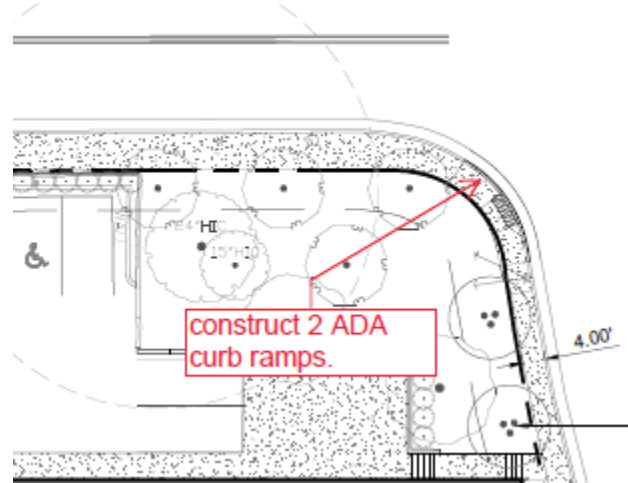


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8. ~~Revise the site plan and conditional notes by committing to construct two ADA curb ramps at the corner of Berryhill Road and State Street, in accordance with CLDSM.~~



9. ~~A site plan note(s) specifying dedication and fee simple conveyance of all rights-of-way to CDOT before the site's first building certificate of occupancy is issued as needed. CDOT requests rights-of-way set at 2' behind back of sidewalk where feasible.~~
10. ~~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 as needed. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes.~~

## 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.

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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>