

Rezoning Transportation Analysis

Petition Number: 2021-177

General Location Identifier: 02703402

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Revision Log:

Date	Description
11-21-2021	First Review (PDM)

General Review Information

The petition is located adjacent to W T Harris Boulevard, a State-maintained major thoroughfare, Mallard Creek Road, a State-maintained major thoroughfare, and Old Mallard Creek Road, a City-maintained local street. The petition is located in the University Research Park Center outside Route 4.

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 petition is located adjacent to W T Harris Boulevard, a State-maintained major thoroughfare, Mallard Creek Road, a State-maintained major thoroughfare, and Old Mallard Creek Road, a City-maintained local street. The petition is located in the University Research Park Center outside Route 4. A Traffic Impact Study (TIS) is needed for this petition.

Site plan revisions are needed to meet ordinance requirements and the outstanding items including, but not limited to, installing an 8-foot planting strip and 12-foot multi-use path along Mallard Creek Rd, installing an 8-foot planting strip and 6-foot sidewalk along Old Mallard Creek Rd, and the identification and dedication of rights-of-way. Further details are listed below.

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Trip Generation

Scenario	Land Use	Intensity	Trip Generation (vehicle trips/day)	Source
Existing Use	Pharmacy with Drive-Through	14,380 SF	1,000	Tax Record
Entitled Use	Retail	17,308 SF	1,825	RZ 1999-022
Proposed Use	Gas station (large)	4,993 SF	4,135	Site Plan: 5/1/2021

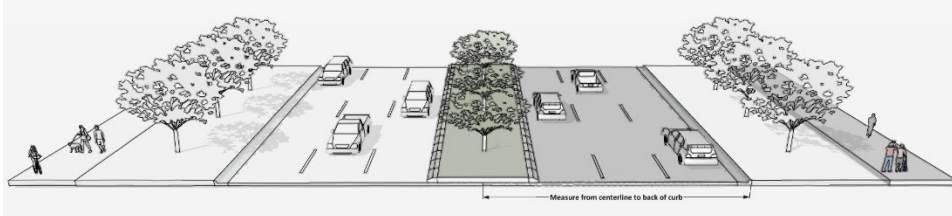
Provide comments to the specified comments below.

Outstanding Issues

~~Strikethrough~~ = Resolved

1. **Curblines:** The proposed zoning district has a setback measured from back of the existing or proposed future curblines.

a. **WT Harris Blvd:** The future location of curb and gutter will be 53-feet measured from the centerline to the back-of-curb.



b. **Mallard Creek Rd:** Location of the future curb and gutter is in the existing location.

c. **Old Mallard Creek Rd:** Location of the future curb and gutter is in the existing location.

Label and dimension the curb and gutter from the centerline for each road on the site plan. Coordinate with NCDOT regarding the installation of curb on WT Harris Blvd along the property frontage.

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 to label and dimension the right-of-way from the road centerline.

4. Revise site plan to show Control of Access on WT Harris Blvd. Confirm with NCDOT

5. Revise site plan and conditional note(s) to commit to construct an 8-foot planting strip, and 12-foot multi-use path on Mallard Creek Road per Chapter 19. The site plan shall label and dimension both items from the back of curb and gutter and road centerline.

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6. Revise site plan and conditional note(s) to commit to construct an 8-foot planting strip, and 6-foot sidewalk on Old Mallard Creek Road per Chapter 19. The site plan shall label and dimension both items from the back of curb and gutter and road centerline.
7. Revise site plan and conditional note(s) to commit to construct an 8-foot planting strip, and 12-foot multi-use path on WT Harris Blvd per Chapter 19. The site plan shall label and dimension both items from the back of curb and gutter and road centerline. This item must be coordinated with NCDOT
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 as needed. CDOT requests rights-of-way set at 2' behind back of sidewalk where feasible.
9. 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.
10. 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 north 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 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 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.

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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>