

# Rezoning Transportation Analysis

Petition Number: 2021-186

General Location Identifier: 02725104

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**Reviewer:**

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## Revision Log:

Date	Description
12-28-21	First Review (TNM)
01-27-22	Second Review (PDM)

## General Review Information

The petition is located adjacent to Mallard Creek Road, a State-maintained major thoroughfare at Governor Hunt Road, a City-maintained minor thoroughfare. The petition is located in the Northeast Wedge outside Route 4.

### Active Projects Near the Site:

- Centene Development
  - This private land development project is located south of Governor Hunt Road and east of Mallard Creek Road.
  - The project is proposing roadway and signal improvements at the intersection of Mallard Creek Road and Governor Hunt Road.

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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 site is located adjacent to Mallard Creek Road, a State-maintained major thoroughfare at Governor Hunt Road, a City-maintained minor thoroughfare. A Traffic Impact Study (TIS) is not needed for this site. Site plan revisions are needed to meet ordinance requirements and the outstanding items including, but not limited to installing a concrete median along Mallard Creek Road to restrict the driveway access to right-in / right-out, installing a 12-foot multi-use path with an 8-foot planting strip to meet Council-adopted Charlotte WALKS and Charlotte BIKES policies. Further details are listed below.

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## Trip Generation

Scenario	Land Use	Intensity	Trip Generation (vehicle trips/day)	Source
Existing Use	Single Family	1 Dwelling	10	Tax Record
Entitled Use	Single Family (R-3 2.84 acres)	8 Dwellings	105	General guidance from planning
Proposed Use	Apartments	22 Units	120	Site Plan: 11/1/2021

Provide comments to the specified comments below.

## Outstanding Issues

**Strikethrough = Resolved**

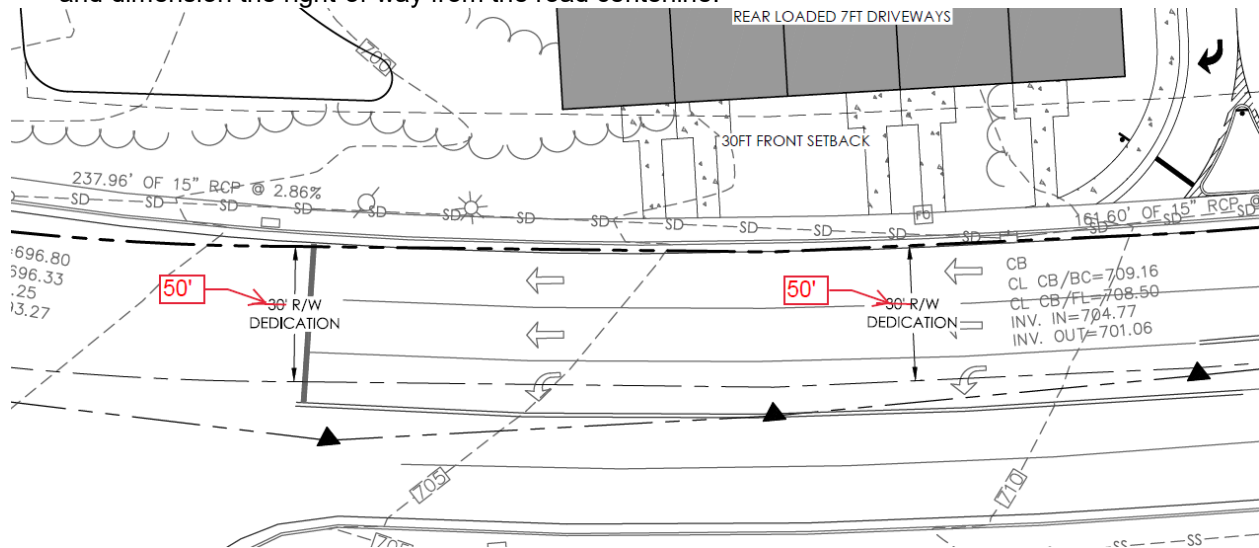
- Curb line:** The proposed zoning district has a setback measured from back of the existing or proposed future curb line.
  - Mallard Creek Road:** The future location of curb and gutter is in the existing location.

**Outstanding Comment from 01.27.2022:** 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.~~

- ~~Revise site plan and conditional note(s) to commit to dedicate 50 feet of right of way from the road centerline in accordance with Chapter 20 of the City's Subdivision Ordinance. The site plan shall label and dimension the right of way from the road centerline.~~

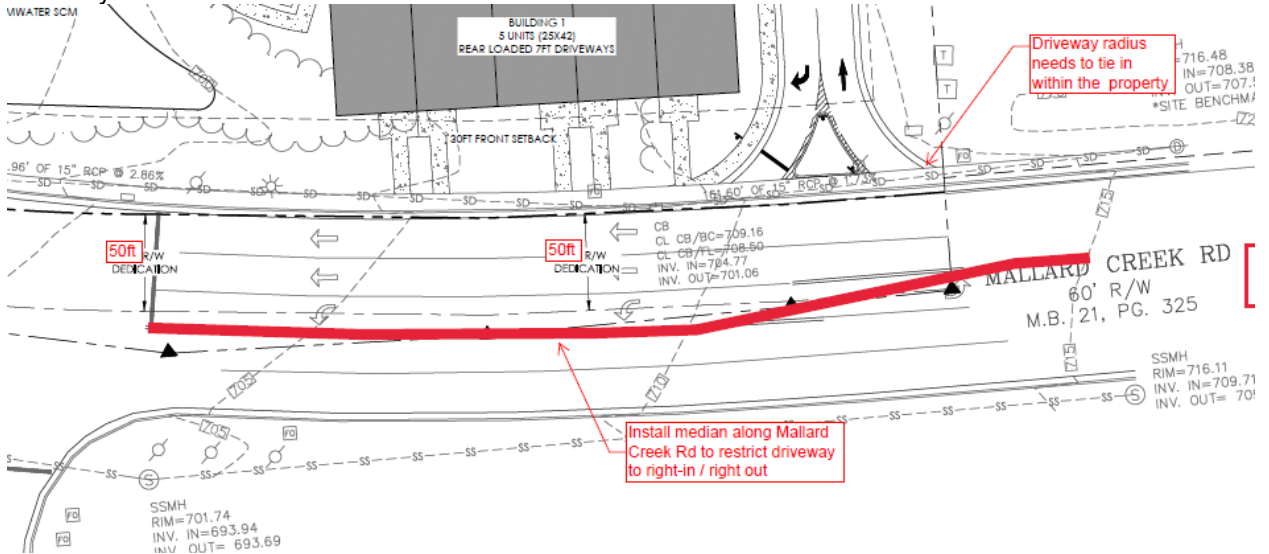


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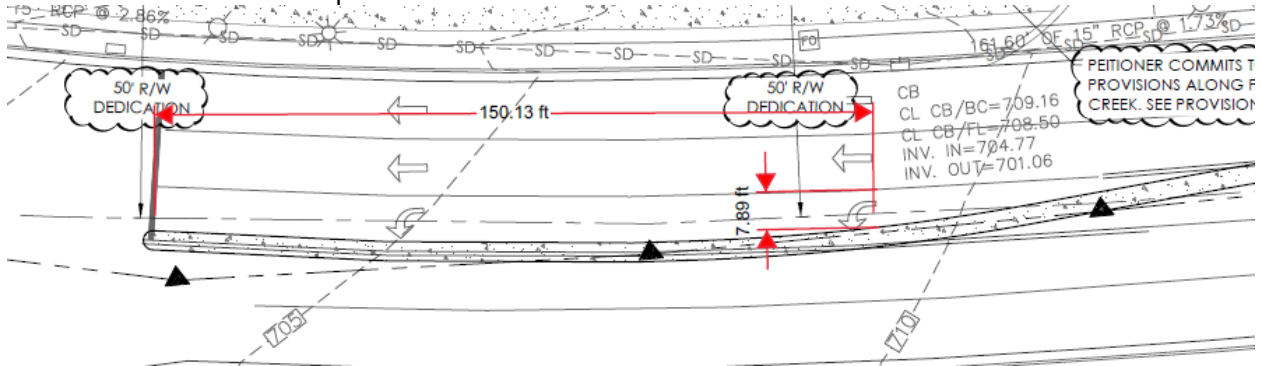
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- Revise site plan and conditional notes to commit to installing a concrete median along Mallard Creek Road to restrict the site driveway access to right-in / right-out. The median will be constructed from the intersection of Mallard Creek Road and Governor Hunt Road and extend 50 feet past the site driveway. The median will be designed to provide 150-feet of full width storage for the southbound left turn lane on Mallard Creek Road at Governor Hunt Road. Remove the proposed pork chop median at the site driveway.



**Clarifying Comment from 01.27.2022:** Median needs to be designed to allow for a minimum of 150ft of full width storage for the Mallard Creek left turn lane at Governor Hunt. Show 150ft of full width (11ft) storage. A conditional note specifying the requirement of the 150ft of full width storage and the concrete median should be added to provide clarification.

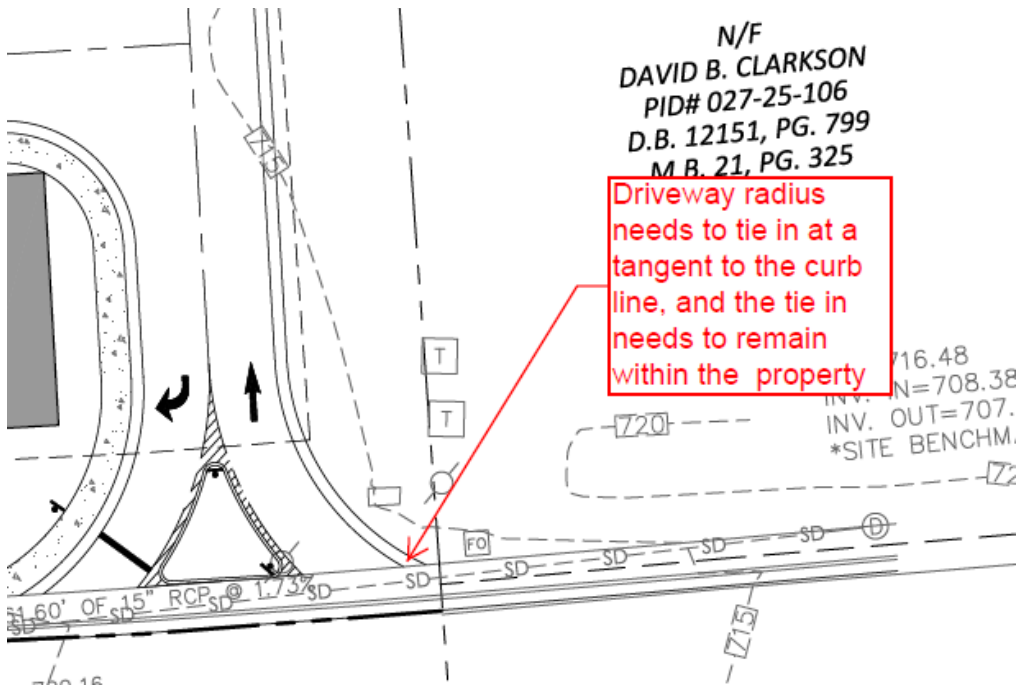


- Revise site plan to show the driveway radius tie into the existing curb and gutter at a tangent and ensure the driveway radius tie in point remains on the property.

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**Clarifying Comment from 01.27.2022:** Driveway radius needs to tie into the curb line at a tangent.

6. **Outstanding Comment from 01.27.2022:** Revise site plan and conditional notes to commit to construct an 8-foot planting strip, and a 12-foot multi-use path along the site's frontage of Mallard Creek Road per Chapter 19. The site plan shall label and dimension both items from the back of curb and road centerline. The 12-foot multi-use path also meets the council adopted Charlotte WALKS and Charlotte BIKES policies.
7. ~~Revise site plan to label the proposed roads on site as private alleys.~~
8. ~~Revise site plan to show the trash collection location for the site.~~
9. ~~Revise conditional note 3.D. to specify 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.~~

D) WHERE NECESSARY, PETITIONER SHALL DEDICATE **2 feet** CONVEY IN FEE SIMPLE ALL RIGHTS-OF-WAY TO THE CITY OF CHARLOTTE BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED OR PHASED PER THE SITE'S DEVELOPMENT PLAN. THE RIGHT-OF-WAY SHALL BE SET AT ~~1 FEET~~ BEHIND THE BACK OF SIDEWALK WHERE FEASIBLE.

10. ~~Revise conditional note 3.D. to specify 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.~~

D) WHERE NECESSARY, PETITIONER SHALL DEDICATE **12 feet** CONVEY IN FEE SIMPLE ALL RIGHTS-OF-WAY TO THE CITY OF CHARLOTTE BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED OR PHASED PER THE SITE'S DEVELOPMENT PLAN. THE RIGHT-OF-WAY SHALL BE SET AT ~~1 FEET~~ BEHIND THE BACK OF SIDEWALK WHERE FEASIBLE. **remove along Mallard Creek Rd**

E) UNLESS OTHERWISE STATED HEREIN, ALL TRANSPORTATION IMPROVEMENTS ~~ALONG MALLARD CREEK ROAD~~ SHALL BE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR PRINCIPAL BUILDINGS WITHIN THE SITE.

11. ~~Add conditional note specifying "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~~

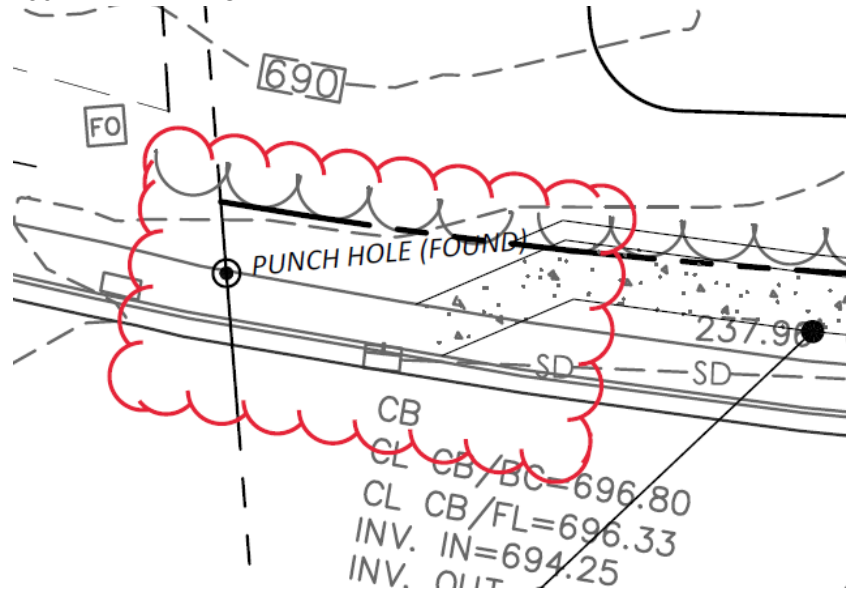
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eastern Mecklenburg area, by way of a private/public partnership effort or other public sector project support.”

- 12. NEW Comment from 01.27.2022:** Proposed 12-ft multi-use path along Mallard Creek Rd should extend the entire property frontage per Ch 19. SUE is required 2ft behind multi-use path if located outside of the 50ft dedicated ROW for future maintenance.



## 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.

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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>