

Rezoning Transportation Analysis
Petition Number: Insert Zoning Petition #2021-195
General Location Identifier: 20105108, 20105106

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Revision Log:

| Date | Description |
|------------|--------------------|
| 12-28-2021 | First Review (PDM) |
| 01-27-2022 | Second Review (KP) |
| 02-21-2022 | Third Review (KP) |

General Review Information

The petition is located adjacent to Arrowood Road, a State-maintained major thoroughfare and Interstate 485, a State-maintained freeway. The petition is location within the limits of the Steele Creek Area plan and is located outside Route 4. The petition is a site plan amendment to the previously approved rezoning 2018-121.

Active Projects Near the Site:

- **Brown-Grier Road Upgrades**
 - Project will improve Brown-Grier Road between Steele Creek Road and Whitehall Park Drive. The road will be four-lanes with a median and include multi-use paths on both sides.
 - Project is currently in the real estate acquisition phase.

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 Arrowood Road, a State-maintained major thoroughfare and Interstate 485, a State-maintained freeway. A revised Traffic Impact Study (TIS) is needed for this site. A previous traffic impact study was submitted to CDOT and NCDOT as part of the 2018-121 rezoning petition. A revised study is required due to the proposed increase in density for the site as well as the original traffic study being approved more than 2 years ago. Based on the findings of the revised study, additional improvements may be required.

Site plan revisions are needed to meet ordinance requirements and the outstanding items including, but not limited to installing a 12-foot multi-use path along the entire frontage of Arrowood Road, and clarifying the dedication of right-of-way for the future extension of Public Road D. Further details are listed below.

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Trip Generation

| Scenario | Land Use | Intensity | Trip Generation (vehicle trips/day) | Source |
|--|--|---|-------------------------------------|------------------------|
| Existing Use | Vacant | - | 0 | Tax Record |
| Entitled Use | Apartments Hotel Super Convenience Market/Gas Station Medical-Dental Office Building Retail Warehousing Drive-in Bank High Turnover (sit down) restaurant Fast Food Restaurant with Drive Through Window | 270 Units 140 Rooms 6,000 SF 25,000 SF 24,000 SF 2,000,000 SF 5,000 SF 5,000 SF 8,000 SF | 15,135 | RZ 2018-121 (TIS 2019) |
| Proposed Use (includes previously approved uses from 2018-121) | Retail Medical-Dental Office Building Hotel Apartments Super Convenience Market / Gas Station Warehousing Drive-in Bank High-Turnover (sit down) restaurant Fast Food Restaurant with Drive Though Window | 43,000 SF 40,000 SF 140 Rooms 420 Units 6,000 SF 2,000,000 SF 5,000 SF 5,000 SF 8,000 SF | 18,420 | Site Plan: 08/12/2021 |
| Proposed Use (includes previously approved uses from 2018-121) | Retail Medical-Dental Office Building Hotel Apartments Super Convenience Market / Gas Station Warehousing Drive-in Bank High-Turnover (sit down) restaurant Fast Food Restaurant with Drive Though Window Auto Sales (Used) | 43,000 SF 40,000 SF 140 Rooms 420 Units 6,000 SF 2,000,000 SF 5,000 SF 5,000 SF 8,000 SF 25,000 SF | 19,100 | Site Plan: 01/17/2022 |

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Provide comments to the specified comments below.

Outstanding Issues

Strikethrough = Resolved

1. ~~**Outstanding Comment from 12-28-2021: Curb line:** The proposed zoning district has a setback measured from back of the existing or proposed future curb line.
 - a. ~~**Arrowwood Road:** The future location of 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.~~

2. **Traffic Study: Outstanding Comment from 12-28-2021:**

A Traffic Impact Study is necessary for the complete review of this petition due to the site generating more than 2,500 new daily trips.

A previous traffic study was submitted to CDOT and NCDOT on 08-26-2019 as part of the previously approved rezoning for the site, rezoning petition 2018-121. Due to the increase in site plan density for this site plan amendment, a revised traffic impact study may be required. Provide a revised trip generation for the site, and CDOT and NCDOT will determine if a revised traffic impact study is required.

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. ~~**Comment Resolved with easement dedication to Mecklenburg County Parks and Recreation. Outstanding Comment from 12-28-2021:** Revise site plan and conditional note(s) to commit to construct an 8-foot planting strip, and 12-foot sidewalk on the entire property frontage of Arrowwood Road per Chapter 19 and Chapter 20. The site plan shall label and dimension both items from the back of curb and gutter and road centerline. The 12ft multi-use path also meets the council adopted Charlotte WALKS and Charlotte BIKES policies.~~

6. Streetscape, Landscaping and Buffer:

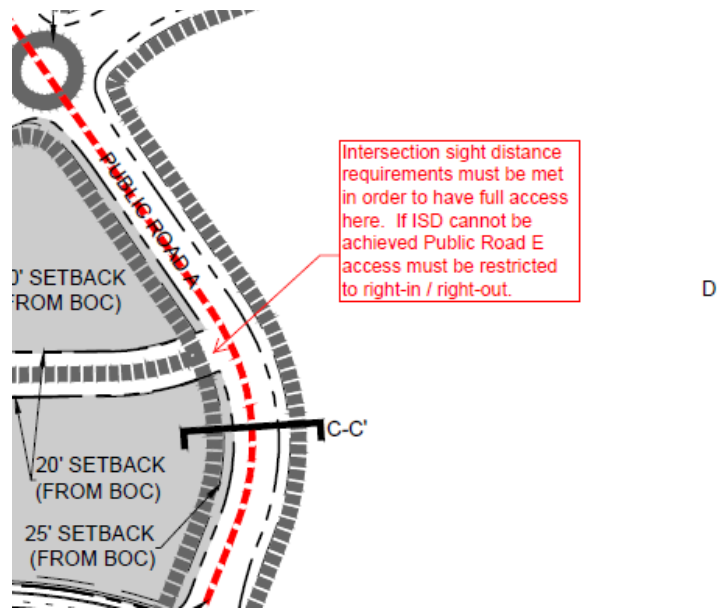
- a. **Arrowwood Road.** A thirty (30) foot setback as measured from the existing back of curb of Arrowwood Road will be provided in Development Area A. A twelve (12) foot sidewalk and minimum eight (8) foot planting strip will be provided along the portions of Arrowwood Road that are being widened because of road improvement requirements. ~~The existing five (5) foot sidewalk is to remain outside of those road widening areas.~~

4. **Outstanding Comment from 12-28-2021:** Revise site plan and conditional note(s) to commit to constructing an 8-foot planting strip and 12-foot multi-use path along Sandy Porter Road per the pervious approved rezoning. The previous note show below should be used.

- b. **Sandy Porter Road.** A twenty foot setback as measured from the right-of-way will be provided in Development Area D-2. A twelve (12) foot multi-use path and a minimum of an eight (8) foot planting strip will be provided along Sandy Porter Road. The front of the multi-use path will be located twenty-seven (27) feet from the existing Sandy Porter Road centerline. In addition, a 2'-6" curb and gutter will be provided along Sandy Porter Road. The back of curb will be located nineteen (19) feet from the existing Sandy Porter Road centerline.

5. **Outstanding Comment from 12-28-2021:** Revise site plan and conditional note(s) to restrict Public Road E access at Public Road A to right-in / right-out if the required minimum intersection sight distance cannot be achieved.

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6. **Outstanding Comment from 12-28-2021:** Add conditional note committing to the dedication of right-of-way to allow for the extension of Public Road D to the property line.
7. ~~Comment resolved. Outstanding Comment from 12-28-2021:~~ 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 is needed. CDOT requests rights of way set at 2' behind back of sidewalk where feasible.
8. **Outstanding Comment from 12-28-2021:** 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 south western Mecklenburg area, by way of a private/public partnership effort or other public sector project support."
9. **New Comment from 01-17-2022 Site Plan:** Remove conditional notes 4.II.e and 4.II.f

~~e. **Right-of-way Availability.** It is understood that some of the public roadway improvements referenced in subsection I. above may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts over a minimum of a 60 day period, the Petitioner is unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, then CDOT, the City of Charlotte Engineering Division or other applicable agency, department or governmental body may agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in subsection a. above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein and such delay extends beyond the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith efforts to complete the applicable roadway improvements; in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.~~

~~f. **Alternative Improvements.** In addition to other provisions set forth herein, changes to the above referenced roadway improvements can be approved through the Administrative Amendment process upon the determination and mutual agreement of Petitioner, CDOT and the Planning Director; provided, however, the proposed alternate transportation improvements provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition.~~

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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>