

**Rezoning Transportation Analysis**  
**Petition Number: Insert Zoning Petition #2021-215**  
*General Location Identifier: 03144101*

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**Reviewer: Kevin Parker**  
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**Revision Log:**

Date	Description
01-24-2022	First Review (KP)
02-21-2022	Second Review (KP)

**General Review Information**

This site is located on Mount Holly Road, a State-maintained major thoroughfare, near the intersection of Belmeade Drive, a State-maintained minor thoroughfare. Additionally, this site is located in the Northwest Wedge and outside of Route 4. Lastly, this site is located within the limits of the Mt. Holly Road Special Project Plan and the Catawba Area Plan.

**Active Projects Near the Site:**

- N/A

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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**

This site is located on Mount Holly Road, a State-maintained major thoroughfare, west of the intersection of Belmeade Drive, a State-maintained minor thoroughfare. A Traffic Impact Study (TIS) was required for this site and the TIS was approved on February 17, 2022. Additionally, in accordance with the Charlotte WALKS and BIKES policies, the petitioner has committed to providing 6-foot sidewalks along the internal public streets and a 12-foot shared-use path along the site's frontage of Mount Holly Road. Lastly, the petitioner is providing full vehicular and pedestrian connectivity to the adjacent Catawba Plantation subdivision.

Site plan and conditional note revisions are needed to meet ordinance requirements and the outstanding items including, but not limited to committing to constructing curb and gutter along Mount Holly Road and removing two conditional notes. Further details are listed below.

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**Trip Generation**

Scenario	Land Use	Intensity	Trip Generation (vehicle trips/day)	Source
Existing Use	Vacant	-	-	<i>Tax Record</i>
Entitlement with Current Zoning	Multifamily Retail Hotel	800 Units 335,000 SF 150 Rooms	19,305	<i>RZ 2005-076</i>
Proposed Zoning	Multifamily	810 Units	4,415	<i>Site Plan: 08-27-21</i>

Provide comments to the specified comments below.

**Outstanding Issues**

**Strikethrough = Resolved**

1. **Curb line:**

- a. **Mount Holly Road:** Curb line location shall be incorporated on the site plan pending approval of the TIS.

**Update to Comment as a Result of 02-14-2021 Site Plan:** The back of curb will be constructed 30-feet from the existing centerline.

The site plan shall label and dimension the curb and gutter from the existing centerline.

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 and conditional note(s) to commit to dedicate 52 feet of right-of-way from the existing Mount Holly Road centerline. The site plan shall label and dimension the right-of-way from the existing road centerline.~~

- ~~4. **Comment Resolved after Coordination with Petitioner:** Revise site plan and conditional note(s) to commit to construct an 8-foot planting strip and 8-foot sidewalk along each of the site's internal public streets~~

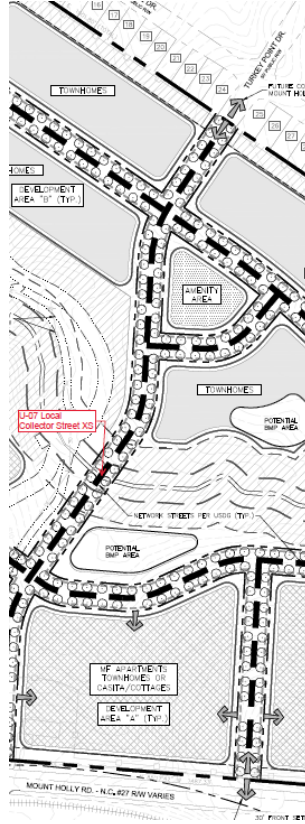
- ~~5. Revise the site plan and conditional notes to commit to construct an 8-foot planting strip and 12-foot shared-use path along the site's frontage of Mount Holly Road. The planting strip and shared-use path will be located relative to the back-of-curb location of Mount Holly Road.~~

- ~~6. Revise the site plan and conditional notes by labeling each internal public street. Additionally, include the relative CLDSM USDG Cross Section(s) that each internal public street will be designed and constructed in accordance with.~~

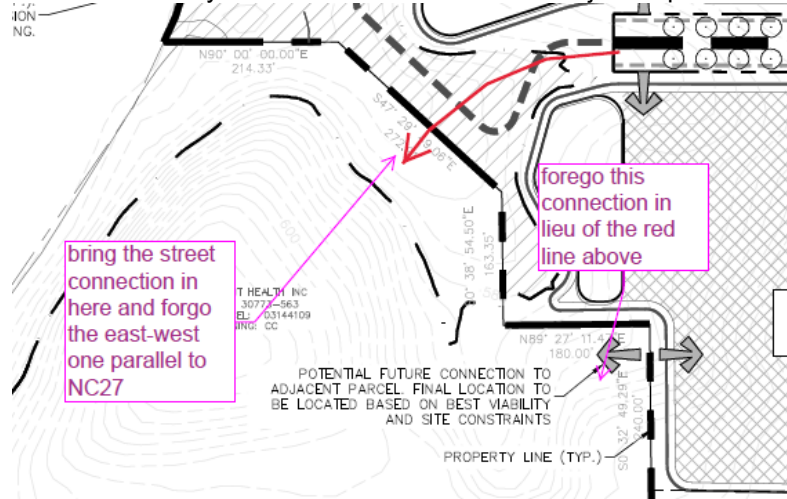
# Rezoning Transportation Analysis

Petition Number: Insert Zoning Petition #2021-215  
General Location Identifier: 03144101

7. ~~Revise the site plan and conditional notes by committing to design and construct the public street, proposed to extend from Mount Holly Road and connect to existing Turkey Point Drive, in accordance with CLDSM USDG U-07 Local Collector Street Cross Section.~~



8. ~~Revise the site plan by extending the western street stub to the southwest rezoning property line. Additionally, remove the multifamily east-west connection to the adjacent parcel.~~



**Rezoning Transportation Analysis**  
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*General Location Identifier: 03144101*

9. **Outstanding Comment from 01-24-2022:** Revise the conditional notes by removing notes 4.II.C and 4.II.E

~~c. **RIGHT-OF-WAY AVAILABILITY.** IF APPLICABLE BUT ONLY TO THE EXTENT APPLICABLE, IT IS UNDERSTOOD THAT SOME OF THE PUBLIC ROADWAY IMPROVEMENTS REFERENCED IN SUBSECTION A. 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 COMMERCIALY REASONABLE TERMS AND AT MARKET PRICES, THEN THE CITY OF CHARLOTTE, 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 THE CDOT OR NCDOT 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 ROAD-WAY 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.~~

~~IN ADDITION TO THE FOREGOING, IN THE EVENT THE RIGHT OF WAY IS NOT AVAILABLE FOR ANY REASON AFTER THE GOOD FAITH EFFORTS OF THE PETITIONER, THE PETITIONER WILL WORK WITH THE CDOT OR NCDOT AS APPLICABLE TO EITHER (I) IDENTIFY ALTERNATIVE IMPROVEMENTS TO IMPLEMENT TRAFFIC MITIGATION IN LIEU OF THE IMPROVEMENTS IMPACTED BY THE LACK OF RIGHT OF WAY AS DESCRIBED IN SUBSECTION G. BELOW; OR (II) CONTRIBUTE TO CDOT OR NCDOT AS APPLICABLE, AN AMOUNT EQUAL TO THE ESTIMATED COST OF THE ROAD IMPROVEMENTS NOT COMPLETED DUE TO THE LACK OF AVAILABLE RIGHT OF WAY, SUCH FUNDS TO BE USED TO COMPLETE SUCH ALTERNATIVE ROADWAY IMPROVEMENTS IN THE GENERAL AREA OF THE SITE IN A MANNER REASONABLE AGREEABLE TO THE PETITIONER, THE CDOT OR NCDOT AS APPLICABLE.~~

~~e. **ALTERNATIVE IMPROVEMENTS.** IF APPLICABLE BUT ONLY TO THE EXTENT APPLICABLE, CHANGES TO THE ABOVE REFERENCED ROADWAY IMPROVEMENTS CAN BE APPROVED THROUGH THE ADMINISTRATIVE AMENDMENT PROCESS UPON THE DETERMINATION AND MUTUAL AGREEMENT OF PETITIONER, CDOT, NCDOT 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 IN THE OVERALL AREA OF THE REZONING.~~

~~FOR EXAMPLE, TRANSPORTATION IMPROVEMENTS MAY BE SUBSTITUTED AND/OR PAYMENT IN LIEU FOR OTHER IMPROVEMENTS IN THE OVERALL AREA OF THE REZONING MAY BE IMPLEMENTED AS DESCRIBED IN SUBSECTION (D) ABOVE.~~

- ~~10. A site plan note(s) specifying dedication and fee simple conveyance of all rights of way to the City and NCDOT 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.~~
- ~~11. 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.~~
- ~~12. 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 west 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. 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.
2. 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.
3. 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.

## **Rezoning Transportation Analysis**

**Petition Number: Insert Zoning Petition #2021-215**

*General Location Identifier: 03144101*

4. All proposed commercial driveway connections to a future public street will require a driveway permit submitted to CDOT for review and approval.
5. Any fence or wall constructed along or adjacent to any sidewalk or street right-of-way requires a certificate issued by CDOT.
6. 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.
7. 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.
8. 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>