

# Rezoning Transportation Analysis

Petition Number: Insert Zoning Petition #2022-018

General Location Identifier: 02933106, 02933115, 02933113, 02933116

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## Revision Log:

Date	Description
06-23-22	First Review (PDM)
07-20-22	Second Review (PDM)

## General Review Information

This Petition is located adjacent to Johnston Oehler Private Drive, a privately maintained road, and south of Johnston Oehler Road, a CDOT maintained minor thoroughfare. This petition is located within the Prosperity Hucks Area Plan and the Northeast Wedge. In addition, the petition is located outside of Route 4.

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 Petition is located adjacent to Johnston Oehler Private Drive, a privately maintained road, and south of Johnston Oehler Road, a CDOT maintained minor thoroughfare. A Traffic Impact Study (TIS) is needed for this site. CDOT has approved the scope of the TIS on 5/6/2022 and is awaiting submittal of the Draft TIS by the petitioner. Site plan revisions are needed to meet ordinance requirements and/or the outstanding items including, but not limited to committing to a street typical section for the proposed public streets, dimensioning the planting strip and sidewalk, and the submittal and approval of the TIS. 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 Detached	3 Dwelling Units	30	<i>Tax Record</i>
Entitlement with Current Zoning	Single Family (R-3, 72.2 acres)	216 Dwelling Units	2,050	<i>General Guidance from Planning</i>
Proposed Zoning	Multifamily (Mid-Rise) (MX-2, 72.2 acres)	288 Dwelling Units	2,136	<i>Per TIS Scope</i>

**Provide comments to the specified comments below.**

### Outstanding Issues

**Strikethrough = Resolved**

**1. Traffic Study:**

A Traffic Impact Study is necessary for the complete review of this petition due to the site's main access being located along a private drive used for schools. The Traffic Impact Study is also required in conjunction with the petitioner's proposal for CDOT to accept ownership of Johnston Oehler Private Drive.

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).

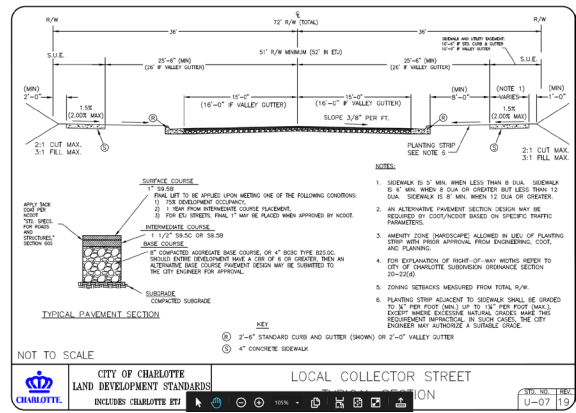
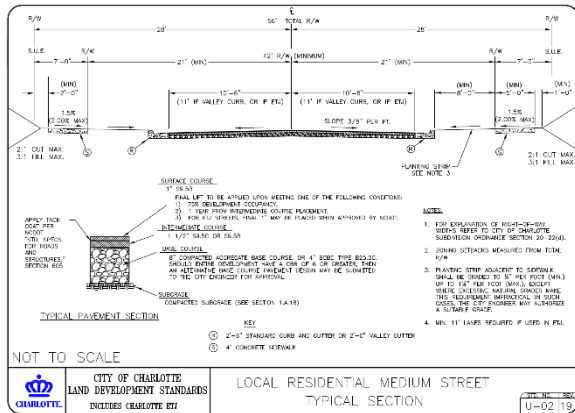
2. Revise site plan and conditional note(s) to identify the proposed streets and public or private. In addition, label each proposed street typical section per the CLDSM standard number on the site plan.

**Clarifying Comment (7-20-22):** Add a callout to each public road identifying the typical section per the CLDSM standard number on the site plan. In addition, update the typical sections to the latest version of the CLDSM typical section for these roadways. It should be revision 19 not 17.

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~~3. If the proposed roads will be public, revise site plan and conditional notes to commit to installing the Oak Street connection south of the site.~~

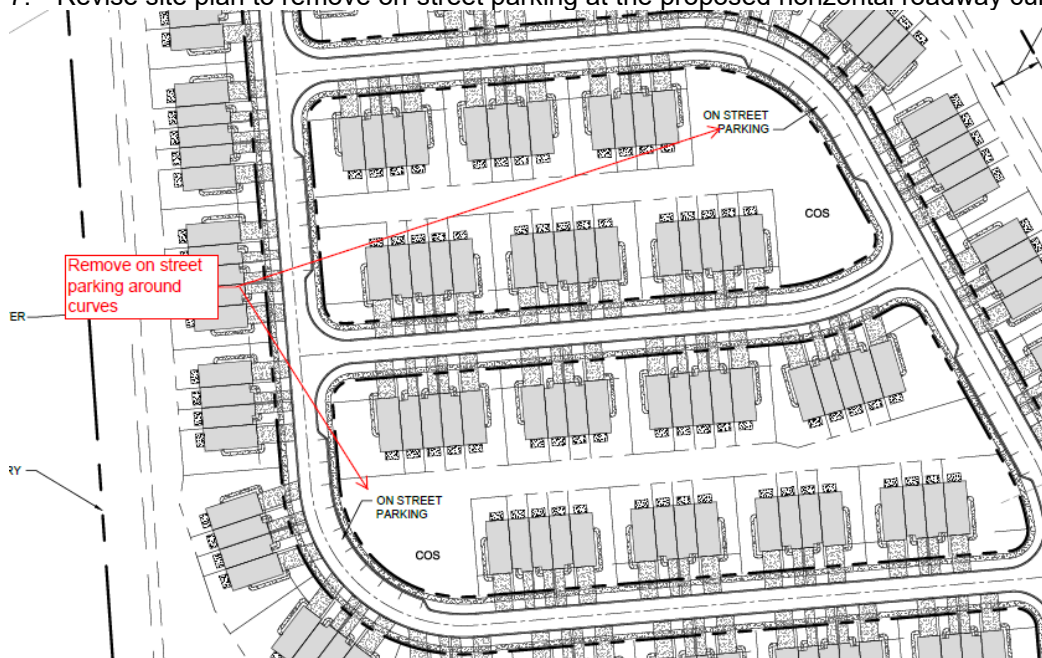
4. If the proposed roads will be public, revise site plan and conditional notes to commit to installing all required improvements on Johnston Oehler Private Drive identified by the Charlotte Street Acceptance Committee to bring the roadway up to public street standards.

**Clarifying Comment (7-20-22):** Charlotte Street Acceptance Committee is preparing recommendation for roadway improvements. Once improvements are identified, petitioner is to incorporate these improvements into the site plan and conditional notes.

~~5. Revise site plan to label and dimension the right of way of all proposed public streets.~~

~~6. Revise site plan to stub the proposed street to the property line and install a temporary turnaround per CLDSM 11.18B.~~

~~7. Revise site plan to remove on-street parking at the proposed horizontal roadway curves.~~



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8. Revise site plan and conditional note(s) to commit to construct an 8-foot planting strip, and 6-foot sidewalk on all public roads per Chapter 20. The site plan shall label and dimension both items from the back of curb and gutter and road centerline.

**Clarifying Comment (7-20-22):** Dimension and label planting strip and sidewalk on the site plan.

- ~~9. 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.~~

## 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 50' x 50' 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.
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>