

# Rezoning Transportation Analysis

Petition Number: #2022-082

General Location Identifier: 04718102, 04718104, 04718103, 04718151

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## Revision Log:

Date	Description
11-28-22	First Review (TM)
12-22-22	Second Review (DR)

## General Review Information

The petition is located on the south side of Mallard Creek Church Road, a State-maintained major throughfare west of Mallard Glen Drive, a City-maintained local road. The petition is located in a northeast corridor outside 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

The petition is located on the south side of Mallard Creek Church Road, a State-maintained major throughfare west of Mallard Glen Drive, a City-maintained local road. A Traffic Impact Study (TIS) is not needed for this site. Site plan revisions are needed to meet ordinance requirements and/or the outstanding items including, but not limited to committing to creating a 4<sup>th</sup> leg of the future signal or connecting to Berkley Place and removing proposed left over per NCDOT comments. Further details are listed below.

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## Trip Generation

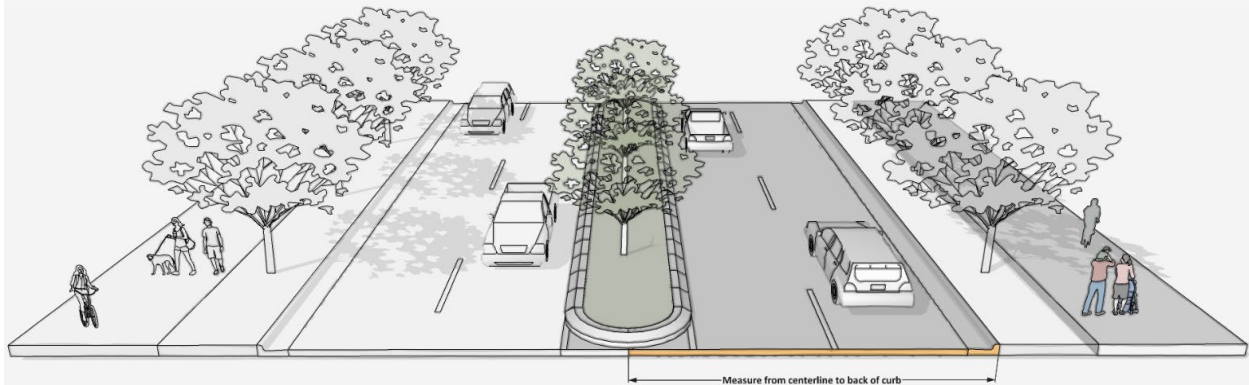
Scenario	Land Use	Intensity	Trip Generation (vehicle trips/day)	Source
Existing Use	Single Family Detached	6 Dwelling Units	50	Tax Record
Entitlement with Current Zoning	Single Family (R-3 & R-43MF, 13.26 acres)	39 Dwelling Units	425	General Guidance from Planning
Proposed Zoning	Multifamily (Mid-Rise) (UR-2, 13.26 acres)	305 Dwelling Units	1,410	Site Plan: 5/11/2022

Provide comments to the specified comments below.

### Outstanding Issues

**Strikethrough = Resolved**

1. **Curbline:** The proposed zoning district has a setback measured from back of the existing or proposed future curblines.
  - a. **Mallard Creek Church Road:** The future location of curb and gutter is measured at 33-feet from the centerline of the roadway to the BOC.



**Outstanding comment from 11-28-22:** 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.~~

~~3. Revise site plan and conditional note(s) to callout Wright Hill Road extension as Local Residential Medium, CLDSM U-02 with 56 feet of public right of way. Site plan shall label and dimension ROW from the centerline of the roadway.~~

~~4. Revise site plan and conditional note(s) to commit to construct an 8-foot planting strip, and 12-foot sidewalk along Mallard Creek Church Road per Chapter 19. The site plan shall label and dimension both items from the back of curb and gutter and road centerline.~~

~~5. The proposed dwelling units exceeds 12 per acre. Per Chapter 20 Subdivision ordinance, site plan and conditional note(s) revisions are needed to commit to construct an 8-foot planting strip, and 8-foot~~

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sidewalk along Wright Hill Roadway Extension. The wider sidewalk also meets the Charlotte WALKS Policy.

Reference (CLDSM standard detail U-02) for street typical.

6. Site plan and conditional note(s) revisions are needed to commit to construct bicycle facilities by locating the curb and gutter 33-feet from the center line and installing a 12' multi-use path on Mallard Creek Church Road to meet the City Charlotte BIKE Policy. Additional space may be required due to 33-feet not accounting for turn lanes and intersection dimensions.

**Clarifying comment 12-22-22:** Label and dimension proposed curb & gutter, planting strip, and multi-use path from centerline of West Mallard Creek Church Road.

7. **Outstanding comment from 11-28-22:** Site plan and conditional note(s) revisions are needed to remove the proposed left over from the site plan. Per NCDOT comments, this movement will not be permissible.
8. Site plan and conditional note(s) revisions are needed to commit to aligning proposed Wright Hill Roadway extension to become a 4<sup>th</sup> leg at the intersection of Mallard creek and Mallard Glen Drive.

**Clarifying comment 12-22-22:** Add conditional note that Wright Hill Road will be extended and aligned to create a 4<sup>th</sup> leg at Mallard Creek and Mallard Glen Drive if necessary easements can be acquired and the street extension can be properly engineered. Proposed right-in/right-out access will be allowed if realignment of Wright Hill Road is not feasible in consultation with NCDOT and CDOT.

- ~~9. Site plan revisions are needed to show existing infrastructure along Mallard Creek Road, Wright Hill Road and Berkley Place Drive. Dimension all infrastructure from the roadway centerline and callout on site plan.~~
- ~~10. 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.~~
- ~~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 northeastern Mecklenburg area, by way of a private/public partnership effort or other public sector project support."~~

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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 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.
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>