

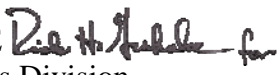


Charlotte Department of Transportation

Memorandum

Date: June 26, 2009

To: Tom Drake & Tammie Keplinger
Charlotte-Mecklenburg Planning Department

From: Michael A. Davis, PE 
Development Services Division

Subject: Rezoning Petition 09-042: Located at the intersection of North Tryon Street and West Mallard Creek Church Road
(Site Plan Revised June 19, 2009)
(Development Notes Superseded Revision June 19, 2009)

We previously commented on this petition in our April 22, 2009, and May 26, 2009 memorandums to you.

Consistency with Transportation Action Plan (TAP): The two goals of the TAP that most directly affected the staff's review of this petition define the integration of land use and transportation, and the provision of transportation choices.

Goal 1 of the TAP relies on implementation of the Centers, Corridors and Wedges land use strategy. This project site is located in a Corridor. Such areas should include a dense and interconnected street network. Specific comments are provided below to link proposed changes in land use with improved transportation network.

Goal 2 of the TAP describes various connectivity and design features that are important for motorists, pedestrians and bicyclists. Specific comments are provided below to bring the petition into compliance with best practices for multimodal transportation.

Vehicle Trip Generation

This site could generate approximately 12,900 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 9,000 trips per day. Currently the site is undeveloped.

Since access is proposed to a state-maintained roadway, NCDOT may also require a TIS as part of their driveway permit approval process. They may have additional or different requirements for their approval than what is identified in this rezoning process. We recommend the developer/petitioner meet with NCDOT early in the development process to identify any issues that they may have.

CDOT requests the following changes to the rezoning plan:

1. We request that the petitioner apply the Urban Street Design Guidelines to all internal streets. The guidelines recommend using the Local Office/Commercial Streets (Wide), which include 6-foot sidewalks behind 8-foot planting strips.
2. In Note 4, Section F of the Development Standards CDOT request that the petitioner revise the note to read "... open to the public 24 hours a day 7 days a week."
3. In Note 1, Section O of the Development Standards CDOT request that the note be reworded to read "... for a future traffic signal when deemed necessary by CDOT or NCDOT."
4. The City will only provide paving for additional asphalt when they are not associated with road improvements. Note 3, Section O of the Development Standards needs to be modified to state "the petitioner will be required to complete all road improvements prior to the issuance of the final certificate of occupancy for the first building constructed on site".
5. Note 5, Section O of the Development Standards the last sentence needs to be changed to read "... N. Tryon Street or the final certificate of occupancy for the first building constructed on site."
6. Note 1, Section Q of the Development Standards needs to be updated to add a sentence stating "If the right of way required for the required road improvements exceeds the normal requirement of 50 feet from the centerline the petitioner will dedicate the amount of right of way as needed."

The following are requirements of the developer that must be satisfied prior to driveway permit approval. We recommend that the petitioner reflect these on the rezoning plan as-appropriate.

1. The location of proposed curb and gutter will need to be set in the proper location based on road improvements determined by the TIS. The curb location will need to be located to include enough room for five-foot bike lanes along both West Mallard Creek Church Road and North Tryon Street.
2. Adequate sight triangles must be reserved at the existing/proposed street entrance(s). Two 35' x 35' and two 10' x 70' sight triangles are required for the entrance(s) to meet requirements. All proposed trees, berms, walls, fences, and/or identification signs must not interfere with sight distance at the entrance(s). Such items should be identified on the site plan.

3. The proposed driveway connections to North Tryon Street and Mallard Creek Church Road will require a driveway permits to be submitted to CDOT and the North Carolina Department of Transportation for review and approval. The exact driveway locations and type/width of the driveways will be determined by CDOT during the driveway permit process. The locations of the driveways shown on the site plan are subject to change in order to align with driveways on the opposite side of the street and comply with City Driveway Regulations and the City Tree Ordinance.
4. A Right-of-Way Encroachment Agreement is required for the installation of any non-standard items (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 the construction/installation of the non-standard items. Please contact CDOT for additional information concerning cost, submittal, and liability insurance coverage requirements.

Please advise if we can be of further assistance.

c: R. H. Grochoske (via email) Scott Cole NCDOT (via email)
J. Shapard – Review Engineer (via email) Louis Mitchell, NCDOT (via email)
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Rezoning File