




Charlotte Department of Transportation

Memorandum

Date: May 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
(revised May 18, 2009)

We previously commented on this petition in our April 22, 2009 memorandum 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. A Traffic Impact Study (TIS) was conducted during the previous rezoning for this property (2004-074). Although the current petition will have fewer daily trips than the original rezoning, the number of morning peak trips increases by almost 600 per hour, and the afternoon peak trips increase by almost 300 per hour. Therefore, we have requested that the developer submit an amendment to the previous TIS in order to evaluate the effect that site generated traffic will have on the thoroughfare system in the vicinity. The TIS is currently being reviewed by CDOT. Additional comments and any required transportation improvements will follow our review of the TIS.

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. The location of the access points and the level of function of all access points will be determined through CDOT's review of the TIS. From our preliminary discussions with NCDOT, we understand that they will not support a new traffic signal on N. Tryon. Given this, we expect the approved access along N. Tryon will be in the form of a directional crossover. After reviewing the most recent Synchro SimTraffic results the location of Access 1 as depicted on the site plan does not appear to allow for appropriate storage for the amount of traffic that will be utilizing the northbound direction cross-over. CDOT requests that the storage for vehicles be increased from the 225 feet shown on the rezoning petition to 300 feet. Traffic utilizing the directional crossover will increase in the future and this access point will allow for greater connectivity to adjacent parcels.
2. CDOT request that Private Street C depicted on the site plan be changed to a public street or a private street providing 24x7 public access to allow for connectivity by the public to adjacent parcels (i.e. Tax Parcel # 04744101) in the future from both Tyron Street and West Mallard Creek Church Road. This would provide a street grid network and public street connectivity CDOT desires for developments of this magnitude.
3. The petitioner is proposing improvements to the Mallard Creek Church / N. Tryon intersection; in order to provide accommodation for pedestrians crossing these two major thoroughfares including future transit users, we request the petitioner to include pedestrian refuge islands and pedestrian count down signals on all approaches of the Mallard Creek Church Road / North Tryon Street intersection. Pedestrian refuge islands need to be a minimum of 6 feet wide.
4. 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.
5. In Note 1, Section F of the Development Standards the petitioner agrees to provide 8 foot planting strips and 8 foot sidewalks along Mallard Creek Church Road and North Tryon Street. The note calls for the sidewalks to be constructed in phases. CDOT request that the note be modified to read "these improvements will be required to be installed by the petitioner prior to the issuance of the first certificate of occupancy".

CDOT also requests the petitioner to implement an 8 foot sidewalk system that is contiguous between Tax Parcel #04719110 and the site's frontage along North Tryon Street. This sidewalk connection along North Tryon should also tie into the existing Mallard Creek Greenway.

6. In Note 1, Section O of the Development Standards the petitioner states that "the City of Charlotte will provide paving for paving of such turn lanes". Consistent with our normal practice, CDOT request that the note be changed to read "The petitioner will be responsible for all required road improvements." CDOT will provide pavement for additional travel lanes hat are created when curbs are required to be set back for a future thoroughfare cross-section.

7. North Tryon Street and Mallard Creek Church Road are both major thoroughfares with proposed rights-of-way of 100 feet. We request that 50 feet of right-of-way from the centerline of the existing right-of-way be dedicated to the city. Additional right-of-way may be needed to allow for the road improvements as determined by the TIS and/or NCDOT.

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 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. 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)
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Rezoning File

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