



Charlotte Department of Transportation

Memorandum

Date: February 2, 2012

To: Tammie Keplinger
Charlotte-Mecklenburg Planning Department

From: Michael A. Davis, PE *Rich H. Grubbs for*
Development Services Division

Subject: Rezoning Petition 2011-72: Approximately 3.0 acres located on the northwest corner at the intersection of University City Boulevard and East Mallard Creek Church Road
(revised 1/17/2012)

CDOT has previously commented on this petition in our October 24, December 7, and December 29, 2011 memorandas to you. CDOT offers the following additional comments associated with the subject revised site plan.

Vehicle Trip Generation

This site could generate approximately 3,970 trips per day as currently zoned. Under the proposed zoning with the revised site plan reduced the dwelling units from 250 “student housing” apartment units (previous site plan indicated 290 units) this development could generate approximately 1,513 trips per day. This will have a minor impact on the surrounding thoroughfare system.

CDOT requests the following changes to the rezoning plan:

1. As you are aware, the Mecklenburg Union Metropolitan Planning Organization (MUMPO) Thoroughfare Plan identifies a future major thoroughfare connecting to the intersection of Mallard Creek Road and University City Boulevard. This roadway project calls for the NC 49/Mallard Creek Church Rd. entire intersection to be lowered several feet, so that Mallard Creek Church can eventually “go under” the RR tracks east of the site. Your revised site plan needs to show a 55’ of r/w reservation and building setback line as measured from the future NC 49 back of curb line as agreed upon with the petitioner.
2. The petitioner needs to dedicated and conveyed in fee-simple right-of-way (r/w) both along NC 49 and Mallard Creek Church Rd. between the future back of curb lines to 5’ beyond the proposed 10’ shared use path or 6’ sidewalk. The additional 5’ from back of sidewalk/path is needed space to construct a future retaining wall if needed. Along Mallard Creek Church Road the future dedicated r/w line needs to shown 19’ behind the future back of curb. NC 49’s future dedicated r/w line needs to be shown 30’ behind the future back of curb.

3. The revised site plan needs to be field verified by a certified survey to accurately locate existing edge of pavement, future back of curb lines, existing r/w, the 55' r/w preservation and proposed r/w lines both measured from the future back of curb lines, a 10' shared-use path along NC49 located 15' behind the future NC 49 back of curb line, and a 6' sidewalk along Mallard Creek Church located 8' behind the future back of curb. The January 17, 2012 site plan needs to be drawn to scale.
4. The site plan needs to be revised to indicate both the existing edge of pavement and future curb lines are based upon a site survey and the latest MUMPO NC 49 and Mallard Creek Church Road intersection improvements plans as provided to you. Overlaying the proposed MUMPO intersection plans onto the site's certified survey and proposed site plan, is needed to provide a better understanding of the future right-of-way, curb and setback lines along University City Boulevard and Mallard Creek Church Road as it relates to the proposed rezoning site plan and should eliminate conflicts as this project moves forward to the construction plan approval process.
5. The conditional note referring to building setbacks (note d.) under general provisions needs to be amended to state: A 55 feet building setback has been established for this site due to a major MUMPO roadway/intersection project effecting this site. The 55 feet setback is measured from the proposed future street back of curb line. During the multi-family design phase, discovering more information relating to the planned major MUMPO roadway/intersection project, and topography data the proposed 55' building setback lines may change, if approved by City Planning/CDOT/NCDOT/MUMPO.
6. The petitioner needs to indicate in the Development Data Table the number of proposed 4/3/2/1 bedrooms dwelling units so CDOT can better understand on-site parking needs and projected daily traffic trips generated by the proposed development primarily used for student housing.
7. The petitioner needs to add the following conditional note to the revised site plan: The Petitioner shall exert reasonable and good faith efforts to obtain from the relevant property owners, at its sole cost and expense, any right of way necessary to construct and install the required transportation improvements described above. In the event that the Petitioner is unable to obtain any of the required right-of-way after exerting reasonable, good faith efforts to do so, the City may obtain the necessary right of way by negotiated purchase or through eminent domain proceedings. In the event that the City-purchases any required right of way, the Petitioner shall reimburse the City-for the purchase price and any expenses related thereto. In the event that the City acquires any required right of way through eminent domain proceedings, the Petitioner shall reimburse the City for any court award of just compensation and/or damages, including interest, that the City is required to pay, and for appraisal fees, attorney's fees and other costs and expenses incurred by the City in connection therewith.

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.

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1. The proposed driveway connections to Mallard Creek Rd and University City Boulevard will require driveway permits to be submitted to both CDOT and NCDOT for review and approval. The exact driveway locations and type/width of the driveways will be determined by during the driveway permit process. The locations of the driveways shown on the site plan are subject to change to comply with City Driveway Regulations, City Tree Ordinance and future roadway plans.
2. A note needs to be added to the revised site plan stating: Future driveway gate locations will be determined during construction plan review phase. For your information, the petitioner will need to provide an adequate driveway stem so vehicles do not maneuver within the sites setback or future r/w if they are denied access (i.e. a turnaround may be needed).

We anticipate that NCDOT will request the following, and recommend the Petitioner work directly with NCDOT regarding their anticipated requests.

1. We anticipate NCDOT will require right turn lanes on both University City Boulevard and Mallard Creek Church Rd. at the RI/RO proposed driveway locations and may require additional offsite roadway improvements associated with their driveway approval. We recommend the petitioner contact the NCDOT directly (Mr. Louis Mitchell at 704-596-6900 or Scott Cole at 704-982-0101).

If we can be of further assistance, please advise.

RG

c: R. H. Grochoske
Felix Obregon
Brian Horton
Stuart Basham
Louis Mitchell (NCDOT)
Scott Cole (NCDOT)
Rezoning File