



# Charlotte Department of Transportation

## Memorandum

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**Date:** December 22, 2011

**To:** Tammie Keplinger  
Charlotte-Mecklenburg Planning Department

**From:** Michael A. Davis, PE *Mike Davis*  
Development Services Division

**Subject:** Rezoning Petition 12 - 010: Approximately 4.701 acres located on the south side of University City Boulevard between Mark Twain Road and Suther Road

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CDOT has completed a review of the subject petition in order to ensure consistency with the Transportation Action Plan (TAP). The TAP seeks to ensure that Charlotte'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. Based on our review of the petition, we offer the following comments.

### Vehicle Trip Generation

This site could generate approximately 500 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 4,760 trips per day. This will have a significant impact on the surrounding thoroughfare system.

As such, both CDOT and NCDOT have requested the petitioner conduct a Traffic Impact Study (TIS) for the proposed development. CDOT received the TIS from the petitioner's traffic consultant on December 20, 2011 and has not reviewed the TIS as of the time of this memorandum. We anticipate both CDOT and NCDOT will have comments on the TIS that will affect the site's proposed access locations, and may impact the overall site layout. Specific transportation comments associated with the TIS will be included in subsequent memoranda.

### We have the following comments regarding apparent conflicts between the proposed rezoning and existing ordinances or policies:

1. We understand curb and gutter will be required along the site's property frontage via either Chapter 19 of the city code, or the Subdivision Ordinance. The proposed curb line needs to match the existing curb line established along the petitioner's property frontage on 49. This can be accomplished by projecting the existing curb and gutter at the Broderick & NC49 intersection across the portion of the petitioner's property that does not have curb and gutter.

### In addition to the comments above, CDOT requests the following changes to the rezoning plan:

1. We understand the petitioner has submitted a request to NCDOT for the reduction of right-of-way along NC49. It is unknown at this point whether the request will be granted,

however, we request the petitioner show the existing right – of – way dimensions for NC49 on the revised site plan.

2. Transportation note 5F should be removed. CDOT has the authority to eliminate the 35'x35' sight triangle requirement. Since the requirement itself is based on safety, the provision should remain.
3. In lieu of the proposed sidewalk, we request the petitioner provide a 10' shared use path along the site's property frontage on NC49. The proposed shared use path needs to be located a minimum of 20' from the future back of curb along the petitioner's property frontage on NC49.
4. It is unclear from the site plan how trash pickup will occur; however, per section 12.206(3), vehicular maneuvering is prohibited within the setback. As such, we request the petitioner show the on-site circulation of the trash truck on the revised site plan.
5. We request the petitioner install a curb extension along NC49 on the northern approach of the NC49 & Broderick signalized intersection.
6. We request the petitioner remove transportation notes 5A, B, C, and E from the site plan until the traffic study has been reviewed and approved by CDOT and NCDOT, and NCDOT has determined which of the petitioner's requests they will accommodate.
7. It was CDOT's understating that the petitioner would provide a public access easement along the proposed private street that would terminate as a stub along the petitioner's rear property line. The current site plan does not show the public access easement, and we request the petitioner provide the public access easement on the subsequent submittal.

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. According to the City of Charlotte's Driveway Regulations, 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.
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 connection to NC49 and Mark Twain Road will require 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 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 to be 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 the construction/installation of the non-standard item(s). Contact CDOT for additional information concerning cost, submittal, and liability insurance coverage requirements.

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

1. We anticipate that NCDOT will require a right – turn lane into the proposed site as a condition of their driveway approval. As such, we encourage the petitioner work directly with NCDOT during the rezoning process regarding the exact design and dimensions of the turn lane, and include this improvement in the revised site plan.

If we can be of further assistance, please advise.

cc: L. Mitchell