


# Charlotte Department of Transportation

## Memorandum

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**Date:** May 30, 2007

**To:** Keith MacVean  
Charlotte-Mecklenburg Planning Department

**From:** Scott L. Putnam   
Development Services Division

**Subject:** Rezoning Petition 07-091: Located on the southwest corner of East 35th Street and Yadkin Avenue

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**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 the Centers, Corridors and Wedges land use strategy to be implemented. This project site is located in a Wedge and appears to support the Centers, Corridors and Wedges land use strategy.
- Goal 2 of the TAP describes various connectivity and design features that are important for motorists, pedestrians and bicyclists. Specific comments are identified below that need to be addressed for CDOT's support of the petition and to bring the site plan into compliance with the TAP and best practices for multimodal transportation.

### Vehicle Trip Generation

This site could generate approximately 80 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 120 trips per day. This will have a minor impact on the surrounding thoroughfare system.

We have the following specific comments that are critical to CDOT's support of the rezoning petition:

1. On-street parking may be reduced or not be able to be accommodated due to design constraints. The petitioner must work with CDOT for the design and configuration of on-street parking. Parking is not permitted within 20 feet of a crosswalk (whether marked or not) at an intersection or within 10 feet from a driveway (end of radius).

We have the following specific comments that are important to CDOT's support of the rezoning petition. We would like the petitioner to give serious consideration to these comments/requests. These may require coordination with related CMPC issues.

1. The petitioner should provide 5-foot sidewalks and 8-foot planting strips on Yadkin Avenue and 35<sup>th</sup> Street consistent with TAP and best practices.
2. The existing retaining wall, landscape planter, and steps are located within the Yadkin Street right-of-way. To our knowledge there is no record of approval for these items in the public right-of-way. Because there is no existing sidewalk along this property frontage, these items will impact the design, location, and width of the new sidewalk. We will support a sidewalk at the back-of-curb on Yadkin Avenue north of the driveway instead of an 8-foot planting strip under the following conditions. We have discussed with the petitioner several ways in which the overall impact to the sidewalk can be minimized. These include the design of a Type II-Modified driveway and removal of the retaining wall along parking space #16 to provide the required planting strip and sidewalk. The sidewalk can then transition to the back-of-curb and have a minimum width of 7 feet. This will require the removal of the landscape planter. A portion of the wall that is perpendicular to the building also needs to be removed to provide at least a 5-foot wide sidewalk. Handrails will need to be installed in the top of the wall that is adjacent to the sidewalk.
3. An encroachment agreement with CDOT is required for the modification, construction, or installation of any items associated with the retaining wall and steps that are located in the Yadkin Avenue right-of-way.
4. It is requested that the site plan provide an internal system of sidewalks that connects the building entrance(s) to the sidewalk(s) along the street.

We have the following general comments that are provided to aid the petitioner in planning and subsequent permitting phases:

The proposed driveway connection(s) to Yadkin Avenue will require a driveway permit to be submitted to CDOT for review and approval. The exact driveway location and type/width of the driveway will be determined by CDOT during the driveway permit process. The locations of the driveway shown on the site plan are subject to change in order to align with driveway on the opposite side of the street and comply with City Driveway Regulations and the City Tree Ordinance.

Any fence or wall constructed along or adjacent to any sidewalk or street right-of-way requires a Right-of-Way Encroachment Agreement issued by CDOT. Wood timbers are not an acceptable material for a retaining wall within the right-of-way.

Additionally, 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

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prior to the construction/installation of the non-standard item(s). Contact CDOT for additional information concerning cost, submittal, and liability insurance coverage requirements.

To facilitate building permit/driveway permit review and approval, the site plan needs to include the following:

- Dimension width of the existing and proposed driveways.
- New/reconstructed driveways must be drop curb ramp Type II driveways.
- Indicate the locations and widths of all adjacent and opposing driveways.
- Indicate typical parking module dimensions, which should be 18'-6" in length.
- Include a parking summary with figures for the numbers of parking spaces required and provided.
- Seven-foot sidewalks are required next to perpendicular parking.
- Directional wheelchair ramps (two per corner) should be provided at all intersections of public and private streets.

If we can be of further assistance, please advise.

SLP

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Rezoning File (2)