


# Charlotte Department of Transportation

## Memorandum

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**Date:** June 6, 2007

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

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

**Subject:** Rezoning Petition 07-088: Located between East 3rd Street and East 2nd Street west of South McDowell Street

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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 Center 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 1,250 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 6,100 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. Because Public Street B is not a thoroughfare, is expected to have low traffic volumes, and the number of trucks is expected to be small, we can support Request 1 for the location on Public Street B where trucks will need to maneuver in the right-of-way.
2. We do not support UMUD-Optional request 2. In previous meetings with the petitioner's consultant, the only need for consideration of an interim private street for Public Street B was for maneuvering in the right-of-way (Request 1) and the timing of UMUD-O approval in relation to the subdivision plan submittal/approval. The identified streets need to be public streets as identified in the Center City Transportation Plan and they must not be contingent on the items listed in Request 2.

3. We do not support a blanket approval for sidewalk dining in the public right-of-way as requested in UMUD-Optional request 3. Sidewalk dining is encouraged by the City and can be accommodated at locations that meet the requirements of Article IX of the City Code. Where a portion or all of the requested dining area is in the public right-of-way, an encroachment agreement with the City is necessary. These locations are reviewed on a case-by-case basis. Contact Linda Poissant/CDOT (704.336.2562) for additional information concerning the encroachment agreement process.
4. We are in support of angled parking at this location and will develop a new standard in the Charlotte Land Development Standards Manual for this purpose (Request 4). Although we will consider the angled parking design proposed by the petitioner, we may adopt a different standard.
5. We do not support an 8-foot encroachment into the 18-foot setback along Street B as described in Request 5. We can support a 6-foot encroachment only, leaving 12 feet of the setback available for sidewalks and tree planting.
6. On-street parking needs to be provided on Street A between Streets B and C per the adopted Center City Transportation Plan.
7. While we support decorative street and pedestrian lighting installations in public rights-of-way in lieu of the standard street light pole Uptown, our policy is to approve only those decorative materials/lighting that can be maintained by Duke Power Company. In this circumstance, the developer and Duke Power enter into an agreement for design, installation, and maintenance. We cannot support Request 8 that seeks approval of materials/lighting that is "non-Duke standard", if the intent is to install materials/lighting that will not be maintained by Duke Power Company.
8. We are not in support of Optional Request 9, if any portion of the easement/air rights is in the public right-of-way. Additionally, we are not in support of this request if any portion of the easement/air rights is adjacent to the public right-of-way in a manner that would impact pedestrian access/circulation.
9. We are not in support of Optional Request 10. Optional requests apply to requirements of the zoning district and not to other ordinance requirements. All driveway locations/designs must comply with the City's *Driveway Regulations* and are subject to CDOT's review and approval. We have discussed access with the petitioner's consultants and are generally supportive of the access shown on the conceptual plan. However, in several locations the plan does not show the most recent access that we agreed to. We will review the driveway locations/design during the urban review process and require any necessary modifications at that time.

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

Adequate sight triangles must be reserved at the existing/proposed street entrances. Two 10' x 10' and two 10' x 70' sight triangles are required for the entrances 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.

The proposed driveway connection to McDowell Street will require driveway permits to be submitted to CDOT and the North Carolina Department of Transportation for review and approval. The exact driveway location and type/width of the driveway will be determined by CDOT during the Urban 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.

All proposed commercial driveway connections to a future public street will require a driveway permit to be submitted to CDOT for review and approval.

Any fence or wall constructed along or adjacent to any sidewalk or street right-of-way requires a certificate issued by CDOT.

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.

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

- Dimension width of the existing and proposed driveways.
- New/reconstructed driveways must be drop curb ramp Type II-modified driveways with 8-foot radii.
- Indicate the locations and widths of all adjacent and opposing driveways.
- Indicate typical parking module dimensions.
- Include a parking summary with figures for the numbers of parking spaces required and provided.

Keith MacVean

June 6, 2007

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If we can be of further assistance, please advise.

SLP

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