



Charlotte Department of Transportation

Memorandum

Date: August 31, 2009

To: Tom Drake & Tammie Keplinger
Charlotte-Mecklenburg Planning Department

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

Subject: Rezoning Petition 09-068: Located on the South Side of Mallard Creek Road across from Mason Drive and beside Penninger Circle

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 Wedge. Such areas should include an interconnected network of thoroughfares and local streets. 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 500 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 883 trips per day based on senior living traffic as indicated on the rezoning plan. This will have a minor impact on the surrounding thoroughfare system.

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

1. The parking requirements for the proposed development require 1.5 spaces per unit per City of Charlotte Zoning ordinance section 12.02. The plan currently states that required parking is one space per unit equaling 238 spaces. The petitioner does note that 296 spaces are provided. The provided spaces would still be less than the required 357 spaces needed when calculated based on 1.5 spaces per unit.

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

1. Based on the City of Charlotte Rezoning Staff Meeting on August 20, 2009 we anticipate that the site plan will be reconfigured to accommodate various City requirements. As the site plan is reconfigured, CDOT requests that the petitioner consider providing a connection between Penninger Circle and Mason Drive. A proposed NCDOT road improvement project (U-2507A) will place a median along Mallard Creek Road and limit full movement access at the intersection of Penninger Circle and Mallard Creek Road. The proposed development could allow for a public connection through the site to provide access for the residents who live on Penninger Circle to have direct access to a full movement intersection at the site entrance on Mallard Creek Road.
2. CDOT requests that the petitioner construct five-foot sidewalks in a location to allow for a four-foot planting strip consistent with the proposed curb line along Mallard Creek Road as defined in the NCDOT U-2507A project.
3. Sidewalks along Penninger Circle are requested to be constructed along the petitioner's road frontage behind an 8-foot planting strip. The sidewalks should be a minimum of 5 feet in width.
4. CDOT request that the petitioner add a second ingress/egress point along Penninger Circle. Based on the current site plan, this driveway would be ideally located approximately 180 feet from the rear property line of the proposed rezoning.
5. The section of Mallard Creek Road located along the frontage of the proposed project is currently in the design phase for road improvements by NCDOT. The current plans show Mallard Creek road being widened and an additional 25 feet of right-of-way being needed for the proposed project. The City request that the petitioner dedicate the right-of-way at this time. The dedication of right-of-way needs to be clearly labeled on the rezoning Site Plan.

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 entrance along Mallard Creek Road also shows a divided median entrance. The median will need to have a break to accommodate an SU-30 vehicle making a U-turn to leave the site. In addition, the gate will need to be positioned that the vehicle can make the U-turn outside of the future right-of-way.
2. The site plan currently shows a second gated entrance along Penninger Circle. The gate needs to be located a minimum of 35 feet from the existing edge of pavement to accommodate an 8 foot planting strip, a 5 foot sidewalk, and 20 feet for one length of a vehicle. In addition to the widening of Mallard Creek Road, Mason Drive is being reconfigured as part of the NCDOT project. The petitioner will need to coordinate the location, width and travel lanes with the NCDOT project.
3. The proposed driveway connection to Mallard Creek Road will require a driveway permit to be submitted to CDOT and the North Carolina Department of Transportation for review and

approval. The driveway connections to Penninger Circle will require a driveway permit to be submitted to the city of Charlotte. The exact driveway locations and type/width of the driveways will be determined by CDOT during the driveway permit process. The locations of all 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. Adequate sight triangles must be reserved at the existing/proposed driveway connections. Two 35' x 35' and two 10' x 70' sight triangles are required along Mallard Creek Road for the entrance to meet requirements. Two 35' X 35' sight triangles are required at each driveway connection to Penninger Circle. All proposed trees, berms, walls, fences, and/or identification signs must not interfere with sight distance at the entrances. Such items should be identified on the site plan.
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.

Additional Items for the Petitioner

If we can be of further assistance, please advise.

- c: R. H. Grochoske (via email)
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Rezoning File