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May 7, 2025

VIA EMAIL AND US MAIL

Travis Morgan
Town of Pineville
Planning Director
PO Box 249
Pineville, NC 28134
tmorgan@pinevillenc.gov

Re: ***Request for Administrative Interpretation***

Dear Mr. Morgan:

This firm represents Parkway Crossing Partners LLC and Parkway Medical Development Co LLC (the "Parkway Owners"), the owners of the parcels of real property located in the Town of Pineville (the "Town") with the Parcel ID Nos. 22110174, 22110166, and 22111295 (the "Undeveloped Parkway Property") which are a part of the larger development project generally referred to as Parkway Crossing (the "Project"). In accordance with Section 1.6.4., 2.1.4.(C), and 2.3.5.(A) of the Town's Zoning Ordinance and N.C. Gen. Stat. § 160D-403(b), the purpose of this letter is to provide notice that the Parkway Owners seek an administrative interpretation which certifies that the Parkway Owners need not further extend Carolina Place Parkway to receive certificates of occupancy for development on the Undeveloped Parkway Property.

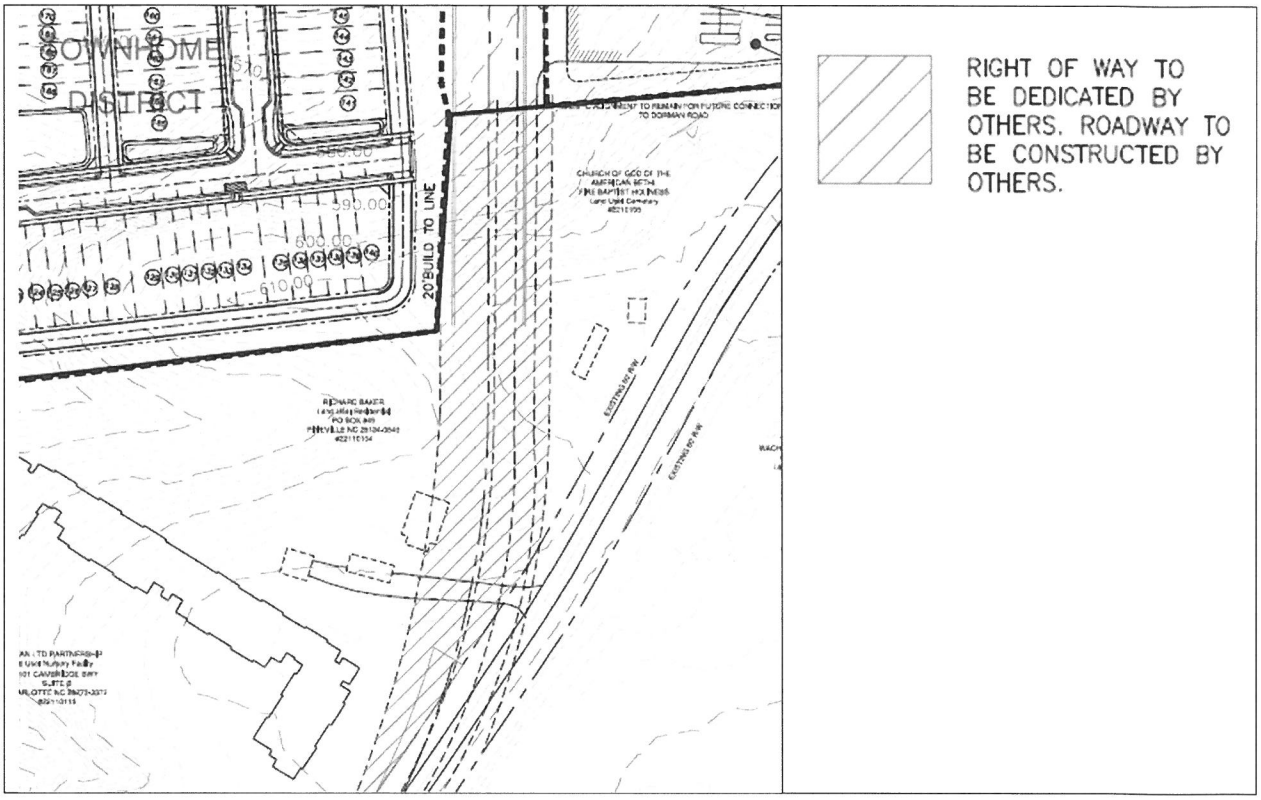
Background Facts

The Undeveloped Parkway Property is part of a larger assemblage that was rezoned from R-12 to a Business Planned Conditional District (B-PCD) in or around June 2004. The approval of that rezoning included the contemporaneous approval of the schematic site plan attached as Exhibit A (the "Site Plan").

Under the Town's Zoning Ordinance, the Site Plan controls the development of the land within the conditional district. *See* Zoning Ordinance § 2.6.1 ("Plans shall be binding upon approval of the owner/authorized applicant and Town Council following a public hearing and standard legislative zoning approval process. Conditional approved plans shall thereafter apply to the property regardless of changes in ownership."). Certificates of occupancy cannot be issued unless the land is developed in conformity with the approved Site Plan. *See* Zoning Ordinance § 2.6.11.

Among other things, Sheet 1 of the Site Plan provided for (i) the dedication and construction of a new section of Carolina Place Parkway extending south of Sam Meeks Road, (ii)

the dedication and construction of a new public road (now known as Muskerry Drive) which connects that newly constructed section of Carolina Place Parkway to Dorman Road, and (iii) the abandonment of a segment of Sam Meeks Road following the establishment of the new aforementioned road segments. Sheet 1 of the Site Plan also indicated a planned future extension of Carolina Place Parkway further to the south through and beyond property owned by Bethlehem Fire Baptized Holiness Church of God of the Americas (the "Church Property"), which property was not part of the rezoning application. The Site Plan's legend uses cross-thatching across this planned road extension through and beyond the Church Property (the "Future Off-Site Road Extension") to indicate that it was to be "dedicated by others" and "constructed by others." For ease of review, we have expanded and excerpted below the key which indicates that the Future Off-Site Road Extension would be dedicated and constructed by others.



The road work for the Project required by the Site Plan was completed in or around 2010 along with the construction of residential areas of the project and a medical office building in the area of the project referred to as the Village Center District. For comparison purposes, attached as Exhibit B is an aerial photograph of the property before it was rezoned and developed, and attached as Exhibit C is an aerial photograph of the property following the completion of the road work and the construction of the residential units and medical office building. Attached as Exhibit D is a March 30, 2010 letter from Richard Odynski, Assistant District Engineer for the North Carolina Department of Transportation (NCDOT), confirming the completion of the required road improvements to the satisfaction of NCDOT.

The Undeveloped Parkway Property is vacant, and the Parkway Owners are considering options for moving forward with the development of those sites. To remove any uncertainty, the Parkway Owners request that you issue an administrative interpretation which confirms that (i) all

required roadwork for the Project has been completed, and (ii) certificates of occupancy to be issued for development on the Undeveloped Parkway Property are not conditioned on the completion of the Future Off-Site Road Extension.

Legal Standard

Conditional use zoning is a "rezoning decision [that] is made concurrent with the approval of a site plan." *Summers v. City of Charlotte*, 149 N.C. App. 509, 516, 562 S.E.2d 18, 24 (2002). "This combined procedure" is "entirely a legislative act." *Id.* In other words, a conditional use zoning approval is a "specialized form of municipal ordinance" that is subject to the "rules of construction for municipal ordinances." *Westminster Homes, Inc. v. Town of Cary Zoning Bd. of Adjustment*, 354 N.C. 298, 303, 554 S.E.2d 634, 638 (2001).

When interpreting a municipal ordinance, the "basic rule" is to "ascertain and effectuate the intention of the municipal legislative body," and the "best indication of the municipal legislative body's intent is the language of the [ordinance], the spirit of the act and what the act seeks to accomplish." *Darbo v. Old Keller Farm Prop. Owners' Ass'n*, 174 N.C. App. 591, 594, 621 S.E.2d 281, 284 (2005). "Where the language of a[n] [ordinance] is clear and unambiguous, there is no room for judicial construction, and the courts must give [the ordinance] its plain and definite meaning, and are without power to interpolate, or superimpose, provisions and limitations not contained therein." *Durham Green Flea Mkt. v. City of Durham*, 910 S.E.2d 365, 368 (N.C. Ct. App. 2024) (alterations in original) (quoting *Liberty Mut. Ins. Co. v. Pennington*, 356 N.C. 571, 575, 573 S.E.2d 118 (2002)).

However, if the language of an ordinance is ambiguous, the well-founded principles of statutory construction apply to ascertain the legislative intent. *Fehrenbacher v. City of Durham*, 239 N.C. App. 141, 150, 768 S.E.2d 186, 193 (2015). Under these principles, all provisions of an ordinance must be considered "as a whole" and "construed together." *George v. Town of Edenton*, 294 N.C. 679, 684, 242 S.E.2d 877, 880 (1978). The "words and phrases" of the ordinance "may not be interpreted out of context, but must be interpreted as a composite whole so as to harmonize with other statutory provisions and effectuate legislative intent, while avoiding absurd or illogical interpretations." *Fort v. Cty. of Cumberland*, 218 N.C. App. 401, 407, 721 S.E.2d 350, 355 (2012) (internal citation and quotation marks omitted). Where two "provisions conflict, one of which is specific or 'particular' and the other 'general,' the more specific [provision] controls in resolving any apparent conflict. *Furr v. Noland*, 103 N.C. App. 279, 281, 404 S.E.2d 885, 886 (1991) (quoting *North Carolina ex rel. Utilities Commission v. Union Elec. Membership Corp.*, 3 N.C. App. 309, 314, 164 S.E.2d 889, 892 (1968)).

Further, as the North Carolina Supreme Court has explained, "[t]he fundamental right to property is as old as our state." *Kirby v. N.C. DOT*, 368 N.C. 847, 852-53, 786 S.E.2d 919, 923-24 (2016) (citing N.C. Const. of 1776, Declaration of Rights § XII; *Bayard v. Singleton*, 1 N.C. (Mart.) 5, 9, 3 N.C. 42, 1 Martin 48 (1787); 2 William Blackstone, Commentaries ("The third absolute right, inherent in every [man], is that of property: which consists in the free use, enjoyment, and disposal of all his acquisitions, without any control or diminution, save only by the laws of the land."")). In light of this fundamental right, "[p]ublic policy has long favored the 'free and unrestricted use and enjoyment of land.'" *Id.* (citing *J.T. Hobby & Son, Inc. v. Family Homes of Wake Cty., Inc.*, 302 N.C. 64, 71, 274 S.E.2d 174, 179 (1981); N.C.G.S. § 47B-1(1) (2015) ("Land . . . should be made freely alienable and marketable so far as is practicable.")).

Accordingly, "governmental restrictions on the use of land are *construed strictly in favor of the free use of real property*." *Morris Communs. Corp. v. City of Bessemer*, 365 N.C. 152, 157, 712 S.E.2d 868, 871 (2011) (emphasis added) (citing *Westminster Homes, Inc. v. Town of Cary Zoning Bd. of Adjust.*, 354 N.C. 298, 304, 308, 554 S.E.2d 634, 638, 640-41 (2001); *Yancey v. Heafner*, 268 N.C. 263, 266, 150 S.E.2d 440, 443 (1966) ("Zoning regulations are in derogation of common law rights and they cannot be construed to include or exclude by implication that which is not clearly their express terms."); *In re W. P. Rose Builders' Supply Co.*, 202 N.C. 496, 500, 163 S.E. 462, 464 (1932) ("Zoning ordinances are in derogation of the right of private property, and where exemptions appear in favor of the property owner, they should be liberally construed in favor of such owner."); *Price v. Edwards*, 178 N.C. 493, 500, 101 S.E. 33, 37 (1919) (providing examples of statutes that derogate from common law, including those "which impose restrictions upon the control, management, use, or alienation of private property")).

The Plain and Unambiguous Language of the Site Plan Reveals that the Site Plan does not Require Construction of the Future Off-Site Road Extension as a Condition of Further Development

In this matter, the Site Plan legend plainly and unambiguously shows that if the Future Off-Site Road Extension is to be constructed, it will be "dedicated by others" and "constructed by others." The phrase "by others" plainly and unambiguously demonstrates that the construction of the Future Off-Site Road Extension has no bearing on the Parkway Owners' ability to develop the Undeveloped Parkway Properties.

The Rules of Statutory Construction Reveal that the Site Plan does not Require Construction of the Future Off-Site Road Extension as a Condition of Further Development

Even assuming the language of the Site Plan is ambiguous, which the Parkway Owners deny, the Site Plan, construed as a whole, still does not require the Completion of the Future Off-Site Road Extension as a condition of developing the Undeveloped Parkway Properties.

Section (5)(c) of the Notes provides as follows:

> c. THE PARTIAL EXTENSION OF CAROLINA PLACE PARKWAY AND COMPLETE CONNECTION OF THE EXTENSION TO DORMAN ROAD SHALL BE CONSTRUCTED AS A PART OF THE OVERALL DEVELOPMENT. DEVELOPMENT MAY PROCEED WITHOUT THE COMPLETION OF THE EXTENSION, HOWEVER THERE SHALL NOT BE MORE THAN FIFTY (50%) PERCENT OF THE DEVELOPMENT WITH CERTIFICATES OF OCCUPANCY WITHOUT THE APPROVAL BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION OF THE DESIGN SOLUTION OF THE EXTENSION OF CAROLINA PLACE PARKWAY. THE REMAINING FIFTY PERCENT (50%) OF THE DEVELOPMENT SHALL NOT RECEIVE CERTIFICATES OF OCCUPANCY UNTIL THE EXTENSION OF CAROLINA PLACE PARKWAY IS BUILT AND ACCEPTED BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION. FIFTY PERCENT (50%) SHALL BE DETERMINED AS FOLLOWS:
>
> 1. THE COMPLETE VILLAGE DISTRICT AND SEVENTY FIVE (75) RESIDENTIAL UNITS.
> 2. UP TO FIFTY PERCENT OF THE COMMERCIAL VILLAGE DISTRICT AND ONE HUNDRED TWENTY FIVE (125) RESIDENTIAL UNITS.
> 3. THE COMPLETE RESIDENTIAL DEVELOPMENT AND NO COMMERCIAL DISTRICT.
>
> e. APPROVALS FOR ALIGNMENT AND ENGINEERING DESIGN SHALL GO THROUGH THE APPROPRIATE GOVERNMENTAL AGENCIES.

Given the circumstances, the only reasonable interpretation of Section (5)(c) is that the phrases

"extension of Carolina Place Parkway" refers only to the section of that road extension located within the project (which already has been constructed), and "complete connection of the extension to Dorman Road" refers to the unnamed road segment shown on the Site Plan that connects Carolina Place Parkway to Dorman Road (which already has been constructed and is now known as Muskerry Drive).

For the following reasons, the note cannot reasonably be interpreted to limit the number of certificates of occupancy that may be issued until the completion of the Future Off-Site Road Extension.

First, all provision of the Site Plan must be construed "strictly in favor of the free use of real property." *Morris Communs. Corp.*, 365 N.C. at 157, 712 S.E.2d at 871. The strict construction of Section (5)(c) demonstrates that the provision only conditions the issuance of certificates of occupancy on the completion of those portions of the *on site* streets that already have been constructed. Any other interpretation of Section (5)(c) would fail to properly construe the relevant language in favor of the property owner.

Second, all provisions of the Site Plan must be construed together, and the Site Plan legend clearly provides that the Future Off-Site Road Extension would be "constructed by others." *See George*, 294 N.C. at 684, 242 S.E.2d at 880 (ordinance provisions must be considered "as a whole" and "construed together."). As such, Section (5)(c) must be read to mean that, since the Future Off-Site Road Extension will be "constructed by others," the issuance of certificates of occupancy to the Parkway Owners are only conditioned on the completion of those portions of the *on site* streets that already have been constructed. To read Section (5)(c) otherwise would facially violate the principles of statutory construction by failing to harmonize Section (5)(c) with the Site Plan's legend.

Third, the Site Plan legend's explicit statement that the Future Off-Site Road Extension must be "constructed by others" is more specific than Section (5)(c)'s general condition. As such, the principles of statutory construction mandate that the legend's more specific language "controls in resolving any apparent conflict." *Furr*, 103 N.C. App. at 281, 404 S.E.2d at 886. As such, Section (5)(c) only conditions the issuance of certificates of occupancy to the Parkway Owners on the completion of those portions of the *on site* streets that already have been constructed.

Fourth, the Town already has issued more than 50% of the certificates of occupancy for the Project (half the Village District and greater than 125 residential units), showing that Section (5)(c) previously has been construed by the Town consistently with the request being made now by the Parkway Owners.

Fifth, construing Section (5)(c) so as to condition the issuance of certificates of occupancy on *the developer's* construction of off-site improvements would render section (5)(c) an unlawful exercise of the Town's authority. *See Schooldev E., LLC v. Town of Wake Forest*, 386 N.C. 775, 787, 909 S.E.2d 181, 191 (2024) ("[M]unicipalities lack statutory authority to compel developers to build streets or roads outside their respective subdivisions. (citing *Buckland v. Haw River*, 141 N.C. App. 460, 463, 541 S.E.2d 497 (2000) (holding that the subdivision enabling statute "does not empower municipalities to require a developer to build streets or highways *outside* its subdivision"))).

Sixth, construing Section (5)(c) so as to condition the issuance of certificates of occupancy on *a neighbor's* construction of off-site improvements would render section (5)(c) an unlawful delegation of permitting authority. *See Eubank v. City of Richmond*, 226 U.S. 137, 143-44 (1912); *High Rock Lake Partners, LLC v. N.C. Dep't of Transp.*, 366 N.C. 315, 321, 735 S.E.2d 300, 304-305 (2012) (recognizing the "due process rights that protect property owners from state delegations of power that give neighbors the authority to regulate the way another person uses his or her property") (citing *Wash. ex rel. Seattle Title Trust Co. v. Roberge*, 278 U.S. 116, 122 (1928); *Eubank*, 226 U.S. at 143-44); *and Wilcher v. Sharpe*, 236 N.C. 308, 311-12, 72 S.E.2d 662, 665 (1952) ("Where the effectiveness of an ordinance determining the use of property for a lawful purpose is conditioned upon the assent or permission of private persons, . . . it must be held invalid, as it involves the delegation of legislative power to private individuals.").

Seventh, it would be absurd and illogical for the Town to interpret section (5)(c) as conditioning the issuance of certificates of occupancy on the construction of off-site improvements because such an interpretation would presume the Town intended to act unlawfully and unconstitutionally. *See Fort*, 218 N.C. App. at 407, 721 S.E.2d at 355 (explaining that ordinances must be interpreted to "avoid[ ] absurd or illogical interpretations"); *Wynn v. Frederick*, 385 N.C. 576, 594, 895 S.E.2d 371, 385 (2023) ("In reading statutes, this Court presumes that the legislature acts with awareness of the law."); *Smith v. Keator*, 285 N.C. 530, 534, 206 S.E.203, 206 (1974) ("Where a statute or ordinance is susceptible to two interpretations—one constitutional and one unconstitutional— the Court should adopt the interpretation resulting in a finding of constitutionality."). In light of the Sixth and Seventh points stated above, the only way to interpret Section (5)(c) as conditioning the issuance of certificates of occupancy on the construction of off-site improvements would be to presume that the Town intended to act unconstitutionally and without awareness of the law. Since such an interpretation would directly violate the principles of statutory construction, the Town must avoid it.

Conclusion

For the reasons described above, the Parkway Owners respectfully request that you issue an administrative interpretation within the next thirty (30) days which confirms (i) that the roadwork for the project allowed by the Site Plan has been completed, and (ii) that certificates of occupancy for development on the Undeveloped Parkway Property are not conditioned on the completion of the Future Off-Site Road Extension.

Thank you in advance for your attention to this matter. If you have any questions, or if you would like to schedule a pre-application meeting under Section 2.3.5.(C) of the Zoning Ordinance, we trust that you will let us know at your earliest convenience.

Very Truly Yours,

Jeffrey L. Roether

Enclosures

cc: William J. Brian, Jr., Esq.
Hunter Winstead, Esq.

EXHIBIT

A

Stantec Consulting Services Inc.
5265 Parkway Plaza Blvd., Suite 130
Charlotte NC U.S.A.
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Stantec

Legend

SITE ACERAGE:	44.91 AC.
EXISTING ZONING:	R–12
PROPOSED ZONING:	BP–CD (CONDITIONAL USE)

RIGHT OF WAY TO BE DEDICATED BY OTHERS. ROADWAY TO BE CONSTRUCTED BY OTHERS.

COMMERCIAL BUILDING SHALL BE CONSTRUCTED TO BUILD–TO LINES ALONG RIGHTS OF WAY WHICH PROVIDE FOR SIDEWALKS AND SIGNAGE, OVERHANGS FOR CANOPYS THAT DO NOT ENCROACH INTO PUBLIC RIGHTS OF WAY. TYPICAL BUILD TO LINE SHALL BE 20' MAXIMUM FROM THE RIGHT OF WAY.

VILLAGE CENTER DISTRICT SHALL HAVE THE FOLLOWING MAXIMUM SQUARE FOOTAGES:

OFFICE – 80,000 S.F.
RETAIL – 85,000 S.F.

COMMERCIAL SOUTH OF CAROLINA PLACE PARKWAY SHALL HAVE THE FOLLOWING MAXIMUM SQUARE FOOTAGES:

TOTAL NOT TO EXCEED 50,000 S.F.
OFFICE – 30,000 S.F. TO 50,000 S.F.
RETAIL – 20,000 S.F. MAXIMUM

AN ALTERNATIVE TO COMMERCIAL USES IN THE ENTIRE COMMERCIAL DISTRICT SHALL BE CHURCH/RELIGIOUS USES: COMMERCIAL USES

SINGLE FAMILY DETACHED DISTRICT MAXIMUM SQUARE FOOTAGES:

100 HOMES
SEE NOTES FOR SQUARE FOOTAGES REQUIRE

TOWNHOME DISTRICT MAXIMUM FOOTAGES:

110 TOWNHOMES
SEE NOTE FOR SQUARE FOOTAGE REQUIRED.

APPLICANT SHALL WORK WITH NCDOT TO ESTABLISH TURN LANES AND STACKING AS REQUIRED ALONG CAROLINA PLACE PARKWAY EXTENSIONS AND SAM MEEKS ROAD.

	Revision	By	Appd.	YY.MM.DD
5	REVISED PARK & AMENITIES			12.11.26
4	REVISED WALKING TRAIL LAYOUT & DETAIL	RLC	RLC	12.09.28
3	REV. NOTES PER ZONING COMMENTS	RLC	RLC	12.08.09
2	SIDEYARD SETBACK CHANGE	CIP	RLC	11.12.05
1	TOWN OF PINEVILLE COMMENTS	FKM	RSK	04.06.01

File Name: 73200358REV 6–1–04.dwg	FKM	RSK	RSK	04.03.22
	Dwn.	Chkd.	Dsgn.	YY.MM.DD

Permit-Seal

NORTH CAROLINA PROFESSIONAL SEAL 033448 ENGINEER ROBERT L. CASH

Client/Project

CAMBRIDGE PARTNERS
2102 CAMBRIDGE BELTWAY DRIVE
CHARLOTTE, NC 28273
PHONE: 704-731-5518

PARKWAY CROSSING

Title

SCHEMATIC SITE PLAN

Project No. 173200554

Scale 1:100 0 100' 150' 200'

Drawing No. P1

Sheet 1 of 4 2

PARKWAY CROSSING

A MASTER PLANNED MIXED USE COMMUNITY

DEVELOPMENT OVERVIEW

Development Districts:
The development shall consist of three (3) interconnected districts: Single Family; Town Homes; and Commercial as defined in the notes below and rezoning application drawings. There shall also be a small portion of the master plan which will have the flexibility to become commercial or religious use.

Extension of Carolina Place Parkway:
The development shall also include the extension of Carolina Place Parkway from Sam Meeks Road to Dorman Road with appropriate turning lanes at Sam Meeks Road and Dorman Road in accordance with the layout drawings included with the rezoning application. The extension of Carolina Place Parkway shall include the right of way and the construction of a two lane paved road in accordance with North Carolina Department of Transportation standards for this type road.

Greenway and Park:
A greenway for pedestrians shall be developed within the natural wooded area along the western boundary for the use of residents and commercial users. This shall consist of a walking trail, benches, play equipment and grassed flat areas for sitting and play. In addition to the greenway a park area shall be developed within the single family district and within the town home area, both of which will have benches, and play equipment to be determined.

Development Character:
The community will be developed with Planning Principles utilized in early 20th Century towns similar to Pineville. The commercial district will be developed within a five minute walk of most residential lots and connected with tree lined streets in which parallel parking is encouraged. A combination of one and two story buildings will be designed with traditional styles and materials that will create interesting and detailed streetscapes. Sidewalks will be wide enough to encourage exterior display and sidewalk seating/dining. The residential district will be designed with similar traditional planning principles of the structures located close to the street and encouraging front porches.
The community will be developed with a focus on the pedestrian environment. Sidewalks and parks and a large greenway will enhance the outdoor nature of the neighborhood and facilitate human interaction

Master Plan Administrative Adjustments:
The master plan shall have the flexibility to make adjustments to meet site conditions or market requirements for positioning of roadways and buildings. Adjustments that vary from the master plan, as submitted and approved, shall be subject to review and approval per 9.5 of the Town of Pineville Zoning Ordinance.
ACREAGE BREAKDOWN:

CAROLINA PLACE PARKWAY EXTENSION ALIGNMENT

NORTH SIDE OF CAROLINA PLACE PARKWAY (42.5±) ACRES

VILLAGE CENTER 9.56± **ACRES**
RESIDENTIAL; SINGLE FAMILY AND TOWNHOUSE 23.93± **ACRES**
GREENWAY 9.02± **ACRES**

SOUTH SIDE OF CAROLINA PLACE PARKWAY 2.38± **ACRES**

AREA 2.38± **ACRES**
CHURCH OR COMMERCIAL

RIGHT-OF WAY: FUTURE CAROLINA PLACE PARKWAY 2.24+ **ACRES**

TOTAL ACREAGE OF SITE +47.12 **ACRES**

FINAL AREAS TO BE PROVIDED IN CONSTRUCTION DOCUMENTS. THESE NUMBERS ARE PRELIMINARY FROM THE SUBMITTED PLAN AND DO NOT REPRESENT FINAL PLATTED AND/OR SURVEYED AREAS.

LAND USE DESIGNATIONS

NORTH SIDE OF CAROLINA PLACE PARKWAY

VILLAGE CENTER DISTRICT
DISTRICT TO CONSIST OF 80,000 SQUARE FEET OFFICE FOR LEASE OF FOR PURCHASE, AND 85,000 SQUARE FEET FOR RETAIL. IF A GROCERY STORE IS INCLUDED IN THE COMMERCIAL CENTER IT SHALL NOT EXCEED 48,000 SQUARE FEET. NO OTHER SINGLE-TENANT RETAIL USE WILL OCCUPY MORE THAN 12,000 SF.

RESIDENTIAL
SINGLE FAMILY DISTRICT

MAXIMUM NUMBER OF UNITS: 100

MINIMUM SQUARE FOOTAGE FOR UNITS - 1400 SQUARE FEET
RANGE OF SQUARE FOOTAGE FOR UNITS - 1,400 TO 2500 SQUARE FEET. AT LEAST 50% OF THE UNITS WILL BE LARGER THAN 2000 SQUARE FEET OF HEATED SPACE.

TOWN HOME DISTRICT

MAXIMUM NUMBER OF UNITS: 110

MINIMUM SQUARE FOOTAGE FOR UNITS - 1100 SQUARE FEET
RANGE OF SQUARE FOOTAGE FOR UNITS 1100 TO 1800 SQUARE FEET. AT LEAST 50% OF THE UNITS WILL BE LARGER THAN 1300 SF OF HEATED SPACE.

SOUTH SIDE OF CAROLINA PLACE PARKWAY

ALTERNATIVE ONE - CHURCH EXPANSION; TO CONSIST OF EXPANSION LAND FOR SOUTH CHARLOTTE BAPTIST CHURCH- TO BE DONE BY OTHERS.

ALTERNATIVE TWO - VILLAGE CENTER EXPANSION; OFFICE OR RETAIL

UP TO 50,000 SQUARE FEET OF OFFICE OR UP TO 20,000 SF OF RETAIL WITH NO SINGLE USE LARGER THAN 12,000 SF AND UP TO 30,000 SF OF OFFICE

COMMERCIAL DESIGN STANDARDS AND USES NOT PERMITTED SHALL APPLY TO THIS SIDE OF CAROLINA PLACE PARKWAY. SEE DESIGN STANDARDS FOR RELIGIOUS USE ALSO.

DEVELOPMENT NOTES

1.) **EXCHANGE OF ENTITLEMENTS:** APPLICANT MAY EXCHANGE ENTITLEMENTS BETWEEN USES AS FOLLOWS:

LAND ON THE NORTH SIDE OF CAROLINA PLACE PARKWAY EXTENSION

a. OFFICE MAY BE INCREASED BY REDUCING AN EQUAL AMOUNT OF RETAIL, BUT NOT TO EXCEED ADDING 10,000 SQUARE FEET OF OFFICE BY REDUCING 10,000 SQUARE FEET OF RETAIL.
b. SINGLE FAMILY RESIDENTIAL MAY BE INCREASED BY REDUCING OFFICE OR RETAIL AT THE RATE OF 1 RESIDENTIAL UNIT FOR EACH 800 SQUARE FEET OF OFFICE OR RETAIL, NOT TO EXCEED ADDING 20 RESIDENTIAL UNITS FOR 16,000 SQUARE FEET OF OFFICE OR RETAIL.
c. THE TOTAL RESIDENTIAL DENSITY SHALL NOT EXCEED 6 UNITS PER TOTAL ACREAGE OF THE SITE, INCLUDING PARKS AND GREENWAYS IN THE TOTAL ACREAGE CALCULATIONS FOR THE DENSITY.

B. **LAND ON THE SOUTH SIDE OF CAROLINA PLACE PARKWAY EXTENSION** MAY BE FOR RELIGIOUS, OFFICE OR RETAIL. ENTITLEMENTS SHALL BE AS FOLLOWS:

a. RELIGIOUS - BUILDING AND PARKING LOT TO MEET LOCAL ZONING ORDINANCE, COVENANTS AND RESTRICTIONS PLACED ON THEM BY THE APPLICANT. SEE ARCHITECTURAL CONTROLS.

2.) **YARD , BULK HEIGHT, SCREENING:**

COMMERCIAL- OFFICE AND RETAIL SETBACKS AND BUILD TO LINES
FRONT 20' (WHERE LOCATED ON A STREET RIGHT OF WAY BUILDINGS SHALL BE LOCATED TWENTY (20) FEET FROM THE RIGHT OF WAY OR LESS AS ALLOWED BY THE TOWN OF PINEVILLE. THE BUILD TO LINE.)
SIDE 10'
REAR 20' OR LESS AS ALLOWED BY THE TOWN OF PINEVILLE.MAXIMUM BUILDING HEIGHT 50'

RESIDENTIAL SETBACKS
SINGLE FAMILY
FRONT YARD 10' or 15' (10' TO PORCH EDGE FOR REAR LOAD HOMES. 15' FOR FRONT LOAD HOMES
SIDE YARD 5' MIN.
REAR YARD 5' MIN. TO ACCESSORY BUILDING AND 15' MIN. TO PRINCIPLE BUILDING
TOWN HOMES
FRONT YARD 10' TO PORCH EDGE FOR REAR LOAD HOMES.
SIDE YARD 6' MIN.
REAR YARD 5' MIN. TO ACCESSORY BUILDING AND 15' MIN. TO PRINCIPLE BUILDING

FOOTNOTES:
1. A SIDE YARD EAVE ENCROACHMENT OF UP TO ONE FOOT (1') SHALL BE PERMITTED FOR ALL LOTS EXCLUDING EXISTING HOMES. FRONT LOAD LOTS MUST BE FIFTY FEET (50') WIDE OR GREATER AND HAVE 15' SETBACK TO THE FRONT PORCH.

2. TOWN HOME FRONT YARD SETBACK SHALL BE A MINIMUM OF 10' FOR UNITS WITH REAR GARAGES OR WITH NO GARAGE. UNITS WITH FRONT LOAD GARAGES SHALL HAVE A MINIMUM TWENTY FOUR FOOT (24') SETBACK FROM THE SIDEWALK TO THE GARAGE.

3. REAR SETBACKS SHALL BE FIVE FEET (5') - FIFTEEN FEET (15') FROM EDGE OF PAVEMENT. NO PARKING WILL BE ALLOWED IN ALLEYS.

4. INDIVIDUAL RESIDENTIAL LOTS SHALL NOT HAVE DRIVEWAY / ALLEYWAY ACCESS DIRECTLY TO SAM MEEKS ROAD.

STREET YARDS TO BE PROVIDED 15' ADJACENT TO STREET.
INTERIOR LANDSCAPING TO BE PROVIDED IN ACCORDANCE WITH SECTION 7.3.5.

SEE SHEET 4 FOR COMMERCIAL AND RESIDENTIAL OPTIONS

3. **GENERAL NOTES**

a. **PARKING**
PARKING REQUIREMENTS WILL BE PROVIDED AS FOLLOWS:
INDIVIDUAL USES
BANK - 1/250 SQUARE FEET (SF) GROSS FLOOR AREA (GFA)
CHURCH - 1/4 SEATS
OFFICE - 1/300 SF OFFICE AREA
RESTAURANT - 1/250 SF GFA
RETAIL - 1/250 SF GFA
RETAIL SERVICE - 1/250 SF GFA

SHOPPING CENTER - THE GROUPING OF USES AROUND COMMON PARKING AND AMENITIES
COMMERCIAL VILLAGE DISTRICT 1/250 SF GFA

PARKING TO BE PROVIDED PER ARTICLE 11 OF THE ZONING ORDINANCE
OR AS STATED WHICHEVER IS LESSER.
Due to the nature of a mixed-use development with varying peak parking demands, the parking ratios may be lowered upon the approval of the Town Planning Staff to reduce the amount of visible parking.
PARKING FOR RESIDENTIAL SHALL ACCOMMODATE TWO (2) AUTOMOBILES PER LIVING UNIT INCLUDING GARAGES, PARKING PADS.

PARKING RESTRICTIONS-
1. FOR THE COMMERCIAL DISTRICT THERE SHALL BE NO PARKING BETWEEN THE BUILDINGS AND ANY PUBLIC STREET.
2. THERE SHALL NOT BE ANY DRIVE UP WINDOWS ALONG PUBLIC STREETS. THE COMMERCIAL DISTRICT WILL BE LIMITED TO ONE DRIVE UP WINDOW THAT IS LOCATED SO AS NOT TO BE IN CONFLICT WITH PEDESTRIAN PATHWAYS AND SHALL NOT BE FOR A FAST FOOD RESTAURANT.

THE ZONING ADMINISTRATOR FOR THE TOWN OF PINEVILLE SHALL HAVE THE AUTHORITY TO REDUCE PARKING REQUIREMENTS FOR INDIVIDUAL USES IN THE COMMERCIAL VILLAGE DISTRICT WHEN SHARED PARKING IS PROPOSED.

b. **USES NOT PERMITTED.** TATTOO PARLORS, ADULT ESTABLISHMENTS, AUTOMOTIVE REPAIR SHOPS, AUTOMOTIVE BODY SHOP, CAR WASH, CAR DEALERS, PAWN SHOPS, CHECK CASHING ESTABLISHMENT, LOUNGE, FIRING RANGE (INDOOR), MINI-WAREHOUSE, POOL HALL, RECYCLING DEPOSIT STATION, AUCTION HOUSE, ANIMAL SHELTER, SERVICE STATION/FUEL SALE'S, BOTTLEWORKS, GUNSMITH/GUNS AND AMMUNITION SALES, FAST FOOD WITH DRIVE-THRU, AND WHOLESALE SALES OPERATIONS. DRIVE-THRU BANKS OR PHARMACEUTICAL FACILITIES ALONG CAROLINA PLACE PARKWAY WILL BE ALLOWED ON THE SOUTHWEST PARCEL ADJACENT TO THE ROUND-A-BOUT.

c. **LANDSCAPING AND SCREENING:**
Landscaping:
A MASTER LANDSCAPE PLAN WILL BE DEVELOPED TO MEET OR EXCEED ARTICLE 7 OF THE ZONING ORDINANCE. THE MASTER LANDSCAPE PLAN WILL PROVIDE SIMILAR PLANTINGS ALONG STREETS AND DISTRICTS TO ENCOURAGE CONTINUITY OF TREE CANOPIES.

WILL MEET OR EXCEED ARTICLE 7 OF THE ZONING ORDINANCE. A TREE LANDSCAPING PLAN WILL BE PROVIDED PRIOR TO SITE DISTURBANCE.

d. GREENWAY IS PROVIDED TO PRESERVE TREES IN THIS AREA PER **SECTION 7.3.6 OF THE ORDINANCE**.

e. **SIDEWALKS** SHALL BE INSTALLED ON BOTH SIDES OF ALL INTERIOR STREETS, CAROLINA PLACE PARKWAY EXTENSION, AND THE PROPERTY SIDE OF SAM MEEKS ROAD. SIDEWALKS SHALL BE A MINIMUM OF 5'-0" IN WIDTH.

f. **UTILITIES** WILL BE LOCATED UNDERGROUND.

g. **INFRASTRUCTURE AND LANDSCAPING** WILL BE PHASED WITH CONSTRUCTION.

h. **ALLEYS** SHALL BE INCLUDED IN THE RESIDENTIAL AREAS AS POSSIBLE. RESIDENTIAL UNITS THAT DO NOT FRONT ON THE GREENWAY OR OTHER AREAS OF THE DEVELOPMENT WHICH MAKE ALLEYS IMPRACTICAL SHALL BE FRONT LOADED.

RESTRICTIONS SHALL BE REQUIRED IN THE RESIDENTIAL DEVELOPMENT COVENANTS WHICH REQUIRE THAT THERE BE NO PARKING IN ALLEYS WITHOUT BEING TOWED.

i. **RUNOFF -** THE PETITIONER WILL CONSULT WITH AND SEEK THE ADVICE OF MECKLENBURG COUNTY IN HOW TO INCORPORATE PASSIVE WATER QUALITY CONTROL FEATURES IN THE OVERALL STORM WATER MANAGEMENT PLAN FOR THE SITE. STORM WATER CONTROLS SHALL TREAT THE FIRST INCH OF RAINFALL. THE STORM WATER MANAGEMENT PLAN FOR THE SITE WILL BE REVIEWED AND APPROVED BY MECKLENBURG COUNTY LAND DEVELOPMENT AND TOWN OF PINEVILLE STAFF.

4. **ARCHITECTURAL STANDARDS**

PURPOSE
Architectural Standards:
An overall architectural theme will be developed to ensure continuity between the different uses within the community. The Commercial District buildings will be constructed primarily with brick, with hardi-plank or EIFS accents. EIFS or hardi-plank shall not compose more than 25% or any particular building. When fronting public streets, all buildings will have windows or architectural articulation to break up long facades. Awnings, colonnades and overhangs are encouraged to provide pedestrian scale to the buildings. Flat roofs with parapets, cornices and mansards are encouraged to help screen mechanical equipment and provide height to one-story structures. One-story buildings shall have a min. parapet height of 20'.

For Residential uses, porches and balconies on the street side are required. Brick, stone, hardi-plank, EIFS, vinyl siding and wood siding are allowed. No residential building elevation shall exceed 16' without windows, offsets or architectural features to help minimize long walls. All residential units will be of a traditional style of architecture. Multiple colors of hardi-plank, vinyl siding or wood siding are encouraged between units to ensure variety. Roof materials that are allowed include architectural grade fiberglass shingles, slate or tile. Metal roofs may be used for porches.
The purpose of the architectural standards is to ensure a consistency of architectural materials and quality for the pedestrian environment planned.

COMMERCIAL BUILDINGS IN THE VILLAGE DISTRICT SHALL BE COMPLEMENTARY WITH THE RESIDENTIAL DISTRICTS IN THE USE OF COLORS AND MATERIALS AND THEIR ARRANGEMENT. THOUGH A RANGE OF MATERIALS AND STYLES SHALL BE PERMITTED IN BOTH THE COMMERCIAL AND RESIDENTIAL DISTRICTS THE FINAL BUILT PRODUCTS SHALL BE OF A SCALE AND APPEARANCE TO ENHANCE PEDESTRIAN ACTIVITIES.

GENERAL PRINCIPLES
1. BUILDINGS SHALL BE ALIGNED AND CLOSE TO THE STREET TO FORM THE SPACE FOR THE STREET AND THE OUTDOOR ROOMS FOR THE NEIGHBORHOOD TO ENJOY.

2. BUILDINGS PROTECT THE PRIVATE OPEN SPACE.
WHETHER A YARD, GARDEN OR COURTYARD, PRIVATE OPEN SPACE IS AN IMPORTANT COMPLIMENT TO THE PUBLIC OPEN SPACE OF THE NEIGHBORHOOD.

3. PORCHES AND BALCONIES
PORCHES AND BALCONIES SHALL BE ENCOURAGED TO CONTRIBUTE TO THE WELL BEING AND SAFETY OF THE NEIGHBORHOOD AND TO SERVE AS A BUFFER FROM THE INTERIOR OF RESIDENTIAL BUILDINGS AND STREET ACTIVITY. SINGLE FAMILY HOMES WILL INCLUDE FRONT PORCHES OR STOOPS THAT ARE NO SMALLER THAN 6 FEET IN DEPTH AND EXTEND ACROSS APPROXIMATELY 50% OF THE FRONT FACADE. STOOPS AND PORCHES WILL HAVE RAILINGS.

4. VEHICLE STORAGE AND MECHANICAL EQUIPMENT LOCATED AWAY FROM THE STREET.
ACCESS TO GARAGES, PARKING PADS SHALL BE MAINLY FROM ALLEYS. WHERE GARAGES MUST BE FRONT LOADED FROM THE STREET, THEY WILL BE SET BACK AT LEAST 24 FEET FROM THE STREET RIGHT OF WAY OR PROPERTY LINE.

RESIDENTIAL DISTRICTS
1. STYLE
RESIDENTIAL STRUCTURES SHALL BE DESIGNED TO HAVE A TRADITIONAL CHARACTER WHILE BEING ABLE TO USE TIME TESTED OR CONTEMPORARY MATERIALS. COLORS SHALL BE SUBDUED AND NOT BRIGHT OR COMPETING FOR ATTENTION.

2. BUILDING MASSING
BUILDING MASS SHOULD BE A SIMPLE COMPOSITION OF BASIC BUILDING FORMS FOLLOWING A CLEAR HIERARCHY: PRINCIPLE STRUCTURE, PORCHES, GARAGES. GARAGES WILL NOT PROTRUDE FROM THE PRINCIPLE BUILDING BUT BE FLUSH OR RECESSED FROM PRINCIPLE BUILDING.

3. ROOF LINES MUST BE SIMPLE: GABLES, HIPS, AND SHEDS OR COMBINATIONS OF THESE BASIC ROOF FORMS.

4. DETAILS
DETAILS SUCH AS DOORS, WINDOWS, EAVES AND COLUMNS AND RAILINGS SHOULD BE COMPLIMENTARY TO THE HOUSE FORMS TO SUSTAIN INTEREST AND VALUE. FRONT DOORS SHALL HAVE TRANSOMS AND OR SIDELIGHTS. EAVE OVERHANGS SHALL HAVE DECORATIVE/TRADITIONAL STYLE BRACKETS. COLUMNS (SUCH AS FOR PORCHES) SHALL HAVE TRADITIONAL CHARACTER. EXAMPLES ARE TAPERED FOR CRAFTSMAN STYLE HOMES AND ROUND WITH ENTASIS FOR COLONIAL REVIVAL HOMES. A MINIMUM OF TWO FACADE MATERIALS SHALL BE USED. GARAGE DOORS FOR FRONT LOADED GARAGES SHALL BE CARRIAGE STYLE WITH FEATURES SUCH AS FAUX HARDWARE AND TOP GLASS INSERTS.

5. BUILDING MATERIALS.
BUILDING MATERIALS SHALL BE BRICK, STONE, HARDI-PLANK, EFIS, VINYL OR WOOD SIDING WITH ONE DOMINANT MATERIAL AND AT LEAST ONE COMPLIMENTARY MATERIAL.

COMMERCIAL DISTRICT
1. STYLE
COMMERCIAL STRUCTURES SHALL BE DESIGNED TO HAVE A TRADITIONAL CHARACTER WHILE BEING ABLE TO USE TIME TESTED OR CONTEMPORARY MATERIALS. COLORS SHALL BE SUBDUED AND NOT BRIGHT.

2. BUILDING MASSING
BUILDING MASS SHOULD BE A SIMPLE COMPOSITION OF BASIC BUILDING FORMS WITH RECESSES AND ARTICULATION TO CREATE INTEREST AND OBVIOUS ENTRANCES. RETAIL BUILDINGS SHALL HAVE THEIR STREET FRONT OR MAIN ENTRANCES PREDOMINANTLY GLASS TO CREATE AN INVITING FAÇADE FOR PEDESTRIANS. COMMERCIAL BUILDINGS SHALL BE NO TALLER THAN TWO STORIES.

3. ROOF LINES
ROOF LINES MUST BE SIMPLE GEOMETRIC FORMS IF NOT FLAT. IF FLAT ROOFS ARE USED THEY MUST BE SCREENED BY PARAPET WALLS.

4. DETAILS SUCH AS DOORS, WINDOWS, EAVES, COLUMNS AND RAILINGS SHOULD BE COMPLIMENTARY TO THE COMMERCIAL BUILDING FORMS TO SUSTAIN INTEREST AND VALUE. AWNINGS AND OVERHANGS SHALL BE ENCOURAGED. ARCADES AND COLONNADES SHALL BE PERMITTED. SIDE AND REAR ELEVATIONS SHALL INCLUDE FEATURES THAT ENHANCE THE SIDE AND REAR ELEVATIONS. UNINTERRUPTED FACADES OF MORE THAN 50' WILL NOT BE PERMITTED. EXAMPLES OF ENHANCING FEATURES SHALL BE WINDOWS, PLANTING BEDS, AND AWNINGS.

5. BUILDING MATERIALS.
EXTERIOR BUILDING MATERIALS SHALL PRIMARILY BE BRICK WHERE SEEN BY THE PUBLIC. SERVICE AREAS NOT SEEN BY THE PUBLIC OR SCREENED FROM PUBLIC VIEW MAY BE PAINTED MASONRY BLOCK TO MATCH THE MAIN COLOR OF THE BUILDING. HARDI-PLANK OR EFIS MAY BE USED FOR ACCENTS ONLY. THE ARRANGEMENT OF DIFFERENT MATERIALS SHALL APPROPRIATELY EXPRESS THE SPECIFIC PROPERTIES OF THE MATERIALS. FOR EXAMPLE HEAVIER MORE PERMANENT MATERIALS SUPPORT LIGHTER MATERIALS (I.E. BRICK SUPPORTS HARDI-PLANK).

6. APPROVAL OF EXTERIOR ELEVATIONS
TOWN OF PINEVILLE PLANNING STAFF SHALL REVIEW EXTERIOR ELEVATIONS FOR CHARACTER AND CONSISTENCY OF DESIGN INTENT FOR THE VILLAGE CENTER OF THE COMMERCIAL BUILDINGS PRIOR TO ISSUANCE OF PERMIT.

CHURCH

CHURCH EXPANSION SHALL BE IN ACCORDANCE WITH THE TOWN OF PINEVILLE ZONING STANDARDS. THE STYLE AND CHARACTER OF THE EXPANSION SHALL BE DETERMINED BY THE CHURCH LEADERSHIP, BUT SHALL BE OF STYLE AND CHARACTER CONSISTENT WITH IT'S LATEST EXPANSION AND SHALL BE COMPLEMENTARY WITH THE COMMERCIAL VILLAGE DISTRICT STYLE AND CHARACTER WHEN PRATICAL. EXPOSED METAL BUILDING WALLS SHALL NOT BE PERMITTED.

SIGNAGE
SIGNAGE WILL BE PERMITTED ON THE BUILDINGS AS PERMITTED BY THE ZONING ORDINANCE FOR THE TOWN OF PINEVILLE. NO BOX SIGNS WILL BE ALLOWED. INDIVIDUAL LETTER TYPE SIGNS, EITHER LIGHTED OR OF NON-ILLUMINATED WILL BE ALLOWED EXCEPT LIGHTED SIGNS SHALL NOT FACE DIRECTLY ON RESIDENTIAL DISTRICTS. IF SIGNAGE IS REQUIRED ON COMMERCIAL BUILDINGS FACING DIRECTLY ON RESIDENTIAL DISTRICTS THEN ILLUMINATION SHALL BE FROM AN INDIRECT SOURCE TO SHINE ON THE SIGNAGE. EXPOSED NEON WILL NOT BE ALLOWED ON THE EXTERIOR OF ANY BUILDING. THE NUMBER OF SIGNS ON OR NEAR BUILDINGS SHALL BE CONTROLLED BY THE DEVELOPER TO BE CONSISTENT WITH CURRENT TOWN OF PINEVILLE ORDINANCES AND TO MAINTAIN THE NEIGHBORHOOD/VILLAGE CHARACTER OF THE DEVELOPMENT.

MONUMENT SIGNS WILL BE PERMITTED IN ACCORDANCE WITH THE ZONING ORDINANCE FOR THE TOWN
OF PINEVILLE. MATERIALS, HEIGHT AND MASSING WILL BE SUBMITTED TO THE TOWN OF PINEVILLE FOR APPROVAL AS A PART OF THE COMMERCIAL VILLAGE DISTRICT DEVELOPMENT. MONUMENT SIGNS SHALL USE SIMILAR MATERIALS AND COLORS AS USED IN THE COMMERCIAL BUILDINGS.

SITE LIGHTING
ALL FREE STANDING LIGHTING FIXTURES (EXCLUDING PUBLIC STREET LIGHTS) INSTALLED WILL BE UNIFORM IN DESIGN. THE MAXIMUM HEIGHT OF ANY FREE STANDING LIGHTING FIXTURE INCLUDING THE BASE, SHALL NOT EXCEED THIRTY (30) FEET IN THE COMMERCIAL VILLAGE DISTRICT OR EXCEED TWENTY (20) FEET IN THE RESIDENTIAL DISTRICTS. DECORATIVE LIGHTING WILL BE USED ALONG PUBLIC STREETS. ALL PARKING LOT LIGHTING SHALL BE CONSISTENT THROUGHOUT THE COMMERCIAL VILLAGE DISTRICT. PARKING LOT LIGHTING SHALL CONSIST OF A METAL OR FIBERGLASS POLE WITH A SHOE BOX TYPE FIXTURE, OR MORE DECORATIVE TYPE, SIMILAR TO LITHONIA KSF WITH METAL HALIDE TYPE LAMPS. BOTH POLE AND FIXTURE SHALL BE DARK BRONZE, OR BLACK.

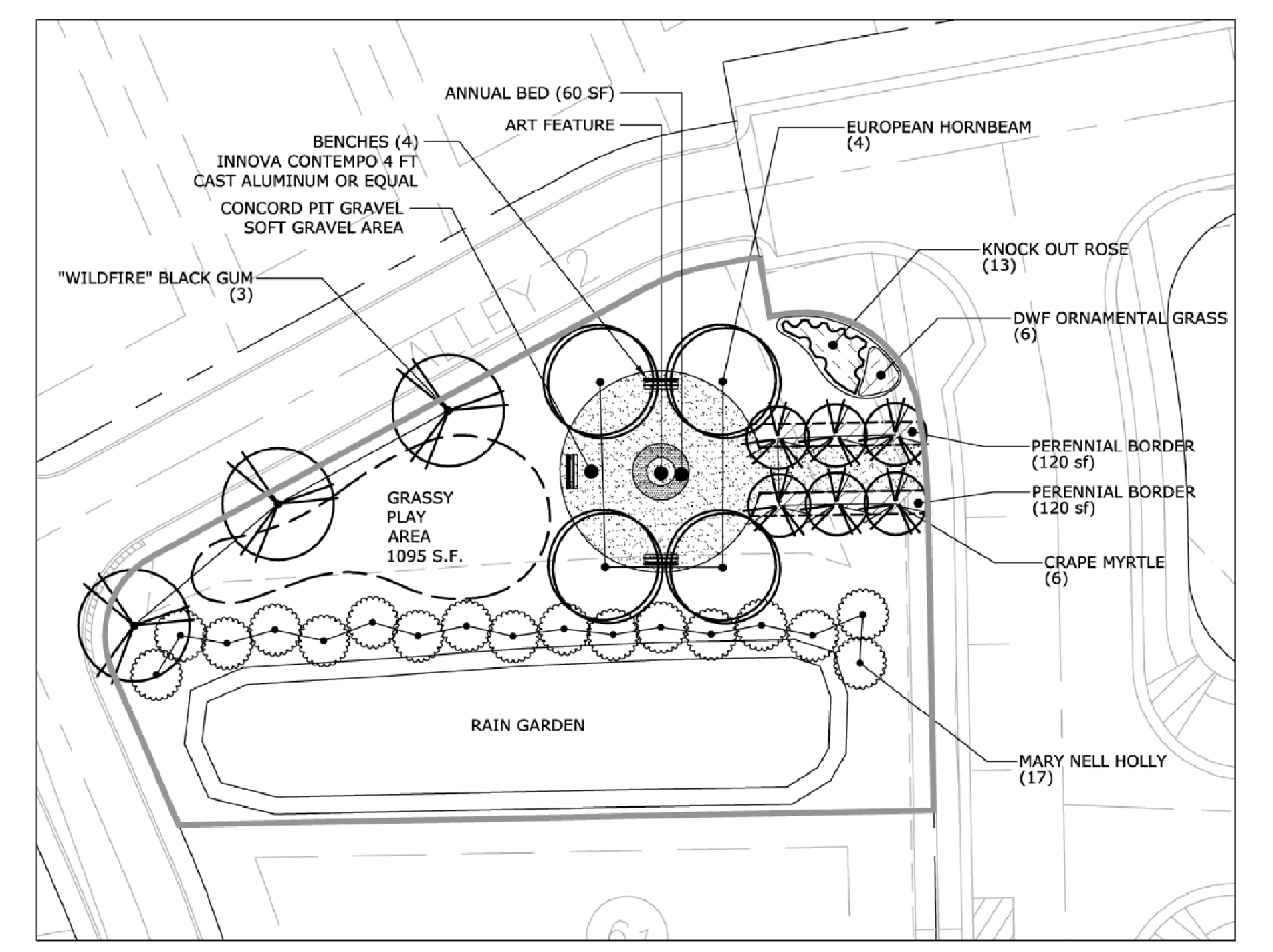
5. **RIGHT - OF- WAY CONTRIBUTION AND CAROLINA PLACE PARKWAY EXTENSION.**
a. APPLICANT OR THEIR REPRESENTATIVE SHALL PROVIDE RIGHT OF WAY FOR THE EXTENSION OF CAROLINA PLACE PARKWAY TO DORMAN ROAD AS SHOWN ON THE APPLICATION DRAWINGS. RIGHT OF WAY SHALL BE 100 FEET IN WIDTH.

b. APPLICANT OR THEIR REPRESENTATIVE SHALL COMPLETE THE PARTIAL EXTENSION OF CAROLINA PLACE PARKWAY WITH ROUND-A-BOUT FROM SAM MEEKS ROAD TO DORMAN ROAD AS SHOWN ON SHEET 1, SCHEMATIC SITE PLAN THE PARTIAL EXTENSION OF CAROLINA PLACE PARKWAY. PAVEMENT SHALL BE TWO LANES THROUGH WITH A TURNING LANE IN ACCORDANCE WITH NCDOT STANDARDS FOR A COMMERCIAL ROAD. TURNING LANES SHALL BE BUILT AT CRITICAL LOCATIONS TO MEET STATE AND LOCAL DEPARTMENT OF TRANSPORTATION REQUIREMENTS FOR SAFETY AND ACCESS. THE CONNECTION TO DORMAN ROAD SHALL BE TWO LANES AND THE ROUND-A-BOUT SHALL BE ONE LANE IN ACCORDANCE WITH NCDOT STANDARDS FOR A COMMERCIAL ROAD. LEFT AND RIGHT TURN LANES AT SAM MEEKS ROAD AND CAROLINA PLACE PARKWAY WILL BE NECESSARY AS WELL AS IMPROVEMENTS IN THE TURN LANE ON CAROLINA PLACE PARKWAY AT LANCASTER HIGHWAY. A TRAFFIC STUDY SHALL DETERMINE THE REQUIREMENTS FOR TURN LANES AND STACKING.

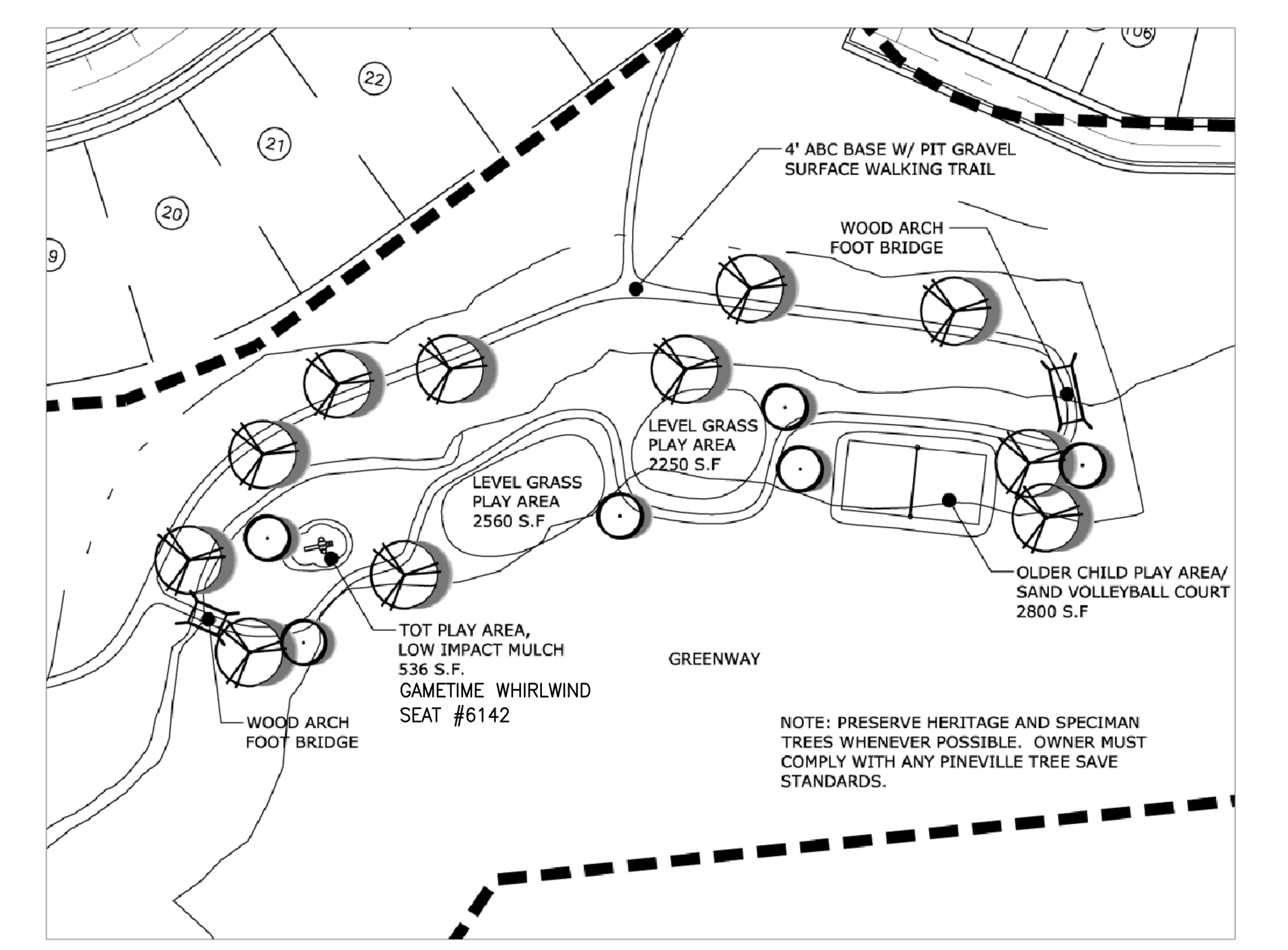
c. THE PARTIAL EXTENSION OF CAROLINA PLACE PARKWAY AND COMPLETE CONNECTION OF THE EXTENSION TO DORMAN ROAD SHALL BE CONSTRUCTED AS A PART OF THE OVERALL DEVELOPMENT. DEVELOPMENT MAY PROCEED WITHOUT THE COMPLETION OF THE EXTENSION, HOWEVER THERE SHALL NOT BE MORE THAN FIFTY (50%) PERCENT OF THE DEVELOPMENT WITH CERTIFICATES OF OCCUPANCY WITHOUT THE APPROVAL BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION OF THE DESIGN SOLUTION OF THE EXTENSION OF CAROLINA PLACE PARKWAY. THE REMAINING FIFTY PERCENT (50%) OF THE DEVELOPMENT SHALL NOT RECEIVE CERTIFICATES OF OCCUPANCY UNTIL THE EXTENSION OF CAROLINA PLACE PARKWAY IS BUILT AND ACCEPTED BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION. FIFTY PERCENT (50%) SHALL BE DETERMINED AS FOLLOWS:

1. THE COMPLETE VILLAGE DISTRICT AND SEVENTY FIVE (75) RESIDENTIAL UNITS.
2. UP TO FIFTY PERCENT OF THE COMMERCIAL VILLAGE DISTRICT AND ONE HUNDRED TWENTY FIVE (125) RESIDENTIAL UNITS.
3. THE COMPLETE RESIDENTIAL DEVELOPMENT AND NO COMMERCIAL DISTRICT.

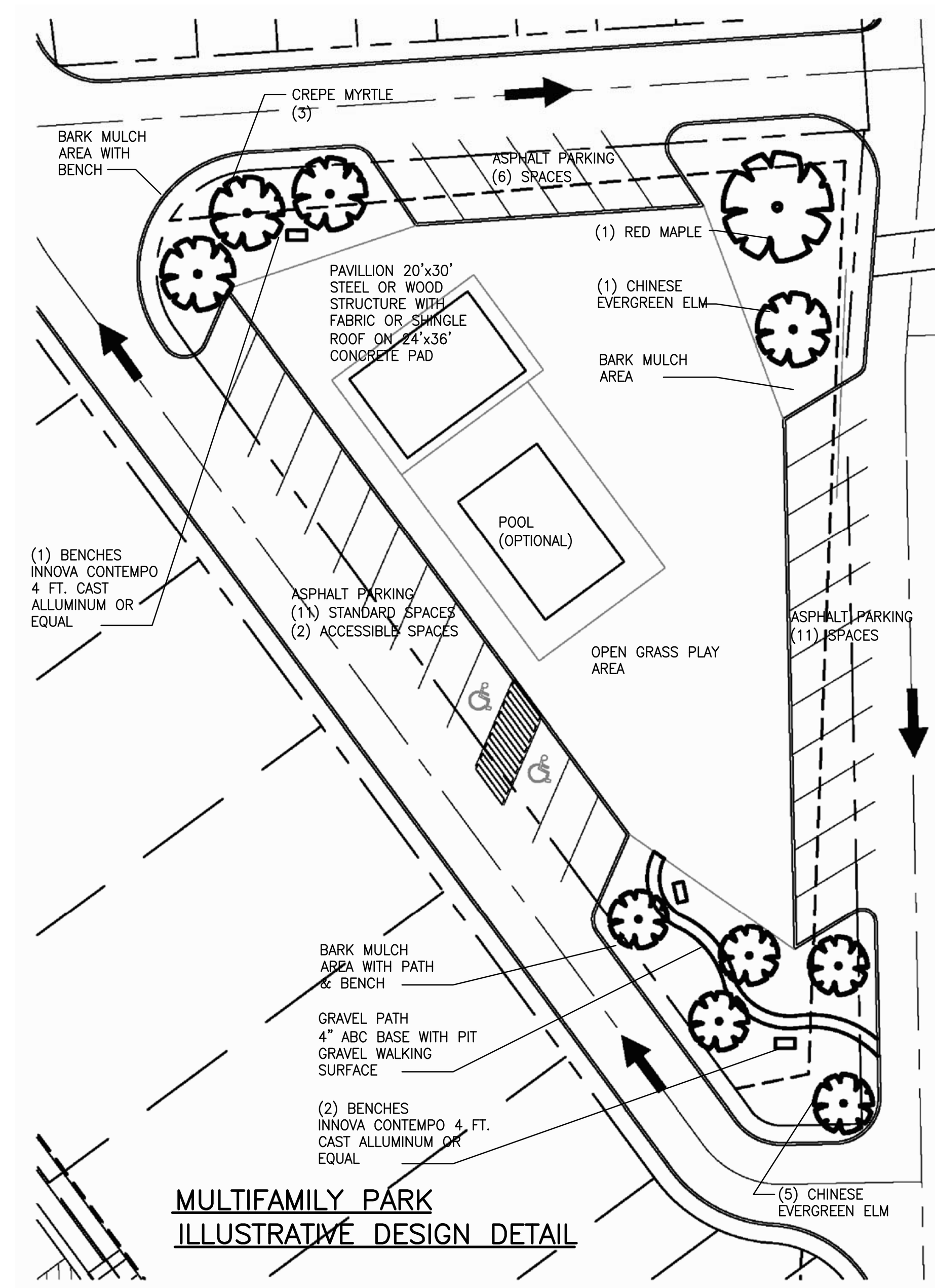
e. APPROVALS FOR ALIGNMENT AND ENGINEERING DESIGN SHALL GO THROUGH THE APPROPRIATE GOVERNMENTAL AGENCIES.



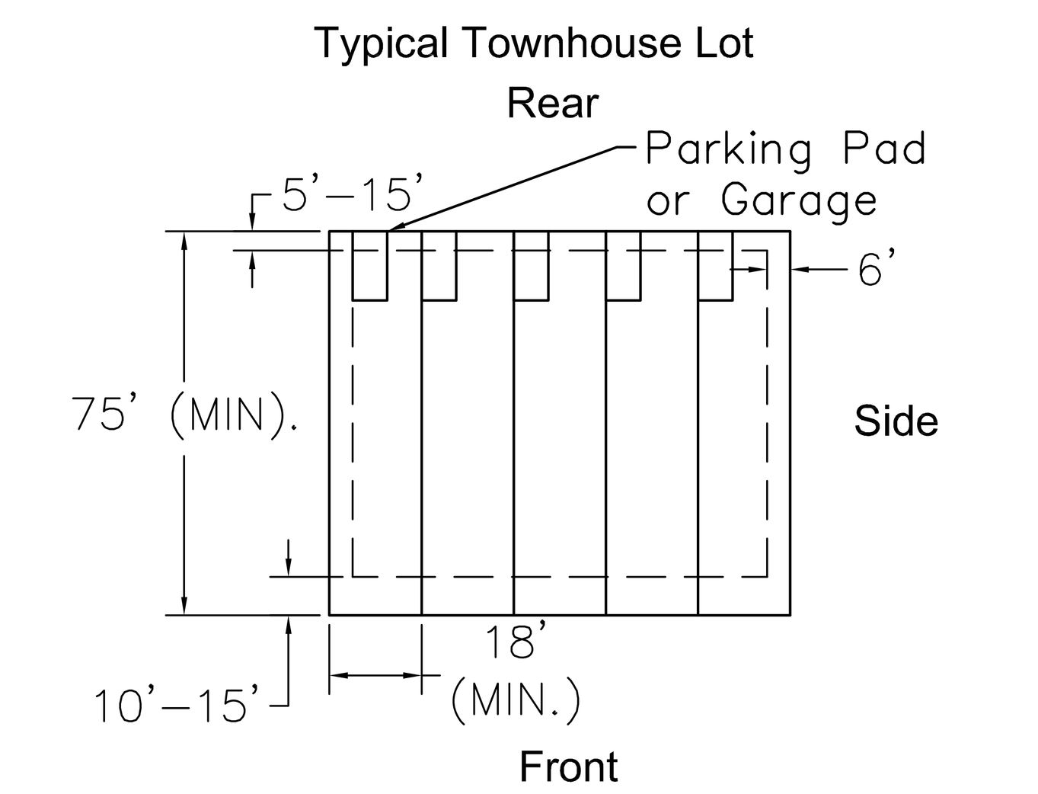
SINGLE FAMILY PARK ILLUSTRATIVE DESIGN DETAIL

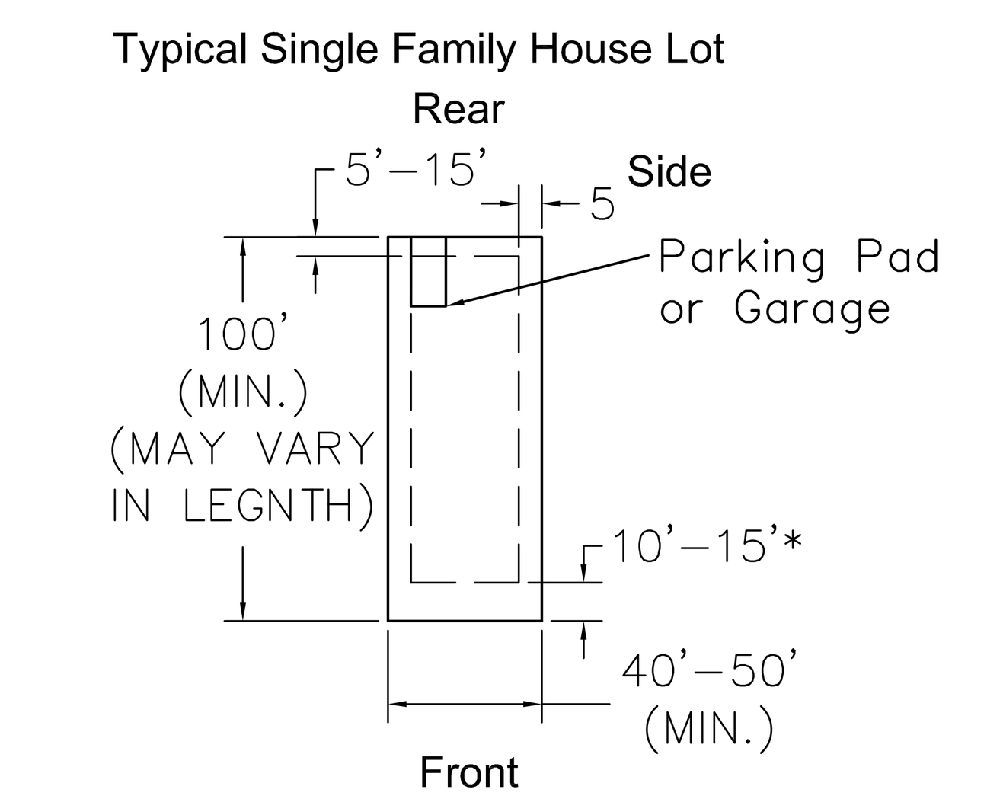


WALKING TRAIL ILLUSTRATIVE DESIGN DETAIL

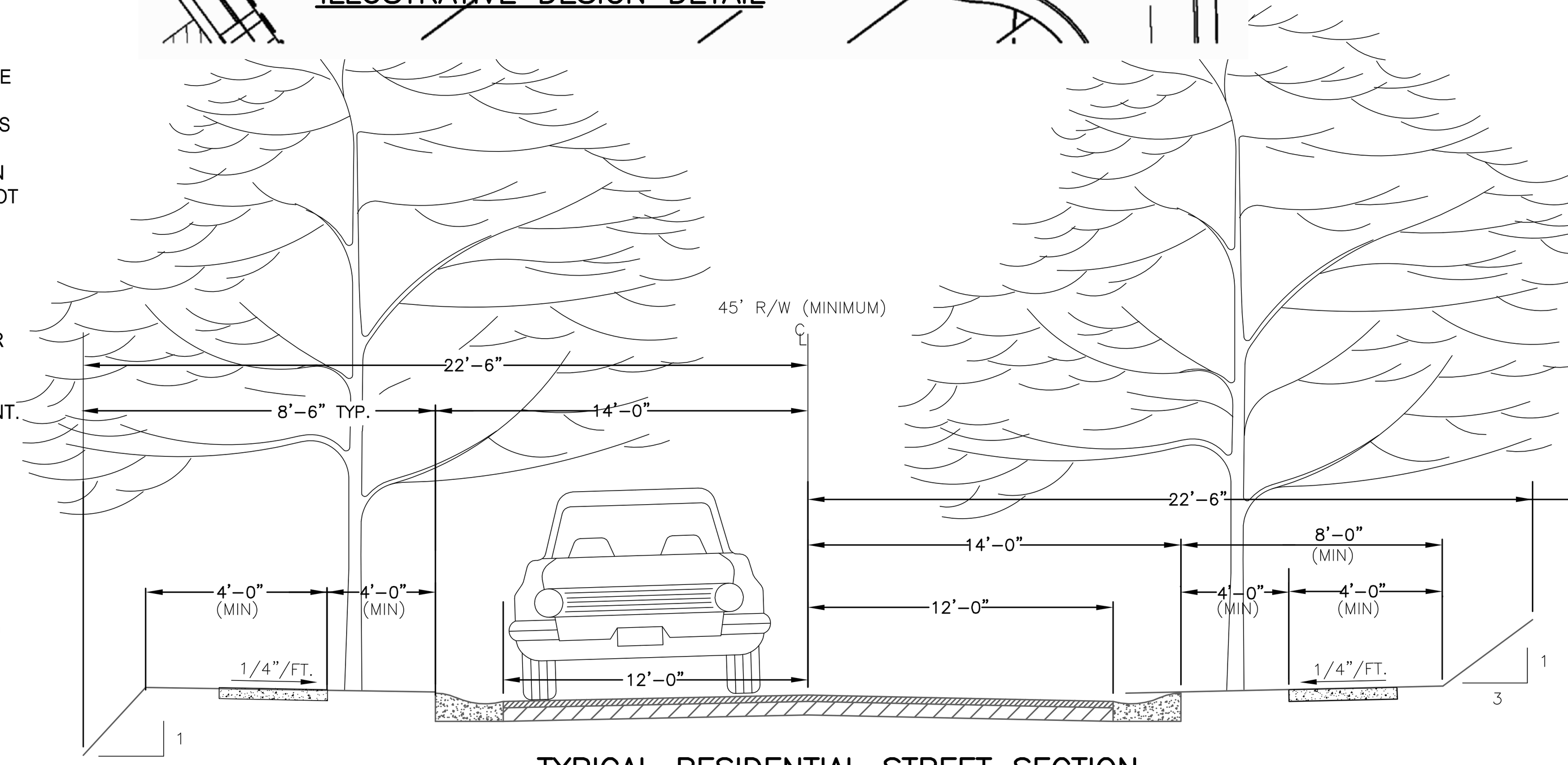


MULTIFAMILY PARK ILLUSTRATIVE DESIGN DETAIL

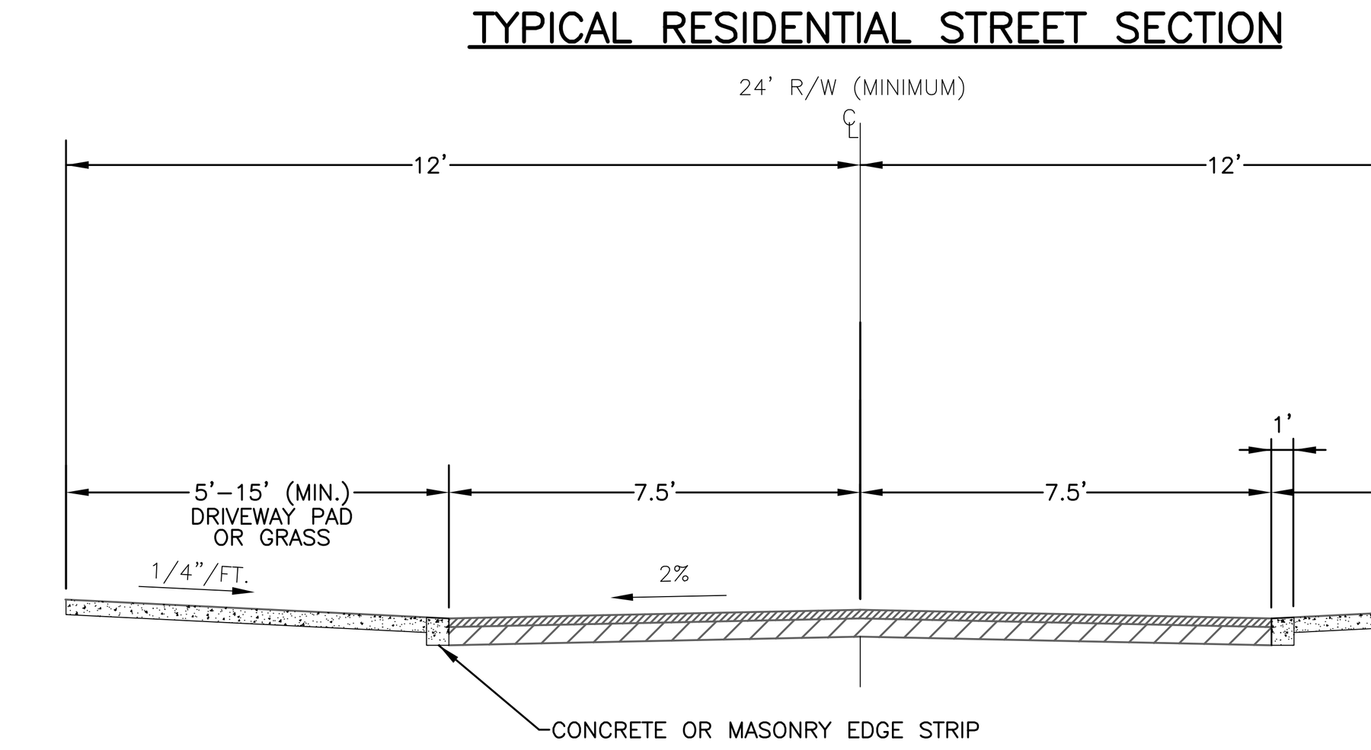




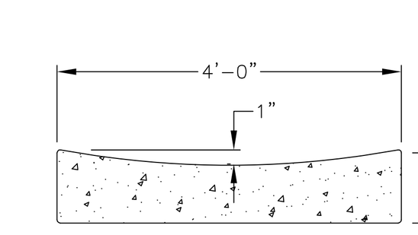
*Note: Any townhome units providing front loading garages must provide a 24' setback to front of garage, such that a vehicle may park in front of the garage without blocking the sidewalk. Front loaded single family homes shall have garages located at least ten (24) feet behind the sidewalk.
SCALE 1:50



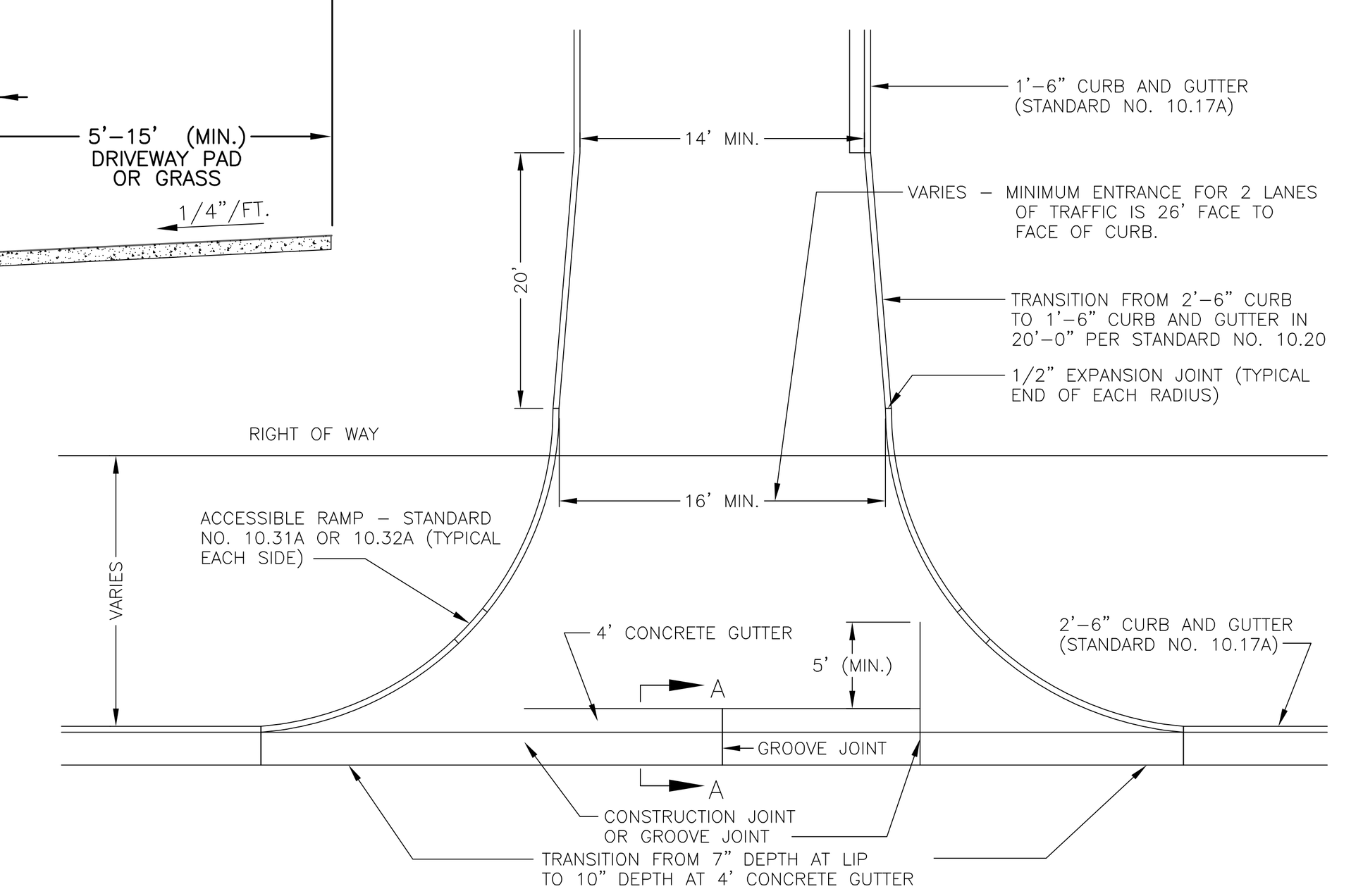
TYPICAL RESIDENTIAL STREET SECTION



TYPICAL ALLEY SECTION



SECTION A–A



PLAN
CONCRETE APRON AT ALLEY INTERSECTION

Stantec
Stantec Consulting Services Inc.
5265 Parkway Plaza Blvd., Suite 130
Charlotte NC U.S.A.
28217
Tel. 704.329.0900
Fax. 704.329.0905
www.stantec.com

Legend

SITE ACERAGE: 47.12 AC.
EXISTING ZONING: R–12
PROPOSED ZONING: BP–CD (CONDITIONAL USE)

THE SITE MASTER PLAN REPRESENTS THE BASIC LAYOUT OF THE COMMERCIAL AND RESIDENTIAL COMPONENTS OF THE DEVELOPMENT. STREETS AND PARKING MAY SHIFT TO MEET ACTUAL SITE CONDITIONS AND DEVELOPMENT REQUIREMENTS. LOT SIZES MAY INCREASE IN LENGTH TO MEET MARKET REQUIREMENTS. TOWNHOUME LOTS MAY DECREASE IN WIDTH TO MEET MARKET REQUIREMENTS.

	Revision	By	Appd.	YY.MM.DD
5	REVISED PARK & AMENITIES			12.11.26
4	REV. G. P. NOTE 2&3 & PARK / TRAIL DETAILS	RLC	RLC	12.09.28
3	REV. NOTES PER ZONING COMMENTS	RLC	RLC	12.08.09
2	SIDEYARD SETBACK CHANGE	CIP	RLC	11.12.05
1	TOWN OF PINEVILLE COMMENTS	FKM	RSK	04.06.01

File Name: TEC DATA SHT 6–1–04.dwg	FKM	RSK	FKM	04.06.01
	Dwn.	Chkd.	Dsgn.	YY.MM.DD

Permit-Seal

NORTH CAROLINA PROFESSIONAL SEAL 033448 ENGINEER ROBERT L. CASH

Client/Project
CAMBRIDGE PARTNERS
2102 CAMBRIDGE BELTWAY DRIVE
CHARLOTTE, NC 28273
PHONE: 704-731-5518
PARKWAY CROSSING

Title
TECHNICAL DATA SHEET

Project No. 173200554
Scale

Drawing No. P2
Sheet 2 of 4 2

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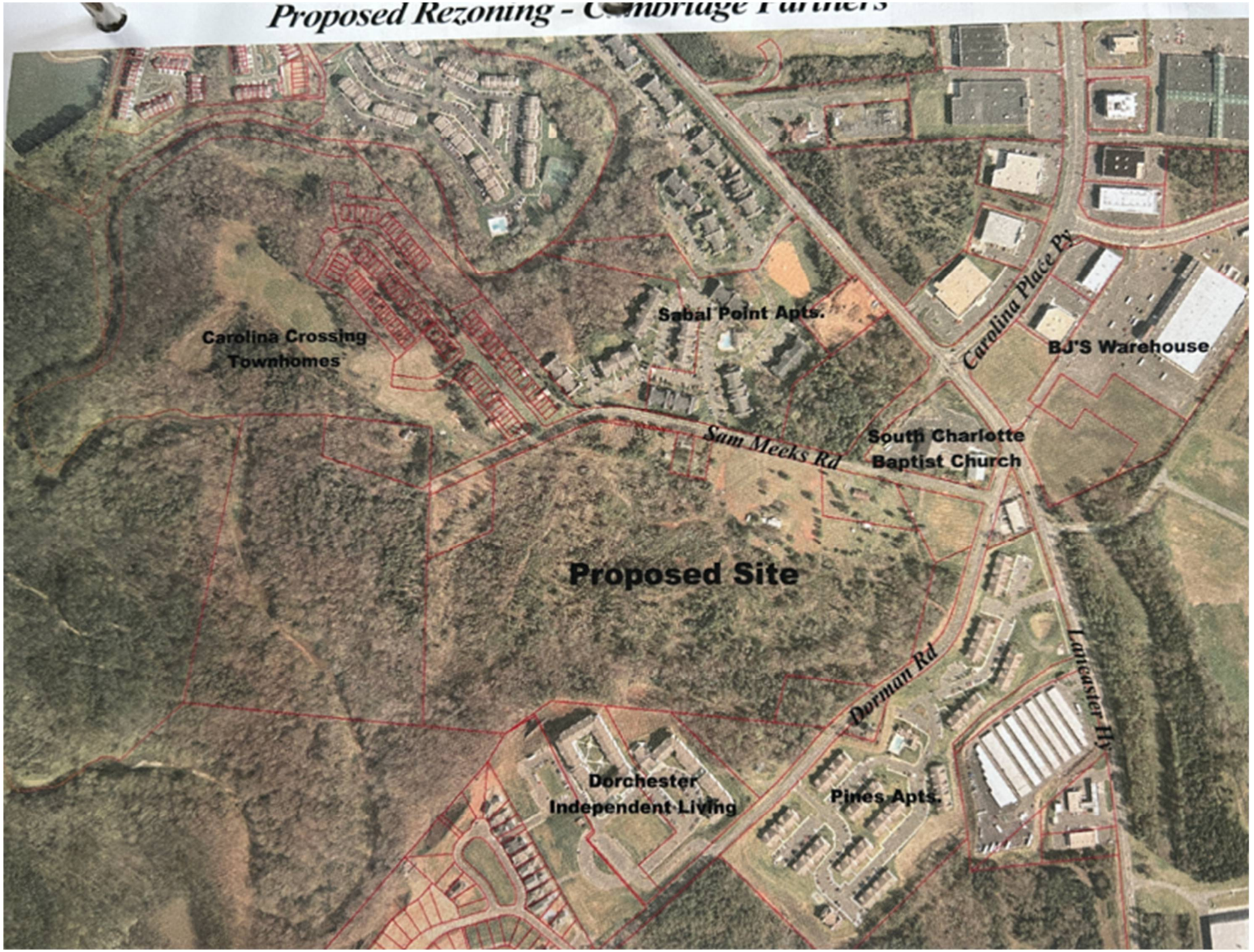
2011-12-05 01:04PM By: cprado
ORIGINAL SHEET – ARCH E1

EXHIBIT

B


Proposed Rezoning - Cambridge Partners
Carolina Crossing Townhomes
Sabal Point Apts.
Carolina Place Pz
BJ'S Warehouse
Sam Meeks Rd
South Charlotte Baptist Church
Proposed Site
Dorman Rd
Lancaster Hy
Dorchester Independent Living
Pines Apts.

EXHIBIT

C

EXHIBIT

D

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE
GOVERNOR

EUGENE A. CONTI, JR.
SECRETARY

March 30, 2010

Division 10
District 2

Angela Marshall
New Forum
2127 Ayrsley Town Blvd, Suite 201
Charlotte, NC 28273

Dear Mrs. Marshall,

The associated road improvements for the Parkway Crossing project have been inspected. The project included improvements to the intersections of Dorman Rd and Muskerry Dr, Carolina Place Pkwy and Lancaster Hwy, Dorman Rd and Lancaster Hwy, Dorman Rd and Sam Meeks Rd, and Sam Meeks Rd and Carolina Place Pkwy. The project has been completed and no deficiencies were found.

If you have any questions about this please contact me at 704-596-6900.

Sincerely,

Richard Odynski, EI
Assistant District Engineer