



TOWN COUNCIL WORK SESSION  
TOWN HALL COUNCIL CHAMBERS  
MONDAY, APRIL 24, 2023 AT 6:00 PM

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<https://us02web.zoom.us/j/85307702138>

## AGENDA

### CALL TO ORDER

### DISCUSSION ITEMS

- [1.](#) Carolina Logistics Park (*Travis Morgan*) (**DISCUSSION ITEM**)
- [2.](#) Towing Ordinance Update (*Chief Hudgins*) (**DISCUSSION ITEM**)
- [3.](#) LIV Development - Church and College Streets (*Ryan Spitzer*) (**ACTION ITEM**)

### ADJOURN

If you require any type of reasonable accommodation as a result of physical, sensory, or mental disability in order to participate in this meeting, please contact Lisa Snyder, Clerk of Council, at 704-889-2291 or [lsnyder@pinevillenc.gov](mailto:lsnyder@pinevillenc.gov). Three days' notice is required.

# Workshop

# Pineville

PLANNING & ZONING

**To:** Town Council

**From:** Travis Morgan

**Date:** 4/24/2023

**Re:** Carolina Logistics Park amendment (*Information Item*)

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## **REQUEST:**

John Core on behalf of Beacon Partners requests an amendment to the prior Carolina Logistics Park conditional zoning plan. The request is to add a driveway access point along the Northern section of the property along Downs Road. Only one access point (Carolina Logistics Drive) on Downs was approved as part of the prior approved plans and traffic study.

## **DETAIL:**

New driveway access point is just North of Eagleton Downs and across from the SiteOne located at 11901 Downs Road. New driveway is by Building 8D on the plans and has initial NCDOT approval with the improvements shown including center turn lane road widening with 200 feet of stacking plus 150 feet of deceleration lane for Northbound left turns. For Southbound Right turns 100 feet of stacking plus 150 feet of deceleration have been added. Updated traffic study states stacking length for lanes is adequate. There is no traffic light. Access point is shown to be level of service A except for peak period which is shown as LOS C. Level of service wait time would be for those turn lanes to utilize specifically the left Northbound turn lane into the driveway. See plans.

## **STAFF COMMENT:**

The proposal requires a conditional plan amendment because it alters the prior traffic study and single access point discussed and approved on earlier plans. I could support the proposal with the below requirements:

- 1) Traffic improvements as shown are completed with NCDOT approval and prior to Building 8D's completion.
- 2) Outdoor storage except for tractor trailer parking is prohibited in front of Building 8D along Downs Rd frontage.
- 3) Any additional signage to meet zoning ordinance.
- 4) If the four buildings of Building 8 are subdivided they are not to create a land locked parcels and otherwise meet subdivision ordinance.
- 5) Buildings have clear address numbers on the walls and street addresses confirmed for the 4 adjacent buildings.
- 6) Any land needed for Town facilities or infrastructure to serve the development is considered.

## **PROCEDURE:**

This meeting is to familiarize you with the applicant's request go over updates, modifications, and recommendations. The process is legislative with the standard conditional zoning process. This is a workshop meeting intended to refine the development proposal and to get your feedback ahead of any future public hearing and council vote. For any upcoming vote; a general consistency statement is needed for consistent with or inconsistent with adopted plans. Such as: Proposal is found to be reasonable and consistent with adopted plans.

# RAMEY KEMP ASSOCIATES

TOGETHER WE ARE LIMITLESS

T 704 549 4260

8210 University Executive  
Park Drive, Suite 220  
Charlotte, NC 28262

Item 1.

April 13, 2023

Travis Morgan  
Town of Pineville  
505 Main Street  
Pineville, NC 28134  
P: 704-889-2202  
E: tmorgan@pinevillenc.gov

Reference: Carolina Logistics Park - Pineville, NC

Subject: Transportation Technical Memorandum

Dear Mr. Morgan:

Carolina Logistics Park is a warehouse development located between Downs Road and Nations Ford Road in Pineville, North Carolina. Ramey Kemp Associates (RKA) prepared a Traffic Impact Analysis (TIA) for the site. The TIA was sealed on July 8, 2020 and approved by NCDOT on August 7, 2020. The study assumed 3,500,000 square feet of industrial warehouse with three access points. One full movement driveway was studied on Downs Road, and now a second driveway (Access D) is being proposed on Downs Road. This technical memorandum provides traffic analysis of Access D.

## Proposed Access

The general location and concept design of the driveway has been coordinated with NCDOT. It is to be a full movement driveway located across from the existing SiteOne Landscape Supply (parcel ID 20506120) driveway on Downs Road. It includes a left turn lane and a right turn lane on Downs Road. The left turn lane will have 150 feet of storage, and the right turn lane will have 100 feet of storage. Starting from the south, Downs Road would begin to widen approximately 248 feet north of the taper for the Empire Distributers (parcel ID 20519102) southbound left turn lane widening. A three-lane section would be constructed between the fourth driveway (Access D) and the existing southbound left turn lane at the Charlotte-Mecklenburg Schools Bus Lot (parcel ID 20506136) driveway. NCDOT has given general acceptance of this design concept. A plan view of the concept design is attached.

**Traffic Volumes**

A new traffic count was performed at the intersection of Downs Road and the SiteOne Landscape Supply driveway. The peak hour volumes from the traffic count were projected to the year 2026 using a growth rate of 2 percent per year. The traffic count data is attached.

The trip generation of the site is not changing from what was studied in the approved TIA. Table 1 summarizes the trip generation of the site. Trip distribution percentages were adjusted as shown in Figure 1 to move approximately one fourth of the trips at Access A to Access D. The resulting trip assignment is shown in Figure 2. Combining the projected 2026 traffic volumes and the trip assignments results in the 2026 Full Build traffic volumes shown in Figure 3.

**Table 1: Trip Generation Summary**

Land Use (ITE Code)	Intensity	AM Peak Hour Trips (vph)		PM Peak Hour Trips (vph)	
		Enter	Exit	Enter	Exit
Industrial Warehouse (Local Data)	3,500,000 SF	248	90	109	259

**Traffic Analysis**

Access D is proposed to form the fourth leg at the intersection of Downs Road and the SiteOne Landscape Supply driveway. Access is proposed to be full movement. Downs Road is maintained by NCDOT at this intersection. A 2026 Full Build scenario was analyzed. This scenario analyzes Access D with the site fully built out (3,500,000 square feet of industrial warehouse). No turn lanes were added at the intersection of Downs Road and Access D during this scenario. The 2026 Full Build Improvements scenario is the same as the 2026 Full Build scenario but adds turn lanes that NCDOT is requiring. Table 2 summarizes the capacity analysis results. The Synchro and SimTraffic reports are attached.

The intersection is expected to operate efficiently during all scenarios with no queue issues. All queues are expected to be no more than approximately 100 feet. Based on coordination with NCDOT, the following improvements are required to be done by the developer:

- Construct Access D with one ingress lane and one egress lane. Provide 100 feet of internal protected stem length.
- Construct a northbound Downs Road left turn lane with 150 feet of storage length and the appropriate taper.
- Construct a two-way left turn lane along Downs Road between Access D and the Charlotte-Mecklenburg Schools Bus Lot southernmost driveway.
- Construct a southbound Downs Road right turn lane with 100 feet of storage and the appropriate taper.

**Table 2: Analysis Summary of Downs Road and Access D**

ANALYSIS SCENARIO	APPROACH	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach LOS (Delay)	Overall LOS (Delay)	Approach LOS (Delay)	Overall LOS (Delay)
2026 Full Build	EB <sup>1</sup>	1 LT-TH-RT	C (15.7)	N/A <sup>3</sup>	C (22.6)	N/A <sup>3</sup>
	WB <sup>1</sup>	1 LT-TH-RT	C (15.2)		C (18.4)	
	NB <sup>2</sup>	1 LT-TH-RT	A (8.0)		A (9.2)	
	SB <sup>2</sup>	1 LT-TH-RT	A (8.8)		A (8.2)	
2026 Full Build Improvements	EB <sup>1</sup>	1 LT-TH-RT	C (15.5)	N/A <sup>3</sup>	C (22.5)	N/A <sup>3</sup>
	WB <sup>1</sup>	1 LT-TH-RT	C (15.1)		C (18.4)	
	NB <sup>2</sup>	1 LT, 1 TH-RT	A (8.0)		A (9.2)	
	SB <sup>2</sup>	1 LT, 1 TH, 1 RT	A (8.8)		A (8.2)	

1. Level of service for minor-street approach.
2. Level of service for major-street left-turn movement
3. Overall Intersection LOS is not provided for unsignalized intersections

**Conclusion**

Constructing a driveway across from the SiteOne Landscape Supply driveway on Downs Road is expected to result in acceptable traffic operations. The driveways are expected to operate at LOS C during both peak hours, while the left turn movements on Downs Road are expected to operate at LOS A. The maximum queues at the intersection are expected to be no more than approximately 100 feet. The turn lane improvements required by NCDOT are sufficient.

If you should have any questions please contact me at (704) 220-6847.

Sincerely,

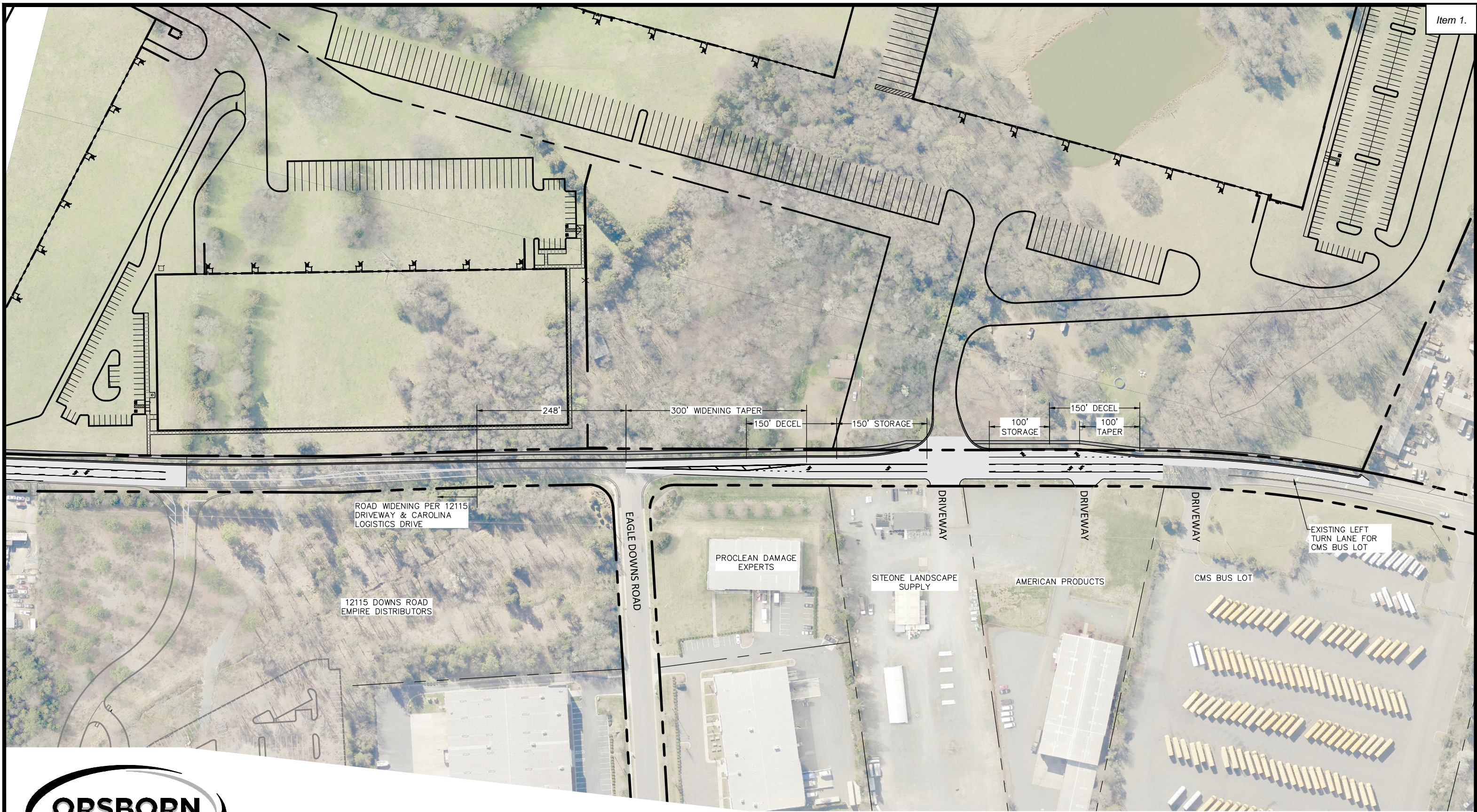


J. Andrew Eagle, PE, PTOE  
Senior Traffic Engineering Project Manager  
**INFRASTRUCTURE CONSULTING SERVICES, INC**  
*dba*  
**RAMEY KEMP ASSOCIATES, INC**



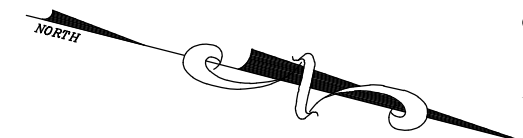
## Attachment

- Concept Design
- Traffic Count - Downs Road and SiteOne Landscape Supply Driveway
- Figure 1 - Proposed Site Full Build Trip Distribution Percentages
- Figure 2 - Proposed Site Full Build Trip Assignment
- Figure 3 - 2026 Full Build Peak Hour Traffic Volumes
- Synchro Reports
- SimTraffic Reports



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CLP - SECONDARY DOWNS ROAD ENTRANCE  
 PINEVILLE, NORTH CAROLINA  
 MARCH 16, 2022





8210 University Executive Park  
Charlotte, NC 28262

File Name : Downs Road & SiteOne Landscape Driveway  
Site Code : 00000001  
Start Date : 3/30/2023  
Page No : 1

Groups Printed- Cars - Trucks - Semis

Start Time	Downs Road From North					Site One Landscape Driveway From East					Downs Road From South					From West					Exclu. Total	Inclu. Total	Int. Total
	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total			
07:00 AM	0	51	3	0	54	0	0	0	0	0	3	76	0	0	79	0	0	0	0	0	0	133	133
07:15 AM	0	51	4	0	55	1	0	0	0	1	0	83	0	0	83	0	0	0	0	0	0	139	139
07:30 AM	0	55	0	0	55	4	0	0	0	4	1	86	0	0	87	0	0	0	0	0	0	146	146
07:45 AM	0	51	3	0	54	2	0	2	0	4	1	89	0	0	90	0	0	0	0	0	0	148	148
<b>Total</b>	<b>0</b>	<b>208</b>	<b>10</b>	<b>0</b>	<b>218</b>	<b>7</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>9</b>	<b>5</b>	<b>334</b>	<b>0</b>	<b>0</b>	<b>339</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>566</b>	<b>566</b>
08:00 AM	0	54	2	0	56	1	0	1	0	2	2	85	0	0	87	0	0	0	0	0	0	145	145
08:15 AM	0	48	3	0	51	1	0	3	0	4	0	67	0	0	67	0	0	0	0	0	0	122	122
08:30 AM	0	38	2	0	40	2	0	2	0	4	0	63	0	0	63	0	0	0	0	0	0	107	107
08:45 AM	0	47	0	0	47	2	0	0	0	2	2	92	0	0	94	0	0	0	0	0	0	143	143
<b>Total</b>	<b>0</b>	<b>187</b>	<b>7</b>	<b>0</b>	<b>194</b>	<b>6</b>	<b>0</b>	<b>6</b>	<b>0</b>	<b>12</b>	<b>4</b>	<b>307</b>	<b>0</b>	<b>0</b>	<b>311</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>517</b>	<b>517</b>
*** BREAK ***																							
04:00 PM	0	101	1	0	102	1	0	0	0	1	0	54	0	0	54	0	0	0	0	0	0	157	157
04:15 PM	0	75	0	0	75	0	0	1	0	1	0	59	0	0	59	0	0	0	0	0	0	135	135
04:30 PM	0	82	1	0	83	1	0	2	0	3	1	81	0	0	82	0	0	0	0	0	0	168	168
04:45 PM	0	87	0	0	87	0	0	0	0	0	0	64	0	0	64	0	0	0	0	0	0	151	151
<b>Total</b>	<b>0</b>	<b>345</b>	<b>2</b>	<b>0</b>	<b>347</b>	<b>2</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>5</b>	<b>1</b>	<b>258</b>	<b>0</b>	<b>0</b>	<b>259</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>611</b>	<b>611</b>
05:00 PM	0	122	0	0	122	0	0	0	0	0	0	79	0	0	79	0	0	0	0	0	0	201	201
05:15 PM	0	113	0	0	113	0	0	0	0	0	0	95	0	0	95	0	0	0	0	0	0	208	208
05:30 PM	0	100	0	0	100	0	0	0	0	0	0	72	0	0	72	0	0	0	0	0	0	172	172
05:45 PM	0	90	0	0	90	0	0	0	0	0	0	76	0	0	76	0	0	0	0	0	0	166	166
<b>Total</b>	<b>0</b>	<b>425</b>	<b>0</b>	<b>0</b>	<b>425</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>322</b>	<b>0</b>	<b>0</b>	<b>322</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>747</b>	<b>747</b>
<b>Grand Total</b>	<b>0</b>	<b>1165</b>	<b>19</b>	<b>0</b>	<b>1184</b>	<b>15</b>	<b>0</b>	<b>11</b>	<b>0</b>	<b>26</b>	<b>10</b>	<b>1221</b>	<b>0</b>	<b>0</b>	<b>1231</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2441</b>	<b>2441</b>
Apprch %	0	98.4	1.6			57.7	0	42.3			0.8	99.2	0			0	0	0			0		
Total %	0	47.7	0.8		48.5	0.6	0	0.5		1.1	0.4	50	0		50.4	0	0	0		0	0	100	
Cars	0	1037	13		1050	10	0	7		17	5	1071	0		1076	0	0	0		0	0	0	2143
% Cars	0	89	68.4		88.7	66.7	0	63.6		65.4	50	87.7	0		87.4	0	0	0		0	0	0	87.8
Trucks	0	104	6		110	5	0	4		9	5	139	0		144	0	0	0		0	0	0	263
% Trucks	0	8.9	31.6		9.3	33.3	0	36.4		34.6	50	11.4	0		11.7	0	0	0		0	0	0	10.8
Semis	0	24	0		24	0	0	0		0	0	11	0		11	0	0	0		0	0	0	35
% Semis	0	2.1	0		2	0	0	0		0	0	0.9	0		0.9	0	0	0		0	0	0	1.4





8210 University Executive Park  
Charlotte, NC 28262

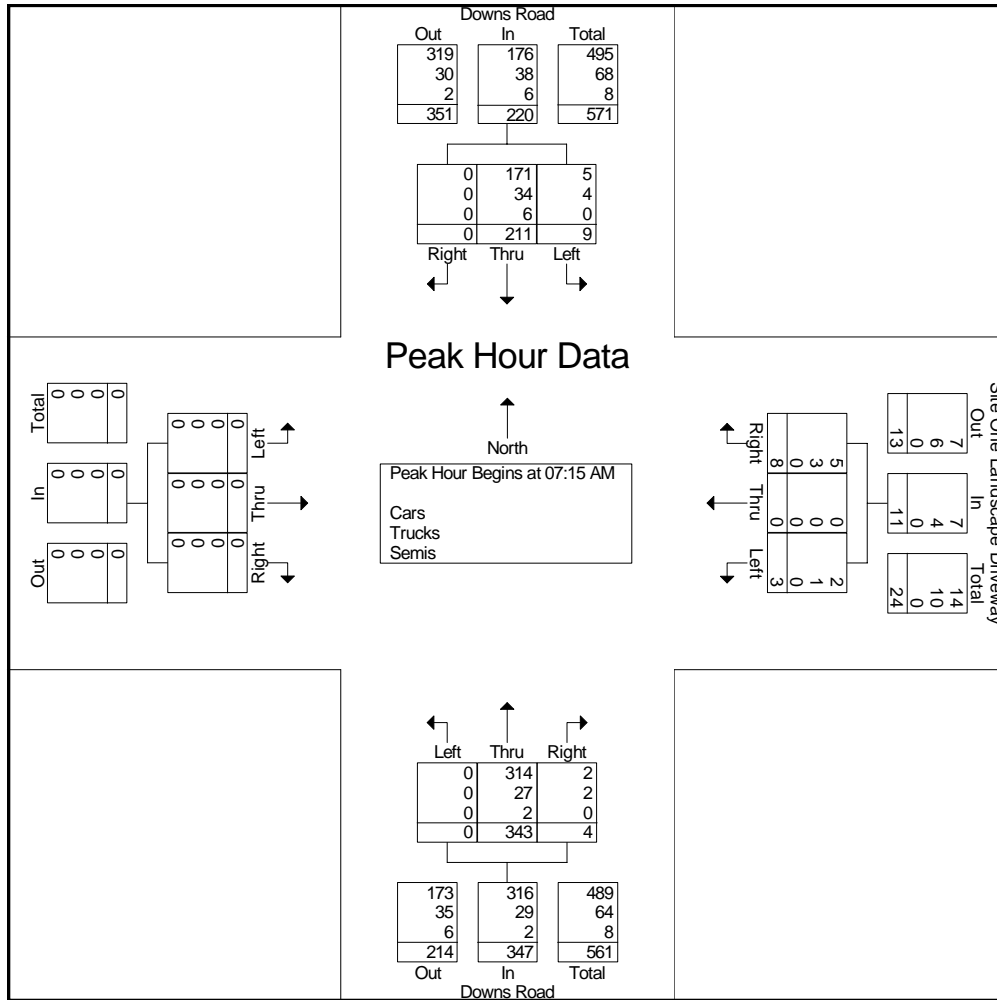
File Name : Downs Road & SiteOne Landscape Driveway  
Site Code : 00000001  
Start Date : 3/30/2023  
Page No : 2

Start Time	Downs Road From North				Site One Landscape Driveway From East				Downs Road From South				From West				Int. Total
	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	
Peak Hour Analysis From 07:00 AM to 11:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:15 AM																	
07:15 AM	0	51	4	55	1	0	0	1	0	83	0	83	0	0	0	0	139
07:30 AM	0	55	0	55	4	0	0	4	1	86	0	87	0	0	0	0	146
07:45 AM	0	51	3	54	2	0	2	4	1	89	0	90	0	0	0	0	148
08:00 AM	0	54	2	56	1	0	1	2	2	85	0	87	0	0	0	0	145
Total Volume	0	211	9	220	8	0	3	11	4	343	0	347	0	0	0	0	578
% App. Total	0	95.9	4.1		72.7	0	27.3		1.2	98.8	0		0	0	0		
PHF	.000	.959	.563	.982	.500	.000	.375	.688	.500	.963	.000	.964	.000	.000	.000	.000	.976
Cars	0	171	5	176	5	0	2	7	2	314	0	316	0	0	0	0	499
% Cars	0	81.0	55.6	80.0	62.5	0	66.7	63.6	50.0	91.5	0	91.1	0	0	0	0	86.3
Trucks	0	34	4	38	3	0	1	4	2	27	0	29	0	0	0	0	71
% Trucks	0	16.1	44.4	17.3	37.5	0	33.3	36.4	50.0	7.9	0	8.4	0	0	0	0	12.3
Semis	0	6	0	6	0	0	0	0	0	2	0	2	0	0	0	0	8
% Semis	0	2.8	0	2.7	0	0	0	0	0	0.6	0	0.6	0	0	0	0	1.4



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Site Code : 00000001  
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Page No : 3





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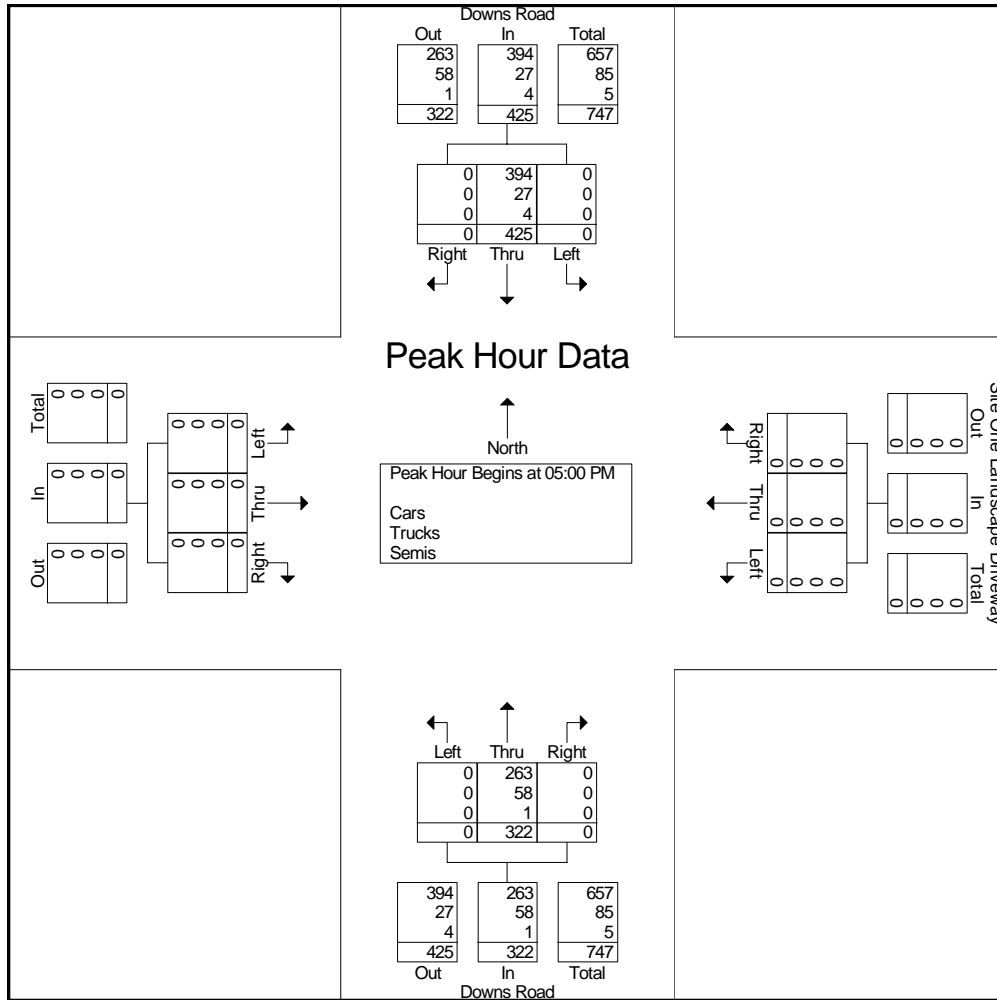
File Name : Downs Road & SiteOne Landscape Driveway  
Site Code : 00000001  
Start Date : 3/30/2023  
Page No : 4

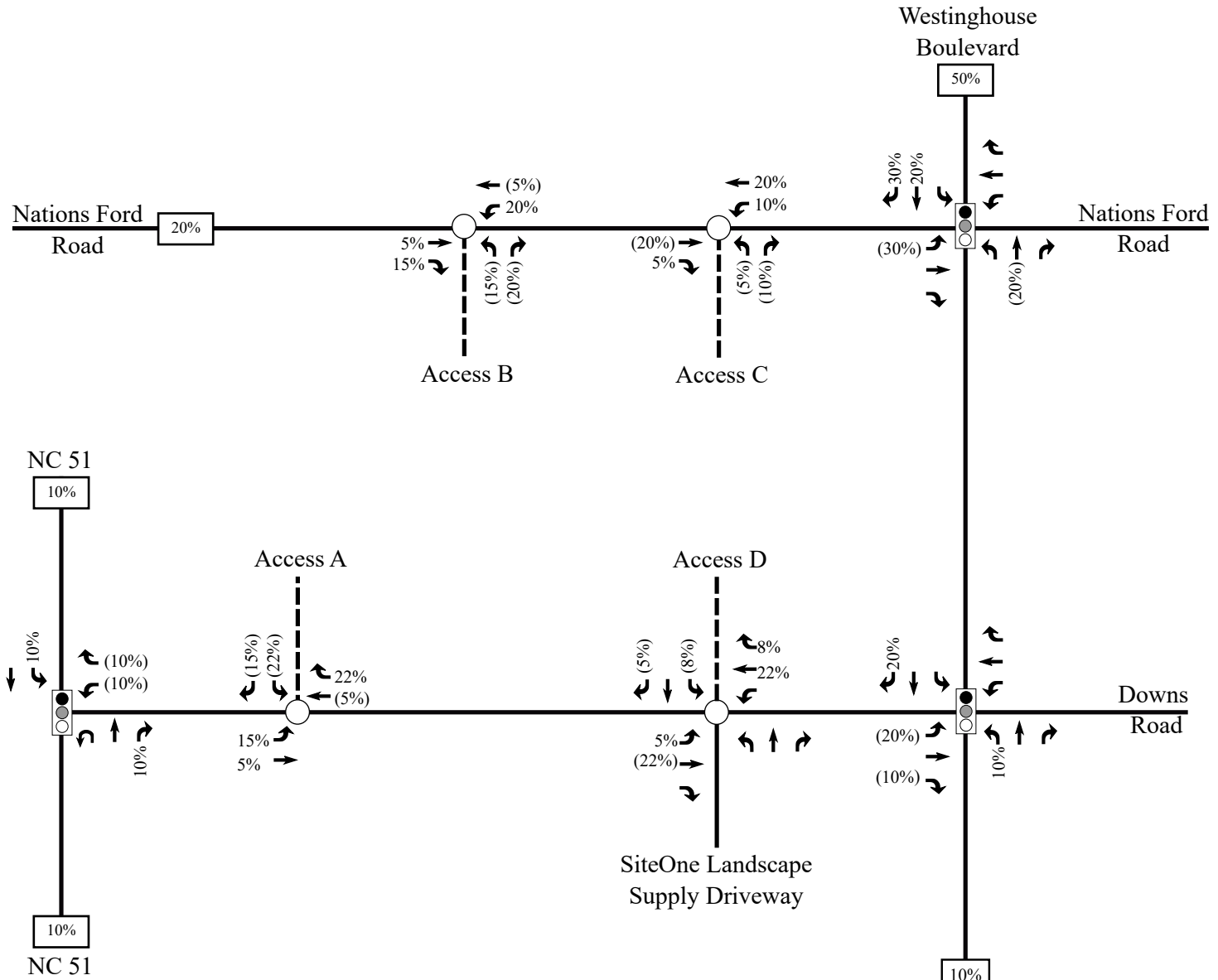
Start Time	Downs Road From North				Site One Landscape Driveway From East				Downs Road From South				From West				Int. Total
	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	
Peak Hour Analysis From 12:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 05:00 PM																	
05:00 PM	0	122	0	122	0	0	0	0	0	79	0	79	0	0	0	0	201
05:15 PM	0	113	0	113	0	0	0	0	0	95	0	95	0	0	0	0	208
05:30 PM	0	100	0	100	0	0	0	0	0	72	0	72	0	0	0	0	172
05:45 PM	0	90	0	90	0	0	0	0	0	76	0	76	0	0	0	0	166
Total Volume	0	425	0	425	0	0	0	0	0	322	0	322	0	0	0	0	747
% App. Total	0	100	0		0	0	0		0	100	0		0	0	0		
PHF	.000	.871	.000	.871	.000	.000	.000	.000	.000	.847	.000	.847	.000	.000	.000	.000	.898
Cars	0	394	0	394	0	0	0	0	0	263	0	263	0	0	0	0	657
% Cars	0	92.7	0	92.7	0	0	0	0	0	81.7	0	81.7	0	0	0	0	88.0
Trucks	0	27	0	27	0	0	0	0	0	58	0	58	0	0	0	0	85
% Trucks	0	6.4	0	6.4	0	0	0	0	0	18.0	0	18.0	0	0	0	0	11.4
Semis	0	4	0	4	0	0	0	0	0	1	0	1	0	0	0	0	5
% Semis	0	0.9	0	0.9	0	0	0	0	0	0.3	0	0.3	0	0	0	0	0.7



8210 University Executive Park  
Charlotte, NC 28262

File Name : Downs Road & SiteOne Landscape Driveway  
Site Code : 00000001  
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Page No : 5





**LEGEND**

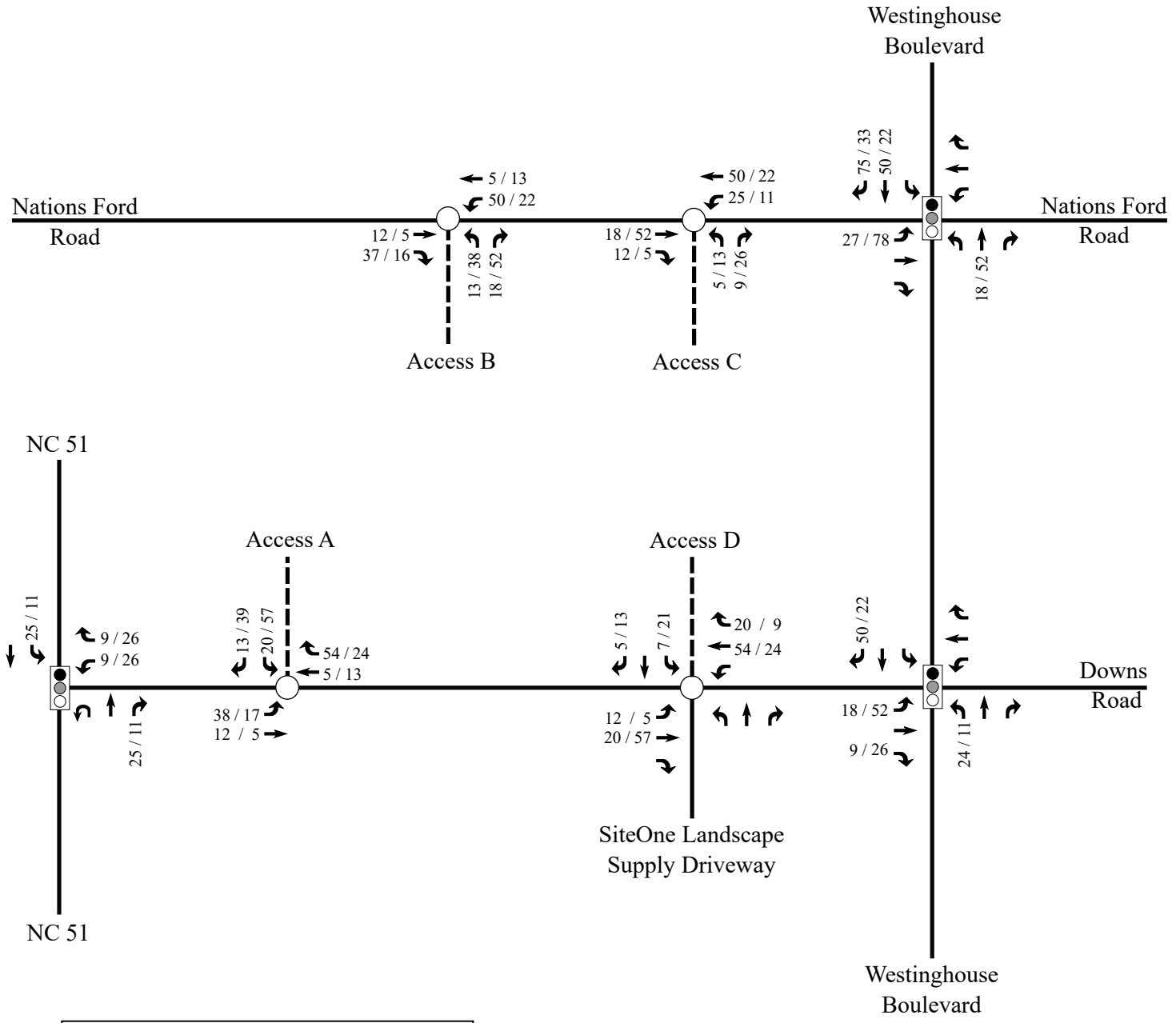
- Unsignalized Intersection
- Signalized Intersection
- X% → Entering Trip Distributions
- (Y%) → Exiting Trip Distributions
- XX% Regional Trip Distribution



Carolina Logistics Park  
Pineville, NC

Proposed Site  
Full Build  
Trip Distribution Percentages

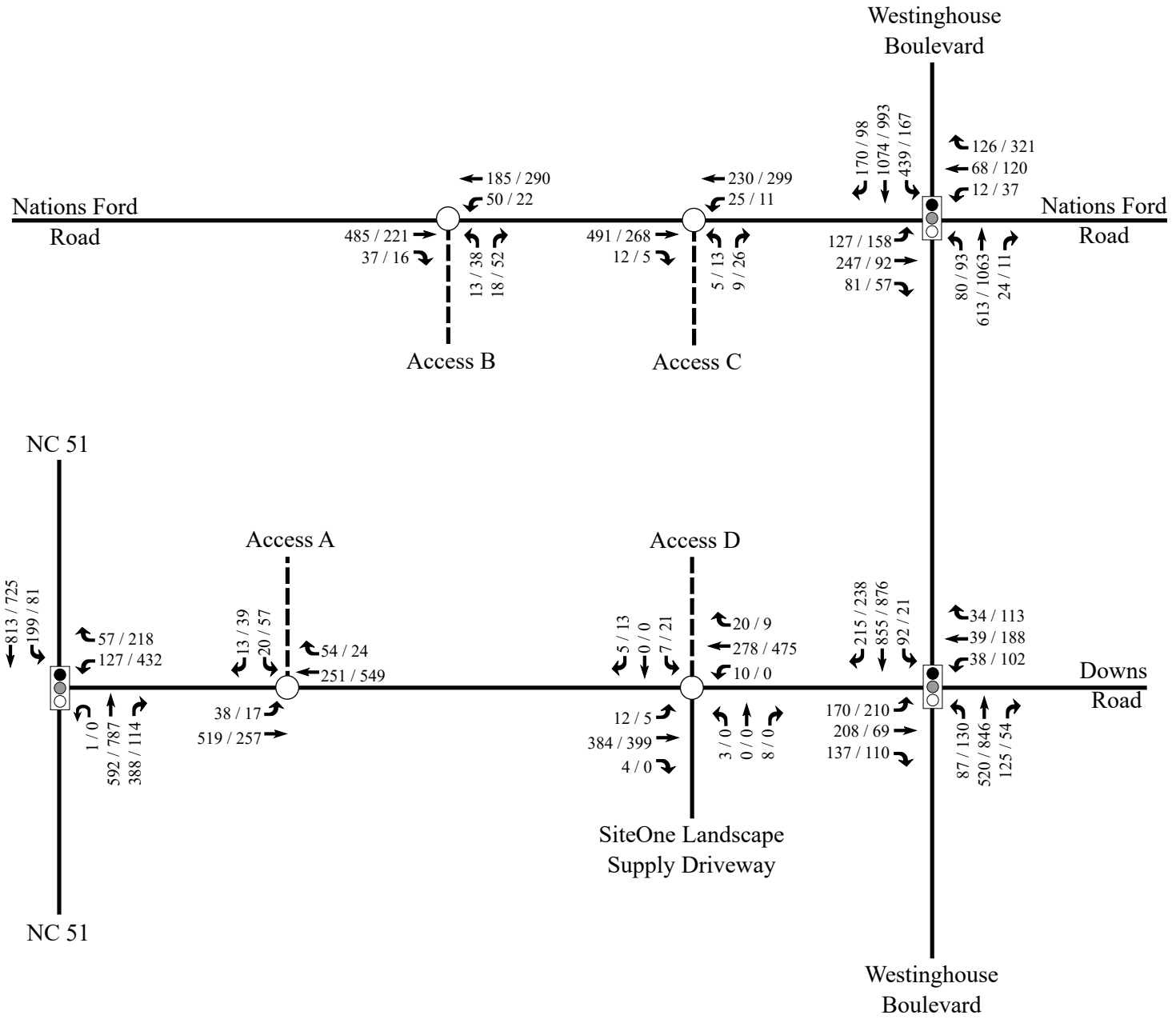
Scale: Not to Scale      Figure 1



**LEGEND**

- Signalized Intersection
- Unsignalized Intersection
- X / Y → AM / PM Peak Hour Site Trips

	<p>Carolina Logistics Park Pineville, NC</p>	<p>Proposed Site Full Build Trip Assignment</p>	
		<p>Scale: Not to Scale</p>	<p>Figure 2</p>



**LEGEND**

- Signalized Intersection
- Unsignalized Intersection
- X/Y → AM / PM Peak Hour Traffic Volumes

	<p>Carolina Logistics Park Pineville, NC</p>	<p>2026 Full Build Peak Hour Traffic Volumes</p>	
		<p>Scale: Not to Scale</p>	<p>Figure 3</p>

Carolina Logistics Park  
7: Downs Road & Access D/SiteOne Landscape Supply

2026 Full Bu  
Timing Plan: AM Peak Hour

Item 1.

Intersection												
Int Delay, s/veh	0.9											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	7	4	5	4	4	8	12	384	4	10	278	20
Future Vol, veh/h	7	4	5	4	4	8	12	384	4	10	278	20
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	14	2	2	33	2	38	8	8	50	40	14	5
Mvmt Flow	8	4	6	4	4	9	13	427	4	11	309	22

Major/Minor	Minor2		Minor1		Major1			Major2				
Conflicting Flow All	804	799	320	802	808	429	331	0	0	431	0	0
Stage 1	342	342	-	455	455	-	-	-	-	-	-	-
Stage 2	462	457	-	347	353	-	-	-	-	-	-	-
Critical Hdwy	7.24	6.52	6.22	7.43	6.52	6.58	4.18	-	-	4.5	-	-
Critical Hdwy Stg 1	6.24	5.52	-	6.43	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.24	5.52	-	6.43	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.626	4.018	3.318	3.797	4.018	3.642	2.272	-	-	2.56	-	-
Pot Cap-1 Maneuver	288	319	721	268	315	556	1196	-	-	953	-	-
Stage 1	649	638	-	530	569	-	-	-	-	-	-	-
Stage 2	557	568	-	609	631	-	-	-	-	-	-	-
Platoon blocked, %								-	-	-	-	-
Mov Cap-1 Maneuver	274	310	721	258	306	556	1196	-	-	953	-	-
Mov Cap-2 Maneuver	274	310	-	258	306	-	-	-	-	-	-	-
Stage 1	640	629	-	523	561	-	-	-	-	-	-	-
Stage 2	536	560	-	592	622	-	-	-	-	-	-	-

Approach	EB		WB		NB			SB		
HCM Control Delay, s	15.7		15.2		0.2			0.3		
HCM LOS	C		C							

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1196	-	-	353	372	953	-	-
HCM Lane V/C Ratio	0.011	-	-	0.05	0.048	0.012	-	-
HCM Control Delay (s)	8	0	-	15.7	15.2	8.8	0	-
HCM Lane LOS	A	A	-	C	C	A	A	-
HCM 95th %tile Q(veh)	0	-	-	0.2	0.1	0	-	-



Carolina Logistics Park  
7: Downs Road & Access D/SiteOne Landscape Supply

2026 Full Bu  
Timing Plan: PM Peak Hour

Item 1.

Intersection												
Int Delay, s/veh	1.2											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	21	4	13	4	4	4	5	399	4	4	475	9
Future Vol, veh/h	21	4	13	4	4	4	5	399	4	4	475	9
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	33	2	31	2	2	2	40	20	2	2	7	33
Mvmt Flow	23	4	14	4	4	4	6	443	4	4	528	10

Major/Minor	Minor2		Minor1		Major1		Major2					
Conflicting Flow All	1002	1000	533	1007	1003	445	538	0	0	447	0	0
Stage 1	541	541	-	457	457	-	-	-	-	-	-	-
Stage 2	461	459	-	550	546	-	-	-	-	-	-	-
Critical Hdwy	7.43	6.52	6.51	7.12	6.52	6.22	4.5	-	-	4.12	-	-
Critical Hdwy Stg 1	6.43	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.43	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.797	4.018	3.579	3.518	4.018	3.318	2.56	-	-	2.218	-	-
Pot Cap-1 Maneuver	194	243	494	219	242	613	864	-	-	1113	-	-
Stage 1	473	521	-	583	568	-	-	-	-	-	-	-
Stage 2	526	566	-	519	518	-	-	-	-	-	-	-
Platoon blocked, %								-	-	-	-	-
Mov Cap-1 Maneuver	188	240	494	207	239	613	864	-	-	1113	-	-
Mov Cap-2 Maneuver	188	240	-	207	239	-	-	-	-	-	-	-
Stage 1	469	518	-	578	563	-	-	-	-	-	-	-
Stage 2	513	561	-	497	515	-	-	-	-	-	-	-

Approach	EB		WB		NB		SB	
HCM Control Delay, s	22.6		18.4		0.1		0.1	
HCM LOS	C		C					

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	864	-	-	246	282	1113	-	-
HCM Lane V/C Ratio	0.006	-	-	0.172	0.047	0.004	-	-
HCM Control Delay (s)	9.2	0	-	22.6	18.4	8.2	0	-
HCM Lane LOS	A	A	-	C	C	A	A	-
HCM 95th %tile Q(veh)	0	-	-	0.6	0.1	0	-	-

Intersection												
Int Delay, s/veh	0.9											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕		↕	↕		↕	↕	↕
Traffic Vol, veh/h	7	4	5	4	4	8	12	384	4	10	278	20
Future Vol, veh/h	7	4	5	4	4	8	12	384	4	10	278	20
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	150	-	-	100	-	100
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	14	2	2	33	2	38	8	8	50	40	14	5
Mvmt Flow	8	4	6	4	4	9	13	427	4	11	309	22

Major/Minor	Minor2		Minor1		Major1			Major2				
Conflicting Flow All	793	788	309	802	808	429	331	0	0	431	0	0
Stage 1	331	331	-	455	455	-	-	-	-	-	-	-
Stage 2	462	457	-	347	353	-	-	-	-	-	-	-
Critical Hdwy	7.24	6.52	6.22	7.43	6.52	6.58	4.18	-	-	4.5	-	-
Critical Hdwy Stg 1	6.24	5.52	-	6.43	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.24	5.52	-	6.43	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.626	4.018	3.318	3.797	4.018	3.642	2.272	-	-	2.56	-	-
Pot Cap-1 Maneuver	293	323	731	268	315	556	1196	-	-	953	-	-
Stage 1	658	645	-	530	569	-	-	-	-	-	-	-
Stage 2	557	568	-	609	631	-	-	-	-	-	-	-
Platoon blocked, %								-	-	-	-	-
Mov Cap-1 Maneuver	280	316	731	259	308	556	1196	-	-	953	-	-
Mov Cap-2 Maneuver	280	316	-	259	308	-	-	-	-	-	-	-
Stage 1	651	637	-	524	563	-	-	-	-	-	-	-
Stage 2	538	562	-	593	623	-	-	-	-	-	-	-

Approach	EB		WB		NB		SB	
HCM Control Delay, s	15.5		15.1		0.2		0.3	
HCM LOS	C		C					

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1196	-	-	360	374	953	-	-
HCM Lane V/C Ratio	0.011	-	-	0.049	0.048	0.012	-	-
HCM Control Delay (s)	8	-	-	15.5	15.1	8.8	-	-
HCM Lane LOS	A	-	-	C	C	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0.2	0.1	0	-	-

Intersection												
Int Delay, s/veh	1.2											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕		↕	↕		↕	↕	↕
Traffic Vol, veh/h	21	4	13	4	4	4	5	399	4	4	475	9
Future Vol, veh/h	21	4	13	4	4	4	5	399	4	4	475	9
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	150	-	-	100	-	100
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	33	2	31	2	2	2	40	20	2	2	7	33
Mvmt Flow	23	4	14	4	4	4	6	443	4	4	528	10

Major/Minor	Minor2		Minor1		Major1		Major2					
Conflicting Flow All	997	995	528	1007	1003	445	538	0	0	447	0	0
Stage 1	536	536	-	457	457	-	-	-	-	-	-	-
Stage 2	461	459	-	550	546	-	-	-	-	-	-	-
Critical Hdwy	7.43	6.52	6.51	7.12	6.52	6.22	4.5	-	-	4.12	-	-
Critical Hdwy Stg 1	6.43	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.43	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.797	4.018	3.579	3.518	4.018	3.318	2.56	-	-	2.218	-	-
Pot Cap-1 Maneuver	196	245	498	219	242	613	864	-	-	1113	-	-
Stage 1	477	523	-	583	568	-	-	-	-	-	-	-
Stage 2	526	566	-	519	518	-	-	-	-	-	-	-
Platoon blocked, %								-	-	-	-	-
Mov Cap-1 Maneuver	190	242	498	208	239	613	864	-	-	1113	-	-
Mov Cap-2 Maneuver	190	242	-	208	239	-	-	-	-	-	-	-
Stage 1	474	521	-	579	564	-	-	-	-	-	-	-
Stage 2	514	562	-	498	516	-	-	-	-	-	-	-

Approach	EB		WB		NB		SB	
HCM Control Delay, s	22.5		18.4		0.1		0.1	
HCM LOS	C		C					

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	864	-	-	248	282	1113	-	-
HCM Lane V/C Ratio	0.006	-	-	0.17	0.047	0.004	-	-
HCM Control Delay (s)	9.2	-	-	22.5	18.4	8.2	-	-
HCM Lane LOS	A	-	-	C	C	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0.6	0.1	0	-	-

Intersection: 7: Downs Road & Access D/SiteOne Landscape Supply

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	43	63	56	63
Average Queue (ft)	11	12	5	6
95th Queue (ft)	36	45	27	35
Link Distance (ft)	709	728	817	344
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 7: Downs Road & Access D/SiteOne Landscape Supply

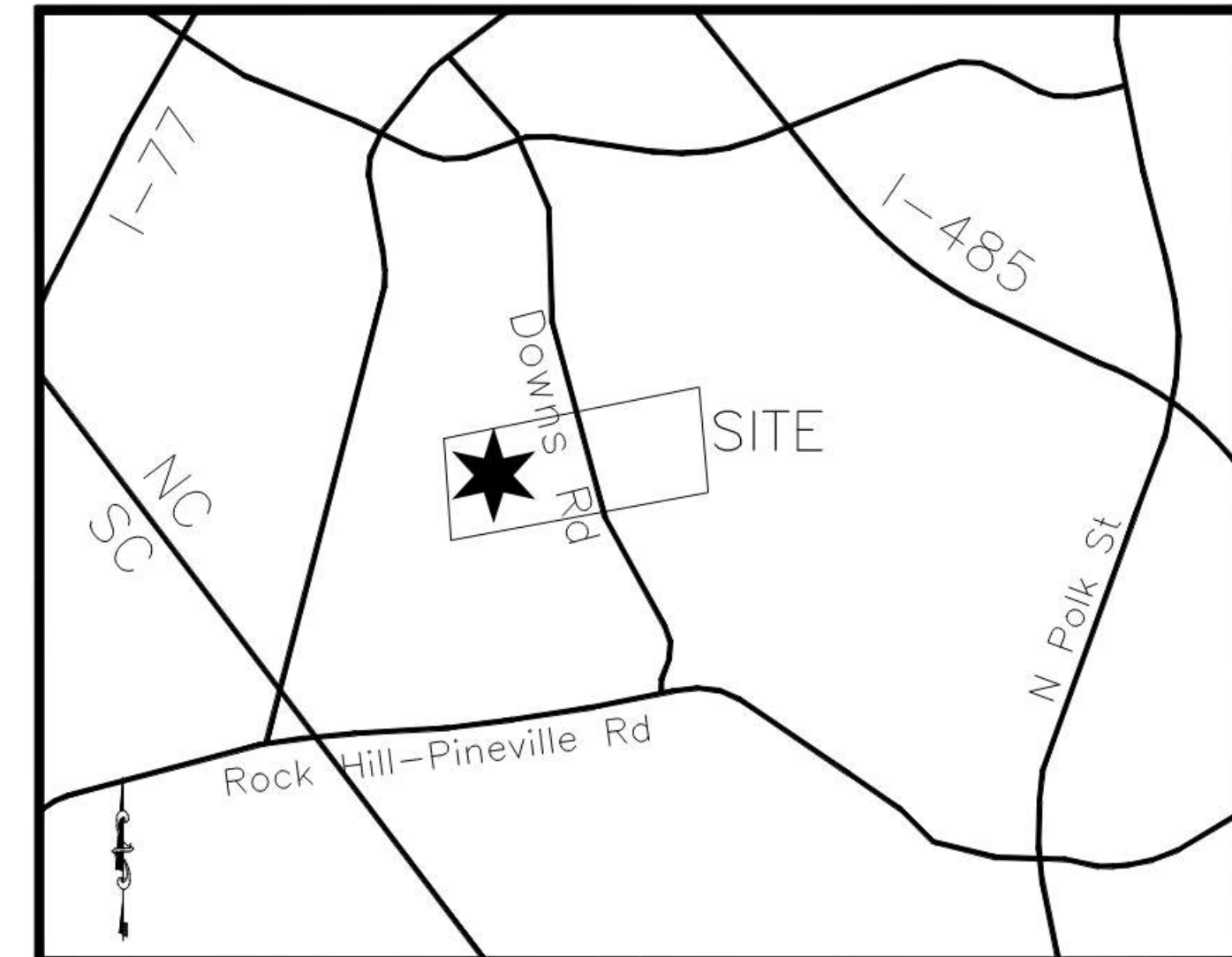
Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	88	31	68	21
Average Queue (ft)	34	10	4	1
95th Queue (ft)	74	33	32	9
Link Distance (ft)	709	728	817	344
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 7: Downs Road & Access D/SiteOne Landscape Supply

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	L	L
Maximum Queue (ft)	46	65	22	52
Average Queue (ft)	9	18	3	4
95th Queue (ft)	32	53	16	25
Link Distance (ft)	689	722		
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)			150	100
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 7: Downs Road & Access D/SiteOne Landscape Supply

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	L	L
Maximum Queue (ft)	88	35	16	20
Average Queue (ft)	28	9	1	1
95th Queue (ft)	67	33	11	7
Link Distance (ft)	689	722		
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)			150	100
Storage Blk Time (%)				
Queuing Penalty (veh)				



VICINITY MAP  
NOT TO SCALE

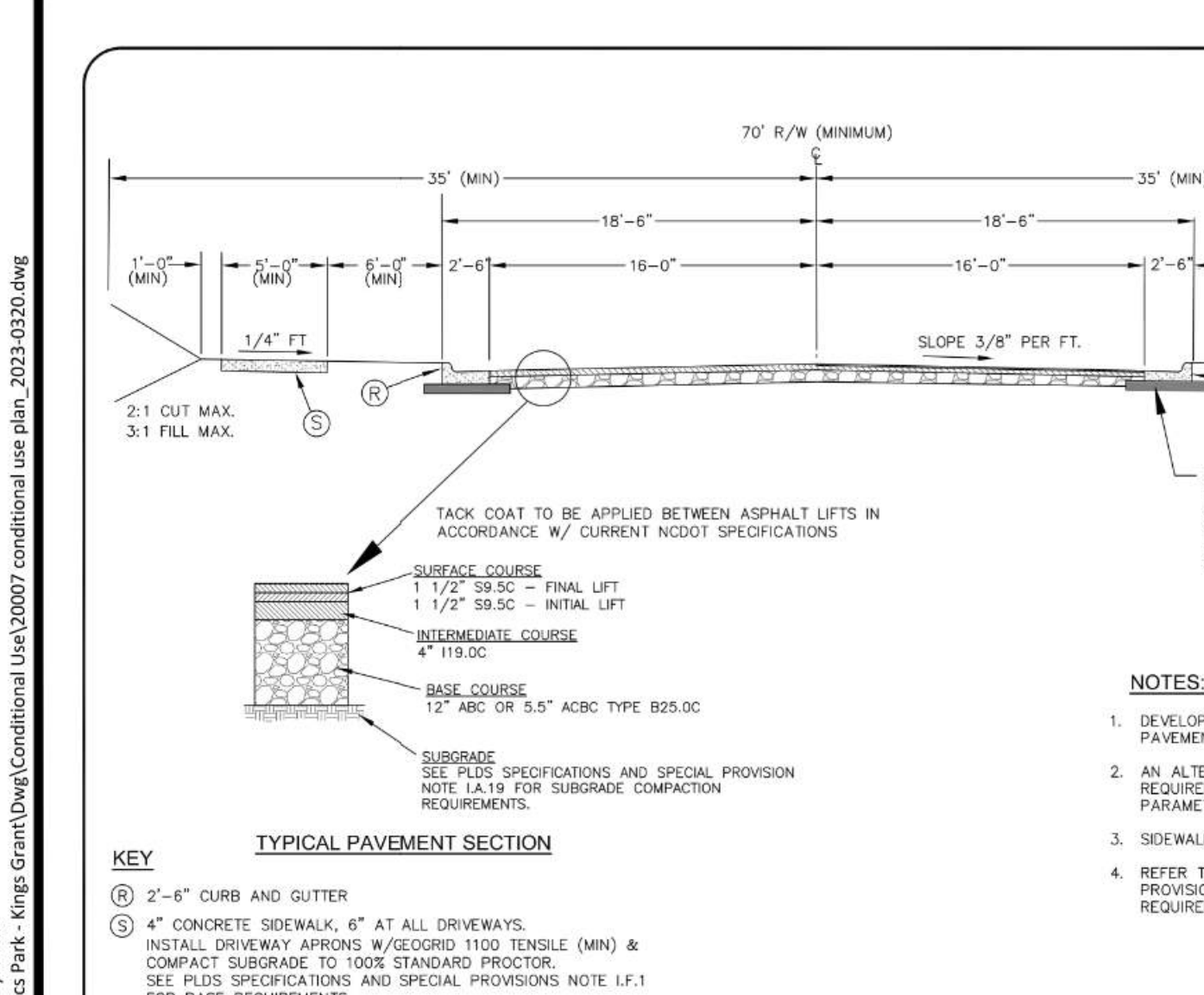
FAMILY LTD PARTNERSHIP  
JAMES ROSS MILLER JR  
DB 23127 PG 136  
PIN: 205-04-114  
ZONING: R-44  
USE: AGRICULTURAL - COMMERCIAL  
PRODUCTION

BERCO RE INVESTORS LLC  
DB 31600 PG 284  
PIN: 205-04-102  
ZONING: R-44  
USE: MULTIFAMILY

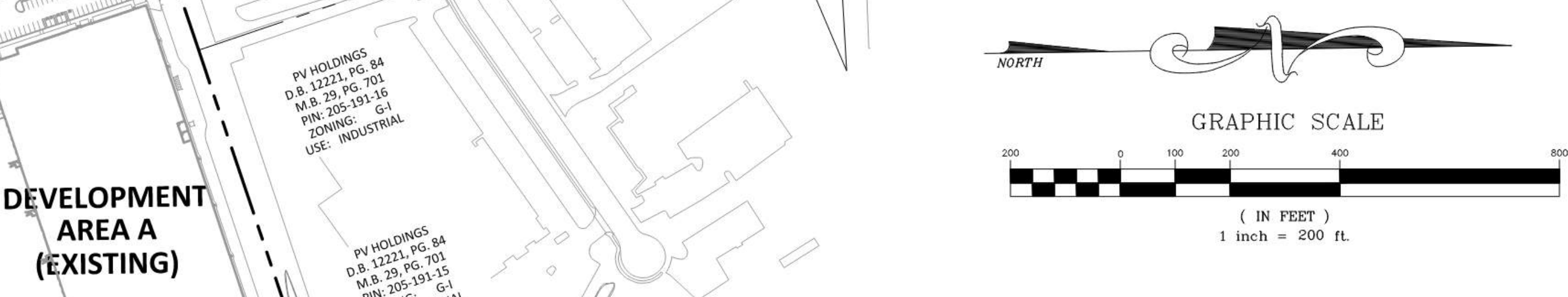
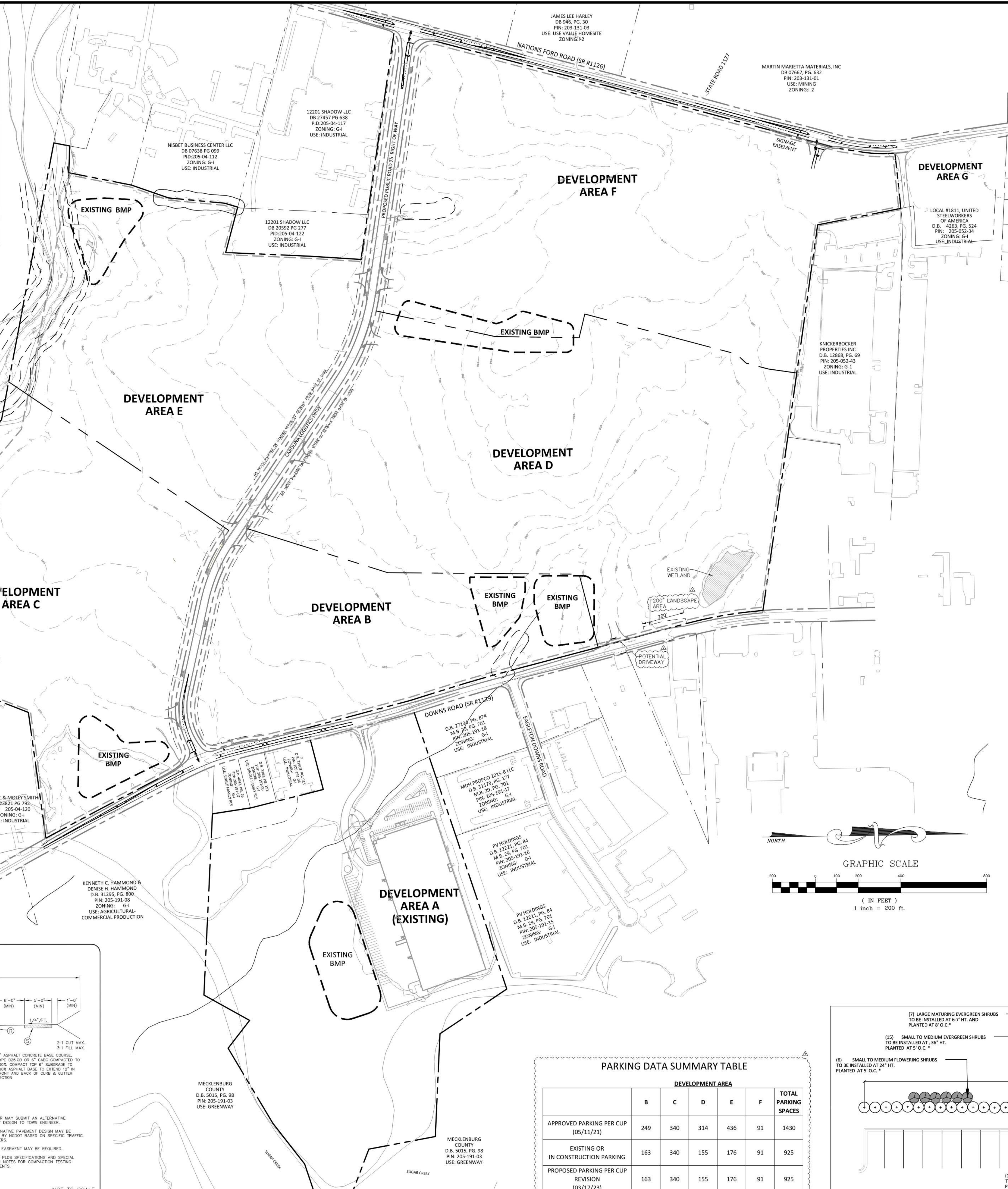
KHH DOWNS LLC  
DB 23137 PG 196  
PIN: 205-04-108  
ZONING: G-1  
USE: INDUSTRIAL

ROBERT & MOLLY SMITH  
DB 23821 PG 792  
PIN: 205-04-220  
ZONING: G-1  
USE: INDUSTRIAL

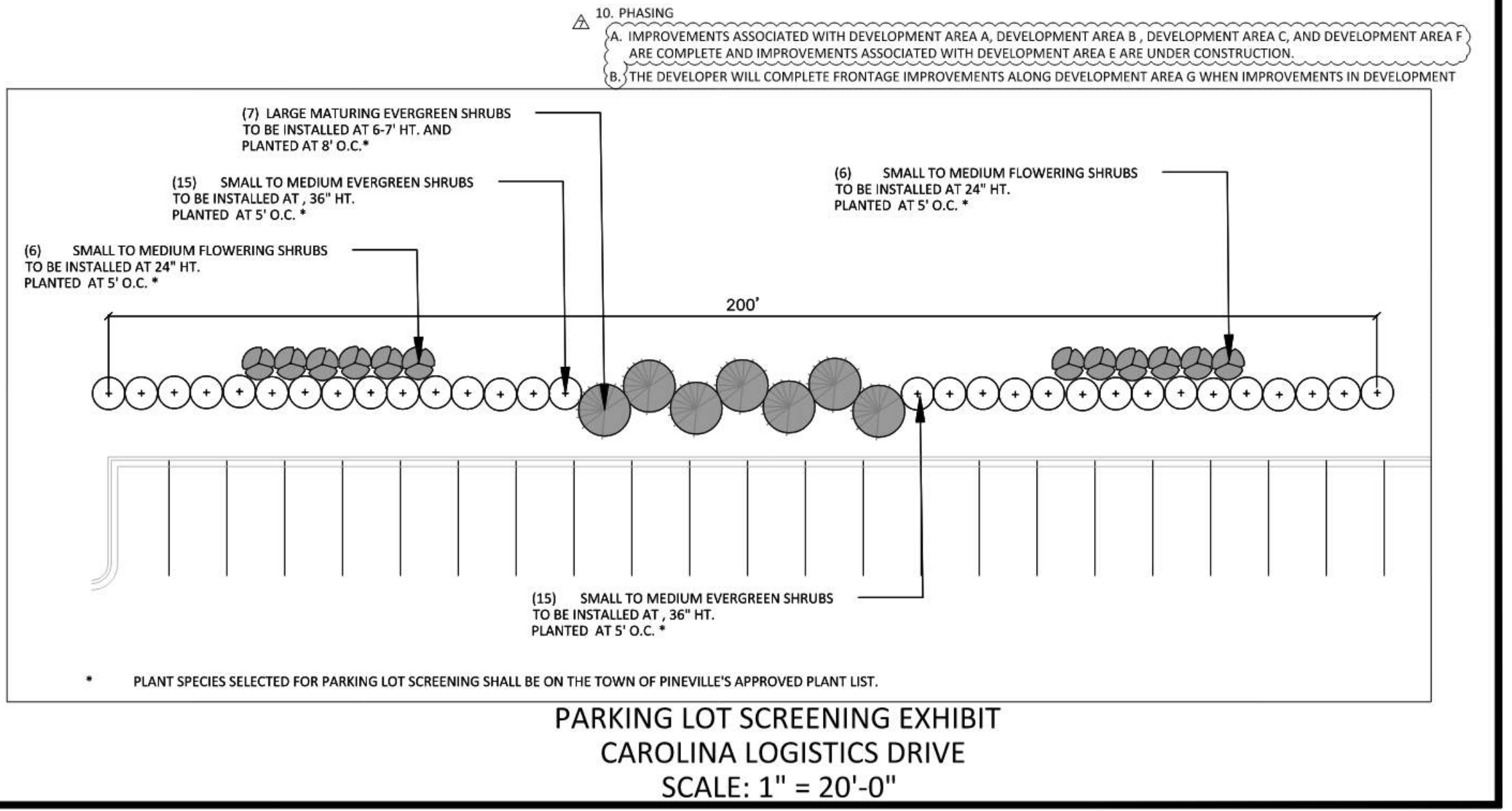
KENNETH C. HAMMOND &  
DENISE H. HAMMOND  
D.B. 31295 PG 309  
PIN: 205-191-08  
ZONING: G-1  
USE: AGRICULTURAL-COMMERCIAL  
PRODUCTION



TOWN OF PINEVILLE  
LAND DEVELOPMENT  
STANDARDS  
INDUSTRIAL STREET  
REV. DATE: 2/29/20  
REV. NO.: 10.03  
REV. BY: [ ]



		DEVELOPMENT AREA					
		B	C	D	E	F	TOTAL PARKING SPACES
APPROVED PARKING PER CUP (05/11/21)		249	340	314	436	91	1430
EXISTING OR IN CONSTRUCTION PARKING		163	340	155	176	91	925
PROPOSED PARKING PER CUP REVISION (03/17/23)		163	340	155	176	91	925



PARKING LOT SCREENING EXHIBIT  
CAROLINA LOGISTICS DRIVE  
SCALE: 1" = 20'-0"

DEVELOPMENT STANDARDS (03/10/23)

1. DEVELOPMENT DATA TABLE

2. GENERAL PROVISIONS

3. PERMITTED USES & DEVELOPMENT AREA LIMITATION

4. ENVIRONMENTAL FEATURES

5. OPEN SPACE

6. ACCESS AND TRANSPORTATION

7. SIGNAGE

8. LIGHTING

9. ARCHITECTURAL STANDARDS

10. PHASING

AREA G ARE CONSTRUCTED.

ORSBORN ENGINEERING GROUP

605 LINGINGTON AVENUE, SUITE 301  
CHARLOTTE, NC 28203  
PI 704-749-1432  
www.orsborn-eng.com

TECHNICAL SITE PLAN FOR CAROLINA LOGISTICS PARK

500 EAST MOREHEAD STREET, SUITE 200  
CHARLOTTE, NC 28202

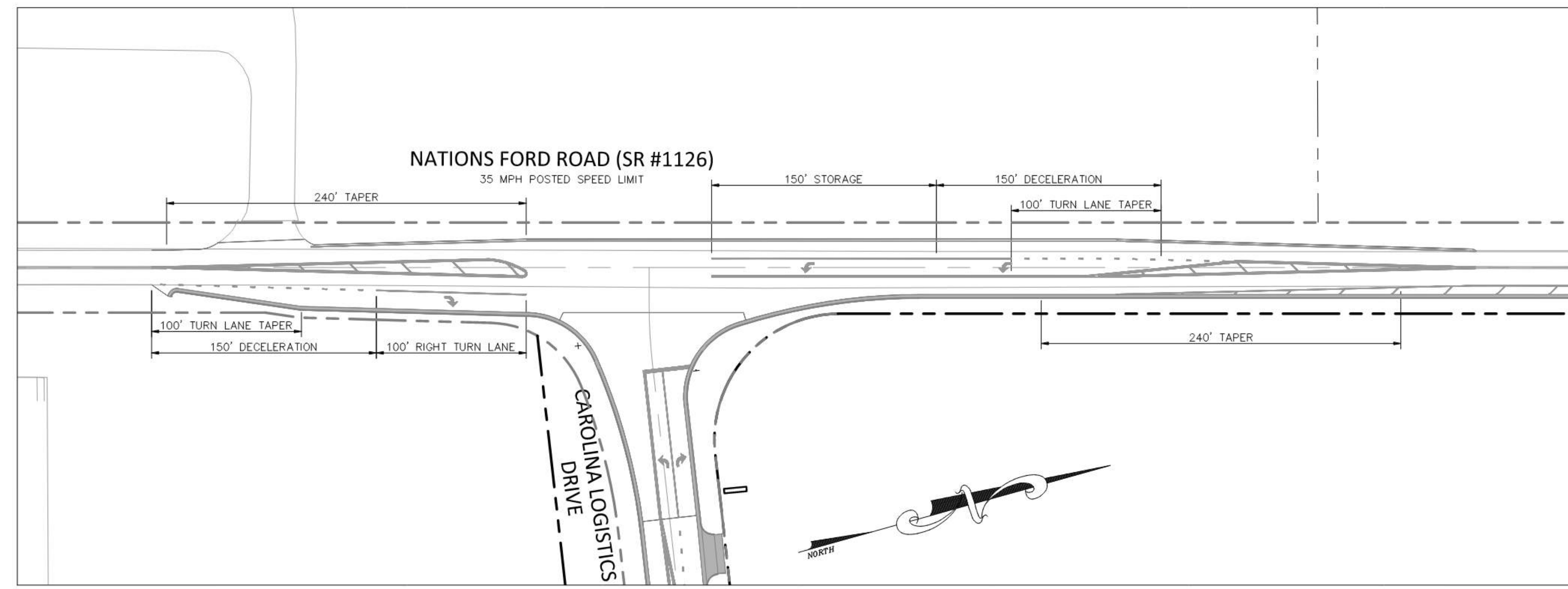
REVISIONS

NO.	DATE	BY	DESCRIPTION
1	05/05/21	ORSBORN	REVISION TO APPROVED PLAN
2	06/07/21	ORSBORN	REVISION TO APPROVED PLAN
3	08/09/21	ORSBORN	PER OWNER PLAN REVISIONS
4	08/09/21	ORSBORN	PER OWNER PLAN REVISIONS
5	07/08/20	ORSBORN	PER TOWN COORDINATION
6	06/19/20	ORSBORN	PER TOWN COORDINATION
7	04/22/20	ORSBORN	PER TOWN COORDINATION

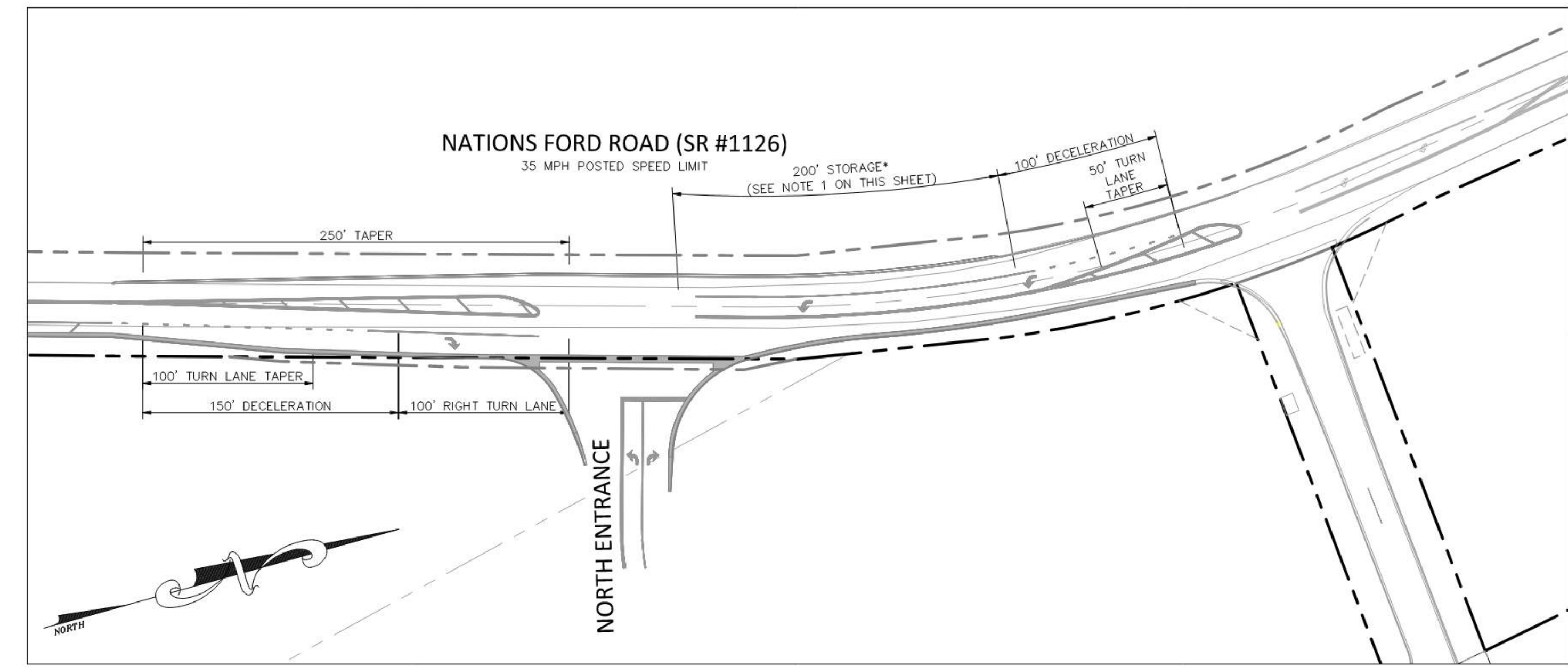
JOB # 20007  
DATE: 05/20/20  
SCALE: 1" = 20'  
DRAWN BY: LWL  
APPROVED BY: JCO

RZ 1.0

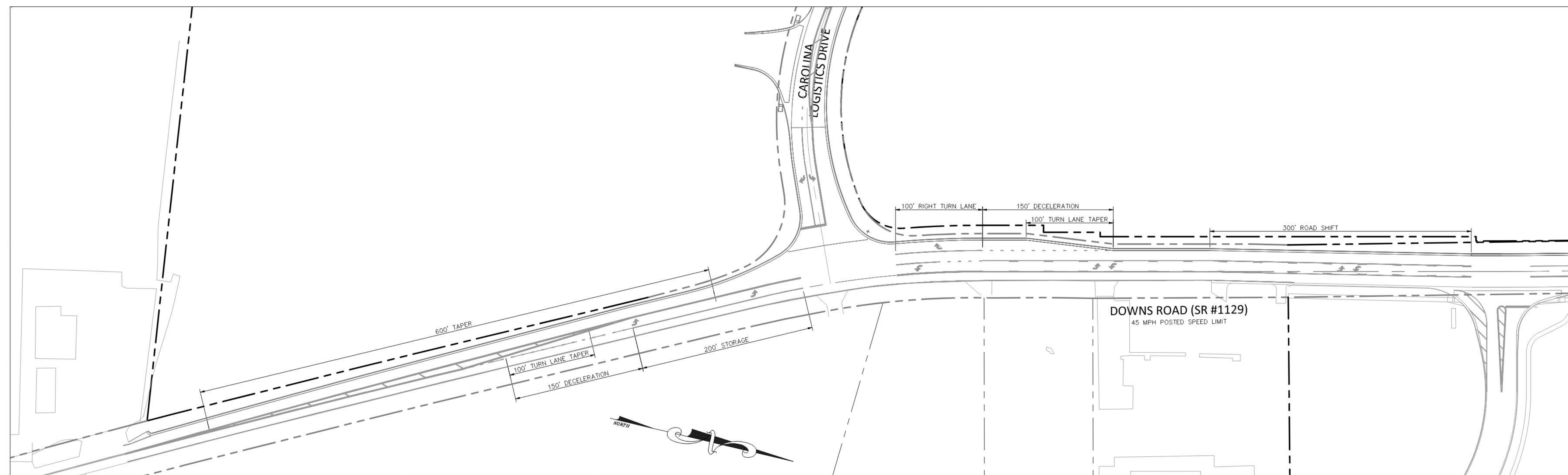




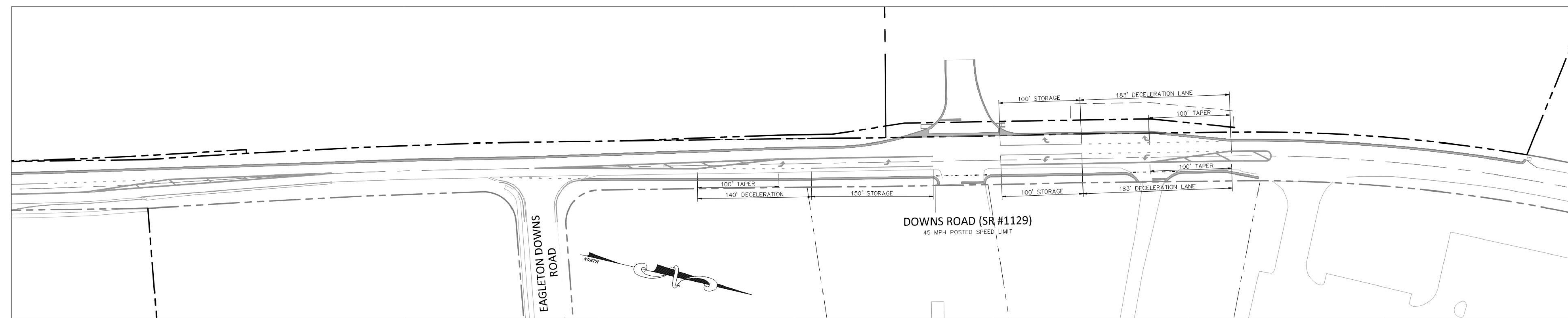
CAROLINA LOGISTICS DRIVE  
@ NATIONS FORD ROAD  
SCALE 1" = 60'



NORTH ENTRANCE  
@ NATIONS FORD ROAD  
SCALE 1" = 60'



CAROLINA LOGISTICS DRIVE  
@ DOWNS ROAD  
SCALE 1" = 60'



PROPOSED DRIVEWAY  
@ DOWNS ROAD  
SCALE 1" = 60'

**NOTES:**

- \* 100' STORAGE MAY BE USED FOR NOTED LEFT TURN LANE ON NATIONS FORD ROAD IF THE TURN LANE IS NOT USED FOR A TRUCK ENTRANCE.
- ROADWAY IMPROVEMENTS, INTERSECTION LOCATIONS, ETC. ARE SUBJECT TO APPROVAL BY PERMITTING AUTHORITIES.

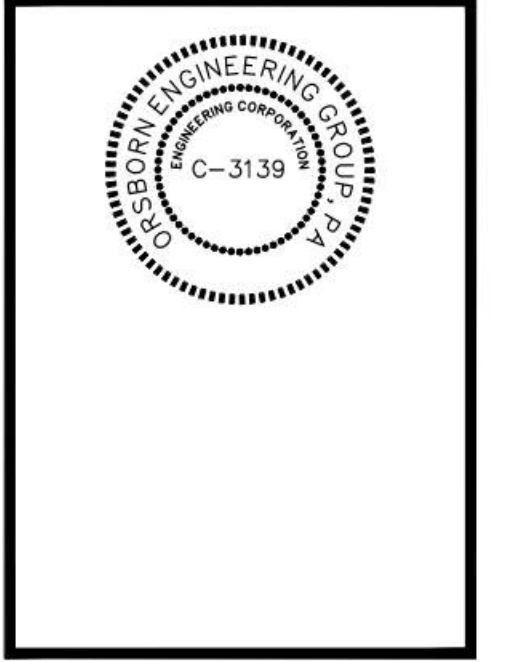
NO.	DATE	REVISIONS
1	04/05/23	REVISION TO APPROVED PLAN
2	07/08/23	PER TOWN COORDINATION

JOB #	20007
DATE	05/20/20
SCALE	1" = 60'
DRAWN BY	JAW
APPROVED BY	JCO

**RZ 1.1**

CONCEPTUAL SITE PLAN  
FOR  
CAROLINA LOGISTICS PARK  
500 EAST MOREHEAD STREET, SUITE 200  
CHARLOTTE, NC 28202

CAROLINA LOGISTICS PARK  
500 EAST MOREHEAD STREET, SUITE 200  
CHARLOTTE, NC 28202

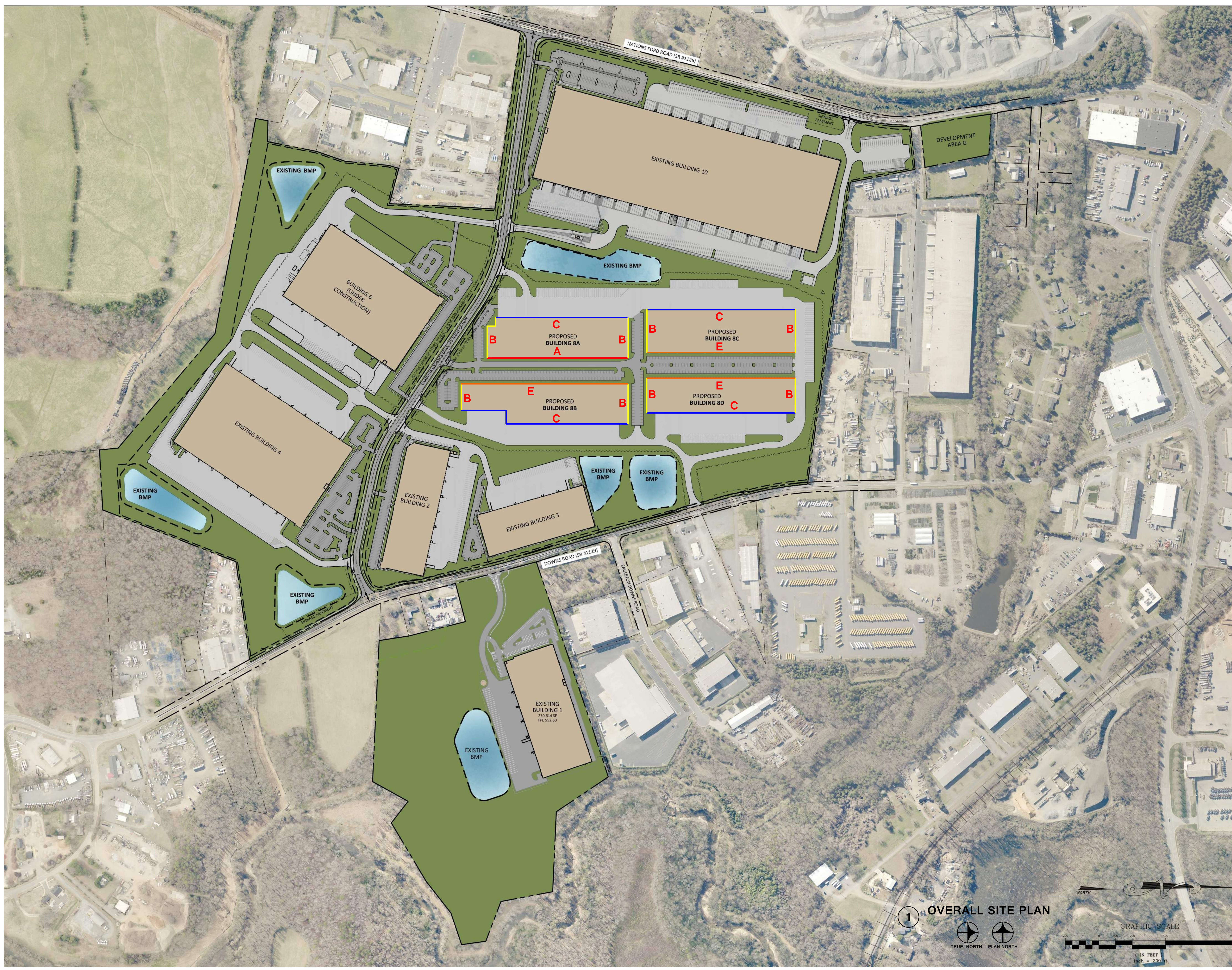


NO.	DATE	REVISIONS
1	03/20/23	PER TOWN COORDINATION
2	03/20/23	PER OWNER PLAN REVISIONS
3	03/20/23	PER TOWN COORDINATION
4	03/20/23	PER OWNER PLAN REVISIONS
5	03/20/23	PER TOWN COORDINATION
6	03/20/23	PER OWNER PLAN REVISIONS
7	03/20/23	PER TOWN COORDINATION
8	03/20/23	PER OWNER PLAN REVISIONS
9	03/20/23	PER TOWN COORDINATION
10	03/20/23	PER OWNER PLAN REVISIONS

JOB # 20007  
DATE: 03/20/23  
SCALE: 1" = 200'  
DRAWN BY: JCO  
APPROVED BY: JCO

**RZ2.0**





SCALE :  
 FOR REFERENCE  
 ONLY

**CAROLINA LOGISTICS  
 PARK**  
 DOWNS ROAD  
 PINEVILLE, NORTH CAROLINA

DRAWING STATUS :  
 ● PRELIMINARY  
 NOT FOR CONSTRUCTION  
 ○ ISSUED FOR  
 BIDDING  
 ○ ISSUED FOR  
 CONSTRUCTION

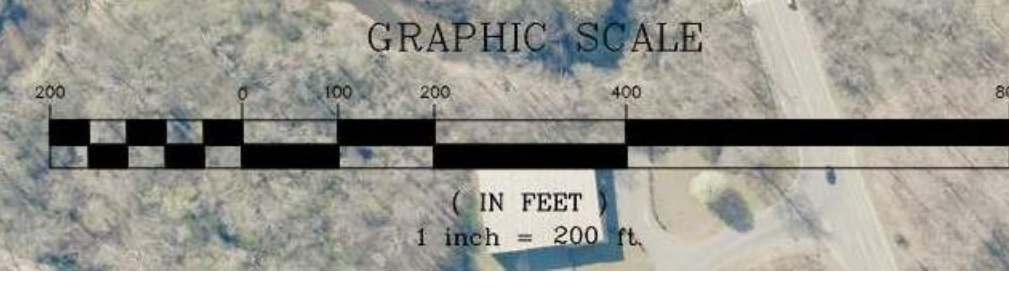
OWNER / CLIENT SIGNATURE :  
 DATE :

NO.	DATE	DESCRIPTION
1	04/11/2023	SITE PLAN UPDATES
2	05/05/2023	PER TOWN COORDINATION
3	07/20/2023	REVISIONS

FILE NAME :  
 PROJECT NO. :  
 C15109  
 SHEET TITLE :  
 SITE PLAN

SHEET :  
**A100**

**1 OVERALL SITE PLAN**



**Pineville Police  
Department**

# Memo

**To:** Ryan Spitzer, Town Manager  
**From:** Michael Hudgins, Chief of Police  
**CC:** Roxy McMahon, Senior Administrative Assistant  
**Date:** 4/18/2023  
**Re:** Towing Ordinance

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Mr. Spitzer, if you recall, a gentleman spoke to Town Council at the February Town Council meeting about the unethical business practices of Tip Towing Company. His comments were corroborated in an email from Corporal Kimel to Sergeant Cook on February 14, 2023. Within her email, Corporal Kimel noted the following issues surrounding the business practices of Tip Towing Company:

Within the past few months, we have been dealing with this company (Tip Towing) practicing “shady” business to say the least. They began trying to tow vehicles that were occupied, which we were able to put a stop to based upon state law; however, recently they have been placing “boots” on occupied vehicles and charging a fee to the occupants to remove the boots (ranging upwards of \$200 to have the boot removed). The parking lot has no visible signage within the parking lot to warn subjects that they cannot be parked for more than a certain period or repercussions would occur. I believe there is only one entrance that has a sign in general, but another issue is that there are at least three other access points/ entrances to the parking lot that have no signs. I have spoken with two (2) tow truck drivers requesting that their company place more signs out as subjects have no warning or knowledge that if they park in the parking lot they are subject to tow/booting after a period of time. Another issue that has also been common with this is that most of the individuals who are being booted have a gym membership to Planet Fitness and thought that since they are a customer and pay dues that they could use the parking lot to nap during truck hauls or traveling trips.

In her email, Corporal Kimel also pointed out our Town does not have an ordinance to regulate towing practices, and based on my research, the state code only regulates private parking spaces, which does not apply to this issue. Moreover, Corporal Kimel also noted that other surrounding jurisdictions have towing ordinances on the books. Since the state and our Town lack regulatory authority over towing practices, the police department cannot change the behavior of the Tip Towing, outside of persuasion. I would like to change this position.

Respectfully, to address this issue, I would like to propose new towing and booting ordinances to our Town Council. Additionally, I recommend creating a new title in the Town’s ordinance called Title VIII – “Towing and Booting”.

We have reviewed Charlotte's ordinances, and we believe their ordinances substantially address the issues our officers have witnessed. Therefore, we respectfully submit the following ordinances for consideration by Town Council:

#### TITLE VIII. TOWING AND BOOTING

##### Sec. 80. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context indicates a different meaning:

Boot means any device attached to a vehicle that prevents the vehicle from being driven.

Booting service means any person or entity that engages in or who owns or operates a business that engages in whole or in part in the booting of vehicles.

Class A vehicle means any vehicle with a gross weight up to and including 9,000 pounds.

A private parking lot means any parking lot or area owned by a private entity that provides parking spaces for a fee or requires the permission of the owner, lessee, or agent before a person may park at that location. A private parking lot includes vehicle parking spaces in an apartment complex or shopping center.

Tow means to haul, carry, pull along, or otherwise transport or remove a motor vehicle by means of another vehicle.

Towing service includes any person or other entity, whether licensed or not, that engages in or who owns or operates a business that engages, in whole or in part, in the towing or removal of motor vehicles for compensation.

Trespass towing means the towing or removal of a vehicle, without the consent of the vehicle's owner or operator, that is parked on a private parking lot without the property owner or agent's consent.

##### Sec. 80 -1. Towing of vehicles for compensation.

No towing service shall conduct a trespass tow of a class A vehicle from a private parking lot for compensation when the point of origin of the tow is within the jurisdictional limits of the city without complying with the provisions of this article.

##### Sec. 80-2. Trespass towing of vehicles from private parking lots; signs required.

It shall be unlawful to tow or remove or immobilize by use of any wheel lock or other method, a motor vehicle that is parked on private property or private parking lot without the permission of the owner or lessee of the motor vehicle unless notice is posted in accordance with the provisions of this section on the private property from which the towing, removal, or immobilization occurs. The notice shall meet the following requirements:

(1) The notice must be in the form of a sign structure and not less than 24 inches by 24 inches and not larger than six square feet and constructed of metal, plastic or other type of material that is enduring in nature. The notice shall be prominently posted on the private property at each access or curb cut allowing vehicle access to the property and within five feet of the street right of way line. If there are no curb or access barriers, notices shall be posted not less than every 50 feet facing the frontage of the public street and facing the private parking lot. In addition, a sign not less than 12 inches by 18 inches in size may be posted with lettering on both sides at each parking space from which an unauthorized vehicle could be towed, removed, or immobilized.

(2) The notice shall clearly display the following:

a. In not less than one and one-half inch high letters red in color on a contrasting white background, the words “tow-away-zone” or “towing enforced.”

b. In not less than one inch high letters red in color on a contrasting white background, a statement that parking is never authorized by stating “private property – no parking” or where parking is permitted under limited circumstances, by stating “authorized parking only” or “leased parking only”, or “parking for \_\_\_\_\_ customers only”, or “parking for residents only”, or a similar phrase that specifically identifies the conditions under which someone may park on the property. If parking is only allowed for a specified time, then the sign shall specifically state the days and hours when parking is permitted.

c. In not less than one inch high letters red in color on a contrasting white background, the phone number that a person can call to retrieve the towed vehicle and the name and address of the storage facility where the vehicle is stored.

(3) The sign displaying the required notices shall be permanently installed with the bottom of the sign not less than three feet above ground level and the top of the sign not more than eight feet above ground level.

Sec. 80-3. Trespass towing of vehicles from private parking lots; practices

(c) Any towing service that engages in a trespass tow or any storage facility that receives motor vehicles that have been towed as a result of a non-consensual tow from private property shall accept cash and at least two major credit cards and any debit card for any fee established by this article. Upon request, the employee for the towing service or storage facility will provide a receipt to the owner or operator of the towed motor vehicle.

(d) Any towing service that engages in a trespass tow or any storage yard that receives motor vehicles that have been towed as a result of a non-consensual tow from private property shall have a person on call 24 hours every day who acknowledges requests to retrieve a towed motor vehicle within 15 minutes of receiving an inquiry from the owner or operator of the towed motor vehicle. If the owner or operator wishes to retrieve the motor vehicle, then the towing service or storage facility must make the vehicle available within 45 minutes of the request.

(e) The lot or facility to which a trespass towed vehicle is removed shall be located within 20 miles of the Town limits.

(f) No towing service shall remove a motor vehicle from a private lot from the hours of 7:00 a.m. to 7:00 p.m. unless the owner or agent of the private lot signs a contemporaneous specific written authorization for such removal which is presented to the wrecker driver of the towing service. The agent must be someone other than an employee of the towing service. The written authorization shall contain the reason for the tow, the make, model, year, color, vehicle identification number (VIN) and license plate number. The wrecker driver shall contact the non-emergency number for the Pineville Police Department and provide the above information. The motor vehicle will not be removed from the private lot until the driver has been advised of a complaint number.

Sec. 80-4. Return of class A vehicle to owner after a trespass tow.

The owner of a towing service shall have someone on call from 7:00 a.m. to 7:00 p.m. for the return of a class A vehicle to the owner trespass tow.

Sec. 80-5. Trespass towing notice to police required.

Any towing service operating within the city shall, within 30 minutes of the removal of the vehicle from a private parking lot, notify the nonemergency police service bureau of the Pineville Police Department of the towing; the storage site; the time the vehicle was towed or removed; and the make, model, year, color, vehicle identification number (VIN), and license plate number of the vehicle; and shall obtain and retain the Pineville Police Department's case number assigned to the call.

Sec. 80-6. Penalty.

A violation of §§ 80-1 through 80-5 shall not constitute a misdemeanor or infraction punishable under G.S. § 14-4, but instead shall be subject to the civil penalties fixed by § 10.99.

Sec. 81-1. Booting of a vehicle on a private lot.

No booting service shall boot a vehicle within the Town limits without complying with the provisions of this article. However, this section does not apply to any company that is acting on behalf of a governmental agency.

Sec. 81-2. Booting of vehicles on private parking lots; signs required.

(a) No booting service shall boot a vehicle, of any size or weight, on a private parking lot unless a sign is conspicuously posted and clearly visible from all vehicle and pedestrian entrances to the property. The sign must clearly provide the following information:

(1) The property is a private lot and a vehicle not authorized to park on the property will be booted at the owner's expense;

(2) The name, telephone number, and address of the person or company that is authorized to remove the boot;

(3) A statement that the boot may be removed at anytime, day or night, upon payment not to exceed the amount specified in section 81-3.

(b) When the booting service is contacted to remove the boot, a designated employee of the company will respond within one hour.

(c) An occupied vehicle may not be booted.

Sec. 81-3. Fee charged for removing boot.

(a) The fee to remove a boot shall not exceed \$50.00.

(b) It is unlawful for a private booting company, unless it is acting on behalf of a governmental agency, to place a boot on a motor vehicle parked on the public right-of-way.

Sec. 81-4. Penalty.

A violation of §§ 81-1 through 81-3 shall not constitute a misdemeanor or infraction punishable under G.S. § 14-4, but instead shall be subject to the civil penalties fixed by § 10.99.

I look forward to your feedback and direction concerning this matter.

# Memorandum



**To:** Mayor and Town Council  
**From:** Ryan Spitzer  
**Date:** 4/21/2023  
**Re:** LIV Development – Church & College Streets

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U S Developments will present the parking options for downtown, including how many parking spaces can be developed on the parcels we were going to put the Fire Department on, at the Work Session on Monday night.