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**WORK SESSION MINUTES
MONDAY, JUNE 23, 2025 @ 6:00 PM
TOWN HALL COUNCIL CHAMBERS**

The Town Council of the Town of Pineville, NC, met in a Work Session on Monday, June 23, 2025 @ 6:00 p.m.

ATTENDANCE:

Mayor: David Phillips
Mayor Pro Tem: Ed Samaha (via Teams)
Council Members: Chris McDonough, Danielle Moore, Amelia Stinson-Wesley
Town Manager: Ryan Spitzer
Town Clerk: Lisa Snyder
Asst. Manager/Finance Director: Chris Tucker
Planning Director: Travis Morgan

CALL TO ORDER:

Mayor David Phillips called the meeting to order at 6:00 p.m. The first order of business was to allow Mayor Pro Tem Samaha to participate in the meeting via Teams, and Council needs to approve the potential of him casting a vote, despite not being physically present. The second order of business was to remove item #5, the Fire Department ETJ, as Chief Gerin had to work at the last minute and could not attend and substituting it with Budget Amendment 2025-07 presented by Chris Tucker, following his Finance Report. (***Both items approved 4-0***)

DISCUSSION ITEMS:

Event Permits (Riley George). Ms. George worked with the Parks & Rec Director, the Chief of Police, Planning Director Travis Morgan, and Communications to develop the event permit form. The biggest part is the council approval for certain events. In addition, a fee range was discussed with Parks & Rec, as they suggested \$200 to cover the time for setting up, tear down, and trash removal. The spaces would be the front lawn, any roads within the Town limits, parking lots, and green spaces not designated by Parks & Rec. This form does not include the political 30-day period which allows for local municipal, state, and federal parties are permitted to set up on Town property in anticipation of an election.

There will be a link on the Town's website, under Parks & Rec, to obtain the form. She noted that on page 2, the applicant chooses what best describes their event, similar to Mecklenburg County's form. There is an attachment section for the applicant to attach vendor permits, security plans, etc. The applications will initially go to Ms. George for approval.

Council Member Stinson-Wesley asked if there will be different procedures for residents vs non-residents? Ms. George replied that we can do that for consistency. Council Member Moore suggested that the applicant provides references. In the event that they have had their event at another location, we can check if there were any issues. The Town Manager will have the final approval with the Assistant Town Manager approving in the manager's absence.

Conditional Rezoning of 606 N. Polk (Travis Morgan). Mr. Morgan stated that David Tibbals, with South Oak Partners, requests consideration on a site plan specific conditional zoning plan to allow for up to 19 townhomes in the B-3 zoning district. Townhomes are permitted only by a conditional zoning proposal in this district. Mr. Morgan feels that the site plan needs additional work and appears to be too dense. Staff is recommending losing several townhome units and reorganizing the site to accommodate the grade change along Polk and revisit the arrangement of the Morrow Avenue units to face a more usable common open space and possibly adding on-street parking on Morrow Avenue since the asphalt is narrow there. He reminded Council that these are not the final engineering plans. Mayor Pro Tem Samaha expressed concern about school buses or trash access being a little tight to make those turns. Mr. Tibbals replied that their civil engineers put this design together and the radiuses put together provide for standard private trash service. There are no common parking areas. Mr. Spitzer asked Council to let Mr. Morgan know if there is anything they want to add as we move through this process.

Chain Link Fence Ordinance (Ryan Spitzer). Mr. Spitzer advised that a resident installed a new chain link fence on Eden Circle because her neighbors have chain link fences and is asking Town Council to change the Residential overlay District rules. In 2008, Pineville adopted a Residential Overlay District Plan that prohibited chain link fence in residential areas because property owners weren't taking care of the weeds and grass along the fence line. Any chain link fence that was installed prior to this time was allowed and grandfathered in or taken down. Currently, her fence is over the property line and she is in violation of our ordinance. Mayor Phillips did not feel this should be grandfathered in and the remaining Council members concurred that the Ordinance stands.

Finance Report (Chris Tucker). Finance Director Chris Tucker gave a finance update through May of this fiscal year and said that we will hit 100% of incoming revenues, which is good news. He will be wrapping up audits and closing this fiscal year. There was no discussion.

Budget Amendment 2025-07 (Chris Tucker). Mr. Tucker requests a vote on Budget Amendment 2025-07. Mr. Tucker said that this is the electric fund increasing utility revenue by \$500,000.00 and increasing wholesale power purchase by \$500,00.00. It was noted that this is unusual to take a vote at this time, but it needs to be approved prior to July 1st. Council Member McDonough moved to approve Budget Amendment 2025-07 with Council Member Moore providing a second. All ayes. **(Approved 4-0)**

Parkway Crossing discussion on Conditional Rezoning (Travis Morgan). Mr. Morgan advised that this is a request from New Forum Development by their attorneys at Morningstar Law Group as it relates to their prior site plan. They are requesting an administrative interpretation which confirms that the roadwork for this project allowed by the Site Plan has been completed, and that certificates of occupancy for development on the undeveloped Parkway property are not conditioned on the completion of the Carolina Place Parkway. The remaining undeveloped portion of Parkway Crossing has been on hold based partly on no current development plans or proposals, and partly due the conditional site plan requirement relating to the completion of Carolina Place Parkway and acceptance by NCDOT.

Mr. Spitzer added that either they improve the roundabout to commercial vehicle standards as a thoroughfare to make it usable to everybody, in which may require additional property, or Council to uphold that they have to complete the extension of Parkway Crossing, as shown on the approved plans. One of the stipulations in that area is in order to build there, the road has to be completed. New Forum doesn't want to finish the road. Mr. Morgan discussed the plan roadway and graphics and planned denying their administration interpretation claim, in favor of

them coming back to amend the adopted plan with an alternate strategy in front of Town Council the same way it was originally approved. Additionally, he added that this alignment is a State roadway and has been on our thoroughfare Master Plan. Mr. Morgan has not responded to them yet, as he wanted to get this in front of Council first.

Cone Mill discussion (Ryan Spitzer). Mr. Spitzer said that the Site Plan provided by Beachmont RE Holdings for Cone Mill, and agreed to by Council and the Buyer, had between 24,000 and 44,000 sq. ft. of commercial space. Beachmont wants to amend the agreement where if they don't build all 24,000 sq. ft. they won't be in default of the PSA. Beachmont, via Jon Visconti, is concerned that the market dictates that he can only build 18,000 sq. ft. The way the PSA states, if he doesn't build all of it, the Town can take some back. One option that was discussed was to agree to the 24,000 sq. ft. but parcel them out. The other option is to make him stick to the site plan as it was agreed to (24,000 is the minimum).

Mr. Visconti explained that he needs to parcel it off and remove some liens in order to get a loan to make those improvements. It's all market dictated. He's comfortable with 24,000, but if it's 18,000, he just needs some flexibility with that minimum number.

Town Manager Spitzer added that if we do what Jon wants and parcel it out, he builds or remodels the old Town Hall, and he builds other buildings and then doesn't build one, if he puts a pad there we can't buy it back. The way that our PSA reads, if he doesn't build the 24,000 sq. ft. the Town can buy back whatever he doesn't build. We had to set some limits. He is wanting to change the perimeters of the proposal and Council has to decide what to accept or not. Mr. Visconti said he is spending all this money to get the Brownfield done. He likes the 18,000 with the right to parcel, at least portions of it.

Mr. Spitzer said that we would have to amend the Site Plan. He suggested staying with 24,000 and Mayor Phillips agreed. Mr. Spitzer further added that Mr. Visconti's 270 days are up July 21st. He had 270 days to get through the Brownfields, with three 60-day extensions. He has asked for 120 days. We need to give him 60 days at a time. Mr. Spitzer's recommendation is to extend permitting to do the Brownfields. Jon needs to know how much Council will hold him to for commercial. Council needs to decide if they are ok with Jon **not** building in every space.

Jon is asking from Council a 120-day extension from July 21st after completing the Brownfields. Mr. Spitzer would prefer to give him three 60-day extensions which will give him 180 days. The testing for the Brownfields has been delayed six weeks due to the rain. Council Member Moore prefers to do 60 days then evaluate, 60 days then evaluate, and another 60 days and evaluate. Mr. Visconti will get the full schedule and send it to Mr. Spitzer before the July 8th meeting. Council to discuss amongst themselves and vote at the July 9, 2025, Town Council meeting.

Council Member Stinson-Wesley moved to adjourn the Work Session followed by a second made by Council Member Moore. All ayes.

The Mayor adjourned the meeting at 8:20 pm.

David Phillips, Mayor

ATTEST:

Lisa Snyder, Town Clerk