



**WORK SESSION MINUTES
MONDAY JUNE 26, 2023 @ 6:00 PM
TOWN HALL COUNCIL CHAMBERS**

The Town Council of the Town of Pineville, NC, met in a Work Session on Monday, June 26, 2023 @ 6:00 p.m.

ATTENDANCE

Mayor Pro-Tem: Ed Samaha

Council Members: Amelia Stinson Wesley, Les Gladden & Chris McDonough

Town Manager: Ryan Spitzer

Planning & Zoning Director: Travis Morgan

Town Clerk: Lisa Snyder

Absent: Mayor: Jack Edwards

CALL TO ORDER

Mayor Pro Tem Ed Samaha called the meeting to order at 6:03 p.m. Council Member Amelia Stinson-Wesley moved to open the Work Session meeting followed by a second from Council Member Chris McDonough. All ayes.

DISCUSSION ITEMS:

Text Amendment (Travis Morgan). Planning & Zoning Director Travis Morgan stated that the request comes from Attorney Sarah Ghannam on behalf of Ryan Khalil, of Backyard Brew, and proposes a text amendment to the Pineville Zoning Ordinance. The proposal seeks to amend the ordinance to allow food trucks to be permitted year-round, which is a change from the current 56 days that are allowed. This is a follow-up of the Board of Adjustment case that was heard on March 23 of this year.

Attorney Sarah Ghannam addressed council and shared her views on the current ordinance. She stated that she finds the language is unclear and ambiguous. She shared that there is currently a lawsuit in Jacksonville, NC from an organization that is trying to seek justice for food trucks. It states that they are prioritizing brick and mortar restaurants over mobile food vendors. She wants Pineville to recognize their existence.

Council Member Les Gladden responded that in the past food trucks were permitted within our regulation provided that food trucks follow the requirements. He asked if Attorney Ghannam's client owns the property, why don't they build a building to sell coffee? They aren't paying taxes like other businesses who have opened a building and they're paying taxes. Mayor Pro Tem Samaha and Council Member Stinson-Wesley concurred. They must follow regulations. Council Member Gladden continued saying that her client was not paying any taxes. They were using our roads, our police and fire department, but without paying anything to the town.

Mayor Pro Tem Samaha further stated that her client never came to the Town and asked questions. He believes that she is interpreting the ordinance differently.

Council Member Gladden replied that the definition of a food truck is a pop-up, and her client was in violation from day one. Attorney Ghannam stated her belief that the ordinance wasn't clear. Her clients moved to another location, and she feels that food trucks are becoming more popular and that other towns are doing this.

Planning & Zoning Director Morgan disagreed on her interpretation that the ordinance was unclear. The ordinance states that it's one or the other. It's temporary or permanent. Food trucks currently need to meet temporary short-term provisions or more extensive permanent improvements. It is not ambiguous. It's the business owner's responsibility to check with Planning & Zoning on the requirements. Council Member Gladden stated that the issue is not with the food truck, but rather, with the property and length of time requested without any zoning compliance. Mr. Morgan advised that he would look at what other towns are doing and see if we can make the ordinance clearer and post in the questions and answers section of our website.

Coventry Lot Line (Travis Morgan). Mr. Morgan stated that this is the former Baynard property at the corner of Downs Circle and Highway 51. The development is now called Coventry by Stanley Martin. Ron Willing, of Stanley Martin, requests council's consideration to adjust the lot lines between the townhome community and the commercial/industrial property to the north. As part of the driveway approval, NCDOT required a slight distance easement across the commercial/industrial property in question, located at 12616 Downs Road currently owned by Yoshino properties. In exchange for the easement, the amount of property is to be deeded over to Yoshino properties. Since the property line is also the zoning line, a rezoning of the portion of property is needed.

Mr. Morgan replied to general questions from council that everything is up-to-date, and all property owners are on board, and he has no concerns. It is just an informational meeting. The next step will be a public hearing and send out notices to everyone.


Social District (Sarah Longstreet, Carolina Scoops). Sarah Longstreet, owner of Carolina Scoops, presented a proposed Social District for downtown Pineville. There are 25 municipalities that have established social districts in their town. Benefits include boosting revitalization, driving foot traffic to our small businesses, boosting socialization at our community events. Local businesses can opt in/opt out. Council Member Gladden asked if it would change liabilities for each business. Ms. Longstreet replied that the businesses will have to look at their insurance.

Council Member Gladden stated that our priority needs to be slowing down the traffic and stopping speeding before we consider a social district or promoting downtown. It needs to get under control daily and not monthly. There was general discussion among council members regarding speeding. Ms. Longstreet concurred that it's definitely a problem and concern.

Town Manager Ryan Spitzer added that this is the initial draft. Planning & Zoning Director Morgan said that he can come up with an ordinance for this. Ms. Longstreet stated that she conducted a survey and 90% were in support of a social district. We could start out with one district and look into expanding at a later time.

Council Member Stinson-Wesley said that signage would need to be set up at the bridge going to McCullough indicating that they are leaving the social district. Town Manager Spitzer advised that the next step would be to set up a small committee and present an ordinance to council for approval.

Council Member Stinson-Wesley moved to adjourn the meeting followed by a second made by Council Member McDonogh. Mayor Pro Tem Samaha adjourned the meeting at 7:45 pm.


Ed Samaha, Mayor Pro Tem

ATTEST:


Lisa Snyder, Town Clerk