MINUTES FROM THE
SPECIAL CALLED MEETING
FROM WEDNESDAY, AUGUST 1, 2018
6:00 P.M. – PINEVILLE POLICE BLDG.
437 MAIN ST., PINEVILLE, NC

The Town Council of the Town of Pineville, NC met for a Special Called Meeting on Wednesday, August 1, 2018 at the Pineville Police Bldg. located at 437 Main St., Pineville, NC.

ATTENDANCE

Mayor: Jack Edwards
Mayor Pro-Tem: David Phillips
Town Council Members: Debbie Fowler & Melissa Davis. Council Member Joe Maxim was unable to make this meeting but met separately with staff and applicant on the matter.
Town Manager: Ryan Spitzer
Town Clerk: Barbara Monticello
Planning Director: Travis Morgan
Guest Speakers: Nicholas Berndt, John Fryday, Felix Sabates, Tom Marcham, and Brendan Bambriut.

CALL TO ORDER

A motion was made and seconded to open the meeting at 6:00 p.m. There were ayes by all and the meeting began.

Discussion to Consider Significant Changes to Previously Approved Hyundai Dealership

Planning Director, Travis Morgan, stated that Mr. Felix Sabates, owner of various car dealerships, wanted to make a change to his previously approved plan for a Hyundai Dealership located at/near 10200 Pineville Rd. The plan was approved last year but Mr. Sabates was proposing significant changes to that plan. Mr. Morgan noted that if Council deemed it necessary, the plan would be brought before Council again but that they would have work sessions in between to iron out differences in hopes that it would alleviate having a long, overdrawn council meeting.

Mr. Sabates stated that his current Mercedes dealership on the opposite side of the road has grown so much that they needed more space. What they really needed was more service bays, not necessarily more parking but a parking deck would not help with the need for service bays. In the meantime, the lot he purchased and intended to use for a Hyundai dealership was long and narrow and could accommodate a longer building with more service bays. Instead of doing a Hyundai dealership there, he decided it would be more beneficial to do a new Mercedes dealership. The corporate office of Mercedes, however, requires their facilities to be uniform, especially the look of the building and signage.

The new building being proposed would use more glass and industrial brick, be approximately 100,000 sq. feet, and be moved closer to the I-485 end of the site. The main part of the building would be two stories with a four-story parking garage above the service bays in the back. All inventory will be in the parking deck except for the pre-owned cars that there is a space for at the front of the site. Additionally, the existing metal building on the site will be reskinned to blend in with the look of the new building. According to Mr. Sabates, the entire building will be reskinned, not just the front façade, adding that Mercedes allowed for a larger budget to do more with.

Council Member Melissa Davis asked Mr. Sabates what he intended on using the old metal building for. Mr. Sabates responded that it would be used for overflow parking for cars. Mayor Pro Tem David Phillips stated that he had thought Mr. Sabates would be storing specialty cars in the metal building but Mr. Sabates replied that Mercedes would not allow that. He then asked if the new layout would affect the sewer line that was an issue with the original plan that was presented to Council. Mr. Morgan acknowledged that it would be affected. Mayor Edwards asked John Fryday with the architectural firm, Fryday and Doyne, what he thought about the sewer line issue. Mr. Fryday responded that he thought it

would still be a challenge as the site was not an easy one to work with. Mr. Sabates again stated that with a $31million budget to work with, they would do what was needed to overcome the sewer line issues.

Council Member Davis also mentioned that Mr. Sabates never used the name of Pineville in his dealerships. Mr. Sabates replied that more people were familiar with Charlotte than Pineville and that Mercedes would not allow it. None of his dealerships has the name "Sabates" on them either or he would have named them after himself. Mayor Pro Tem Phillips asked Mr. Sabates if he planned to display any cars on ramps like he did at the original dealership. The town no longer permitted the use of ramps because they would like the focus to be on the building and streetscape, not rows of cars along the road. Mr. Sabates explained that was how you sold cars but understood there was an ordinance against it now so he was not planning on having cars displayed on the ramps. Mr. Tom Marcham of Mercedes of South Charlotte, added that they were going to spend $30M so at the end of the day they needed to be what they were – a car dealership.

Mayor Edwards asked if the town could keep the plans that were brought to the meeting. Mr. Fryday replied that we could. Mr. Morgan stated that the next steps would be to work on a summary of the items Mercedes would like to see and the items the town would like to see and then work through it together to come up with specifics everyone can agree on. He wanted to be sure the design team had a flow of traffic through the site worked out. Council Member Debbie Fowler asked if Cadillac St. would still be required to be improved. Mr. Morgan stated that it would per original Hyundai conditions unless otherwise agreed. Nicholas Berndt of AMSI stated that they would need to do an updated traffic study but Mr. Morgan thought it would come out very close to the original one that was done. He wanted to be sure all the improvements for Cadillac Street were shown on the new plan, along with other detailed information such as the turn radius for delivery trucks and all the notes from the original plan. Mr. Sabates indicated that they had a schedule to stick to with an option that will expire October 31st.

Mr. Morgan's major concern from the looks of the preliminary plan was the size of the signage. He specifically noted that he would have to defend the reason why Mercedes could have a sign that big but no other businesses could. He would need to work with Mercedes to get them into compliance or come up with a valid reason as to why the sign had to be that large. Mayor Pro Tem Phillips asked if fronting 485 would be a reason he could use to defend it. Mr. Morgan did not think it was a good enough reason alone because other large commercial developments such as the Hospital, Centrum, and Mall all face I-485 and weren't able to have signage that large. Manager Spitzer added that staff would just have to work it out with Mercedes. As to how quickly Mr. Morgan could make his comments on the new plan, he stated he could do it fairly quickly if he knew the flow of the lot and any specifics that could be provided such as location of the trash receptacle, on-off loading of vehicles, parking count, etc. as well as all of the same details that were on the original Hyundai plans. His goal was to get them as close to being in compliance with the zoning ordinance as possible.

What Mercedes would like is to keep the elevation as is, especially the glass part. That's what they were asking for. Mayor Edwards asked the group when they thought they could have the information Travis needed to him. Mr. Berndt stated he would have the information typed up that same night. Mayor Pro Tem Phillips wanted to know the next steps. Mr. Morgan replied that he would have details for the current plan vs. the old plan drawn up then presented at another meeting and then final review from him after that. Mr. Spitzer added they would try for possibly the August Work Session Meeting as long as Council found it acceptable to move forward with the plan. Council indicated that it was OK to move forward. Mr. Sabates stated he wanted the sign facing the I-485 side of the site to which Mr. Spitzer replied that they might need to negotiate that.

Adjournment: Hearing no further questions or comments, a motion was made by Mayor Pro Tem David Phillips and seconded by Council Member Melissa Davis to adjourn the meeting. There were ayes by all and the meeting adjourned at 7:18 p.m.

Mayor Jack Edwards

ATTEST: Barbara Monticello, Town Clerk