



The Mebane City Council held its regular monthly meeting at 6:00 p.m., Monday, August 3, 2020. Due to public health concerns related to COVID-19, the meeting was held virtually via Zoom.

Council Present via Zoom:

Mayor Ed Hooks
Mayor Pro-Tem Jill Auditori
Councilmember Tim Bradley
Councilmember Patty Philipps
Councilmember Everette Greene
Councilmember Sean Ewing

City Staff Present at City Hall:

Assistant City Manager Chris Rollins
City Attorney Lawson Brown
City Clerk Stephanie Shaw
IT Director Kirk Montgomery

City Staff Present via Zoom:

City Manager David Cheek
Planner Ashley Ownbey

Mayor Hooks called the virtual meeting to order. Mr. Bradley gave the invocation. No one spoke during the Public Comment period.

Mr. Cheek gave an overview of the Consent Agenda:

- a. Approval of Minutes –
 - i. July 6, 2020 – Virtual Regular Meeting
 - ii. July 8, 2020- Continued Public Hearings
- b. Petition for Voluntary Non-Contiguous Annexation- ABB
- c. Resolution Approving Financing for Purchase of Vehicles
- d. Adjustment of Financing Terms – City Park loan with American National Bank
- e. Old Recreation Center Polling Place Usage Agreement

Council requested that the new polling place be advertised sufficiently so citizens would be sure which location they can vote at. Mr. Bradley made a motion, seconded by Ms. Philipps, to approve the consent agenda as presented. The motion carried unanimously.

Item b.

RESOLUTION FIXING DATE OF PUBLIC HEARING ON
QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-58.2

WHEREAS, a petition requesting annexation of the non-contiguous area described herein has been received; and

WHEREAS, the Mebane City Council directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED, by the Mebane City Council of the City of Mebane, North Carolina that:

Section 1. A public hearing on the question of annexation of the non-contiguous area described herein will be held at the Mebane Municipal Building at 6:00 p.m. on September 14, 2020.

Section 2. The area proposed for annexation is described as follows:

Beginning at a point, said point being an iron rebar found, said iron rebar also being an easterly corner of the Now or Formerly Denali Investment Group, LLC property, said point also being THE POINT OF BEGINNING;

Thence departing said easterly corner of the Now or Formerly Denali Investment Group, LLC and running with a southerly line of the Now or Formerly Denali Investment Group, LLC property N 79° 58' 37" E 83.27' to an iron rebar found, said iron rebar being the southwesterly corner of the Now or Formerly City of Mebane property;

Thence departing said southerly line of the Now or Formerly Denali Investment Group, LLC property and running with the southerly line of the Now or Formerly City of Mebane property, the following courses and distances: N 79° 06' 40" E 83.76' to an iron rebar found, said iron rebar being 0.18' south of subject property line; N 79° 06' 40" E 415.65' to an iron rebar found, said iron rebar being the southwesterly corner of the Now or Formerly Concrete Supply Company, LLC property;

Thence departing the southerly line of the Now or Formerly City of Mebane property and running with the southerly line of the Now or Formerly Concrete Supply Company, LLC property the following courses and distances: N 80° 08' 42" E 84.12' to an iron pipe found, said iron pipe being 0.76' north of subject property line; N 80° 08' 42" E 135.56' to an iron pipe set; N 80° 03' 26" E 153.62' to an iron pipe found, said iron pipe being 0.09' north of subject property line;

Thence departing said iron pipe found and running with the southerly line of the Now or Formerly Concrete Supply Company, LLC, the Now or Formerly William Douglas Westbrook, the Now or Formerly William Douglas Westbrook et ux. and the Now or Formerly Jerry K. Merritt et ux. properties respectively N 80° 03' 26" E 800.75' to an iron pipe found, said iron pipe being a southeasterly corner of the Now or Formerly Jerry K. Merritt et ux. property;

Thence departing the southerly line of the Now or Formerly Jerry K. Merritt et ux. property and running with the southerly line of the Now or Formerly MLVP, LLC property the following courses and distances: N 79° 56' 06" E 60.10' to an iron rebar found; S 09° 01' 50" E 44.84' to an iron pipe found; N 80° 47' 59" E 59.13' to an iron pipe found, said pipe being the southwesterly corner of the Now or Formerly Sweetwater Property Development, LLC property;

Thence departing the southerly line of the Now or Formerly MLVP, LLC property and running with the southerly line of the Now or Formerly Sweetwater Property Development, LLC properties N 80° 46' 24" E 995.32' to an iron rebar found, said iron rebar being the northwesterly corner of the Now or Formerly Reginald K. Degraffenreidt property;

Thence departing the southerly line of the Now or Formerly Sweetwater Property Development, LLC property and running with the westerly line of the Now or Formerly Reginald K. Degraffenreidt property S 08° 30' 30" E 221.19' to an X-cut found;

Thence departing the westerly line of the Now or Formerly Reginald K. Degraffenreidt property and running with the southerly line of the Now or Formerly Reginald K. Degraffenreidt property, the following courses and distances: N 80° 16' 28" E 60.92' to an iron rebar found, said iron rebar being 0.64' north of subject property line; N 80° 16' 28" E 148.34' to an iron pipe set, said iron pipe being the southeasterly corner of the Now or Formerly Reginald K. Degraffenreidt property;

Thence departing the southerly line of the Now or Formerly Reginald K. Degraffenreidt property and running with the westerly line of the Now or Formerly Cassie B. Mebane HRS property S 08° 29' 00" E 626.34' to an iron pipe found, said iron pipe being the northwesterly corner of the Now or Formerly James Y. Vaughan HRS property;

Thence departing the westerly line of the Now or Formerly Cassie B. Mebane HRS property and running with the westerly line of the Now or Formerly James Y. Vaughan HRS property S 08° 22' 54" E 208.43' to an iron pipe found, said iron pipe being along with northerly line of the Now or Formerly Gregory Jones Sr. property;

Thence departing the westerly line of the Now or Formerly James Y. Vaughan HRS property and running with the northerly line of the Now or Formerly Gregory Jones SR property S 80° 43' 16" W 50.65' to an iron pipe found;

Thence departing the northerly line of the Now or Formerly Gregory Jones SR property and running with the westerly line of the Now or Formerly Gregory Jones SR property S 13° 11' 42" E 262.04' to a nail found, said nail being 5.23' northwest of subject property corner, said nail also being a northerly corner of the Now or Formerly Department of Transportation property;

Thence departing the westerly line of the Now or Formerly Gregory Jones SR property and running with the northerly line of the Now or Formerly Department of Transportation property, the following courses and distances:

Thence with a curve to the right, whose arc length is 73.63' and having a radius of 1274.60', with a chord bearing of S 47° 05' 24" W and distance of 73.62' to a concrete monument found;

Thence with a curve to the right, whose arc length is 258.12' and having a radius of 1235.55', with a chord bearing of S 54° 50' 25" W and distance of 257.65' to a disk found; S 23° 48' 05" E and distance of 19.52' to an iron pipe set;

Thence with a curve to the right, whose arc length is 302.79' and having a radius of 930.98', with a chord bearing of S 72° 15' 00" W and distance of 301.46' to a disk found, said disk being 0.64' north of subject property line and 12.31' northeast from subject property corner;

Thence with a curve to the right, whose arc length is 12.31' and having a radius of 930.98', with a chord bearing of S 81° 56' 46" W and distance of 12.31' to an iron pipe set; S 07° 53' 23" E and distance of 5.00' to an iron pipe set, said iron pipe being along the northerly rights-of-way of Industrial Drive;

Thence departing the northerly line of the Now or Formerly Department of Transportation property and running with the northerly rights-of-way of Industrial Drive, the following courses and distances: S 83° 41' 35" W and distance of 184.82' to an iron pipe set; S 84° 15' 01" W and distance of 105.17' to an iron pipe set;

Thence with a curve to the right, whose arc length is 99.38' and having a radius of 371.26', with a chord bearing of N 89° 14' 08" W and distance of 99.08' to an iron pipe set;

Thence with a curve to the left, whose arc length is 112.48' and having a radius of 741.76', with a chord bearing of N 83° 40' 43" W and distance of 112.37' to an iron pipe set; S 88° 50' 35" W and distance of 96.70' to a computed point; S 84° 24' 08" W and distance of 19.58' to a concrete monument found, said concrete monument being 0.16' south of subject property line; S 84° 24' 08" W and distance of 1829.09' to an iron pipe found, said iron pipe being a southeasterly corner of the Now or Formerly Python Enterprises, LLC property;

Thence departing the northerly rights-of-way of Industrial Drive and running with the easterly line of the Now or Formerly Python Enterprises, LLC property, the following courses and distances: N 09° 04' 15" W and distance of 16.62' to an iron pipe found; N 09° 10' 35" W and distance of 245.97' to an iron pipe found; N 09° 09' 36" W and distance of 269.13' to an iron pipe found; N 09° 10' 54" W and distance of 418.70' to an iron pipe found, said iron pipe being the southeasterly corner of the Now or Formerly Denali Investment Group, LLC property;

Thence departing the easterly line of the Now or Formerly Python Enterprises, LLC property and running with the easterly line of the Now or Formerly Denali Investment Group, LLC property N 09° 11' 44" W and distance of 407.23' to an iron rebar found, said iron rebar being THE POINT OF BEGINNING and containing 4,404,751 square feet or 101.119 acres, more or less.

Section 3. Notice of the public hearing shall be published once in the Mebane Enterprise, a newspaper having general circulation in the City of Mebane, at least ten (10) days prior to the date of the public hearing.

Ed Hooks, Mayor

ATTEST:

Stephanie W. Shaw, City Clerk

Item c.

**RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER TAX-EXEMPT
INSTALLMENT PURCHASE AGREEMENT, AND RELATED INSTRUMENTS, AND DETERMINING OTHER
MATTERS IN CONNECTION THEREWITH**

WHEREAS, the governing body of the City of Mebane ("Purchaser") desires to obtain certain

property (the "Property") described in the Property Schedule to the Master Tax-Exempt Installment Purchase Agreement (collectively, the "Agreement") with U.S. Bancorp Government Leasing and Finance, Inc. ("Seller"), the form of which has been available for review by the governing body of Purchaser prior to this meeting; and

WHEREAS, the Property is essential for the Purchaser to perform its governmental functions; and

WHEREAS, Purchaser has taken the necessary steps, including those relating to any applicable legal bidding requirements, to arrange for the acquisition of the Property; and

WHEREAS, Purchaser proposes to enter into the Agreement with Seller substantially in the forms presented to this meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF PURCHASER AS FOLLOWS:

Section 1. It is hereby found and determined that the terms of the Agreement in the forms presented to this meeting and incorporated in this resolution are in the best interests of Purchaser for the acquisition of the Property.

Section 2. The Agreement and the acquisition and financing of the Property under the terms and conditions as described in the Agreement are hereby approved. The City Manager or designee of Purchaser and any other officer of Purchaser who shall have power to execute contracts on behalf of Purchaser be, and each of them hereby is, authorized to execute, acknowledge and deliver the Agreement with any changes, insertions and omissions therein as may be approved by the officers who execute the Agreement, such approval to be conclusively evidenced by such execution and delivery of the Agreement. The City Manager and any other officer of Purchaser who shall have power to do so be, and each of them hereby is, authorized to affix the official seal of Purchaser to the Agreement and attest the same.

Section 3. The proper officers of Purchaser be, and each of them hereby is, authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this resolution and the Agreement.

Section 4. Pursuant to Section 265(b) of the Internal Revenue Code of 1986, as amended (the "Code"), Purchaser hereby specifically designates the Agreement as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Code. The City shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The City hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

Section 5. The City intends that the adoption of this resolution will be a declaration of the City's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the USBGLF financing described above. The City intends that funds that have been advanced, or that may be advanced, from the City's general fund, or any other City fund related to the project, for project costs may be reimbursed from the financing proceeds.

The undersigned further certifies that the above resolution has not been repealed or amended and remains in full force and effect and further certifies that the Agreement executed on behalf of Purchaser are the same as presented at such meeting of the governing body of Purchaser, excepting only such changes, insertions and omissions as shall have been approved by the officers who executed the same.

Date: August 3, 2020

Purchaser

By: _____

(Signature of Secretary, Board Chairman or other member of the Governing Body)

Name: _____

Title: _____

Attested By: _____

(Signature of one additional person who can witness the passage of this Resolution)

Name: _____

Title: _____

A brief video was shown of Mayor Hooks presenting a Resolution of Recognition to Mebane citizen Richard Hurst. Mayor Hooks read aloud the Resolution during the meeting and praised the young man for completing the "50 Yard Challenge". Richard and his mother, Maryann Lang, attended the meeting virtually. All the Council commended Richard for his exemplary service and sacrifice.

**RESOLUTION RECOGNIZING RICHARD HURST
FOR EXEMPLARY SERVICE TO THE CITIZENS OF MEBANE**

WHEREAS, the City of Mebane would like to recognize and show its appreciation for one of its exceptional citizens, Richard Hurst of 1049 South Third Street in Mebane, and

WHEREAS, Richard decided to accept a challenge from Raising Men Lawn Care Service of Madison, Alabama, and

WHEREAS, Raising Men Lawn Care Service is designed to promote awareness for the youth of the future and a platform where the younger members of the community can give back to the community, and

WHEREAS, Raising Men Lawn Care Service issued a challenge to youth around the world to cut 50 lawns free for the elderly, disabled, single parents, veterans, & anyone in need of help, and

WHEREAS, Richard accepted this challenge on July 26, 2019, and completed the 50th yard 364 days later on July 25, 2020, and

WHEREAS, Richard's exemplary service and sacrifice is an example of how to unite our extraordinary local community by the simple act of helping others, and

NOW, THEREFORE BE IT RESOLVED, on behalf of the City of Mebane, its citizens, and staff, the Mayor and City Council, by this Resolution and public record, formally express sincere appreciation to Richard Hurst for his dedication to the City of Mebane.

BE IT FURTHER RESOLVED that this Resolution is made a part of the official minutes of the City of Mebane and that an official copy of this expression of our appreciation is presented to Richard Hurst.

Signed, sealed, and delivered this 3rd day of August, 2020.

Ed Hooks, Mayor
City of Mebane

Mayor Hooks shared that NCDOT's Division 7 Engineer Mike Mills recently announced his retirement after 44 years of public service with the State of North Carolina. Mr. Mills attended the meeting virtually and Mayor Hooks officially recognized Mr. Mills, by presenting him with a Resolution of Recognition for his exemplary service to the citizens of Mebane during his 21-year tenure as the Division 7 Engineer providing admirable service to Rockingham, Guilford, Caswell, Alamance and Orange Counties. Mayor Hooks read aloud the following:

**Resolution Recognizing Mike Mills
for Exemplary Service to the Citizens of Mebane**

WHEREAS, the City of Mebane would like to recognize and show its appreciation to Mike Mills, who has announced his retirement effective August 1, 2020, after over 44 years of public service with the State of North Carolina, and

WHEREAS, Mike began serving as the Division 7 Engineer for the N.C. Department of Transportation over 21 years providing admirable service to Rockingham, Guilford, Caswell, Alamance and Orange Counties, and the cities located within, and

WHEREAS, the City of Mebane has worked on numerous occasions with Mike to facilitate economic development projects, street and roadway improvements, land purchases and easements, right-of-way conveyances, and various other transportation issues, and

WHEREAS, the City of Mebane has clearly benefited from Mike's critical roles in the creation of the N.C. Commerce Park and the N.C. 119 Bypass, and

WHEREAS, Mike's exemplary service and sacrifice has greatly benefited the City of Mebane, not only with numerous transportation improvements, but significant jobs and company investments, and

WHEREAS, Mike's humble attitude, ability to handle difficult public hearings, responsiveness information requests, ongoing reliability, and utmost integrity helped Mebane build and maintain a Positively Charming mobile environment,

NOW, THEREFORE BE IT RESOLVED, on behalf of the City of Mebane, its citizens and staff, the Mayor and City Council, by this Resolution and public record, formally express sincere appreciation to Mike Mills for his dedication to the citizens of North Carolina, and specifically to the residents of the City of Mebane.

BE IT FURTHER RESOLVED that this Resolution is made a part of the official minutes of the City of Mebane and that an official copy of this expression of our appreciation is presented to Mike Mills.

Signed, sealed, and delivered this 3rd day of August 2020.

Ed Hooks, Mayor
City of Mebane

Mr. Mills thanked Council and staff for the recognition and stated that Mebane City Council and City of Mebane staff have been a pleasure to work with on many projects over the years. Council and staff commended Mr. Mills for his public service, stating he has been one of the best public servants they have ever worked with and that he will be missed.

Mayor Hooks announced that the next two (2) items are public hearings and they will not be voted on until the continued meeting which will be held on Wednesday, August 5, 2020 at 6:00pm.

A Public Hearing was held on a request from Lebanon Road 3, LLC, c/o James Parker, Jr., for approval to conditionally rezone +/-93.5 acres of a +/-179.23-ac property located at 1818 Saddle

Club Road (Orange County – ETJ) from CU-R-8 & CU-R-10 (Conditional Use Permit - Single-Family Residential) to R-12(CD) (Single Family Residential Conditional Zoning District) to allow “Tupelo Junction” a subdivision with 181 single family homes as a Residential Cluster Development. Mr. Rollins gave a PowerPoint presentation overviewing the request. Mr. Rollins stated that a portion of the property is in the city’s conservation area and watershed overlay district. The watershed overlay district limits the impervious cover to 30% of the area, which the development does meet. He said part of the project includes 4,325 linear feet of greenway. 1 acre of private amenities and a bike/ped crossing/connection to Lake Michael Park.

Jack Smyre, PE, AICP with The Design Response, joined the Zoom and presented the attached PowerPoint presentation overviewing the project request on behalf of the applicant. He began by sharing a site location map, site plan and basic facts about the proposed project. Mr. Smyre shared that a development with an conservation area requires an and/or clause; either develop at a lower intensity, undefined by taken as rural area intensities or R-20A agricultural version of R-20, would allow for 2.18 units per acre and they are under 2 units per acre therefore they are clearly developing at a lower overall density than a straight R-12 zoning district would allow. Tupelo Junction provides over half of its acreage as open space owned by the HOA, while Mebane’s Unified Development Ordinance (UDO) stated 30% as a goal, not a requirement, for open space. He shared a slide with a map of the site plan, pointing out the entire edge of Stagecoach Road and Lebanon Road is undisturbed except for the entrance. He said also around the project they have voluntarily provided at least a 20-foot strip against all adjoining properties which is not an UDO requirement. He shared a closer look at the entrance off of Lebanon Road which is located in the same place as the 2005 approval. NCDOT and a traffic engineer took a fresh look at the proposed entrance and agreed that is the best location, being midpoint between Stagecoach Road and the entrance to Lake Michael Park. He shared that the pedestrian side path is separated from the entry road with a 10-foot planting area where street trees will be placed. Voluntary traffic calming measures were discussed, specifically curb extensions, as they plan to “pinch” in the street from a 13-foot width to a 10-foot width at each pedestrian crossing opportunity. Mr. Smyre then discussed the phasing plan of the project. With Phase 1, with 20 of the houses being built, the clubhouse, playground and field would also be built. Phase 2 would bring 33 more homes and the installment of the exterior pedestrian side path along Lebanon Road that would connect from Stagecoach down to Lake Michael Park. Phase 3 would include everything to the west of the main road and Phase 4 would be everything to the east of the main road with an extension out to Saddle Club Road, giving right of way to the adjacent residential property. Phase 5 includes development of the southeast corner. He gave a brief overview of the recreational areas, one of which includes a dog park. Mr. Smyre stated there are a couple of issues he would like to address regarding a charge that they would be paving over wetlands. He said nothing could be further from the truth. He said initially they had done a stream determination through Orange County and they found none, other than Mill Creek which is a central stream running through the project. He said they also commissioned a study by a wetland scientist through and environmental firm and shared maps showing the delineated areas in the northern and southern parts of the property. He then shared those areas as an overlay on the site plan map which shows that those areas are within the floodplain portions of the property and those are areas they are not in at all, except for the single crossing where a farm road once crossed at the narrowest point of the floodplain which is the easiest to cross. No impact on the wetlands by the project. He said there was another question about a farm pond which has been determined by studies to not be a wetland. He then talked about the Phase 5 boundary line of the property which adjoins the Linz property, stating that the seller, Lees Bees, Inc, was sued by the adjoining owner on a claim of adverse possession. The property line was not in question but the nature of the claim was that for more than 20 years, the adjoining owner had been maintaining a small strip of land along that edge, eyeing a barbwire fence that went tree to tree, and that because of the adverse uncontested possession of that strip that it belonged to them. He said the applicant advised the seller that it would have no impact on the project to grant the claim, so it was quickly settled by adjusting that boundary and the new plat has been provided to the City. He said there is no impact on the project because the module from the floodplain to property line was slightly more than what they needed. He shared a map showing they can still maintain the voluntary 20-foot buffer even with that new boundary line and in some areas even more than that except for a small 1-foot area in the northwest corner of the property adjoining

lot 96 but can be simply cured by taking the southwest corner of lot 96 and making it coincident with the line between lots 81 and 82, moving it up 2-feet restores the 20-foot buffer and the applicant is willing to do that either by condition or in the final plat stage with staff they know that is the intent.

Mr. Smyre introduced Rebecca McAdoo, Division President with Garman Homes. She shared that they are a local privately owned business, active since 2007. She shared their company manifesto. While she read it aloud, slides were shared listing the proposed project's plan types, elevations and builder commitments.

Mr. Smyre concluded the presentation by giving a project overview list of bullet points highlighting items previously shared. He said the only minor exceptions from the UDO requirements are requested as follows:

- R-12 front setbacks reduced from 30' to 25' for this R-12(CD) district
- R-12 rear setbacks reduced from 25' to 20' for this R-12(CD) district
- R-12 side setbacks reduced from 10' to 5' for this R-12(CD) district
- R-12 corner lot setbacks reduced from 18' to 13' for this R-12(CD) district
- Requesting that payment-in-lieu for public recreation area be waived
- Council may reduce required area under Section 6-7.1.1 of the UDO
- Consideration of the nature of the public area provided is allowed
- Nature and cost of public recreation area provided warrants reduction
- Amount of public recreation area required reduced to match provide

Mr. Rollins gave an overview of the waivers requested as follows:

- Public Open Space:
 - 5.7 ac required
 - +/-1.46 ac provided in public greenway
 - Payment in lieu: \$16,531
 - Payment Offered: \$0
- Setbacks
 - Front: 25' rather than 30'
 - Rear: 20' rather than 25'
 - Side: 5' rather than 10' (13' corner)
 - Lot width: 60' rather than 85'

He shared that The Mebane By Design goals served by this project are as follows:

- Growth Management 1.4
Ensure that adequate community facilities are integrated into new development to reduce distances to parks, schools and community centers.
- Public Facilities and Infrastructure 2.1
Improve safety and confidence of pedestrian access across major streets, including Lebanon Road, Stagecoach Road and the entrance to Lake Michael.
- Open Space & Natural Resource Protection 4.2
Provide greenways, parks and open space connectivity between different land uses and across major transportation corridors, thereby advancing safety and health.
- Open Space & Natural Resource Protection 4.3
Support park, greenway, and open space expansion in developed and developing areas, prioritizing connectivity between each location.

Continued by sharing that the Tupelo Junction is a 181 Single Family home project with an average density of 1.94 dwelling units per acre. A 10-foot multiuse path greenway is to be provided per the City's Bike and Pedestrian Plan. The watershed protection is at 27.5% which is under the 30% maximum allowed. All the Transportation Improvement recommendations were

provided and the City does have adequate water and sewer utilities for the project. The Planning Department finds that this request is consistent with the recommendation of Mebane By Design and it is consistent with the zoning in the surrounding area.

Ms. Auditori asked about the front porches. She said all the pictures on the PowerPoint showed homes with small front porches. She questioned if she chose one of the plans could she opt to not have a small front porch. Ms. McAdoo said they will have multiple different floor plans with or without front porches. Ms. Auditori then asked Mr. Smyre if he said there would be 2-feet or 10-feet of planting space between the main road and the pedestrian side path. Mr. Smyre said he said 10-feet.

Mr. Ewing questioned if there were any other stipulations with the boundary line lawsuit. Mr. Brown stated that he reviewed the settlement documents and in addition to the conveyance of the adverse possession claim of the land there was a \$3,000 payment that was contemplated from Lees Bees Inc. to Mr. Linz.

Mr. Bradley questioned Ms. McAdoo about the comment she made regarding Garman Homes being a local company, where about is local. Ms. McAdoo said their office is currently located in Cary and one of the owners lives in Durham and the other lives in Apex. He asked if they have any intent on building a Hero Home in this area. Ms. McAdoo said they would love the opportunity to do so. He then asked Mr. Smyre if they plan to do any alterations to the floodplain. Mr. Smyre said there would be no alterations to the floodplain. All of their grading and disturbance will be outside the bounds of the floodplain, except for the road crossing with minimal disturbance.

Ms. Philipps said this is a beautiful plan and she especially likes the Bike and Ped accommodation. She stated that in other subdivisions there have been issues with developers not maintaining the stormwater retention ponds. She asked Mr. Smyre to speak about what he anticipates will happen with the maintenance of this project's stormwater retention ponds. Mr. Smyre said they will be wet retention ponds that retain water and there are strict requirements that have to be met. Ms. Philipps said past issues have been mowing around the ponds. He said he is not an engineer, in this project he has been more of a planner, but as part of the filtering process for retention ponds you do want vegetation to screen those ponds which hopefully will filter out any sediment.

Mr. Ewing questioned if there would be any berms or fences separating the project from the country residents. Mr. Smyre said there would be no construction of berms, as a matter of fact, they are trying to limit grading into that area in order to preserve existing trees.

Ms. Auditori followed up on Ms. Philipps previous questions regarding maintenance of retention ponds. She said the City's UDO requires that fences be installed around all retention ponds and she questioned if the fence helps or hinders the maintenance. Mr. Smyre said he does not think it has an impact one way or another. He said they will be providing the fences because the UDO requires it but there are some features about the design that they could argue because the fences may not be as necessary a component as you might think because there is a shelf underneath that is only a certain depth along the immediate edge of the ponds and the real depth is out in the center of the pond. Ms. Auditori said she would certainly be willing to entertain that argument because she, personally, does not think that every water hole needs to have a fence around it. She said the other item she wanted to bring up is the intersection of Lebanon and Stagecoach Roads. She said she does like the fact that the project's street frontage along those roads is mostly green and she is not that concerned about the traffic impact as the analysis showed that it was not a great concern as far as the number of cars but she does know that Lebanon Road is a very fast road and she would like the City to see about the possibility of a round-a-bout at that intersection and wondered if the applicant would support such if the City was to move in that direction. Mr. Smyre said he, the developer and others have all been in conversations about this idea and they are certainly supportive if the City is serious about converting that intersection into

a round-a-bout but it would be nice to know that earlier than later because by Phase 2 they would be installing the multiuse side path down the northsides of Stagecoach and Lebanon. If there is going to be a reconfiguration of the Stagecoach intersection, it would be great to know before hand so they could place the side path to work with the round-a-bout.

Mr. Rollins said staff has been in conversation with NCDOT about the speed limits along that road and as all of you know there are multiple projects approved and being developed there and discussions have taken place in regard to round-a-bout there. He said Stagecoach and Lebanon are both NCDOT roads so the City cannot just do that on its own. The City would have to work with them through a design to figure out if it is even possible first and then to determine what the impacts would be. He said if this project is approved, discussions could continue.

Mr. Ewing questioned if additional signage or something placed at the pedestrian crossing at Lebanon Road. Mr. Rollins said he thinks that crossing would be considered a high visibility crossing and yes there would be signage and more markings on the road than you would with a standard pedestrian crossing. Mr. Smyre said it would anticipate that discussions with city staff about the nature of that crossing and what practice would be best put in place to bring attention to that particular crossing.

Ms. Philipps requested that the City encourage any sorts of traffic calming or speed limit reductions on Lebanon Road.

Pat Rice, 2000 Saddle Club Road, joined the meeting virtually via Zoom. Ms. Rice shared that the land was originally purchased by Jeff Lees for his bees to pollinate. She said he talked with her mother and father when he purchased the land and he told them that he understood that the land was designated as a wildlife preserve for the box turtles and the blue heron. She said he did that for a while and now he has decided to do this. She said a pack of coyotes were just in her backyard the other night and we lose these woods; coyotes are going to be eating people's pets instead of the rabbits. Our wildlife is being left with no place to live, hide and breed. The people in this area of Mebane want to live in a quiet country side not in town which is why we own various amounts of acreage, not a portion of an acre or even half an acre but 3 or more acres. She stated she lives in the middle of 9 acres and she has talked with others that said if this development come to fruition they plan to move. She said after 60 years, if this happens, she is also considering moving. She understands the need for change but Mebane really does not need more residents. We have enough transient residents in the multitude of apartments that have been built. There are 3 other cluster developments being built just down the road in her area and there are just far too many. Please be satisfied with whatever is already going up. What the applicant is proposing in not in harmony with the surrounding zoning or lands best use and therefore should not be allowed. You are talking about reducing the setbacks and she is asking that the reduction not be allowed. The side setback allowance means only 10 feet between houses, think about it, is this the kind of house you would live in. If Council is bound and determined to let development continue, please make sure the lots are no smaller than 3 acres. Make them livable, pleasant and appealing. What citizen would appreciate is natural woods to explore instead of just seeing it on paper on in a museum. Did you know that there is a tree that Daniel Boone marked as he was walking through this property? Do you know why there are roads named Stagecoach and Saddle Club? Are you aware of the history of the large rock on Lebanon Road and the fact that it's a historical monument and grave marker? She said she knows the history because her father shared it with her and requested that she be sure to remember what he and her grandfather told her and to stand up for preserving the history behind this land. Mebane could purchase this land itself as an extension of Lake Michael and turn it into a natural park. You should also be aware that living beside a bee pollination site is not pleasant. Every year her property is swarmed by bees to the point she cannot even step

outside. New residents will be subjected to this same punishment and risk. Lastly, the traffic is already heavy on Lebanon and Saddle Club Roads due to over development and the landfill on High Rock Road. The proposed entrances and exits from this development onto Lebanon and Saddle Club Roads are in dangerous high traffic areas with blind curves and hills. Every time there is an ice event there is a wreck on the hill near the lake entrance. This is an extremely dangerous place to put an entrance and an even more dangerous place for bikers or pedestrians. One of the entrances proposed, on Saddle Club Road, takes in her grandmother's home which one of the first homes built on Saddle Club and should be preserved. She said wouldn't you like to continue saying that Mebane is positively charming? She said when she thinks of charming, she thinks of little and cute, a place that captures you in its spell. She ended by saying, it is up to you to keep it that way by not allowing this development to be built.

City Clerk Stephanie Shaw read into the record a letter submitted via email from Gary Linz, 1514 Saddle Club Road, Mebane, NC 27302.

Mr Mayor, council members, thank you for the opportunity to "speak" at this less than public hearing. It would be nice if we had adequate internet service, but we don't. In the interest of time, I shall get right to my points. I was disappointed that planning approved of Tupelo Junction while the property lines were in dispute. Additionally, I find it rather disconcerting that the council is being asked to consider approval of a plan with part of our property on the designer's drawings. Seriously.

I would like to point out that the developer made no attempt to reach out to us until two weeks before the planning board meeting. Our only interaction with them on this project was when, for whatever reason; Orange County land records deeded our property to Summit. Orange County refused to provide details about how this came about, but suffice to say we were not amused.

Regarding wet lands below 1708 Saddle Club Rd, you can say the Federal designation is just "a guideline", or that the current administration has declared all wetlands should be paved over, but they are still wetlands. Every spring the peepers would be happy to tell you that. Let me quote Summit on the subject, regarding a tract of property on the east side of Saddle Club Road, "My Engineer who works with Orange County has pointed out that the GIS map shows a blue line drainage easement stream mid-way on the property. Potential loss of about 1-2 acres, it is likely to flag as a drainage easement." Now logic would perhaps lead one to believe this would also hold double for this drainage downstream, on the west side of Saddle Club Road.

Which brings us to buffers: Again quoting Summit regarding property on the east side of Saddle Club, "Property has no natural buffer around the perimeter and will require screening with plantings during the approval process most likely". At the rear of Havenstone, between this new subdivision and the rural folks at the rear of this property that were there previously, there is about 100 feet of vegetation as buffer. Between Mr Shanklin's rural property and the subdivision, there is about 100 feet of dense cover for buffer. Between The Retreat at Lake Michael and the rural neighbors to the east, there is 100 plus feet of buffer. The eight feet the developer is proposing at the side of our NC registered farm is not going to work for us or the potential new home owners. Eight feet is the height of most ceilings, eight feet is half the length of my pickup truck, eight feet is the width of a man's closet...well, probably twice the width of a man's closet, and eight feet is barely social distancing. I am going to have to insist on the same considerations other rural property owners in the area were afforded, fair and equal treatment if you will. 100 feet. Furthermore, the developer has the audacity to then ask for a setback waiver (variance?).

I understand that it is hard to find locations to stick 183 homes on a wildlife refuge, but please don't make that our problem.

Sincerely, Gary Linz

Next, Clerk Shaw read into the record a letter submitted via email from Cynthia Linz, 1514 Saddle Club Road, Mebane, NC 27302.

Mebane council members,

My name is Cynthia Linz and my husband Gary and I live on the farm that this Tupelo subdivision encroaches. Here's a brief background of our 23 years here on this farm in Orange County within Mebane's ETJ, or in other words under Mebane's control.

We have 11 beautiful acres with a park like setting, and aside from the random high powered rifle shots we always have to worry about, we live a peaceful existence here.

We first encountered our unacceptance as a Mebane resident living in Orange County when it came to allowing our son play baseball here in Mebane when he was in grade school. He was good player but he wasn't allowed because you know Orange County not Alamance. We didn't bother to pursue it. Then our neighbor decided to build a barn without permit and without any knowledge about building anything, it ended up a parallelogram not even close to square, it was horrendous. We asked for Mebane's help in this matter, but got the same answer we always get, you're in Orange County go to them. We ask Orange County and they say our hands are tied-because we're in the ETJ. So my husband went to authorities in Raleigh and was able to remedy the situation and the owner was forced to remove it. Next, when lake Michael was ALLOWED by someone in Mebane to drain water from the lake into the creek on our land in order to help furnish water for Mill Creek golf course, Mebane wouldn't help of course, so again he went to authorities in Raleigh which put an end to that unethical if not illegal practice. Next, when a resident was killed going over the bridge across from Lake Michael, we implored Mebane to add signage so it wouldn't happen again, and again Mebane failed us and all its residents so we had to go to Raleigh yet again, and convince DOT to put up the warning signs around that bridge over the creek on Lebanon rd. WE pushed for it, not Mebane. There are many other examples, such as lake Michael dam that's about to falter, but you get the idea by now. We fight for what is right.

I'm deeply concerned about this Tupelo subdivision as you know. I won't bother trying to have a voice for our shared environment that we all have a responsibility to care for. You've made it clear that you shall do whatever it takes including filling in designated wetland to appease an out of town developer so they may have maximum profit. This is accomplished at our expense, and at the expense of every other neighbor of the landowner who will have houses crammed up into their boundaries, with a buffer about the length of a pickup truck.

Our property is the only farm along these boundaries, and we have 2 boundaries. This proposal on your map which is inaccurate because it shows part of OUR land included in your laughable 20 ft buffer. 12 ft of this Proposed buffer is OUR land, so this reduces the laughable buffer to 8 ft.

It's not really laughable though, it's arrogant, appalling, aggressive and incredibly intrusive. And we will not stand for it. So here's our proposal: We demand equal buffer as previously approved subdivisions that surrounds us.

Here's the councils approval of all the new subdivisions that engulfs us:

Havenstone : 100 ft

Mr. Shanklin : 100 ft

Retreat at lake Michael : 100 plus ft

LINZ FARM 8-20 ft

Because this land is not really suitable for development because of swamp and wetland, a larger buffer means less houses which means less profit.

I understand you can't stop progress, but it can be done in a more conscientious way. Why are you so eager to approve of such an assault against our land and our life? Who benefits by this besides owner and developer? I have to wonder who else with local business might benefit.

This whole process is wholly UNdemocratic, why? Because we live under Mebane's rule, but we are unable to vote for council who just might look out for private farm landowner who wish a fair and acceptable coexistence with this subdivision, and we can't run for council to try to change things for the better. We are disenfranchised residents here. Council members are making decisions about the remainder of our life and we have no democratic recourse, we can't even have a public voice today on this issue because our Century Link internet is completely inadequate for us here a mile away, and of course Mebane has done nothing to improve that either. This town has a hard time stepping up to the plate for the good of the people, but with the right leadership we can address these issues instead of just kicking the can down the road into Orange County.

My husband has spent years and years and years picking up Mebane's trash which is strewn all over Lebanon road by the less environmentally conscience people who don't know any better and don't care. We happen to care more about our environment than the charming town of Mebane or Orange County. I say lead by example and give meaning to your slogan, otherwise it's just a word that sounds nice.

We will ALWAYS fight for what is RIGHT.

Lastly, Clerk Shaw read into the record a letter submitted via email from Teresa Dallas, 122 W. Clay Street, Mebane, NC 27302.

Two points of concern are;

1) The safety of the placement of the entrance. It's a down slope on a curve.

This seems a dangerous area for the entrance.

2) I am very concerned about any possible future changes, that could be made to the intersection at the corner of Stagecoach Road and Lebanon Road, by my property.

Our property has been negatively impacted twice in the past due road changes. The first time was when Lebanon road was placed, cutting directly through our property. This property was purchased with the intention of using this as our home site and it was planned to build a pond in the back. After Lebanon Road was cut through the property, the home had to be moved and turned around to face the new road and all possibility for a wooded lot with a pond was removed. An unbalanced division was made and the home site was reduced to approximately 1/7th of the original acreage. Later Stagecoach road went in and our property was further butchered.

Due to these roads being placed on our property, we have lost acreage and been left perched on a very busy corner, thus the desirability as a "private residence" lot was altered. There are other negative effects as well. The point is, I do not want this to happen again. The land is now more suitable as a corner store site, rather than the peaceful home site it was purchased to be. If another slice is removed from this corner, just how close to the front door will the road be?

Please advise as to how you feel this is going to impact my property and this intersection should this development be approved.

Thank you,

Teresa Dallas

Mayor Hooks asked for Council to take action to close the public hearing. Mr. Greene made a motion, seconded by Ms. Philipps to close the public hearing. The motion passed unanimously per roll call vote. Mayor Hooks asked for Council to take action regarding continuing the public hearing. Mr. Bradley made a motion, seconded by Mr. Ewing, to continue the public hearing until Wednesday, August 5, 2020., The motion carried unanimously per roll call vote.

Mr. Brown spoke up reminding Council that the motion to close the public hearing was not needed as the public hearing is to be continued to allow any additional comments from the public for 24 hours. Mr. Bradley made a motion, seconded by Mr. Ewing, to open the public and to continue until Wednesday, August 5, 2020. The motion carried unanimously per roll call vote.

A Quasi-judicial Board of Adjustment public hearing was held on a request from Alamance Community School c/o Leslie Hall Paynter, a newly approved charter school, is requesting approval of a special use request to temporarily have Alamance Community School use the Crosslink Community Church's facilities (3445 Old Hillsborough Road) until its permanent campus in Graham is completed and approved for occupancy.

Clerk Shaw administered the oath of affirmation to City of Mebane Planner Ashley Ownbey.

Ms. Ownbey gave an overview of the request. She stated that the applicant is requesting a special use permit be granted for this church to be temporarily used as a K-3 charter school until their primary campus in Graham is able to be occupied. The temporary use is not expected to exceed 90 days and will more likely be around 45 to 60 days. She stated that the site plan was reviewed by the Technical Review Committee. She said among other things the plan shows how parents will navigate student drop off and pickup. This route was an alternative recommended in the Traffic analysis prepared by Ramey Kemp & Associates, Inc. That analysis was also reviewed by NCDOT District and Municipal & School Transportation Assistance (MSTA) Unit staff. She said in terms of the plan's consistency with the City of Mebane's long-range plan, the property is located in a primary residential growth area which encourages a mix of residential and light commercial and the school is consistent with those uses.

Clerk Shaw administered the oath of affirmation to Chad Abbott, P.E. with C3 Design & Engineering, PLLC, 2537 E. Lyon Station Road, Creedmoor, NC. He stated he is representing Alamance Community School and others attending tonight via Zoom are:

Leslie Paynter, Alamance Community School Director
Jim Way, Developer and Owner of the current school facility
Steve Hubrich, General Contractor
Josh Renke, Traffic Engineer with Ramey Kemp
Nick Kirkland, Real Estate Appraiser

Mr. Abbott said the purpose of their request is to have a special use permit granted for temporary use to occupy Crosslink Community Church until construction of the new school is completed. He said they went through all the proper channels to vet this site plan. He said all reviewing parties involved found that the facilities are sufficient for the temporary use. He stated 90 days was submitted on the application but 45 to 60 days is more likely. No improvements to the site were needed or required to facilitate the temporary use.

Mr. Abbott read aloud the following specific standards related to schools as listed on the site plan:

1. Development standards are required: RA-20, R-20, R-15, R-12, R-10, R-8, R-6, O&I, B-2, and B-3 districts. Subject property is zoned R-20.
2. Minimum area: minimum lot size shall be 3 acres. Subject property is ±16.18 acres.
3. Vehicular access: principal access shall be from a collector or higher capacity road. Existing access is from Old Hillsborough Road, which is at minimum a collector road. School use shall not compete with any church uses for parking.
4. Screening: all parking lots shall be screened from all adjoining residential uses or residentially-zoned lots by a buffer yard. The required buffer yard shall comply with the requirements of section 6-3. Existing parking facilities are already set back sufficiently from neighboring properties. Churches and schools have same landscaping criteria, eliminating need for any improvements.
5. Site plans: In addition to the site plan requirements of Appendix A, the required site plan shall show (i) the proposed points of access and egress and the pattern of internal

circulation, loading, and unloading and (ii) the location of extent of playgrounds, athletic fields, and other outdoor recreation areas. Proposed point of access/egress is on Old Hillsborough Road. Internal circulation pattern is shown on the site plan. Vegetated areas immediately adjacent to the school may be used for outdoor activities, however, there are no formal playgrounds or athletic fields proposed since the use is expected to be short term.

He then proceeded discussing the general special use standards, stating they are related to public health, safety and welfare. The request will not materially endanger the public health or safety. Since the proposed use is occupying an existing structure of recent construction, the public water and sanitary components are already addressed and to current code, therefore proposing no endangerment to the public health, safety and welfare of the general public. Additionally, the existing facility has sufficient distance from the Old Hillsborough Road right of way to accommodate the required stacking of the proposed use. Hence, the safety of public transportation and travel within the public right of way or at the entrance to the site is not anticipated to materially endanger the public. Also giving the delay of the Alamance Burlington School System, they will not have to worry about traffic at the public schools located close to this area.

Clerk Shaw administered the oath of affirmation to Josh Reinke, Traffic Engineer with Ramey Kemp. He gave a brief overview of the studying stating that looking at this review for a temporary site, they looked at a transportation management plan with some analysis. They worked with the City and NCDOT. NCDOT indicated no improvements needed for this site. He said in terms of the transportation management plan, one of the recommendations was to stagger the start times by at least 30 minutes from start times of other schools in the area. He said there is 1500 feet of internal storage which will allow for adequate stacking with no danger of backing up into the public roads. In conclusion, with the implementation of the plan provided, they do not foresee any safety concerns with traffic at this site.

Clerk Shaw administered the oath of affirmation to Kirk Franklin, Licensed Residential Real Estate Appraiser with Kirkland Appraisals. Mr. Kirkland stated that performed a matched pair analysis and determined that there is no impact to the adjoining property values for adjoining a proposed school. He said this site will be a temporary use which further supports that any impact, which they conclude is none, would be temporary and gone within the 90 days.

Mr. Abbott said that the temporary use will be in harmony with the area in which it is to be located; or Given the activities of the proposed use, hours of operation, and distance from adjacent properties, the use of the church as a school would maintain the harmony of the surrounding uses and community with no material impacts to the quality of life of the surrounding property owners.

Lastly, the use will be in general conformity with the land use plan or other plans and policies officially adopted by the City Council. The proposed use would be consistent with existing and future adopted plans for the city of Mebane. The current zoning is R-20 CD, whereby the city officials have already found that the current use as an institutional use would be consistent with the adopted plans. Being the proposed use is also institutional, it would be in keeping with the consistencies previously approved. As far as future plans, the growth strategy for this area is noted as G-2, residential, whereby the city is hoping to encourage nodes and village type communities that provide services and amenities within. Institutional uses such as the existing and proposed uses are included in those uses required to create and complete the village/community node. The lot size of the existing property is such that it is very large compared to the footprint of the use, therefore also complying with the county's objective to promote conservation development.

Mr. Abbott stated as they have met all the conditions and standards, they respectfully request approval of the request.

Mr. Greene said his only concern is to be sure they have adequate drop off and pick up area so

that cars are not backed up onto the public roads. Mr. Reinke said the plan meets all MSTA guidelines and the internal storage is sufficient.

Ms. Auditori asked for clarification regarding student capacity. Mr. Reinke stated for the temporary use they will be operating K-3 only with approximately 400 students total but only approximate 220 students on a daily basis as they will be conducting a day on/day off schedule which would have them at a 50% capacity each day.

No one from the public spoke concerning this request.

Mr. Bradley made a motion, seconded by Ms. Philipps, to continue the public hearing until Wednesday, August 5, 2020. The motion carried unanimously per the roll call vote.

Mayor Hooks announced the upcoming retirement of City Manager David Cheek. Mr. Cheek is scheduled to retire on February 1, 2021. He stated that this schedule will allow for a transition of management. He said we all know that when Mr. Cheek hired Assistant City Manager Chris Rollins over seven years ago, Mr. Rollins would be Mr. Cheek's apparent successor under a succession plan that was discussed. Mayor Hooks said that Mr. Cheek commendation would best be held at a later time. He then asked if Council is in agreement to allow Mr. Cheek to continue as Manager until February 1, 2021 and to appoint Mr. Rollins as the successor Manager with the same salary and benefits as Mr. Cheek effective upon Mr. Cheek's retirement. Mr. Bradley made a motion allowing Mr. Cheek as City Manager until February 1, 2021 and stated he supports the succession plan to appoint Mr. Rollins as incoming Manager. However, to be fair, he would like to go into executive session in December 2020 or so to discuss salary. Mr. Greene seconded that motion. The motion carried unanimously.

Mr. Ewing thanked the Mebane Recreation and Parks, Eastern Alamance Principals, Teachers, Student Parents and the Students for the wonderful graduation event held at the MACC. He said it was an amazing event given the pandemic situation.

Mr. Cheek announced that the City Council will be hosting a Listening Session on August 5th directly following the continued public hearing voting meeting. Also, he gave a brief update on the Fitness Court located at the new Community Park. He shared photos and stated a grand opening will be held after the Governor opens the state to Phase 3. He thanked Aaron Davis for his work in marshalling the project through and for Chris Rollins' fundraising efforts for the project.

Mr. Cheek shared that the City was contacted by N.C. State Emergency Management in preparation of the active Hurricane. They have requested that the City make the MACC available as an emergency shelter and if the Council approves, an agreement will be signed agreeing to such. He said it would be a State-run shelter so the City would not be required to provide staffing or equipment. However, with the path of the Hurricane, it seems as though it will not be needed at this time. Mr. Bradley said a point of concern in the past has been that the MACC does not have an onsite generator. He questioned if Mr. Cheek thought the State would be willing to apply some grants or funds for an onsite generator. Mr. Cheek said he thinks that is a conversation that can be had.

Mr. Rollins added that the former Mayor Glendel Stephenson and the current Mayor Ed Hooks were also very instrumental in bringing the Fitness Court to Mebane.

Mr. Cheek made a final announcement, stating that the City recently received 800 COVID masks from the Piedmont Triad Regional Council and staff will be handing them out on Saturday.

There being no further business, the meeting ended at 8:35pm.

Attest: _____
Stephanie W. Shaw, City Clerk

Ed Hooks, Mayor



Development Director Cy Stober

Rezoning Request, CU-R-8 & CU-R-10 to R-12(CD)
for 181 Home Residential Cluster on +/-93.5 ac
From Lebanon Road 3, LLC



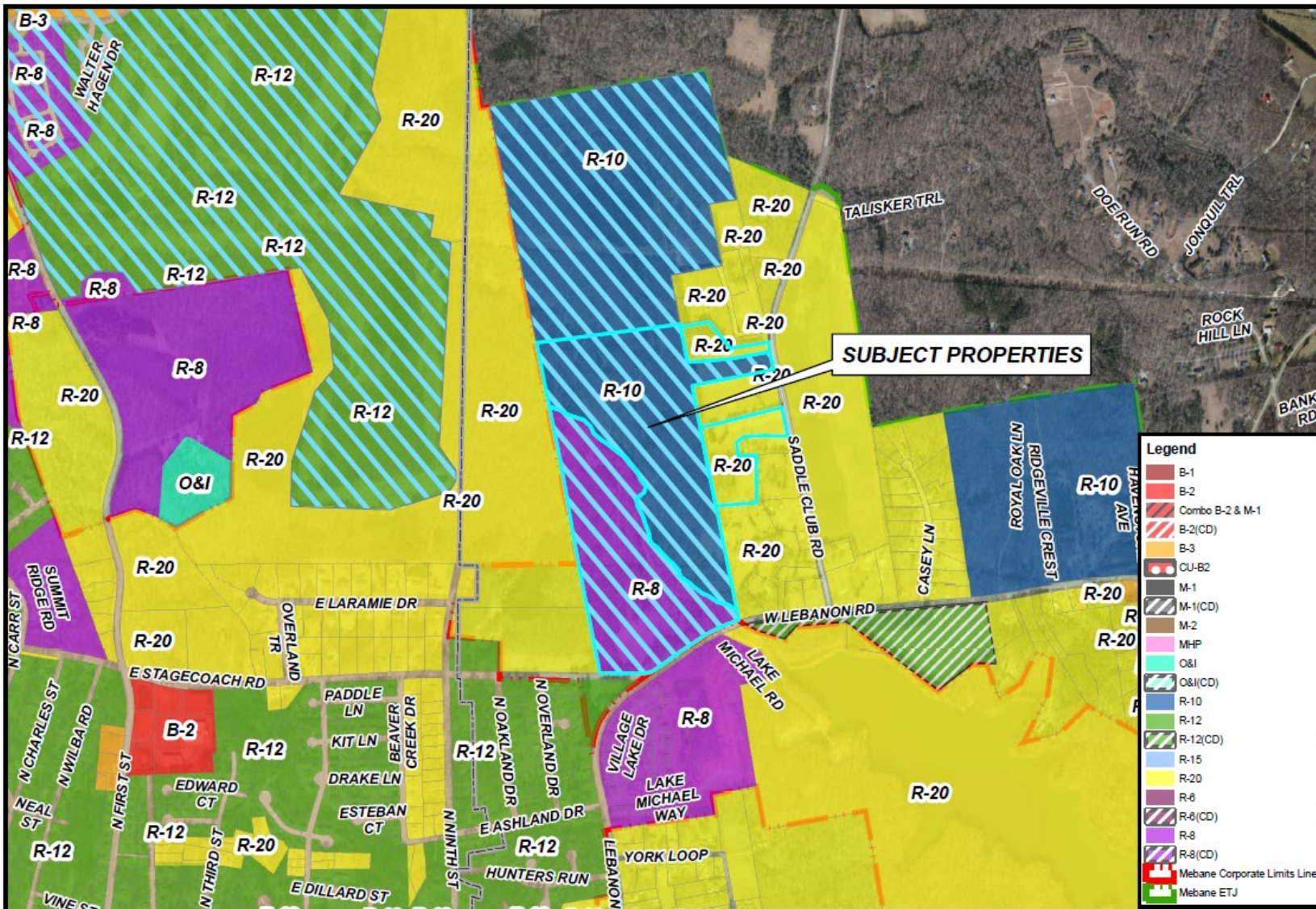
Tupelo Junction Conditional Zoning Review


Lebanon Road 3, LLC

+/-93.5 acres of a +/-179.23-ac parcel

Current Zoning: CU-R-8, CU-R-10, &
R-20

Request for Rezoning: R-12(CD)



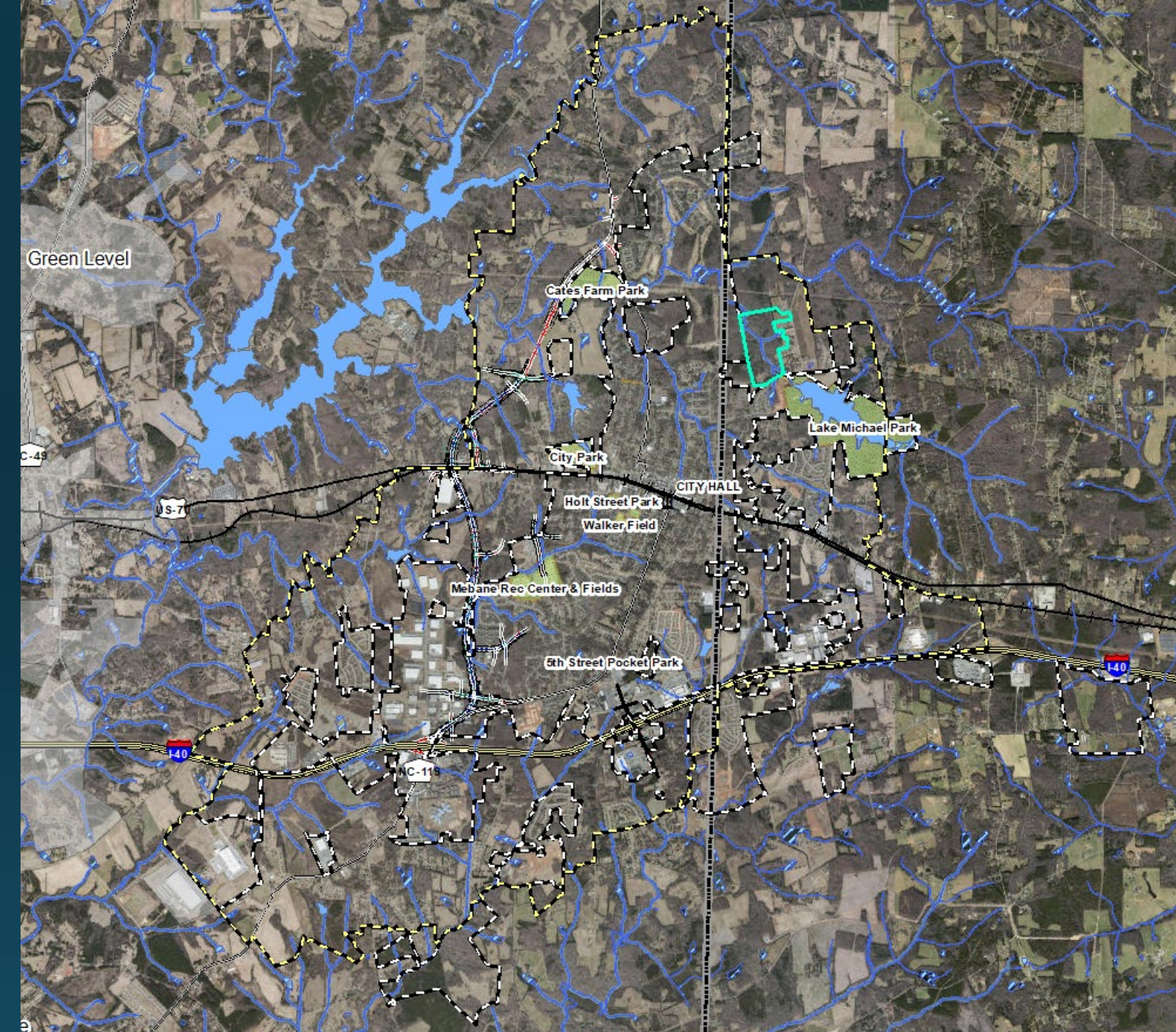
 **CITY OF MEBANE**
ZONING MAP

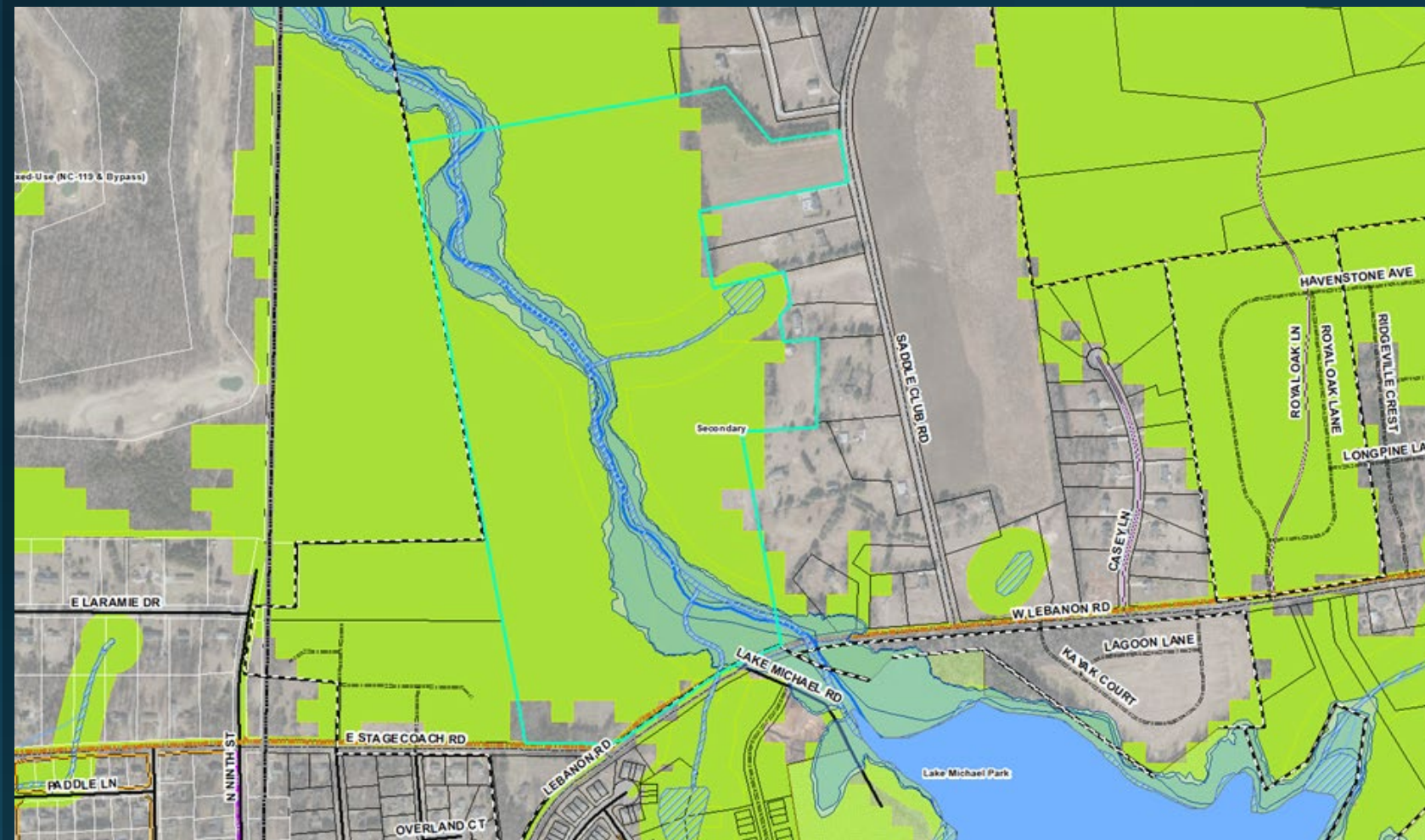
**SUBJECT PROPERTIES
TUPELO JUNCTION**
1 inch = 1,100 feet

DATE: 3/3/2020
DRAWN BY: SKS



Tupelo Junction Conditional Zoning Review



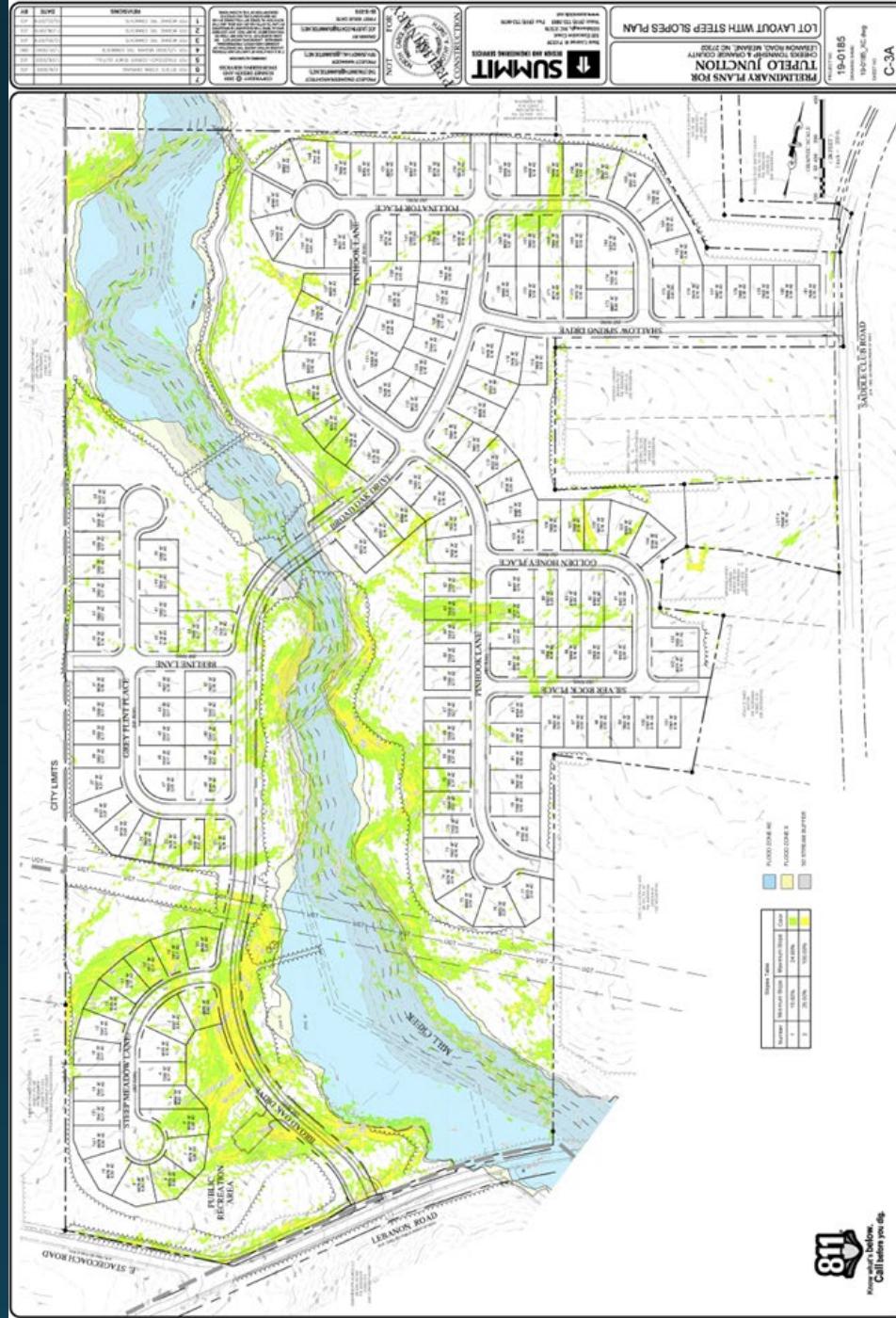


Tupelo Junction Conditional Zoning Review

- Conservation Area

“Conservation areas should be maintained by permitting rural developments of low intensity and/or conservation development featuring open space, recreation, greenways, etc., or remain in a natural state for the next 15 years.”

- Watershed Overlay District



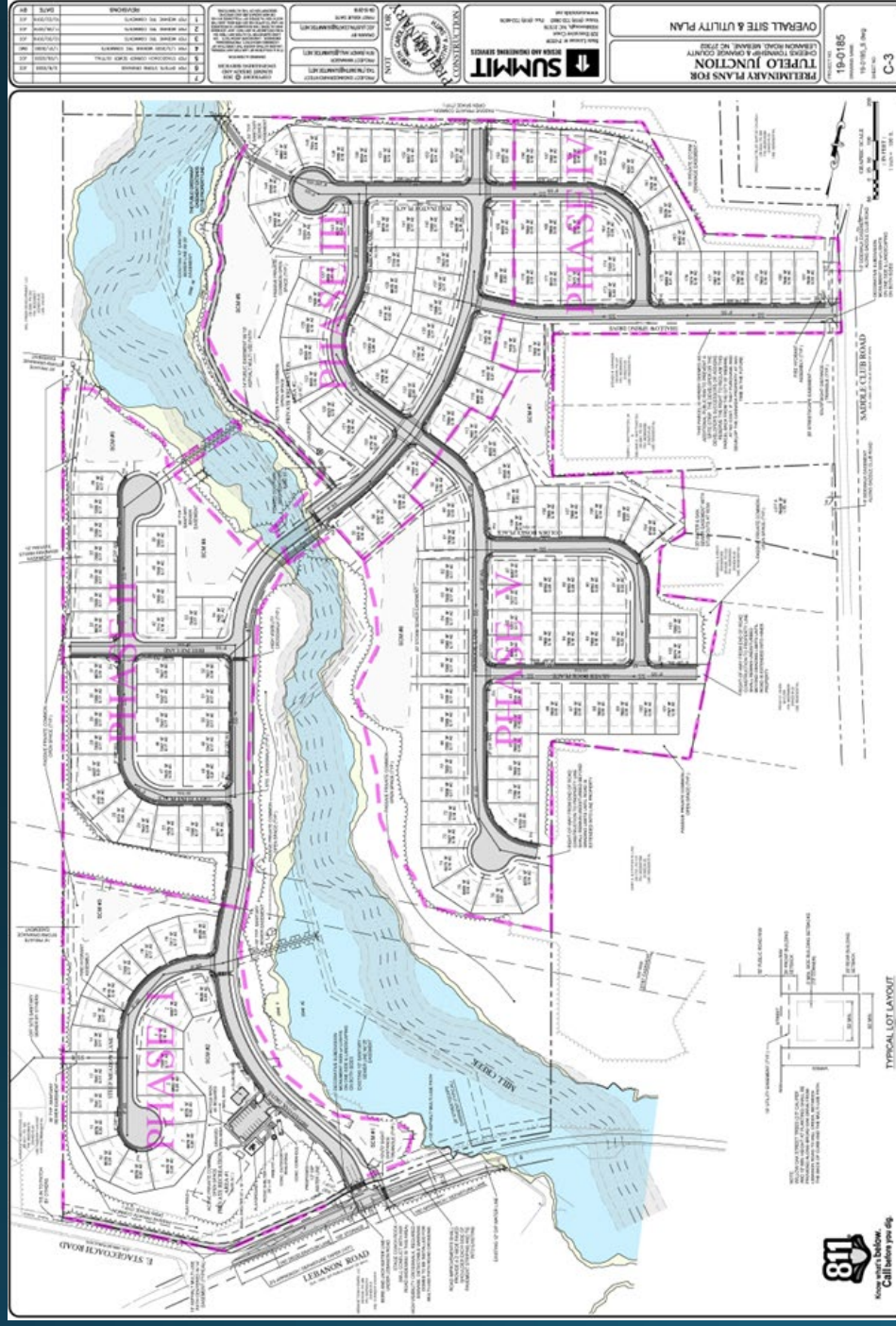
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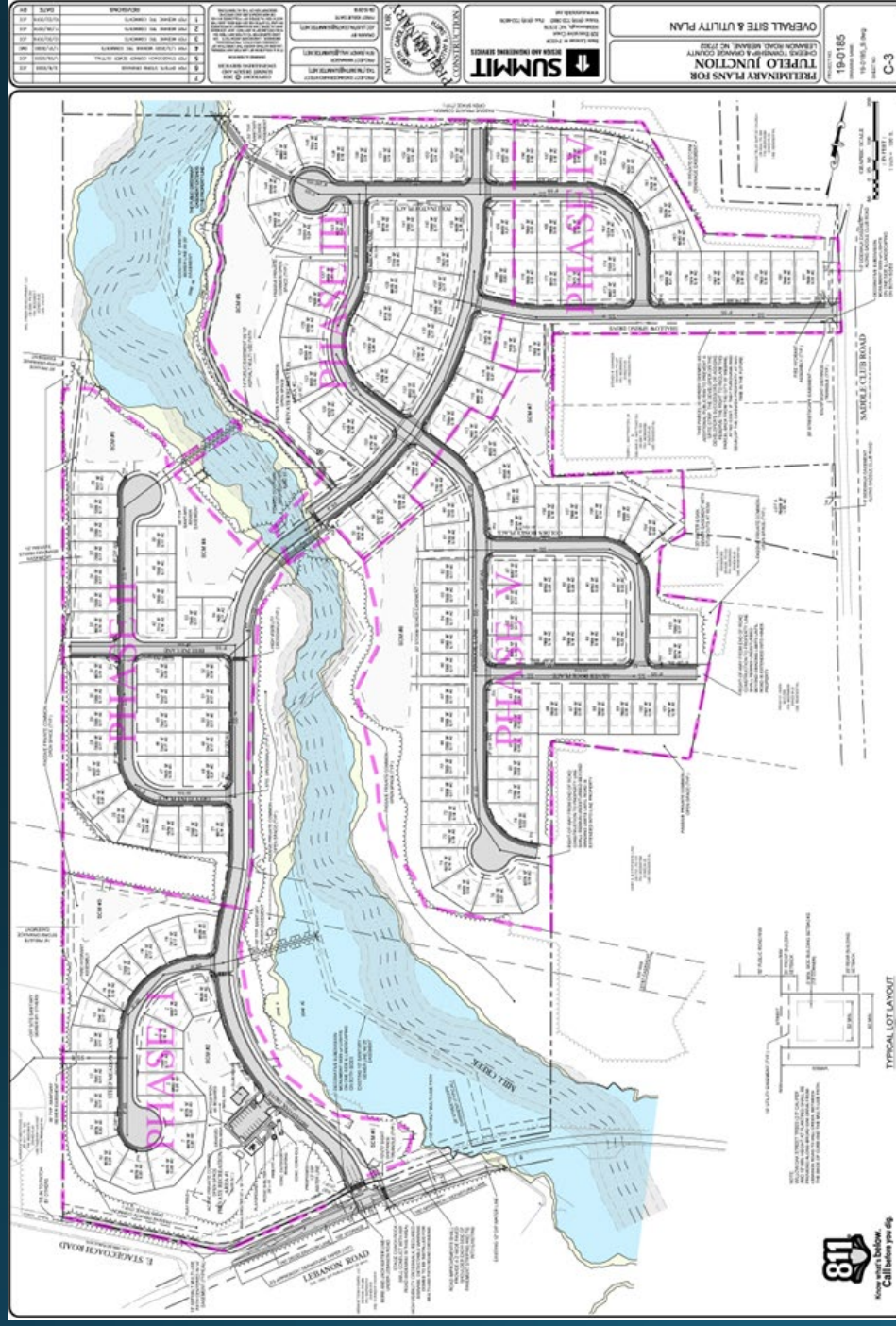
- Watershed Overlay District

Limits impervious cover to 30% of the area



Tupelo Junction Conditional Zoning Findings of Fact

- +/-93.5 ac of +/-179.23-ac parcel
- 181 home Residential Cluster
- Currently Forested/Vacant



Tupelo Junction Conditional Zoning Findings of Fact

- 4,325 LF greenway
- 1.0 ac of private amenities
- Bike/ped crossing/connection to Lake Michael Park



Applicant Presentation



TUPELO JUNCTION

Conditional R-12(CD) Rezoning for a
Residential Cluster Development Subdivision

Mebane City Council

August 3, 2020

Jack L. Smyre, PE, AICP

The Design Response

SITE LOCATION



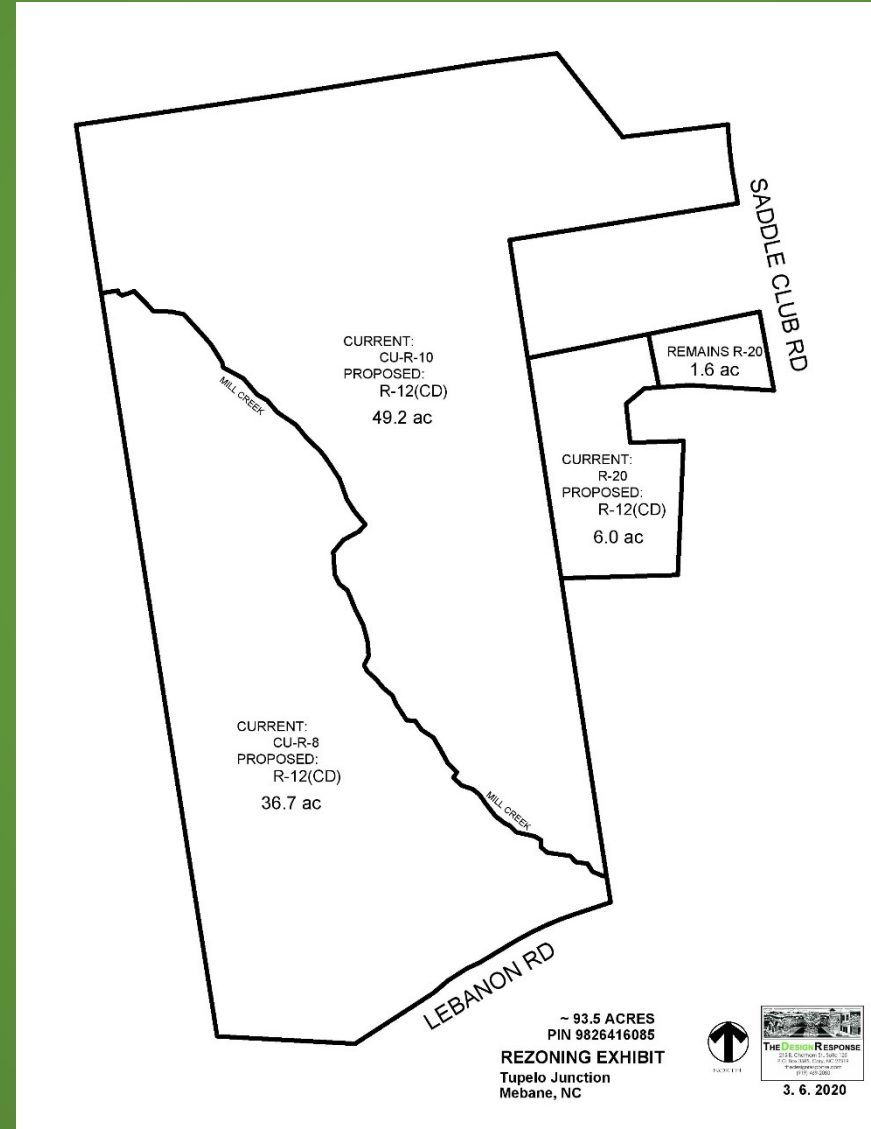
SITE PLAN



TUPELO JUNCTION

- 93.5 acres located across Lebanon Road from Lake Michael Park
- Southern portion of the Lees Bees, Inc. assemblage
- 181 homesites (1.94 units per acre density)
- Current zoning districts: CU-R-8, CU-R-10, and R-20 (2005 rezoning)
- Proposed zoning districts: R-12(CD) and R-20
- Conditional rezoning site plan is a Residential Cluster Development
- Minimum lot size: 7,200 square feet (nominal 60' x 120')
- Nearly 3 miles of public sidewalks, greenways, and multi-use side paths

CURRENT/PROPOSED ZONING DISTRICTS



OPEN SPACE

- Mebane UDO requires sum of all lot reductions (17%) be open space
- Mebane by Design has a Conservation Area goal of 30% open space
- Tupelo Junction provides 53% open space (owned by HOA)

- 14% of Tupelo Junction is public right-of-way (Mebane ownership)
- 33% of Tupelo Junction is private ownership (sum of all lot areas)
- 33% of Tupelo Junction is preserved and planted tree canopy

SITE PLAN



PEDESTRIAN PLAN



SITE PLAN







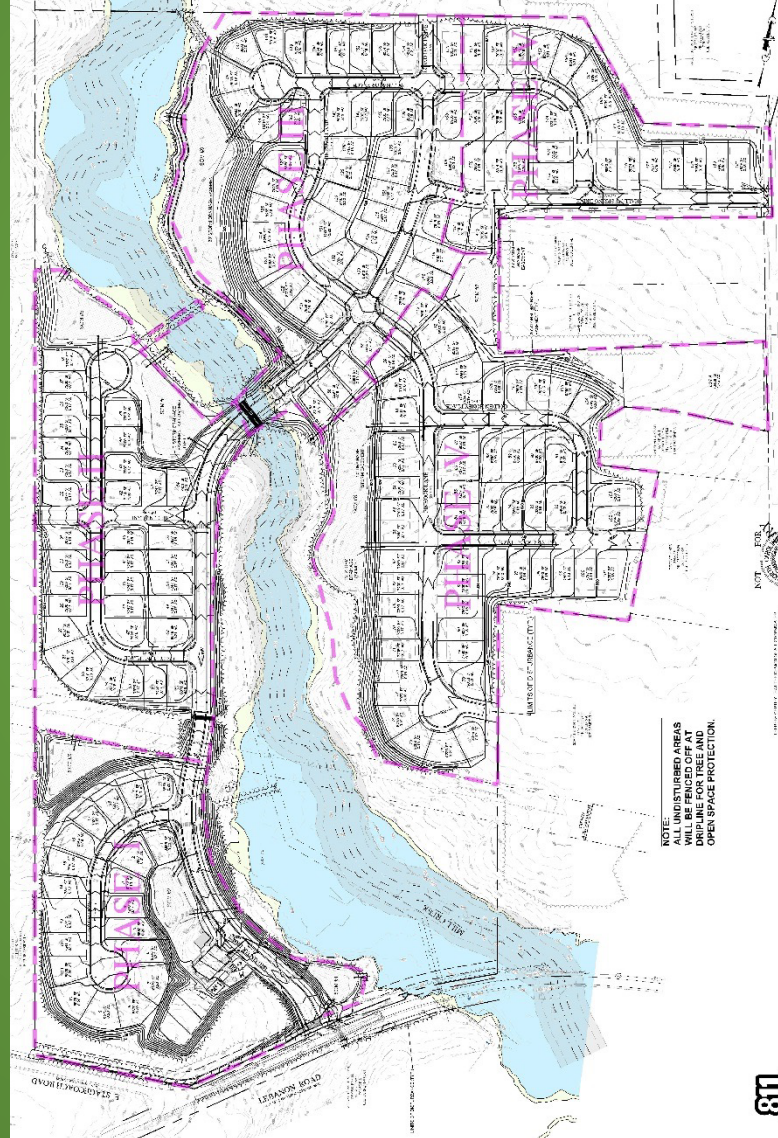
SITE PLAN



TRAFFIC CALMING - CURB EXTENSIONS



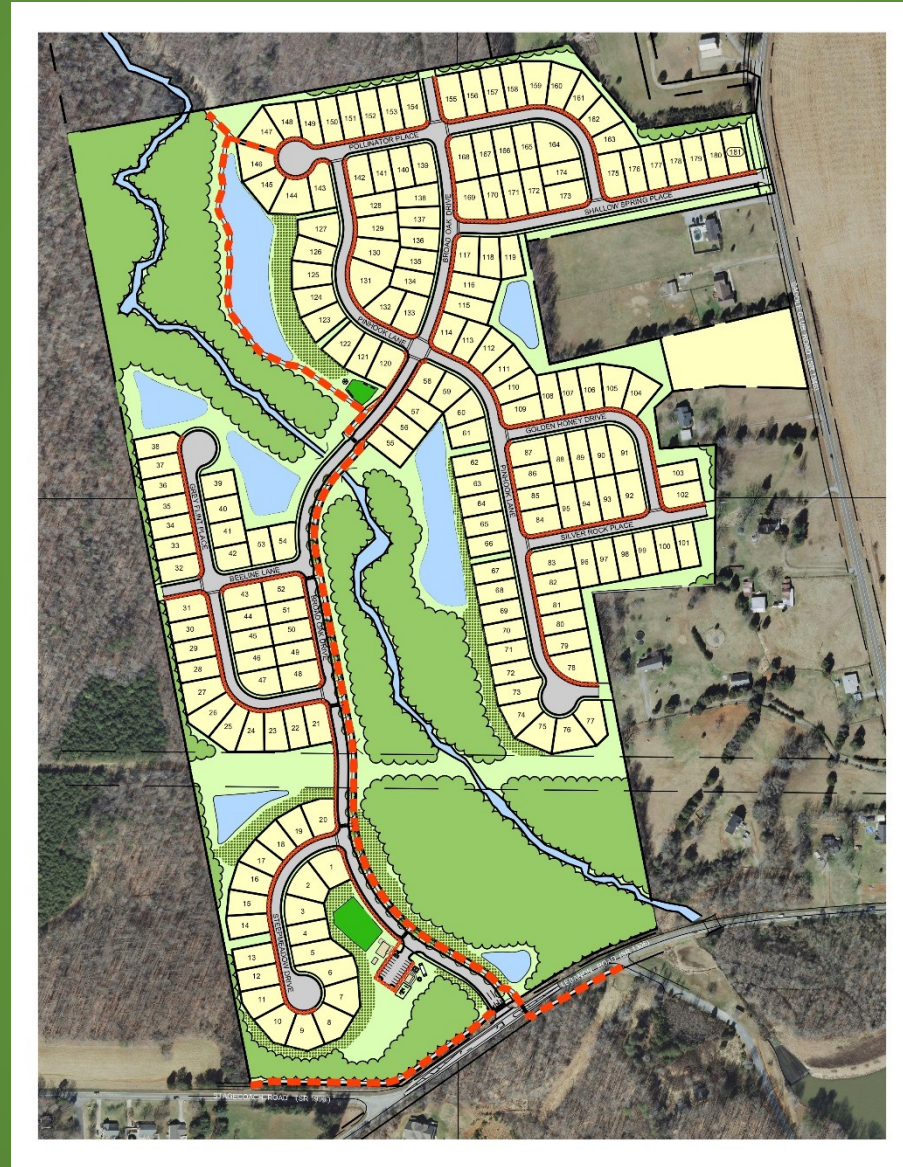
PHASING







PEDESTRIAN PLAN







SITE PLAN



RECREATION AREAS

SOUTH/MAIN AREA

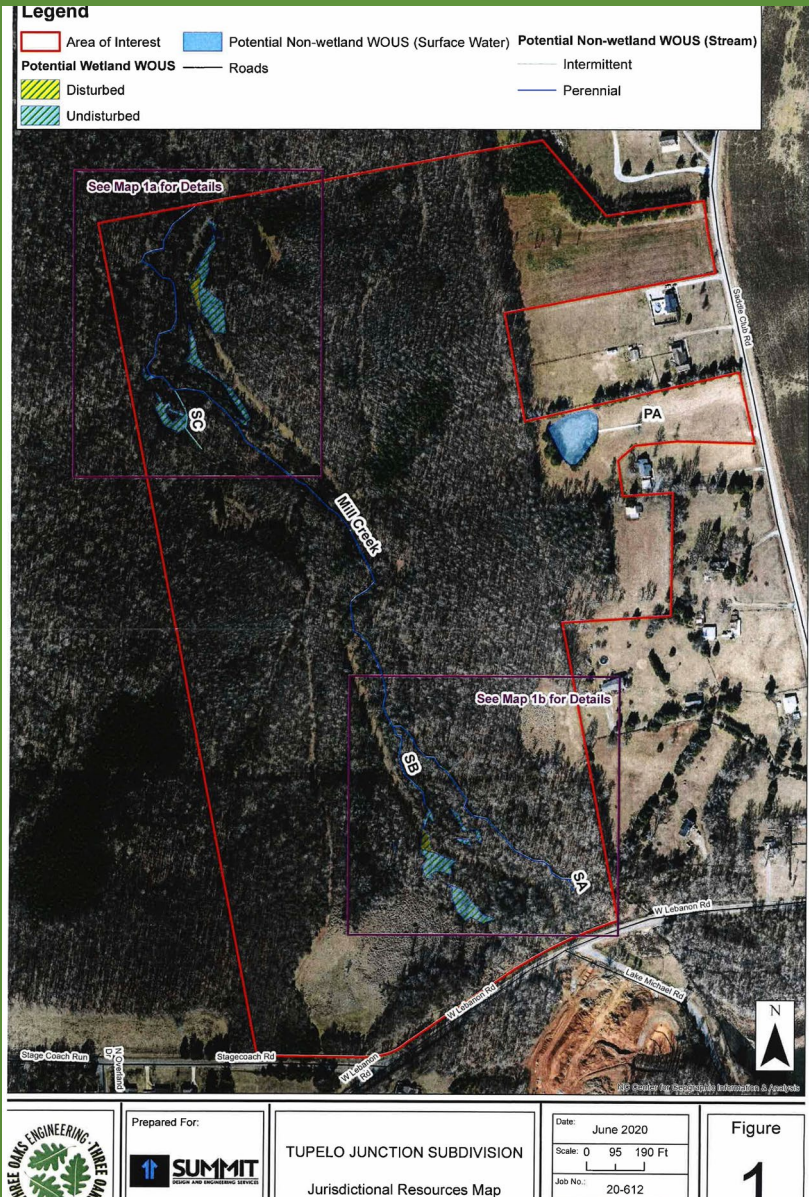


NORTH AREA

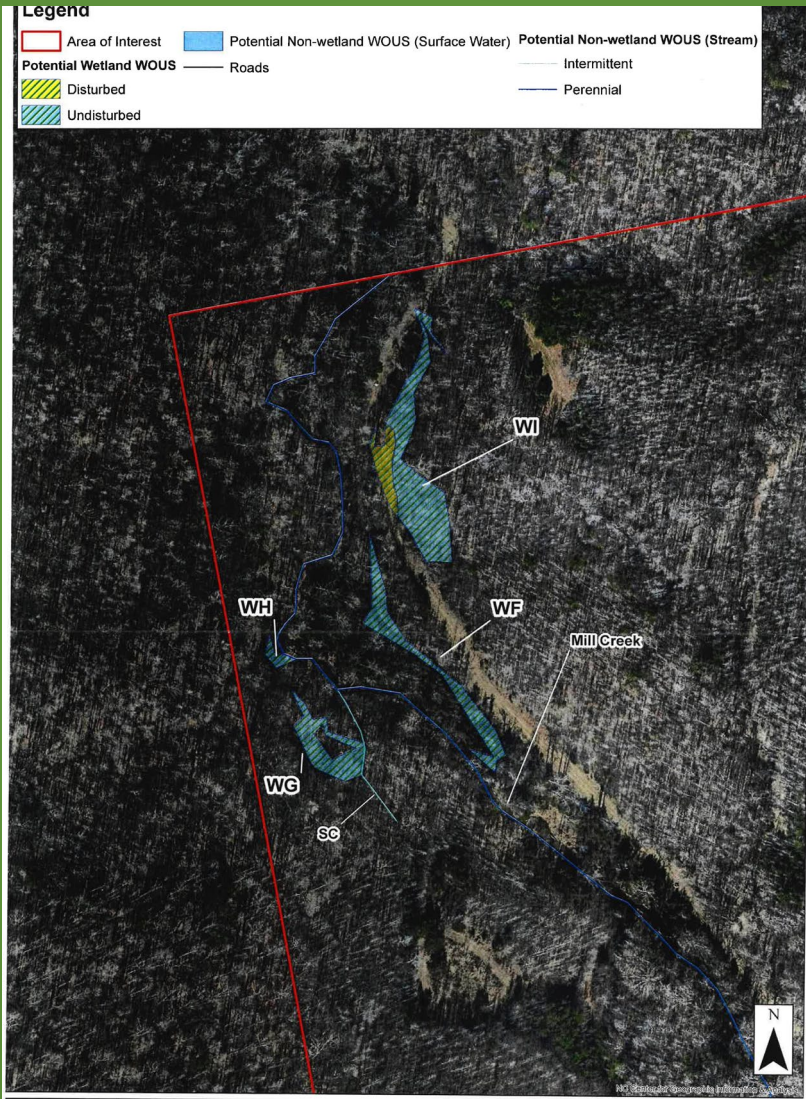


- A - CLUBHOUSE
- B - PICNIC SHELTER
- C - PLAYGROUND
- D - PICNIC SHELTER
- E - CONCRETE FIRE PIT
- F - TABLE TENNIS
- G - CORNHOLE
- H - GAZEBO

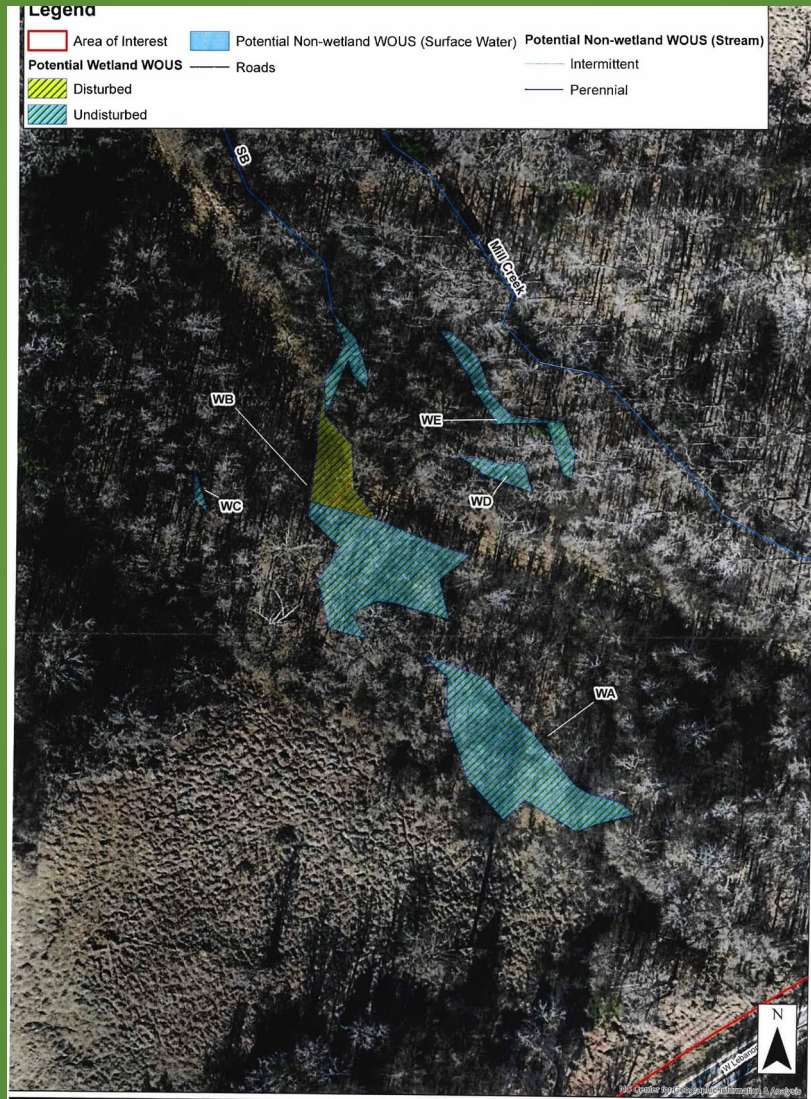
WETLANDS



WETLANDS

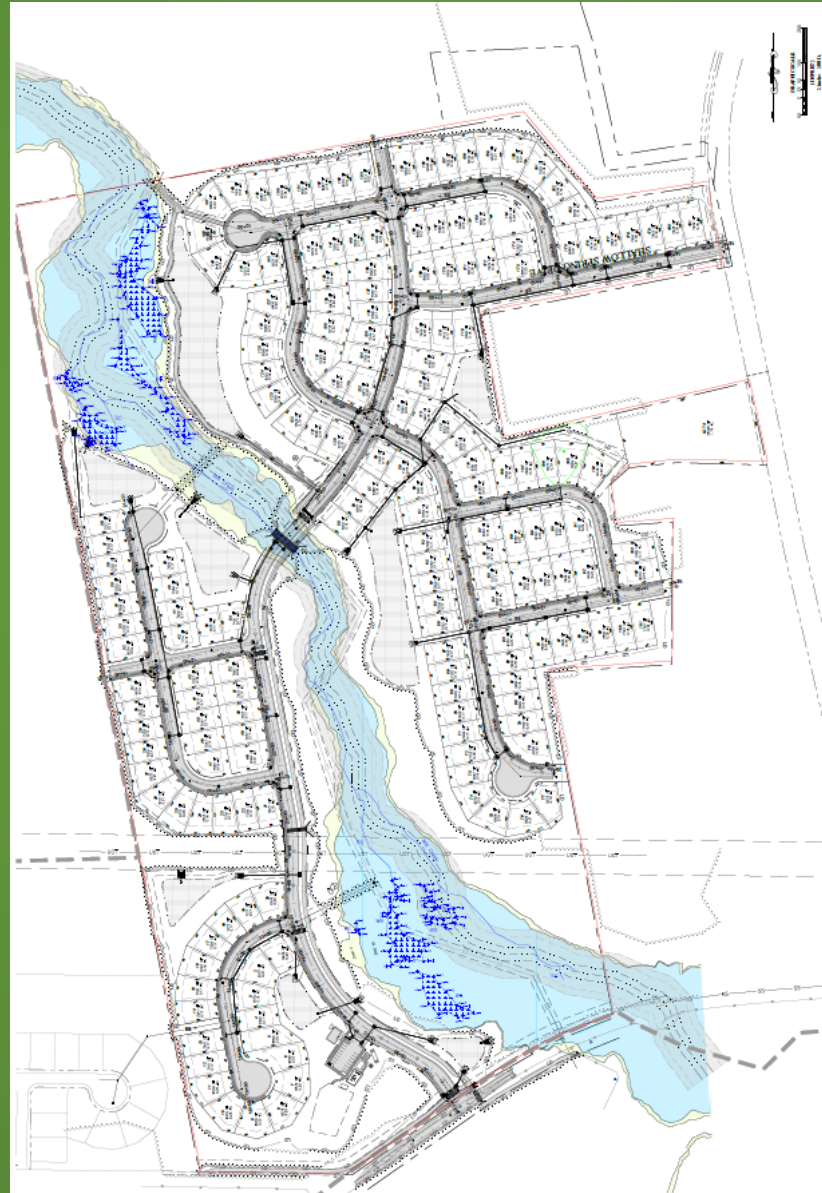


WETLANDS

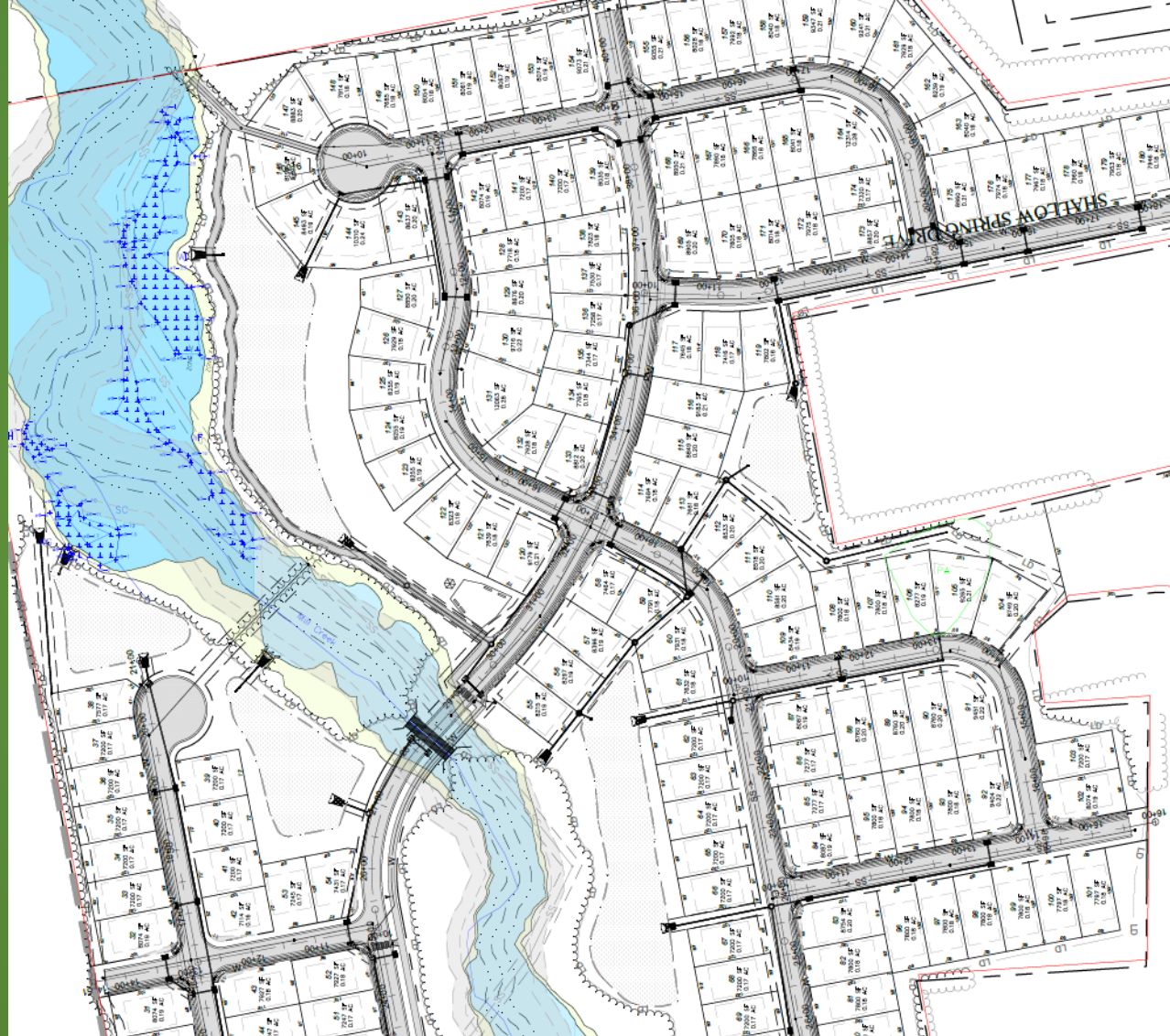


	Prepared For:	TUPELO JUNCTION SUBDIVISION	Date:	June 2020	Figure
		Jurisdictional Resources Map	Scale:	0 20 40 Ft	
			Job No.:	20-012	

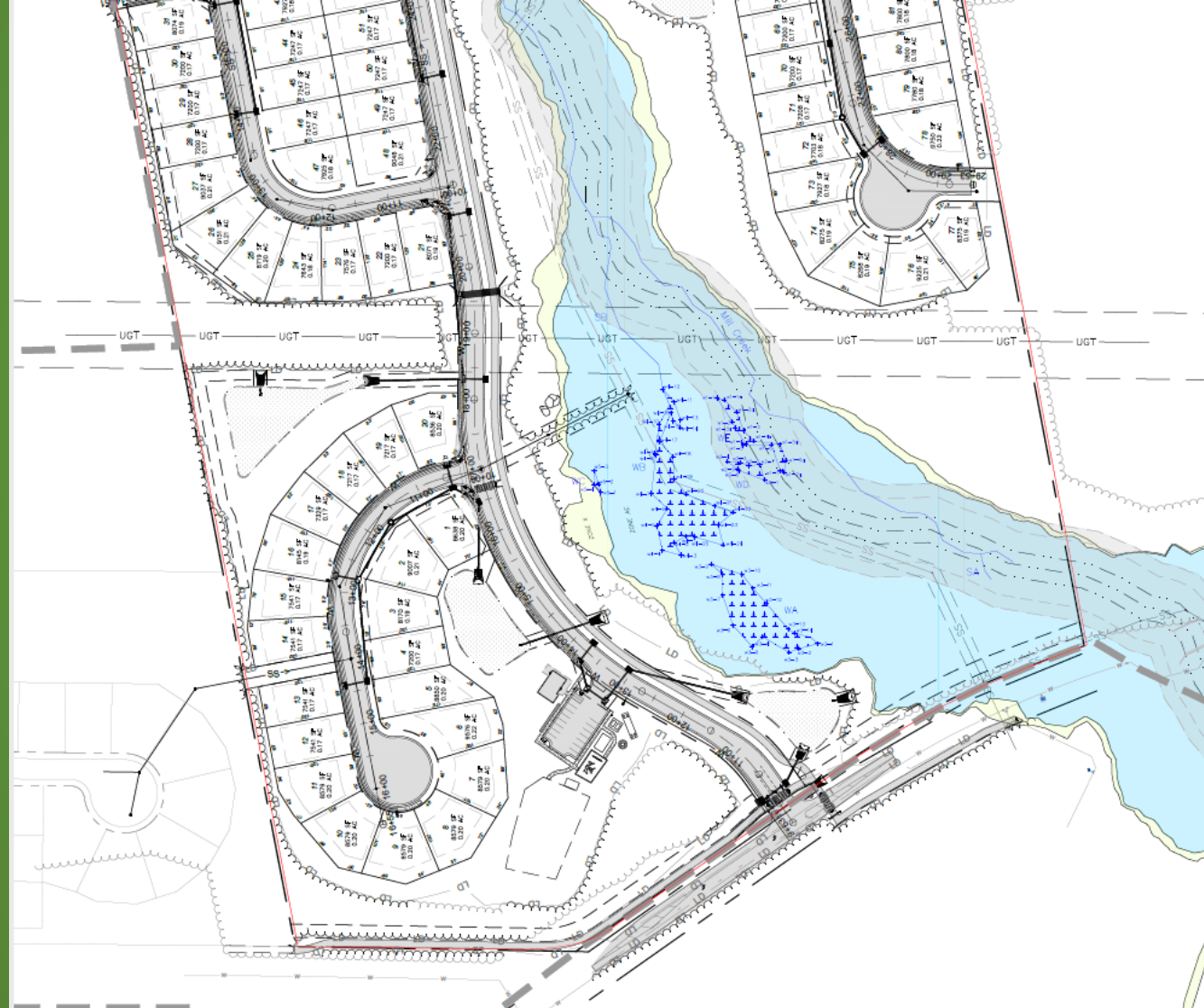
WETLANDS



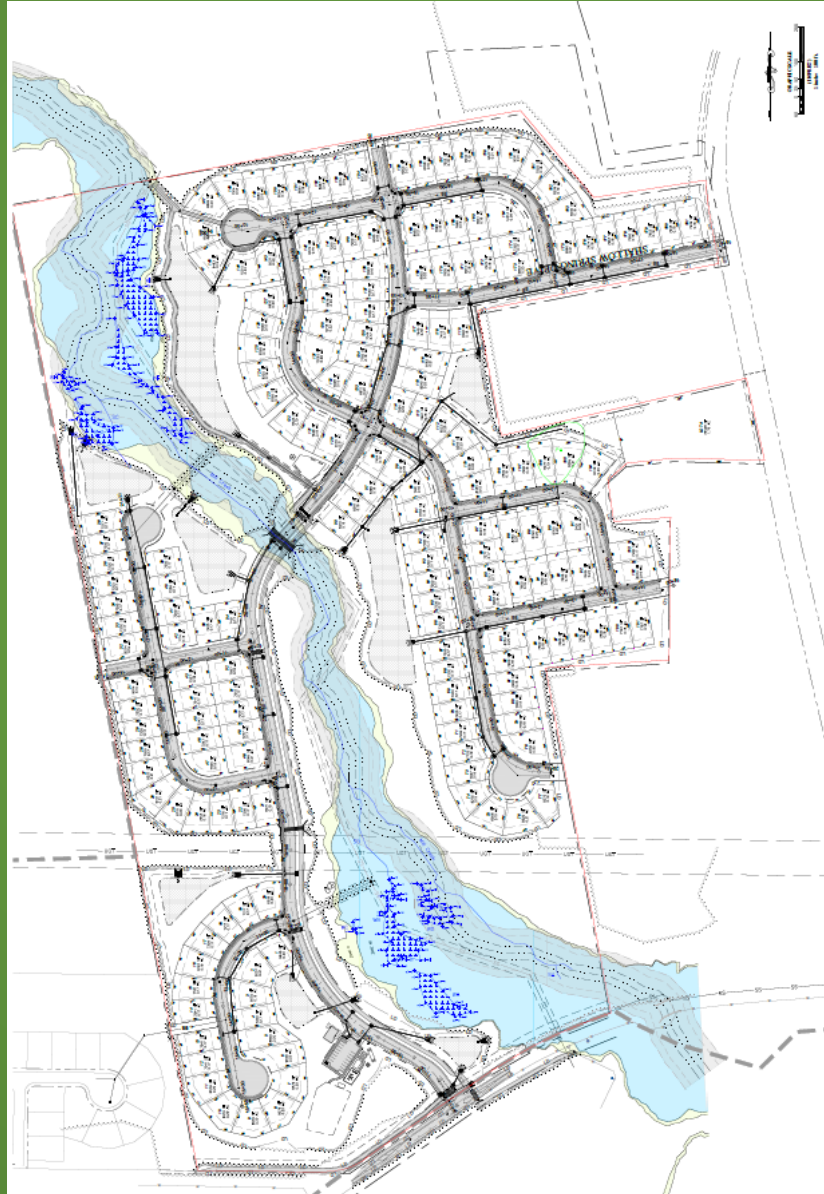
WETLANDS



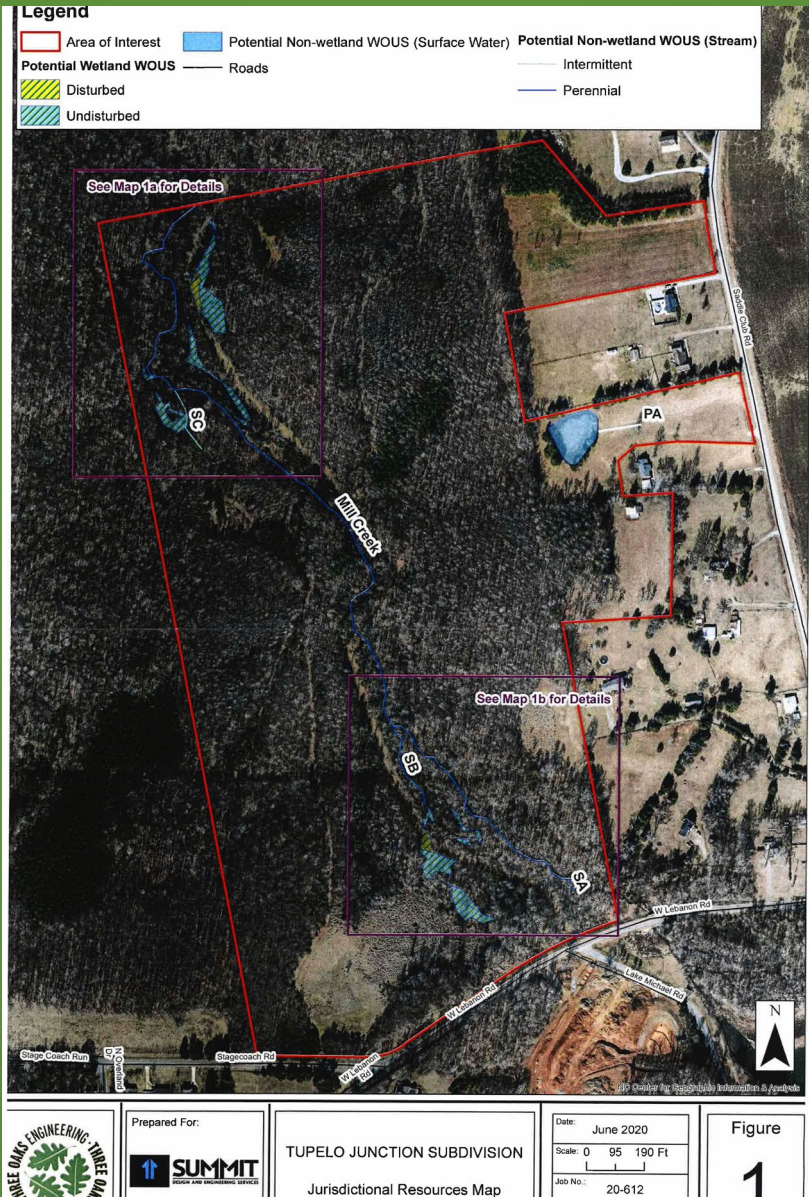
WETLANDS



WETLANDS



WETLANDS



WETLANDS

Former horse pasture “pond”



WETLANDS

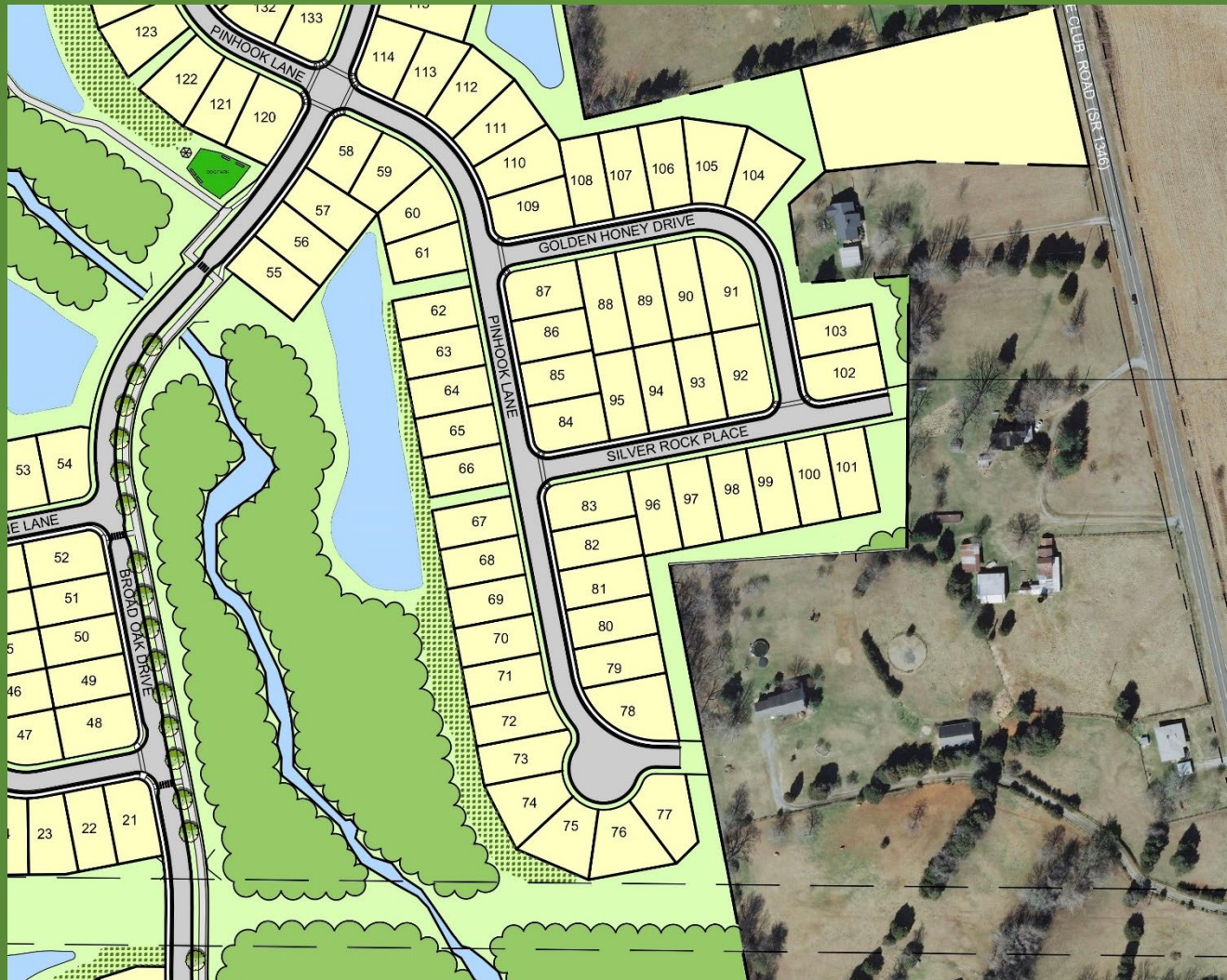
Table 3. Potential surface waters in the study area

Surface Water	Map ID of Jurisdictional Connection	Area (ac.)
PA	N/A	0.45

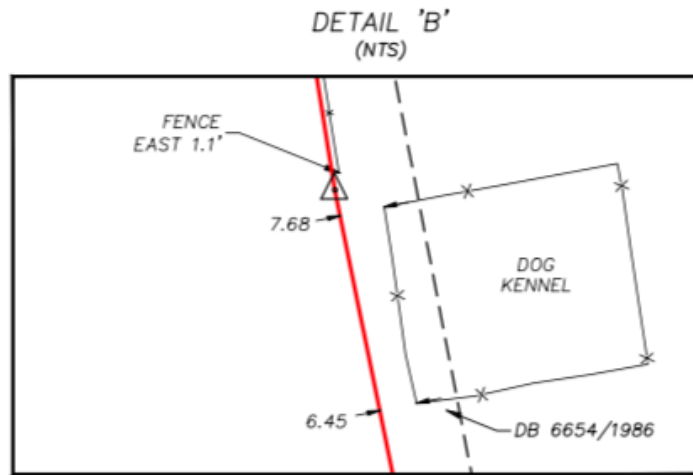
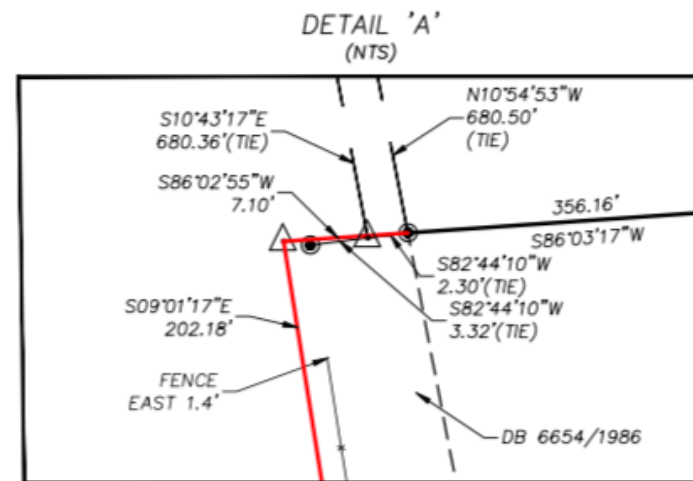
Note: PA is an old farm pond that was built in upland. Based on mapping, it pre-dates the 1977 Soil Survey Map. There are no inlets or outlets to this farm pond, and it is not connected to a jurisdictional feature; therefore, it is non-jurisdictional.

SITE PLAN

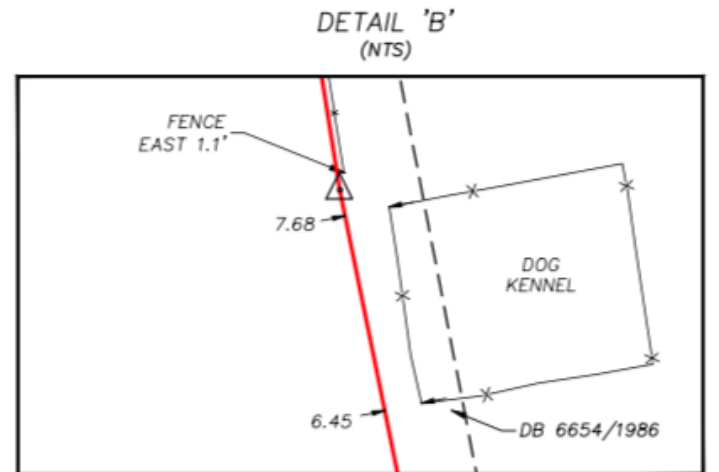
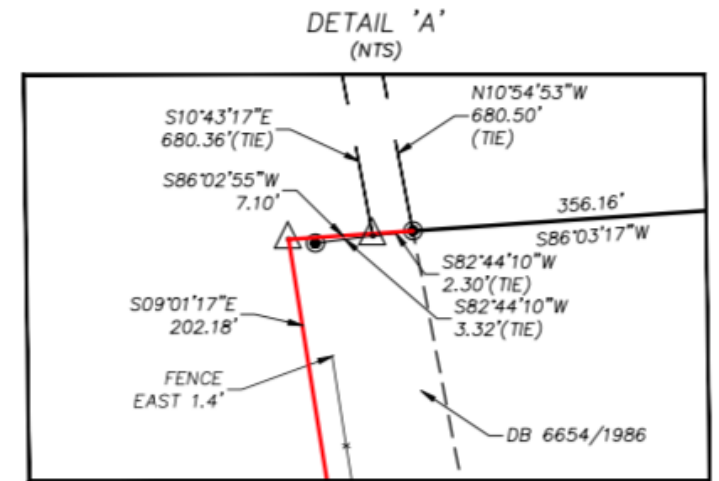
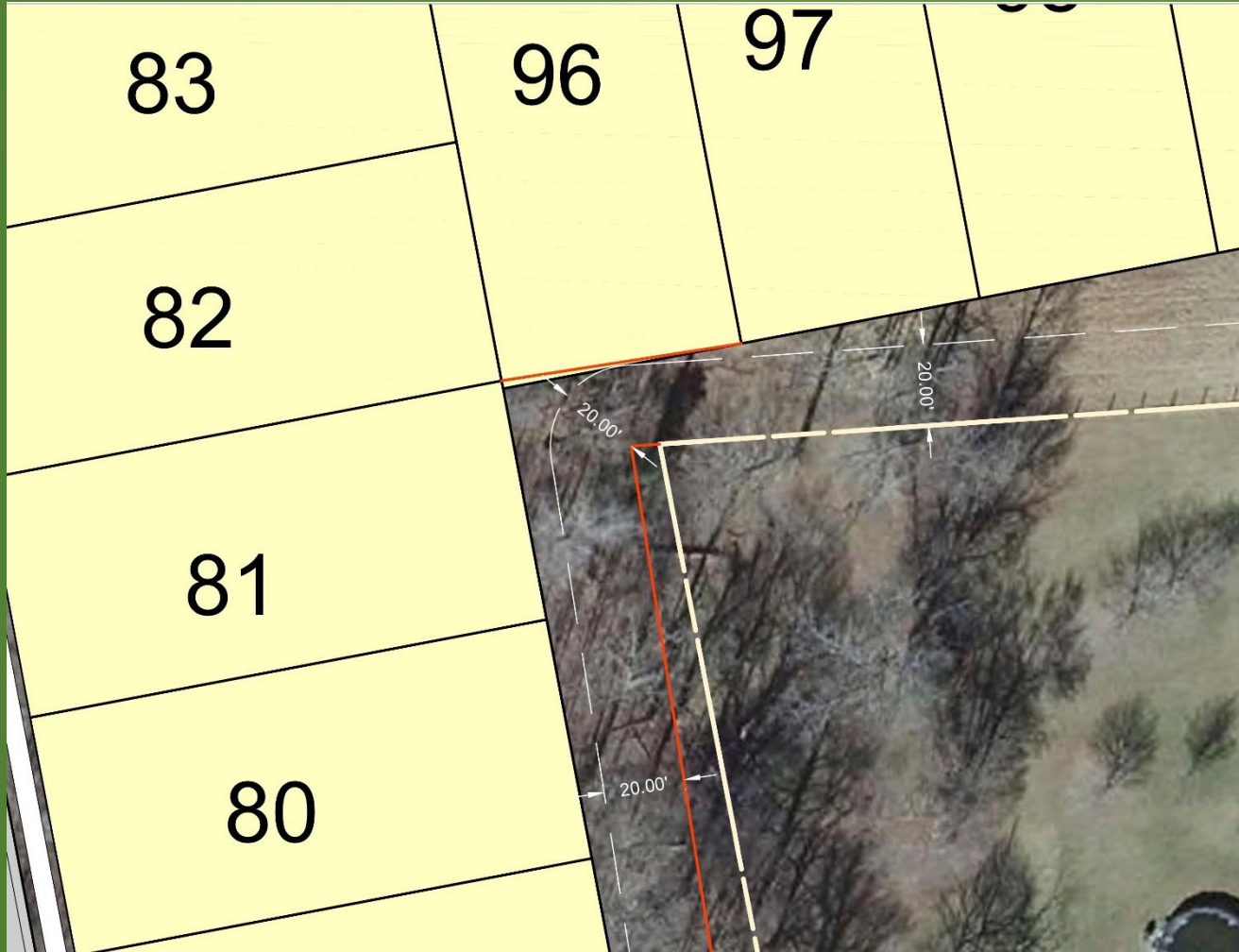




PROPERTY LINE/BUFFER



PROPERTY LINE/BUFFER



SITE PLAN



GARMAN HOMES
Fresh Paint Division

Rebecca McAdoo
Division President

GARMAN HOMES

Fresh Paint Division

Building a home for someone is an honor and a privilege. It is our honor. It is our privilege. And our work is as personal as the people we build homes for.

We believe homebuilding is an art, not a science. Our homes are joyfully built by human hands. Collaboration is our greatest strength and humility is our greatest teacher. With open hearts and open minds we relentlessly pursue ways to improve our craft.

We work with meaning and drive with purpose. We seek connections great and small knowing every interaction is an opportunity with infinite potential. To show respect and receive it in return. To be kind. To inspire and be inspired. To create and motivate. To be held accountable. To appreciate. To learn. To grow. To care. To be seen and heard as our whole perfectly imperfect selves.

We don't tolerate meanness, gossip, dishonesty or disloyalty. Nor do we indulge the entitled or engage with small hearts and small minds. And we will never make space for hate. We insist instead on offering the benefit of the doubt.

Every one of us shines our lights brightly and without apology. And we encourage others to do the same. Truth tellers and truth seekers. Big dreamers and even bigger doers. Change makers and status-quo challengers. We are each other's keepers. Mistakes are not just expected, they are inevitable. The quality of our experience with each other, our buyers, developers, trade partners and cooperating brokers is not in the presence or absence of mistakes, but what we each bring in response.

We protect and pursue profitability. Celebrate and prioritize diversity. And we combat any traces of entitlement with a deep and abiding practice of genuine gratitude. Our past, present and future success is made sweeter by our ability to give back generously.

We believe a home is a sacred space. It is not the finish nor the features that matter, but rather the quality of life lived inside those walls and the courage it takes to live that life.

GARMAN HOMES

PLAN TYPES

- RANCH PLANS: 1,400 - 2,000 sf, 3-4 bedrooms, 2-3 baths (1-2 plans)
- 1.5-STORY PLANS: 1,600 - 2,400 sf, 3-4 bedrooms, 2-4 baths (1-2 plans)
- 2-STORY PLANS: 1,600 - 2,800 sf, 3-5 bedrooms, 2.5-4 baths (3-4 plans)
- FRONT PORCHES: Included on some plans, optional on others

HOUSE ELEVATIONS

BLISS



Bliss A



Bliss B

HOUSE ELEVATIONS

HAPPY



Happy B



Happy C

HOUSE ELEVATIONS

GO



Go A



Go B

HOUSE ELEVATIONS

LUCKY



Lucky A



Lucky B



Lucky C

HOUSE ELEVATIONS

JOY



Joy A



Joy B

GARMAN HOMES

BUILDER COMMITMENTS

- SIDING: Fiber cement
- TRIM: Composite
- GUTTERS: 5" gutters and downspouts
- OPTIONAL EXTERIOR MATERIALS:
 - standing seam metal roofs
 - fiber cement shakes and board & batt
 - alternate vinyl window colors
 - brick veneer
- ROOF OVERHANG: 12"
- MAIN ROOF PITCH: Minimum 8:12
- FOUNDATION: Monoslab (exposed concrete parged on front elevation)

GARMAN HOMES

BUILDER COMMITMENTS

- SOD: Front yard
- STREET TREE: One in front yard (near right-of-way line)
- DRIVEWAY: 18' width to right-of-way (if longer than 25' then taper to 12' at right-of-way)
- GARAGES: 1 & 2 car
- FRONT PORCHES: Included on some plans, optional on others

GARMAN HOMES

Fresh Paint Division

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SITE PLAN



TUPELO JUNCTION

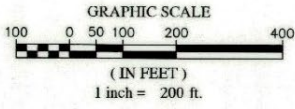
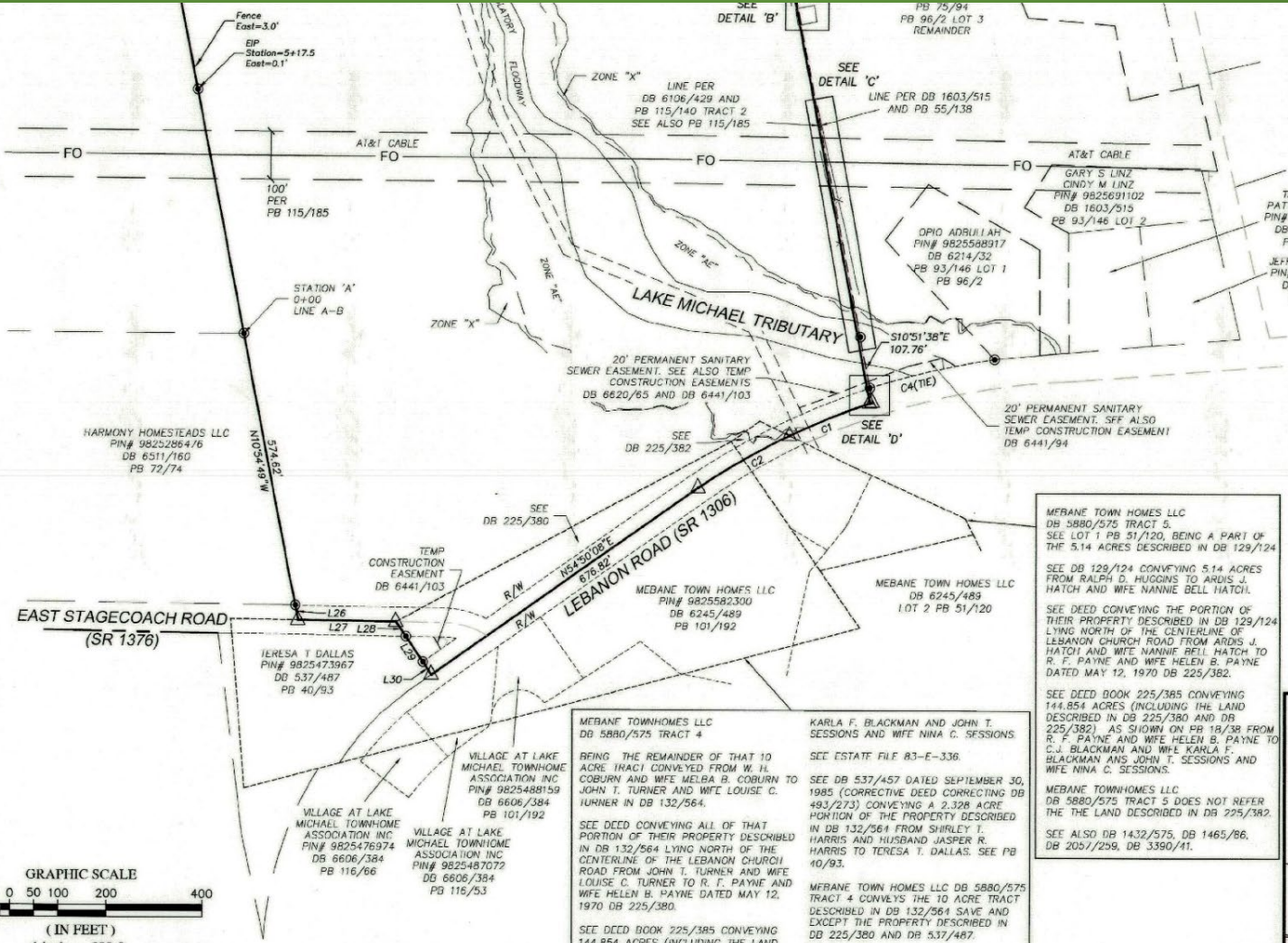
- Meets Mebane By Design goals for development in a Conservation Area
- Below “rural density” at 1.94 units per acre (R-20A allows 2.18 units/acre)
- Exceeds 30% open space goal for Conservation Areas with 53% provided
- Over half of all lots directly adjoin open space areas
- Rezoning lowers currently allowed density and increases minimum lot size
- No jurisdictional wetland areas are impacted
- Perimeter vegetation is preserved along Lebanon and Stagecoach
- 4,600 lineal feet of 10-foot wide greenways and multi-use sidepaths
- Pedestrian connection made from Stagecoach Rd. to Lake Michael Park
- Nearly 3 miles of public sidewalks, greenways, and multi-use side paths

TUPELO JUNCTION

- Only minor exceptions from the UDO requirements are requested
- R-12 front setbacks reduced from 30' to 25' for this R-12(CD) district
- R-12 rear setbacks reduced from 25' to 20' for this R-12(CD) district
- R-12 side setbacks reduced from 10' to 5' for this R-12(CD) district
- R-12 corner lot setbacks reduced from 18' to 13' for this R-12(CD) district
- Requesting that payment-in-lieu for public recreation area be waived
- Council may reduce required area under Section 6-7.1.1 of the UDO
- Consideration of the nature of the public area provided is allowed
- Nature and cost of public recreation area provided warrants reduction
- Amount of public recreation area required reduced to match provided

PEDESTRIAN PLAN





MEBANE TOWNHOMES LLC
 DB 5880/575 TRACT 4
 BEING THE REMAINDER OF THAT 10
 ACRE TRACT CONVEYED FROM W. H.
 COBURN AND WIFE MELBA B. COBURN TO
 JOHN T. TURNER AND WIFE LOUISE C.
 TURNER IN DB 132/564.
 SEE DEED CONVEYING ALL OF THAT
 PORTION OF THEIR PROPERTY DESCRIBED
 IN DB 132/564 LYING NORTH OF THE
 CENTERLINE OF THE LEBANON CHURCH
 ROAD FROM JOHN T. TURNER AND WIFE
 LOUISE C. TURNER TO R. F. PAYNE AND
 WIFE HELEN B. PAYNE DATED MAY 12,
 1970 DB 225/380.
 SEE DEED BOOK 225/385 CONVEYING
 144.854 ACRES (INCLUDING THE LAND
 DESCRIBED IN DB 225/380 AND DB
 225/382) AS SHOWN ON PB 18/38
 FROM R. F. PAYNE AND WIFE HELEN B.
 PAYNE TO C.J. BLACKMAN AND WIFE

MEBANE TOWN HOMES LLC
 DB 5880/575 TRACT 5.
 SEE LOT 1 PB 51/120, BEING A PART OF
 THE 5.14 ACRES DESCRIBED IN DB 129/124
 SEE DB 129/124 CONVEYING 5.14 ACRES
 FROM RALPH D. HUGGINS TO ARDIS J.
 HATCH AND WIFE NANNIE BELL HATCH.
 SEE DEED CONVEYING THE PORTION OF
 THEIR PROPERTY DESCRIBED IN DB 129/124
 LYING NORTH OF THE CENTERLINE OF
 LEBANON CHURCH ROAD FROM ARDIS J.
 HATCH AND WIFE NANNIE BELL HATCH TO
 R. F. PAYNE AND WIFE HELEN B. PAYNE
 DATED MAY 12, 1970 DB 225/382.
 SEE DEED BOOK 225/385 CONVEYING
 144.854 ACRES (INCLUDING THE LAND
 DESCRIBED IN DB 225/380 AND DB
 225/382) AS SHOWN ON PB 18/38 FROM
 R. F. PAYNE AND WIFE HELEN B. PAYNE TO
 C.J. BLACKMAN AND WIFE KARLA F.
 BLACKMAN AND JOHN T. SESSIONS AND
 WIFE NINA C. SESSIONS.
 MEBANE TOWNHOMES LLC
 DB 5880/575 TRACT 5 DOES NOT REFER
 TO THE LAND DESCRIBED IN DB 225/382.
 SEE ALSO DB 1432/575, DB 1465/66,
 DB 2051/258, DB 3380/41.

KARLA F. BLACKMAN AND JOHN T.
 SESSIONS AND WIFE NINA C. SESSIONS
 SEE ESTATE FILE 83-E-336.
 SEE DB 537/457 DATED SEPTEMBER 30,
 1985 (CORRECTIVE DEED CORRECTING DB
 493/273) CONVEYING A 2.328 ACRE
 PORTION OF THE PROPERTY DESCRIBED
 IN DB 132/564 FROM SHIRLEY I.
 HARRIS AND HUSBAND JASPER R.
 HARRIS TO TERESA T. DALLAS. SEE PB
 10/93.
 MEBANE TOWN HOMES LLC DB 5880/575
 TRACT 4 CONVEYS THE 10 ACRE TRACT
 DESCRIBED IN DB 132/564 SAVE AND
 EXCEPT THE PROPERTY DESCRIBED IN
 DB 225/380 AND DB 537/487.
 SEE ALSO DB 3812/73.

HARMONY HOMESTEADS LLC
 PIN# 9825285476
 DB 6511/160
 PB 72/74

TERESA T. DALLAS
 PIN# 9825473967
 DB 537/487
 PB 40/93

VILLAGE AT LAKE
 MICHAEL TOWNHOME
 ASSOCIATION INC
 PIN# 9825476974
 DB 6606/384
 PB 116/66

VILLAGE AT LAKE
 MICHAEL TOWNHOME
 ASSOCIATION INC
 PIN# 9825487072
 DB 6606/384
 PB 116/53

VILLAGE AT LAKE
 MICHAEL TOWNHOME
 ASSOCIATION INC
 PIN# 9825488199
 DB 6606/384
 PB 101/192

MEBANE TOWN HOMES LLC
 PIN# 9825582300
 DB 6245/489
 PB 101/192

MEBANE TOWN HOMES LLC
 DB 6245/489
 LOT 2 PB 51/120

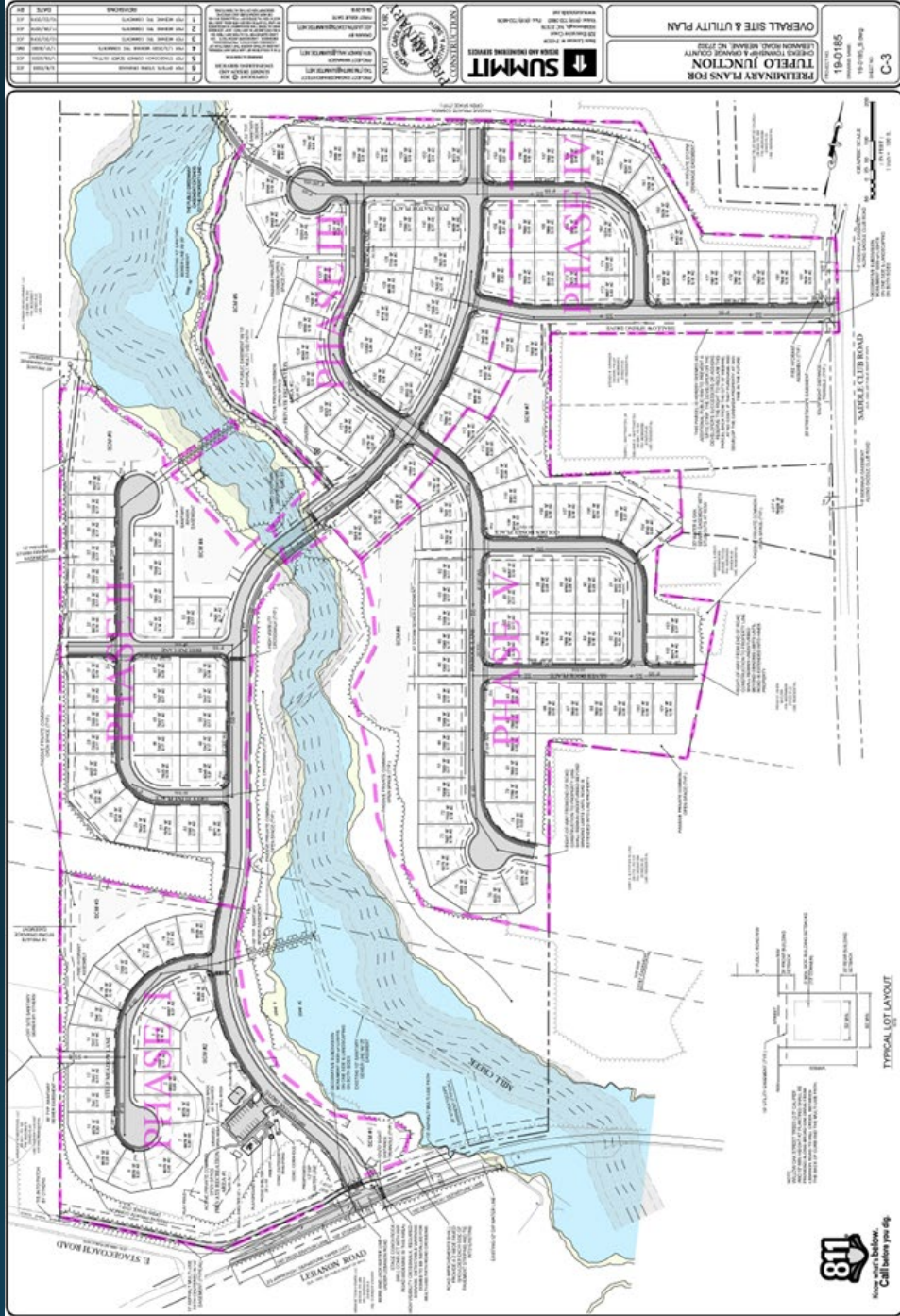
MEBANE TOWN HOMES LLC
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 DB 2051/258, DB 3380/41.



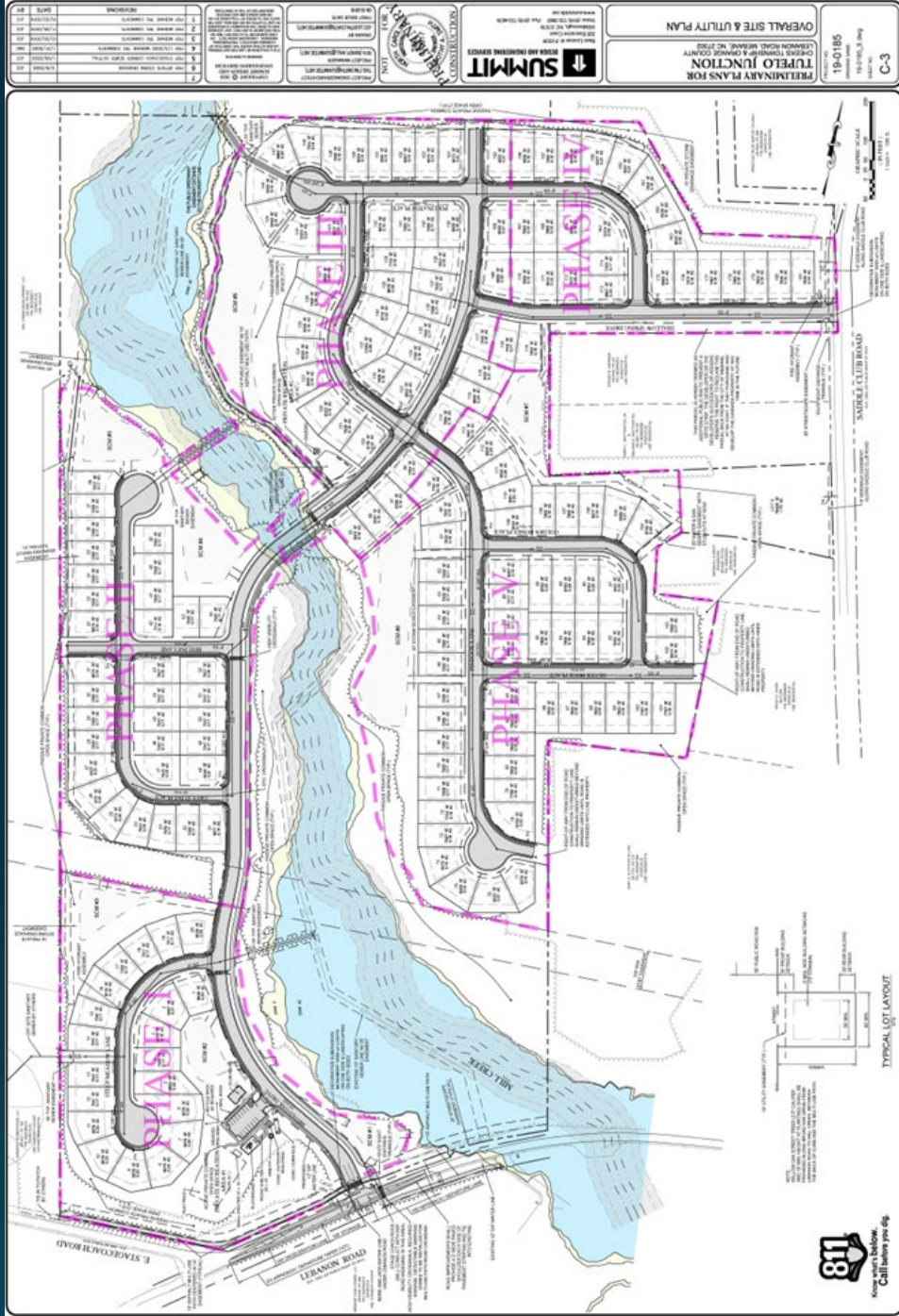
Tupelo Junction Conditional Zoning Findings of Fact

Waivers Requested

- Public Open Space:
 - 5.7 ac required
 - +/-1.46 ac provided in public greenway
 - Payment *in lieu*: \$16,531
 - Payment Offered: \$0

- Setbacks
 - Front: 25' rather than 30'
 - Rear: 20' rather than 25'
 - Side: 5' rather than 10' (13' corner)

 - Lot width: 60' rather than 85'



Tupelo Junction Conditional Zoning Findings of Fact

Mebane By Design Goals Served

- Growth Management 1.4

Ensure that adequate community facilities are integrated into new development to reduce distances to parks, schools and community centers.

- Public Facilities and Infrastructure 2.1

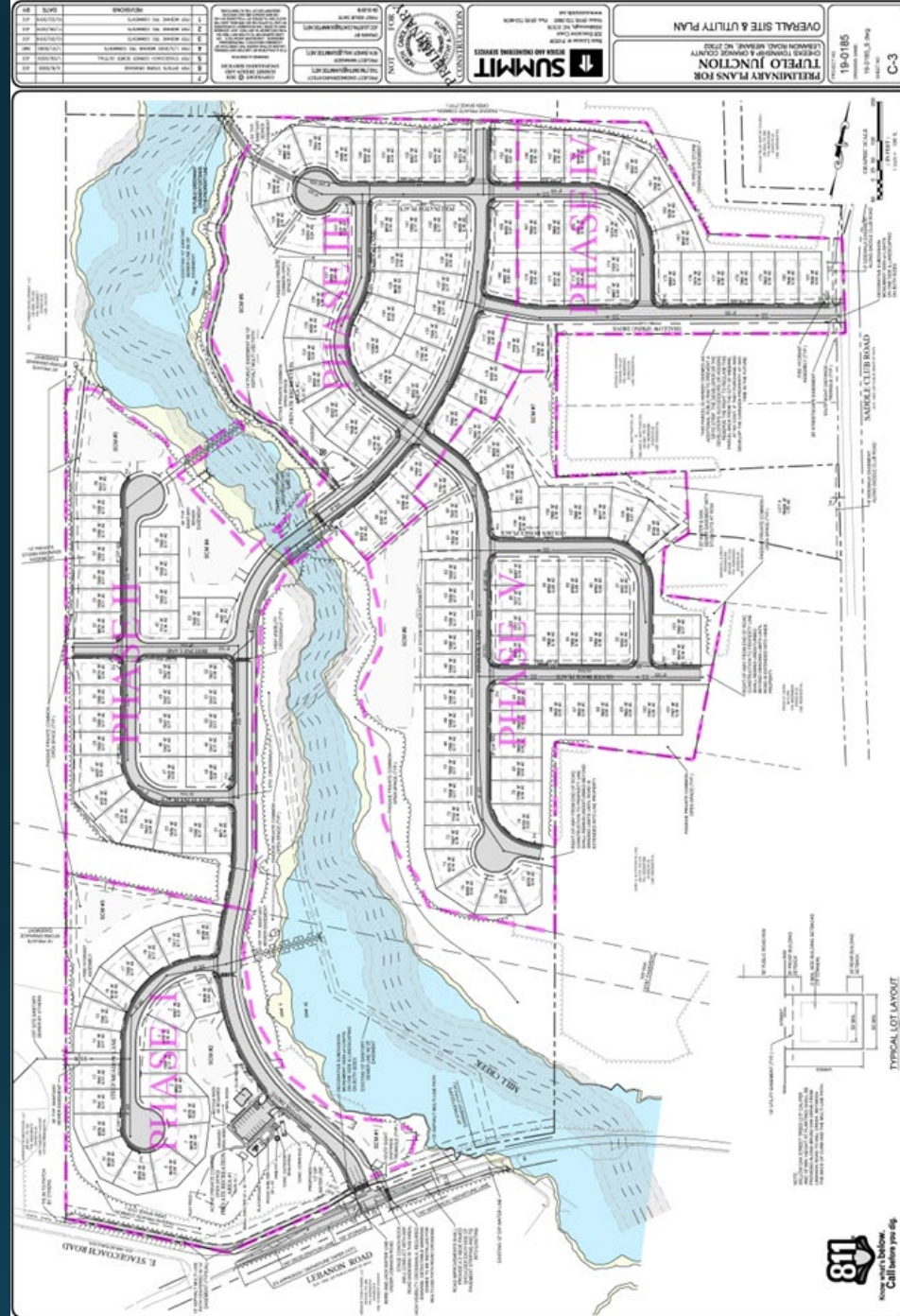
Improve safety and confidence of pedestrian access across major streets, including Lebanon Road , Stagecoach Road and the entrance to Lake Michael.

- Open Space & Natural Resource Protection 4.2

Provide greenways, parks and open space connectivity between different land uses and across major transportation corridors, thereby advancing safety and health.

- Open Space & Natural Resource Protection 4.3

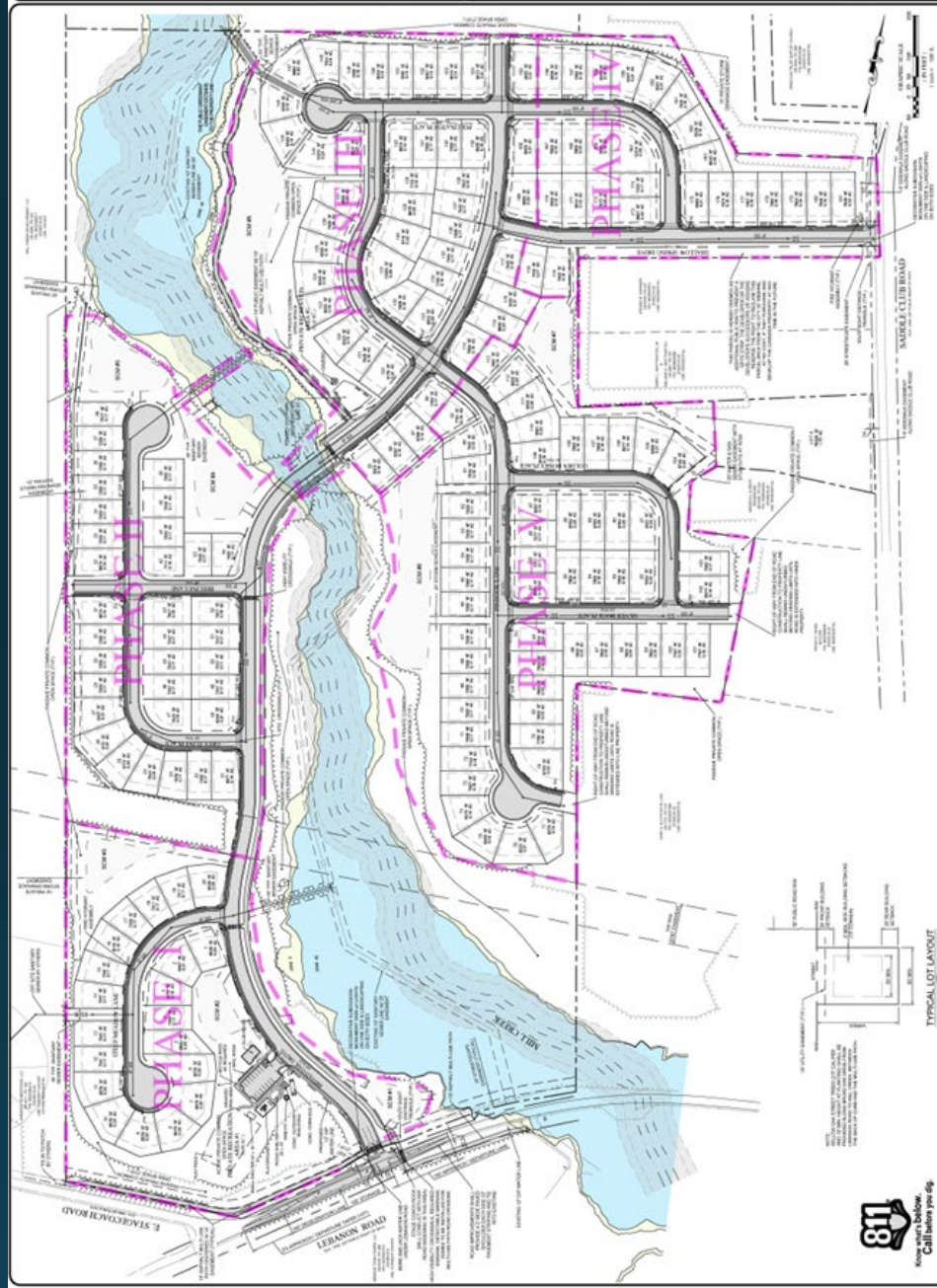
Support park, greenway, and open space expansion in developed and developing areas, prioritizing connectivity between each location.



Tupelo Junction Conditional Zoning Findings of Fact

- 181 Single-Family Homes
- Average Density: 1.94 du/ac
- 10' multiuse path greenway provided, per City Bike & Ped Plan
- Watershed Protection:
 - 25.72 ac (27.5%) of 28.05 ac (30%) developed
- All TIA recommendations provided
- Adequate water and sewer utilities

1	DATE	DESCRIPTION
2	10/15/2018	PRELIMINARY PLAN FOR TUPELO JUNCTION
3	10/15/2018	REVISIONS TO PRELIMINARY PLAN FOR TUPELO JUNCTION
4	10/15/2018	REVISIONS TO PRELIMINARY PLAN FOR TUPELO JUNCTION
5	10/15/2018	REVISIONS TO PRELIMINARY PLAN FOR TUPELO JUNCTION
6	10/15/2018	REVISIONS TO PRELIMINARY PLAN FOR TUPELO JUNCTION
7	10/15/2018	REVISIONS TO PRELIMINARY PLAN FOR TUPELO JUNCTION
8	10/15/2018	REVISIONS TO PRELIMINARY PLAN FOR TUPELO JUNCTION
9	10/15/2018	REVISIONS TO PRELIMINARY PLAN FOR TUPELO JUNCTION
10	10/15/2018	REVISIONS TO PRELIMINARY PLAN FOR TUPELO JUNCTION
11	10/15/2018	REVISIONS TO PRELIMINARY PLAN FOR TUPELO JUNCTION
12	10/15/2018	REVISIONS TO PRELIMINARY PLAN FOR TUPELO JUNCTION
13	10/15/2018	REVISIONS TO PRELIMINARY PLAN FOR TUPELO JUNCTION
14	10/15/2018	REVISIONS TO PRELIMINARY PLAN FOR TUPELO JUNCTION
15	10/15/2018	REVISIONS TO PRELIMINARY PLAN FOR TUPELO JUNCTION
16	10/15/2018	REVISIONS TO PRELIMINARY PLAN FOR TUPELO JUNCTION
17	10/15/2018	REVISIONS TO PRELIMINARY PLAN FOR TUPELO JUNCTION
18	10/15/2018	REVISIONS TO PRELIMINARY PLAN FOR TUPELO JUNCTION
19	10/15/2018	REVISIONS TO PRELIMINARY PLAN FOR TUPELO JUNCTION
20	10/15/2018	REVISIONS TO PRELIMINARY PLAN FOR TUPELO JUNCTION



Tupelo Junction Conditional Zoning Findings of Fact

Planning Department finds that this request is consistent with the recommendations of *Mebane By Design* and that it is consistent with the zoning of the surrounding area.



1818
Community Development
Call Nancy for #9



Questions?

