



**Planning Board
Minutes to the Meeting**

Glendel Stephenson Municipal Building
December 14, 2020
6:30 p.m.

The Planning Board meeting was held virtually and livestreamed via YouTube. The video can be accessed through the following link: <https://www.youtube.com/channel/UCoL1RXdRDMzK98p53TMoqww>

Members Present Via Zoom: Keith Hoover, Lori Oakley, Kurt Pearson, Gale Pettiford, Vice Chairman Judy Taylor, Larry Teague, Chairman Edward Tulauskas

Also Present: Audrey Vogel, Planner; Cy Stober, Development Director; Kirk Montgomery, IT Director Ashley Ownbey, Planner

1. Call to Order

At 6:30 p.m. Chairman Edward Tulauskas called the meeting to order.

2. Approval of November 9, 2020 Minutes

Gale Pettiford made a motion to approve the minutes from the November 9, 2020 meeting. Larry Teague seconded the motion, which passed unanimously.

3. City Council Actions Update

Cy Stober, Development Director, Provided an update on recent City Council actions regarding the Mebane Oaks Road development project and the Buckhorn Area Plan.

4. Request to Establish M-2 (CD) Zoning on a +/-47.5-Acre Parcel (PIN 9834436528) at 6016 West Ten Road Located Outside of the Extra-Territorial Jurisdiction (ETJ) in Orange County by Al Neyer –
Continued from November 9th Planning Board Meeting

Cy Stober provided a brief overview and PowerPoint of the request, summarizing the information presented to the Planning Board at the November 9th meeting. Cy Stober indicated that property is classified as a “top tier” in the Buckhorn Area Plan; however, City Council has not adopted the plan at this time. As Such the staff report for the project was revised to reflect that no staff recommendation was made because the project is beyond the bounds of all adopted city plans. Cy Stober highlighted new information regarding the Traffic Impact Analysis and master site plan, noting that the Applicant provided additional revisions to the master site plan that he had not yet reviewed and are not reflected on site plan provided in the agenda packet.



Tim Summerville, Engineer with STEWART, 101 West Main St, Durham, NC 27701, summarized the revisions made to the master site plan. Tim Summerville indicated that the revisions were based on information from the TIA and feedback from neighbors.

Judy Taylor asked for clarification about freight traffic and driveway usage. Tim Summerville indicated that the neighbors preferred the right-in, right-out only driveway, and that it will eliminate trucks needing to turn left of buckhorn road.

Lori Oakley asked if this was noted on the plans. Tim Summerville replied that it was noted on the latest plans. Cy Stober clarified that the Planning Board has not received the most up-to-date site plan, and that the revisions in question were provided only prior to the meeting at 12:00pm. He further clarified that these notable changes included 100-foot buffers, right-in/right-out driveway on Buckhorn Rd, and the right turn lane on West Ten Rd.

Kurt Pearson asked Cy Stober if he had any notes or comments on these latest revisions. Cy Stober responded explaining the rationale for staff's initial comments and that revisions address Staff's concerns about freight traffic going south on Buckhorn Road. Cy also indicated that more detail could be provided regarding internal circulation on the site to discourage left turns on to West Ten.

At the direction of Chairman Tulauskas, Several members of the public shared comments and asked questions.

Fiona Johan, 5016 Johan Lane, noted that she appreciated the 100-foot buffer, but requested it be increased to 150 feet. Ms. Johan also asked about an error shown in the agenda packet noting a "minimum" height. Justin Parker, representing the applicant, clarified that it should be "maximum." Ms. Johan asked questions about stormwater, including the fencing for the wet pond on the site. Cy Stober indicated that there is a City of Mebane Ordinance that requires fencing for non-natural bodies of water greater than two feet. In addition, she asked about the "public interest conformance" section on the Staff Report, and if an adjoining property value appraisal would be completed. Cy Stober clarified that the section is only considered for special use permits. Ms. Johan also asked about changes to Buckhorn Road per the Efland-Mebane-Buckhorn Access Management Plan. Cy Stober clarified that the plan was not a City of Mebane adopted plan and is not considered for Mebane plan review.

Patricia O'Connor, 1011 Squires Rd, asked about the Traffic Impact Analysis and if it included data from the Medline project. Joshua Reinke, traffic engineer at Ramey Kemp, responded to Ms. O'Connor's questions and concerns, providing a detailed explanation of the TIA methodology. He indicated that Medline was included in the analysis, and added that the TIA looks at peak hours only. Ms. O'Connor also requested that the developer provide a real estate impact analysis to be completed by a local real estate firm.



Beth Bronson, 1221 Buckhorn Rd, echoed her neighbors' concerns and noted that it is worth discussing the Buckhorn Area Plan because it is connected to this project, and asked about the Board's response to December 7, 2020, City Council meeting on the matter. She also asked about the relationship between Orange County and the City of Mebane regarding moving forward with development in this area. Ms. Bronson also asked about the NCDOT's comments regarding the TIA. Cy Stober responded that the comments were received earlier in the day.

Cy Stober read the following **draft** comments received from Chuck Edwards, NCDOT District Engineer, Division 7, District 1:

General:

The proposed site is located on the southeast corner of the intersection of Buckhorn Road and West Ten Road and consists of 675,000 square foot of warehousing. The site is accessed via two full movement driveways on West Ten Road and one full movement driveway on Buckhorn Road. Upon full buildout in 2023, the site is expected to generate approximately 1120 daily trips. The TIA did not indicate that the site was to be developed in phases an analysis is based upon a single full-buildout scenario.

Methodology:

The analysis and methodology and scope of the TIA are consistent with the MOU based on discussion between RKA, the City of Mebane and NCDOT. Background traffic counts were not possible due to Covid-19 impacts. Traffic counts previously taken by NCDOT and RKA for other recent projects were utilized with appropriate adjustments as described in the study. Schools were in normal operational the time that counts were taken.

Committed Improvements:

- *NCDOT has recently completed geometric improvements at the intersection of Buckhorn Road and West Ten Road to increase intersection radii to accommodate truck turning movements.*
- *NCDOT has also programmed and funded installation of paved shoulders and resurfacing of West Ten Road from Buckhorn Road to Mt. Willing Road. This works is scheduled for Summer 2021.*

Analyses findings and Recommended Improvements:

Based on the information provided, NCDOT generally concurs with the TIA recommendations as amended below.

Buckhorn Road and I-40/I-85 Eastbound Ramps

- *Monitor intersection for signalization, and install traffic signal once warranted and approved by NCDOT. Based on anticipated no-build (2023) operations, this improvement should be considered regardless of if the proposed development is built.*



Buckhorn Road and I-40/I-85 Westbound Ramps

- *Monitor intersection for signalization, and install traffic signal once warranted and approved by NCDOT. Based on anticipated no-build (2023) operations, this improvement should be considered regardless of if the proposed development is built.*

West Ten Road and Site Drive 1

- *Construct the northbound approach with one (1) ingress lane and one (1) egress lane.*
- *Provide stop control for the northbound approach.*
 - *Provide a minimum 100' internal protected driveway stem*
 - *NCDOT turn lane warrants are not satisfied based on anticipated volumes. The City of Mebane has indicated that local regulations require installation of road improvements at the site accesses. NCDOT will support local requirements.*

West Ten Road and Site Drive 2

- *Construct the northbound approach with one (1) ingress lane and one (1) egress lane.*
- *Provide stop control for the northbound approach.*
 - *Provide a minimum 100' internal protected driveway stem*
 - *NCDOT turn lane warrants are not satisfied based on anticipated volumes. The City of Mebane has indicated that local regulations require installation of road improvements at the site accesses. NCDOT will support local requirements.*

Buckhorn Road and Site Drive 3

- *Construct the westbound approach with one (1) ingress lane and one (1) egress lane.*
- *Provide stop control for the westbound approach.*
 - *Provide a minimum 100' internal protected driveway stem*
 - *NCDOT turn lane warrants are not satisfied based on anticipated volumes. The City of Mebane has indicated that local regulations require installation of road improvements at the site accesses. NCDOT will support local requirements.*
 - *The City of Mebane has indicated that as a condition of development approval, restriction of truck access at this driveway may be stipulated. NCDOT will support this local requirement if applied to the development.*

Permitting:

Prior to performing work in the NCDOT right of way, the applicant will need to obtain the following:

- *Approved NCDOT Driveway Permit*
- *Approved NCDOT 3-Party Encroachment Agreement with City of Mebane for any proposed/stipulated water and sewer or sidewalk construction*

C. N. Edwards Jr., PE (Chuck)

District Engineer

North Carolina Department of Transportation

Division of Highways

Division 7, District 1



Aimee Tattersall, 1133 Squires Road, asked specific questions about the TIA. Joshua Reinke responded to her questions. A key point from this discussion was that the TIA included all traffic, not just Neyer traffic, expected to be on the roadway. They discussed at length the relationship between the Medline project and traffic on West Ten road, and how it was factored into the TIA. Ms. Tattersall expressed concern about traffic on West Ten Road.

Kurt Pearson acknowledged Ms. Tattersall's frustrations about the data in the TIA. He also noted that TIA studies rely on models and generalizations, but TIA does a good job accounting for the activity on West Ten and Buckhorn Road and provides data that he can feel confident about.

Beth Bronson expressed concern that NCDOT yielded to the local guidance from the City of Mebane and Orange County. She also expressed concerns about the projected growth from the TIA, indicating that more focus needs to be on future growth under the Buckhorn Area Plan. In addition, Ms. Bronson noted that the area has already been identified for state NCDOT improvements that have not been acted on.

Kurt Pearson responded to Ms. Bronson's comments, clarifying that Mr. Edwards comments yielding to the City indicate going above and beyond the State requirements.

Aimee Tattersall echoed more concerns about traffic on Buckhorn Road. Ms. Tattersall noted that road widening would be disruptive to single family homes that already exist.

Kurt Pearson asked Cy Stober if the right-in/right-out roadway design would be effective in limiting left turns on to West Ten Road. Cy Stober responded that he would also recommend directional signs to guide movement internal to the site.

Lori Oakley asked Cy Stober to confirm when the latest site plan revisions were received and if Staff has had sufficient time to review them. Cy confirmed that she was correct. Ms. Oakley expressed astonishment that the applicant has asked the Planning Board to vote on plans that they do not have in their possession. Cy Stober indicated that he could provide paper copies of the plans to the Board. Just Parker, explained that the reasoning for the additional revisions was to incorporate any feedback that came out of the December 7, 2020, City Council hearing on the Buckhorn Area Plan. Paul Koonts, a representative of the applicant, chimed in about addressed potential City Council recommendations under the Buckhorn Area Plan as they continue to consider the project.

Lori Oakley reiterated that she needs to physically see the plans to review the revisions.

Fiona Johan asked if the applicant would consider the real estate impact analysis prior to the Board voting on the matter. Justin Parker responded that it would be their recommendation for an appraisal that examines the larger area as opposed to a select number of parcels and that the applicant would work with the City to produce that. Cy Stober responded that the City has a standard two-week review period and the findings would need to be included in an agenda packet and presented at a public



hearing. He added that an appraisal is not required by the Unified Development Ordinance for a conditional rezoning, so it is at the applicant's discretion to complete.

Fiona Johan reiterated concerns about the project and how there is little guidance for development in the area. She indicated that she would continue to push for a home value analysis and broader buffers to protect her home and the property she invested in.

Cy Stober clarified that staff would be able to include the findings of a home value study in findings of facts, but that staff not qualified to review an appraisal. Fiona Johan commented that she would be happy to find a licensed real estate appraiser to review the findings.

Aimee Tattersall commented that when talking about property values and the project in general, there are implications for not only Mebane, but also for the homes in Orange County along Buckhorn and West Ten.

Kurt Pearson asked Cy if it was appropriate to ask the applicant how they would like the Board to proceed – to either vote on the request without the revised plans or table the request to give the board time to review the revised plans and allow for the applicant to respond to any concerns raised during the public hearing. Cy clarified that the powers of the Planning Board under general statute, noting that the role of the Board is to advise the City Council on rezoning requests. Mr. Stober also noted that after 30 days the applicant has the option to pursue a public hearing before City Council without a recommendation from the Planning Board.

Justin Parker expressed his appreciation of the neighbors' concerns and that the applicant has made efforts to acknowledge these concerns and honor the intentions of Buckhorn Area Plan. Mr. Parker noted that Buckhorn Area Plan considered the property in questions and was recommended by the Planning Board at the November 9, 2020, Planning Board meeting. Mr. Parker also noted that applicant would be amicable to postponing the decision until the next Planning Board Meeting to allow the Board time to review the revised plans.

Patricia O'Connor thanked Justin Parker for his efforts and expressed that the Board would even consider voting on the issue at this meeting. Chairman Tulauskas clarified that the Planning Board is a recommendation body, and the project will be heard by the Mebane City Council at a public hearing to decide on the request.

Kurt Pearson made a motion to table the request until the January 11, 2021, Planning Board meeting. Judy Taylor seconded the motion. Per a roll call vote, the motion carried unanimously.

Judy Taylor asked Cy Stober when the Buckhorn Area Plan would be presented to Orange County. Cy Stober responded that there would be an information item at a meeting held the following evening, Tuesday, December 14, 2021 and a public meeting on January 15, 2021.



5. Mebane Housing Supply Report - *Continued from November 9th Planning Board Meeting*

Audrey Vogel, City Planner, provided a brief introduction about the report, noting that data from the 2000 census was added to the report since it was presented to the Planning Board at the November 9, 2020, meeting. Cy Stober clarified that the agenda item was intended to Planning Board discussion and any action they see fit to take.

Judy Taylor made a motion to recommend that the Housing Supply Report be presented to the City Council for the reason that it consistent with the goals and objectives of the Mebane By Design Comprehensive Land Development Plan. Gale Pettiford seconded the motion. Per a roll call vote, the motion carried unanimously.

6. New Business

Ashley Ownbey provided an update on the Lowes Boulevard Corridor Plan, detailing the key dates for upcoming virtual meetings, and providing an overview of the public engagement website. She note that the deadline for the public survey is January 22, 2021.

Cy Stober also noted that there is an open position on the City of Mebane Bicycle and Pedestrian Advisory Committee, as well as openings on the Recreation and Parks Advocacy Committee. Cy Stober also reminded the Board that the terms for four members will end in 2021.

7. Adjournment

There being no further business, the meeting was adjourned at 8:10 p.m.