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**Planning Board  
Minutes to the Meeting**

January 11, 2021  
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/watch?v=ci2UakUtAD8>

**Members Present Via Zoom:** Keith Hoover, Lori Oakley, Kurt Pearson, Vice Chairman Judy Taylor, Chairman Edward Tulauskas

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

**1. Call to Order**

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

**2. Approval of December 14, 2020 Minutes**

Judy Taylor made a motion to approve the minutes from the December 14, 2020 meeting Keith Hoover seconded the motion, which passed unanimously.

**3. City Council Actions Update**

Cy Stober, Development Director, Provided an update on the City Council's recent action on the Buckhorn Area Plan. City Council did not adopt the plan; however, Council did approve an amendment to the *Mebane by Design* Comprehensive Land Use Plan (CLP) to include a portion of the recommended area expansion in the Future Growth Area and Industrial Primary Growth Area (V). Cy indicated that Focus Area A of the plan along with the Medline Properties and 6016 West Ten Road were included in the City Council Action. He added that the Council discussed intent to meet with Orange County elected official to discuss the Buckhorn Area Plan further.

Judy Taylor asked Cy about any further meetings in Orange County regarding the Buckhorn Area Plan. Cy specified that a hearing before the Orange County Board of Commissioners would likely occur in February at the earliest.

Cy noted that all maps in the *Mebane by Design* CLP require updates to reflect the Council Action. Cy clarified, per request by Kurt Pearson, that the property in question per agenda item 4 was included in this Council Action.

**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 December 14<sup>th</sup> Planning Board Meeting***



At the start of the agenda item, Chairman Tulauskas indicated that he would request that all members of the public keep their comments to a 5-minute maximum. The members of the Planning Board agreed unanimously per a roll call vote.

Cy Stober provided presented a PowerPoint of the request, providing a review of project history and the information presented at the prior two meetings. Cy noted that per the City Council action on January 4, 2021, the property is now located within the *Mebane by Design* CLP Future Growth Area and Primary Growth Area V, although it is located outside of the ETJ and will require annexation before formal zoning action can be taken.

In addition, Cy reviewed the NC statutory requirements for Planning Board review and recommendation. Per NC General Statutes, the applicant can revise a rezoning request based upon feedback from the Planning Board. Planning Board has 30 days to make a recommendation of approval or denial of the request to the governing body. After 30 days, the applicant has a right to seek action from the governing body. A lack of action by the Planning Board shall result in a Planning Board recommendation with no vote.

Justin Parker, representing the applicant Al Neyer, spoke to the Planning Board and meeting attendees. He indicated that the revisions to the master site plan over the last couple of months have culminated from comments and feedback received from the Board and the public and proceeded to highlight the various revisions. He elaborated on the findings from the traffic impact analysis (TIA) that indicated that the traffic counts for the proposed use are relatively low for an industrial use and are lower than the traffic that would be generated if the site were developed for single family use. He also emphasized that the use of the property would create jobs and generate tax revenue and noted that Neyer is excited to be a good development partner and a good neighbor in Mebane.

At the conclusion of the Applicant presentation, Chairman Tulauskas asked for any public comments to be shared.

Audrey Vogel read aloud the following written comment received Patricia O'Connor, 1011 Squires Rd:

*January 11, 2021*

*Dear Planning Board Members,*

*I am writing to express my concerns about the plan to change zoning on the property at 6016 West Ten Road. I bought my home on Squires Road, just off West Ten Road, eleven years ago. After hearing of plans to industrialize on the road, but before purchase, I researched the zoning on West Ten Road and learned that the north side of the road was zoned for light industrial and that the south side was zoned Residential/Ag. While I wasn't thrilled about the prospect of living across from an industrial*



*property, I figured it was a price I was willing to pay for living in this lovely semi-rural setting, and began investing in my home as I was able.*

*Last year, the Mebane City Council approved changing the zoning of the property on the south side of West Ten Road directly across from (and purchased by) the Medline Company. Medline agreed to limit the development on the south side to one of approximately 25 projects that THEY felt would not be disruptive to nearby neighbors. (Those projects can be found in a December 2019 communication from Medline Industries to the City Council.) I can assure you that most of those projects would clearly be disruptive to adjacent neighbors.*

*Now Mebane is again looking to change zoning on the south side of West Ten Road. If this is allowed, then the residential wooded community on Winchester and Squires Roads, could be surrounded on 3 sides by industrial developments, and the residents in Preston Loop, nearly engulfed. It would clearly impact the quality of life for surrounding residents and likely impact home values in a negative way. Would any of you choose to live surrounded by noise and light pollution, diesel fumes and severely impeded traffic flow in an industrialized neighborhood? The Medline warehouse alone is slated to have 600 employees and could have as many as 200 truck trips, in or out, daily. I can assure you that if you proceed with rezoning this additional property, where yet another fairly large warehouse is proposed, having coffee on my back porch in the morning will no longer be calming or enjoyable.*

*Another potential problem could be a decrease in the water flow to nearby Winchester Way and Squires Road properties where residents are dependent on wells and aquifer recharge since the current development plan directs most storm water runoff to retention ponds on the west edge of the property.*

*This property in question is in Orange County and subject to the Orange County UDO. Are you familiar with the guiding principles? Some of them are: Natural Area Resource preservation; Preservation of rural land use pattern; Water resources preservation; Preservation of community character. Have the Orange County Board members been consulted regarding this plan?*

*I would ask two things before recommendation for a zoning change is voted on. 1) That you make a sight visit to the area to look at the lay of the land and current development and 2) that you request a real estate impact study to determine the potential effects that all actual and proposed development will have on the surrounding properties. Like many, my home is my most valuable asset and the thought of having my property value decline is both discouraging and frightening.*

*The phrase "by design" has 2 different meanings: it can mean a plan with a specific purpose OR it can mean to obtain something desired, typically in a secret and dishonest way. I truly hope that Mebane by Design operates on the first premise and that more creativity and imagination is used in planning in and around established and beautiful rural residential communities.*



*Respectfully,  
Patty O'Connor*

Aimee Tattersall, 1133 Squires Road, was called upon to speak. Ms. Tattersall commented on the TIA findings and the impact of traffic on West Ten Road. Ms. Tattersall also commented on the project in relation to the Buckhorn Area Plan, asking what authority enables the Buckhorn Area Plan and annexation of properties outside of its Jurisdiction. Cy Stober answered that NC General Statutes, Article 160A, allows municipalities to annex property up to 3 miles from their contiguous city limits so long as they can extend and provide utilities.

Ms. Tattersall asked about the traffic study and the property in relation to the Medline Project. Justin Parker responded that he is unable to comment on Medline but offered that their traffic consultant, Josh Reinke, could answer questions about the subject property. Mr. Reinke confirmed the estimated number of daily trips to be generated from the site. In addition, he confirmed that the level of service for the West Ten Road and Buckhorn Road intersection is acceptable. Ms. Tattersall expressed sadness about the project.

Fiona Johan, 5016 Johan Lane, commented that she agreed with the statements and sentiments expressed in Patricia O'Connor's letter. Ms. Johan also expressed concern that this project will set a precedent for the area and frustration about the role and relationship between county planning and city planning.

Kurt Pearson asked the applicant to confirm that the build condition of the proposed project performed at a "B level of service." Mr. Reinke elaborated on the level of service and that the project does not come close to meeting the national MUTC thresholds to require a traffic signal.

Kurt Pearson asked about the potential of future development to "trigger" the need for a traffic signal, and what that process would look like. Cy Stober elaborated on the City's TIA requirements and review process, indicating that the city requires a TIA for developments that produce 100 peak hour trips, 100 trips per day, or for another reason that the City deems appropriate. Cy also pointed out that COVID-19 has disrupted the traffic counting process and these analyses have had to use best available data from 2019. He noted that the scope of work for project may include a "signal warrant analysis" to make a determination of whether a traffic signal would be necessary for the intersection. Mr. Reinke elaborated on the technical processes for signal warrant analyses.

Kurt Pearson expressed that it is important for the public to understand that the traffic analysis process in Mebane is effective and reasonable. Mr. Pearson then asked the applicant about the outdoor storage use shown on the master site plan. Justin Parker responded that it was intended for a potential minor tenant driven use, such as a storage pod.



Lori asked the applicant about plantings within the gas line easement on the property. Tim Summerville, confirmed that planting is not allowed in the easement and it does overlap with the 100 foot buffer, so in that area they may only plant within the easement line and the property line. He indicated that they included 3-foot berms to provide additional screening and noise buffering. Ms. Oakley noted that on the northside of the property the buffer is significantly reduced because of this. Mr. Summerville indicated that the landscaping would meet the requirements.

Kurt Pearson indicated that he was prepared to make a motion and ask if there were any more public comments.

David Squires was called upon to speak at this time. Mr. Squires expressed concerns about trucks turning in and out of the site, and potential safety issues for passenger vehicles on the same road. Josh Reinke responded, indicating that those concerns were taken into consideration in the design of the site, including turn radii, site distance, turn lanes, and right-in right-out driveway design. Justin Parker indicated that the site was designed with Mr. Squires' concerns in mind to promote safety.

Fiona Johan asked about the potential tax revenue from the proposed site as compared to the loss of the real estate value of the surrounding homes the area. Ms. Johan also indicated that the project is not "positively charming."

Kurt Pearson thanked the public for their input and the Al Neyer team for incorporating the concerns of the board and the public. Mr. Pearson then made a motion to recommend the approval of the M-2(CD) zoning request as presented, finding that it is consistent with the objectives and goals in the *Mebane By Design* CLP. Mr. Pearson noted that the plan serves CLP growth management goal 1.7 through the support of industrial development near I-40 and I-85, and aligns with the Industrial Primary Growth Area. He also cited that pending approval by the Mebane City Council, the site is a top tier property within the Buckhorn Area Plan. Kevin Brouwer seconded the motion. The motion passed unanimously per a roll call vote.

Chairman Tulauskas indicated that the request will go before the Mebane City Council on Monday, February 1<sup>st</sup>. Cy Stober added that the property will be posted, letters will be mailed to property owners within 300 feet of the site and the hearing will be advertised in the local paper.

## **5. Lowes Boulevard Corridor Plan**

The City of Mebane 2040 Comprehensive Transportation Plan (CTP), which was adopted in May 2018, recommends "Roadway Project #7" (p. 78), the planning and construction of a roadway to connect Lowes Boulevard with Trollingwood-Hawfields Road and NC 119. As identified in the CTP, construction of a new roadway is expected to improve connectivity and relieve congestion in a well-traveled area that includes a congested, high-crash intersection at Trollingwood-Hawfields Road and



NC 119 that currently has a Level of Service (LOS) F, as rated by the NC Department of Transportation. Both NC 119 and Trollingwood- Hawfields Road have LOS D at this location that could be addressed through congestion relief and safety improvement. The Lowes Boulevard Corridor Plan proposes several concepts for extending Lowes Boulevard. The proposed extension of Lowes Boulevard is intended to decrease the number of vehicles traveling through the intersection of Trollingwood- Hawfields Road and NC 119. Additionally, the proposed concepts include a multi-use path to improve bicycle and pedestrian access in the area, particularly to Hawfields Middle School and Garrett Elementary School.

A virtual public engagement website went live Monday, December 7, 2020. Since then, residents, businesses, and property owners in the area as well as the general public have been invited by letters, postcards, and social media posts to attend a virtual public input session on January 7 and complete a survey by January 22.

Ashley Ownbey shared a brief PowerPoint introducing the Lowes Boulevard Corridor Plan. Ms. Ownbey emphasized this planning effort is not a construction project, and that it will serve as a long-range plan to provide guidance for potential development pursuits in the study area.

Devyn Lozzi, Project Manager at Ramey Kemp, presented the plan in greater detail by explaining the technical design process and describing each development of the 4 development concepts. Ms. Lozzi noted that concept 4 is a new design that was developed as a product of public input is therefore not yet shown on the public engagement website. In addition, Ms. Lozzi provided an update on the preliminary public data collected from the online survey.

Ed Tulauskas asked if design concept #4 would be available for the public to provide input online. Ms. Lozzi indicated that the design would be shared online, but they are working on a solution to address the public survey as many people have already completed the survey without option 4 included.

Kurt Pearson asked if any of the three-lane design section concepts included roundabouts? Devyn Lozzi responded that any of the concepts could be made to accommodate a three-lane section, including a roundabout.

Kurt Pearson strongly encouraged the use of roundabouts and elaborated on their ability to improve the flow of traffic.

Lori Oakley commented that she also prefers roundabouts as well. Ms. Oakley asked about the mobile home park shown in the study area. Cy Stober indicated that staff planned to avoid impacts to the mobile home park, but the owner of the property indicated a preference for the design as shown on concept 4.



Devin Lozzi clarified at concept 4 could accommodate a roundabout.

Kevin Brouwer asked about considerations for school traffic and any potential back up during peak hours, adding that a traffic circle may make it difficult to traverse the area during these peak hours. Devin Lozzi responded that they did include a traffic analysis in the development of each concept, noting that COVID19 conditions do not allow for real time school traffic counts. She noted that queuing for pick up would likely not back up on to Lowes Blvd. Judy Taylor added in that the Middle School has a very long driveway that is set up to accommodate for queuing within the school property. Ms. Lozzi added that roundabouts can be designed with “slip lanes” to allow for even greater traffic flow.

Judy Taylor commented that the concept 4 design opens up to allow for more area to developed as a potential commercial area. Cy Clarified that this is the reason for the property owners’ preferences for Concept 4.

Cy Stober clarified that a Lowes Boulevard design concept would be submitted as a single project in the even that the City moves forward to pursue state funding, but if it is to be built by developers it would be a more “piecemeal” approach.

Kurt Pearson asked about the cost of concept. Cy Stober clarified that the cost for concept 4 presented on the PowerPoint, 4.7 million, does not include roundabouts. Judy Taylor commented that the cost estimate is inclusive the costs associated as “Phase 2” on concepts 1 and 2. Kurt Pearson indicated that a roundabout is critically important and in terms of cost he would rather see a plan that includes roundabouts with the northern phase to be built by developers, as opposed to an option without roundabouts.

Mr. Pearson then asked Cy Stober to clarify the suggested motion for the Board. Cy Stober explained that the Board’s recommendation is intended to provide guidance to council on the Board’s preferred concept alignment and preference for median or turn lane.

Judy Taylor commented that concept 4 with the inclusion of roundabouts would be a preferred and cost-effective measure as it includes the cost for the northern portion that is identified as “phase 2” in other concepts. Kevin Brouwer added that while business development is a positive aspect of option 4, it may produce more traffic. Judy Taylor noted that the “quadrants” in option 4 appear as though they would pull traffic away from NC 119.

Kurt Pearson asked if the Board could vote on the preference for roundabouts. Cy Stover clarified that the board could make a “non-action” vote for this matter. Kurt Pearson expressed support for roundabouts and the members of the Board shared the same sentiment.



Ed Tulauskas welcomed input from the Public.

Harry Isley, a property owner within the study area, commented on his family's role in developing the south side of Mebane and that they have an interest in the future of the area. Mr. Isley added that he liked roundabouts, but option 1B would not work because a roundabout near Lowes would inhibit trucks from being able to back into the truck bays. He also indicated that it would encroach on their 4 acres of property. He noted that his initial preference was for concept 1A, but that option 4 would be even better by providing additional frontage for development.

Carolyn Isley commented to reiterate Mr. Isley's points and added that Harry and Mack Isley have had a very long-term vested interest in the City of Mebane. She noted that her family is supportive of the plan, traffic circles, and encouraging improved traffic flow, but wanted to emphasize the importance of taking the property owners and the age of the existing properties into consideration.

Ginny Flint, 2000 Old Hillsborough Rd, commented on the traffic that backs up from student drop off at the middle school in the mornings. She requested that this be taken into consideration so that people are still able to turn left when the road is backed up to turn right towards the school. Cy Stober noted that this concern is a comment to be considered for the NC 119 DOT widening project that is in its early stages.

Chairman Tulauskas asked for any additional questions or comments.

Lori asked to look at concept 4 again. Kurt Pearson indicated that option 4 would not have the roundabout issue that Mr. Harry Isley expressed concern about. Mr. Isley commented in agreement.

Kurt Pearson commented that he preferred concept 4 with the three-lane section and a roundabout in the middle. Keith Hoover, Judy Taylor, and Kevin Brouwer agreed. Lori Oakley commented that she liked the layout but had a reservation about displacing the mobile home park, with those tenants in mind.

David Squires, the owner of the mobile home park, noted that the property owners did not explicitly pick option number four, but asked for an option that allowed for maximum flexibility for the development of the properties involved as opposed to a pre-set route.

Cy Stober responded that per the City's adopted plans, Staff is flexible about the location of the road provided that no new property owners are affected by realignment of a proposed road and that it serves its purpose for the development as well as for the city. However, the City is inflexible on and what has to go back to a public hearing would be a proposed road that would affect additional property owners not identified in the plans.





Mr. Squires indicated that he understood the project would take 5-7 years through the City and may happen sooner should a developer take on the project and in that case the property owner would like flexibility in that development process. Cy Stober confirmed that his understanding was correct, and they are on the same page.

Martin Shoffner, 1468 Trollingwood Hawfields Rd, attempted to speak but experienced technical difficulties. He noted in the chat box that most of his concerns were addressed.

Judy Taylor made a motion to recommend Concept 4 to council with an addition of roundabouts. Keith Hoover, Kurt Pearson, and Kevin Brouwer voted in favor. Lori voted in favor of recommending plan, but not in favor of Concept 4, with a preference for option 3.

Chairman Tulauskas indicated that the request will go before the Mebane City Council on Monday, February 1<sup>st</sup>. Cy Stover added that planning staff has treated the project as a public hearing and has made a diligent effort to notify property owners and tenants.

#### **6. New Business**

Audrey Vogel shared information about the open position on the City of Mebane Bicycle and Pedestrian Advisory Committee.

Cy Stober also provided an update to the Board on the City's effort to update the Unified Development Ordinance.

#### **7. Adjournment**

There being no further business, the meeting was adjourned at 8:30 p.m.