



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

**Members Absent:** Thomas Vinson

**Also Present:** Montrena Hadley, Planning Officer, and Cy Stober, Development Director

**1. Call to Order**

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

**2. Approval of November 12, 2019 Minutes**

Vice Chairman Judy Taylor made a motion to approve the minutes from the November 12, 2019 meeting. Larry Teague seconded the motion which passed unanimously (8-0).

**3. Request to Rezone +/-0.069 Acres Within the North Carolina Industrial Center (NCIC) and Adjacent to 2025 Development Center Drive (Airgas USA) From M-2 (Light Manufacturing) to M-1 (Heavy Manufacturing) From Airgas USA, LLC**

**RZ-20-01**

Staff presented an application/tax map from AIRGAS USA, LLC, 259 North Radnor-Chester Road, Radnor, PA 19087 requesting approval to rezone +/-0.069 acres located within the North Carolina Industrial Center (NCIC) from M-2 (Light Manufacturing) to M-1 (Heavy Manufacturing) as part of a recombination with the property owned by AIRGAS USA, LLC, for their production facility located at 2025 Development Center Drive. The property is needed to accommodate the stormwater control measure for the facility. The applicant owns the property. The property is located within the City's Extra-Territorial Jurisdiction (ETJ). AIRGAS USA has submitted a petition for annexation. The property is also identified as Alamance County GPIN #9815215333-TM#10-12-7. Morgan Beam, with Samet Corporation, attended the Planning Board meeting to answer any question in regards to this application.

Cy Stober, Development Director, provided a brief overview and PowerPoint of the request.

Morgan Beam, Market Development Manager, with Samet Corporation, 5420 Wade Park Blvd., Suite 104, Raleigh, NC 27607, provided a brief overview of the rezoning.

Chairman Edward Tulauskas asked if there were any questions or comments concerning this request from the Planning Board and there were none.



Chairman Edward Tulauskas asked if there were any questions or comments concerning this request from the public and there were none.

Kurt Pearson made a motion to recommend approval of the rezoning as follows:

1. Motion to **approve** the M-1 rezoning as presented; and
2. Motion to find that **the application is consistent** with the objectives and goals in the City's 2017 Comprehensive Land Development Plan *Mebane By Design*. The request:

- Is for a property within the City's NCIC and is serving the stormwater management needs of a previously-approved project (Mebane CLP, pp.43 & 46);
  - Serves Mebane CLP Growth Management Goal 1.7 by "...support[ing] industrial development at existing industrial parks near I-40/85. (pp.17 & 84);
- Gale Pettiford seconded the motion, which passed (8-0).

**4. Request to Rezone +/-5.61 Acres Located at 7920 East Washington Street From R-20 (Single Family Residential) to B-2 (CD) (General Business Conditional Zoning District) From Aubrey & Celine Meador**

**RZ-20-02**

Staff presented an application/tax map/site plan from Aubrey and Celine Meador, 408 South Fifth Street, Mebane, NC 27302 requesting approval to rezone the +/-5.61-acre property located at 7920 East Washington Street from R-20 (Single Family Residential) to B-2(CD) (General Business Conditional Zoning District) to allow development as "The White House". Per the Mebane Unified Development Ordinance, a site plan that will apply to the property has been provided by the applicants and is included in the packet. Any significant changes to the property will require a formal amendment to the conditional zoning district within a public hearing. The Meadors own the property and have proposed to limit its use to the 21 proposed uses noted on the site plan, which will apply to the conditional zoning district. They are requesting the following waivers:

- 1) 42 parking spaces required; 34 provided;
- 2) Exemption from Mebane UDO 6-4.4.C (4) requiring curb and gutter for more than 12 parking spaces;
- 3) Exemption from Mebane UDO 6-4.4.C (1) requiring paving of all driveways and parking areas;
- 4) Exemption from removing the embankment and stone column from the western driveway sight triangle;
- 5) Exemption from providing the Type B landscaping buffers required in the Mebane UDO 6-3 and 4-7.6.M, as noted on the site plan; and



- 6) Exemption from providing the landscape buffers of adequate width and type, as required in the Mebane UDO 6-3 and 4-7.6.M, in exchange for preserving the front lawn area and the existing conditions within the buffer areas.

All development standards not requested by the applicant and waived by the appointed and elected bodies of the City of Mebane will have to be complied with upon application of a Zoning Permit and/or Business Occupancy Permit for a specific use from the City of Mebane Planning Department. The intended primary use of the property (“Retreat/Conference Center”) will satisfy the development standards of 4-7.6.M, excepting those identified above as waiver requests.

The Technical Review Committee (TRC) has reviewed the site plan and the applicant has revised the plan to reflect the comments. The property is located within the City’s Extra-Territorial Jurisdiction (ETJ). The property is also identified as Orange County GPIN #9825329585. The applicants attended the Planning Board meeting to answer any question in regards to this application.

Cy Stober, Development Director, provided a brief overview and PowerPoint of the request.

Aubrey Meador, owner of the property, provided a brief overview of the request. He explained that the existing house was built in 1890, had been vacant for 10-15 years, that they renovated it as a house first, but now would like to rezone the house for events such as parties, weddings, teas, bridal showers as well as private and corporate events, and to maintain the historic feel. He concluded with before and after photos.

Chairman Edward Tulauskas asked if there were any questions or comments concerning this request from the Planning Board.

Kurt Pearson stated you have listed other uses.

Aubrey Meador explained there would be no cooking and that his wife Celine owns The Downtown Table restaurant which will provide catering so I named a restaurant just in case.

Kurt Pearson replied you’ve asked for so many waivers.

Aubrey Meador explained each of the waiver requests.

Kurt Pearson replied you say you don’t want to look like a business but you’re rezoning to business.

Aubrey Meador further explained.

Lori Oakley replied since this is a principle use maybe waive accessory use, swim center.

Aubrey Meador replied we would like to host weddings and teas offering a house feel setting.



Kurt Pearson replied once it's approved, it's approved, it's not compatible, too much noise with a band, it's not conducive to R-20, and the City's hands would be tied.

Celine Meador, owner of the property, replied this would not be a rowdy place, it has beautiful antiques, it's a nice wonderful addition to the town, and we've been working on this for two years.

Lori Oakley asked can we condition to the principle use?

Cy replied yes by amending the site plan.

Aubrey Meador stated R-20 is listed for a retreat center if it meets the guidelines.

Cy Stober replied it's not R-20 but RA-20.

Kurt Pearson replied I think a place in Burlington has this problem.

Larry Teague asked how will you handle the septic system since you're not annexing, will you use port-a-johns, and how will this affect the neighbors?

Kurt Pearson asked will this be a permanent trailer but not stay there?

Celine Meador replied it has four bedrooms and they're looking at it.

Aubrey Meador replied the neighbors wouldn't see it because it'll be located in front of the handicap space.

Kurt Pearson replied I'm concerned about the location.

Lori Oakley expressed concerns about the location.

Aubrey Meador explained it will be opaque in the summer, semi-opaque in the winter, you can't see it.

Kurt Pearson stated what if you decide to sale it and the new tenants cut the trees. There are just so many waivers.

Larry Teague inquired about the gravel parking and gravel driveway.

Kurt Pearson inquired about the watershed.

Cy Stober replied the applicants volunteered to use gravel.

Vice Chairman Judy Taylor inquired about the existing conditions.

Cy Stober explained they're offering to maintain the existing conditions by maintaining the buffer.



Aubrey Meador replied it's thick, 10'-15' wide with under growth.

Kurt Pearson replied I'm really not trying to give you a hard time, but we have to consider all the issues, business creeping, the surrounding zoning, it just doesn't fit in, it changes the whole landscape of the area, to me, it's too intrusive, you could hear loud music every Saturday and that can be a nuisance, it's beautiful, and I'm glad you bought it.

Celine Meador replied it's very beautiful!

Kevin Brouwer stated my concern is the other permitted uses and so many waivers.

Larry Teague commented this needs to be more focused before going to City Council. It is a beautiful property.

Lori Oakley inquired about the waiver from removing the embankment and stone column from the western driveway sight triangle.

Aubrey Meador replied we met with NCDOT today to discuss those issues. We cut the embankment the best we can.

Kurt Pearson stated others might want to rezone.

Cy Stober added the city doesn't and can't issue driveway permits that's why they're requesting a waiver from the UDO.

Larry Teague asked have you meet with Orange County?

Aubrey Meador replied yes; Orange County will do a test and an engineer study for flow.

Vice Chairman Judy Taylor inquired about the noise ordinance.

Cy Stober explained that the city is qualitative, the neighbors decide the time since there is no time limit, and the police handles those calls.

Vice Chairman Judy Taylor asked what time is considered reasonable.

Cy Stober replied not after 10pm and not before 8am. The police powers matter but it's not in the ordinance.

Lori Oakley asked will you reduce some of the uses?

Aubrey Meador replied yes; we just want an event center.

Kurt Pearson stated look at the zoning map, can you say the use fits in?



Aubrey Meador replied the property values have increased.

Kurt Pearson replied properties all over Mebane have increased.

Celine Meador replied maybe a covered pavilion.

Kurt Pearson replied a pavilion scares me.

Lori Oakley asked how do you feel about keeping the existing zoning and tie it to the uses?

Cy Stober replied they can do an amendment.

Lori Oakley asked conditions with a timeframe?

Cy Stober read the development standards for RA-20 event center.

Kurt Pearson replied the uses around you are residential and not compatible.

Lori Oakley replied the other properties could rezone.

Aubrey Meador asked what would our request look like then?

Kurt Pearson replied it means you would start the process over.

Cy Stober replied I would have to seek the city attorney.

Kurt Pearson inquired about restrictions.

Aubrey Meador asked can we take these extra uses off?

Cy Stober replied you would have to come back to City Council for any changes.

Aubrey Meador replied I'd like to eliminate some of the uses.

Cy Stober stated you could keep some uses like fence, sign, wall, arts and crafts shows.

Aubrey Meador replied events end at 10 p.m. and pack up and leave between 10pm-11pm.

Celine Meador replied we can delete swim & tennis club, arts and crafts shows, concerts, and restaurant.

Aubrey Meador replied we can keep arts and crafts shows, bed and breakfast.

Kurt Pearson replied add time restrictions.



Aubrey and Celine Meador replied yes.

Cy Stober replied the police will enforce since outside city limits and not inside city limits.

Kurt Pearson added City Council can amend the restrictions.

Chairman Edward Tulauskas asked if there were any questions or comments concerning this request from the public.

Curtis E. & Jeanette S. Sellars, 200 S. 11<sup>th</sup> Street, stated we live within a 300' radius and we can see the place, it's very pretty, how will it affect us, our property taxes, traffic, big trucks are tearing up our street now.

Kurt Pearson asked how do you feel about hearing bands, concerts?

Jeanette Sellars replied yes, some things do bother us, the townhouses across the street from us has lots of noise, and I'm concerned about the safety of the pond on the property.

Curtis Sellars replied we're concerned about trash at the townhouses, people just don't care.

Lori Oakley inquired about parking.

Aubrey Meador explained the parking layout and shuttle service.

Cy Stober explained the parking waiver.

Kurt Pearson replied it's not harmonious and I'll vote against it.

Vice Chairman Judy Taylor inquired about the occupancy limit.

Aubrey Meador replied not yet but the fire chief has looked at it.

Vice Chairman Judy Taylor made a motion to recommend approval of the rezoning as follows:

1. Motion to **approve** the B-2(CD) rezoning with the following two conditions:
  - Primary Uses - Retreat/Conference Center, Accessory Uses and Structures (Customary), Bed and Breakfast or Tourist Home, Signs, Swimming Pool, and Arts and Crafts Shows
  - Noise Restriction – Outside activity noise will cease at 10 p.m.
2. Motion to find that **the application is consistent** with the objectives and goals in the City's 2017 Comprehensive Land Development Plan *Mebane By Design*. The request:

- Is a conditional rezoning request that limits its potential "General Business" uses to ones that will use the existing residence for business purposes, thereby being largely harmonious with the residential area and minimizing negative impacts;



- Is for a property within the City’s G-4 Secondary Growth Area and is “...generally residential and commercial in nature...” (Mebane CLP, p.66);
  - Serves Mebane CLP Growth Management Goal 1.2 by “...support[ing] historic Downtown Mebane’s culture: aesthetic, walkability, bikeability, shopping, dining, and housing options.”. (pp.17 & 82);
- Gale Pettiford seconded the motion, the motion failed by a split vote (4-4). Chairman Edward Tulauskas, Vice Chairman Judy Taylor, Gale Pettiford, and Kevin Brouwer voted in favor of the motion. Larry Teague, Keith Hoover, Lori Oakley, and Kurt Pearson voted in opposition of the motion citing the following four reasons:
- Not in harmony with the area
  - Not in favor of B-2 commercial zoning
  - Concern of proposed uses
  - Concern of lack of buffers

## 5. New & Other Business

- a. Lowe’s Boulevard Corridor Plan - Cy Stober informed the board that the city is applying for \$50,000 MPO funds in March for Hwy 119 South to Hwy 54 and has fast tracked the RFP for \$25,00 for Hwy 119 South to Trollingwood-Hawfields Road.
- b. Buckhorn Area Plan – Cy Stober informed the board that the plan is underway.
- c. Mebane UDO RFQ – Cy Stober informed the board that the state requires an update every 10 years and it has to be revised and updated in January 2021 per Chapter 160D.

Cy Stober informed the board that the City Council approved the Medline rezoning request on January 6, 2020 and the annexation request on December 2, 2019.

Cy Stober informed the board that the City of Mebane was approved for the NC Main Street Program effective August 2020 and that the City of Graham was accepted too.

Cy Stober provided an update on the Burlington-Graham MPO Metropolitan Transportation Plan. The website is <http://www.bgmpogettingthere2045.com/> for “Getting There 2045”. Once complete, this plan will establish the future vision for the region’s transportation system and lay out strategies to help achieve this vision over the next 25 years. The next BGMPPO Public Meeting is scheduled on Tuesday, January 14, 2020, 5–7 p.m., Gibsonville Community Center, 314 Tenth Avenue, Gibsonville, N.C. Another public meeting will be held on March 10, 2020.

Kurt Pearson inquired about the Mebane Oaks Road proposed road improvements and the proposed traffic light at London Lane.

Cy Stober provided a brief update.

## 6. Adjournment

There being no further business, the meeting was adjourned at 7:50 p.m.