



**Mebane Planning Board Virtual Meeting
Minutes to the Meeting**

Glendel Stephenson Municipal Building
May 11, 2020
6:30 p.m.

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

Members Absent: Kurt Pearson

Also Present: Montrena Hadley, Planning Officer, Cy Stober, Development Director, and IT Director, Kirk Montgomery

1. Call to Order

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

The Planning Board meeting tonight will be held virtually. For those wishing to view the meeting via YouTube live stream, please visit the following link:

<https://www.youtube.com/channel/UCoL1RXdRDMzK98p53TMoqww>

The City of Mebane will be maintaining measures in its ongoing effort to mitigate the spread of COVID-19. These measures include barring physical attendance at the meeting, employing social distancing, and implementing remote participation. We will be providing information on meeting participation and accessibility on the website and Facebook page.

2. Approval of March 9, 2020 Minutes

Thomas Vinson made a motion to approve the minutes from the March 9, 2020 meeting. Gale Pettiford seconded the motion which passed unanimously (8-0).

3. Request to Rezone +/-3.32 Acres (5 Parcels) located at 1218 S. Fifth Street (+/-0.65 acres), 1228 S. Fifth Street (+/-0.77 acres), Two Vacant Lots on S. Fifth Street (+/-0.87 acres; +/-0.59 acres), and a Vacant Lot on NC 119 Hwy (+/-0.44 acres) from R-20 (Single Family Residential) to B-2 (General Business) from Dogwood Properties Development Corporation

RZ-20-05

Staff presented an application/tax map from Dogwood Properties & Development Corporation, 1612 Aurora Place, Wilmington, NC 28403 requesting approval to rezone five (5) properties totaling +/-3.32 acres located at 1218 and 1228 South Fifth Street, as well as two (2) adjacent, unaddressed properties on South Fifth Street and one (1) unaddressed property on NC 119, from R-20 (Single-Family Residential) to B-2 (General Business). The properties are currently vacant lots, some with unoccupied dwellings on them. Their property boundaries were redefined



through the right of way acquisition process to support the NC 119 Bypass transportation improvement project. The properties are in the G-4 Secondary Growth Area but adjacent to the G-1 Mixed Use (III) Cameron Lane Primary Growth Area. They are also <1,000' from the Interstate 40/85 interchange and isolated from nearby properties by the NC 119 Bypass and widened South Third Street. Those properties are single-family residences to the north, east, and south; and commercial to the west and southwest. The property is located within the City of Mebane's Corporate Limits. The property is also identified as Alamance County GPIN 9814451870, 9814359762, 9814357699, 9814356678, and 9814358953. Tony Tate, owner of the property, 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.

Tony Tate, owner of the property, and also with TNT Landscaping, Durham, NC provided a brief overview of the rezoning request. He further explained that he has revised his application to B-2 from the B-2(CD) request he had presented back in March which was denied because he didn't have a site plan. Your recommendation was for us to come back and we've decided to come back to market it as commercial. We've been trying to acquire these properties since the 1990's and now the bypass comes 23 years later so we're trying to clean up the zoning and zone it all the same. He concluded NCDOT took away the septic and now sewer is available so we're trying to clean up properties and the zoning.

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

Lori Oakley replied I had opposed the B-2(CD), but I agree to this B-2 with the location, proximity to the thoroughfare, and surrounding commercial.

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

Lori Oakley made a motion to recommend approval of the rezoning as follows:

1. Motion to **approve** the B-2 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 G-4 Secondary Growth Area and is "...generally residential and commercial in nature..." (Mebane CLP, p.66).

Keith Hoover seconded the motion, which passed unanimously (8-0).

4. **Request to Rezone +/-1.26 Acres of +/-8.10 Acres Located at Mebane Oaks Road, Lot 3 From R-20 (Single Family Residential), CU-B-2 (Conditional Use – General Business) to B-2(CD) (General Business Conditional Zoning District) from Hendon Properties, LLC.**
RZ-20-06



Staff presented an application/tax map/site plan from Hendon Properties, LLC, c/o Mark Tiller, 3445 Peachtree Road, Suite 465, Atlanta, GA 30326 requesting approval to conditionally rezone +/-1.16 acres of +/-7.57 acres located on Mebane Oaks Road adjacent to Chick-Fil-A within the Extra-Territorial Jurisdiction (ETJ) from a split-zone R-20 (Single Family Residential) and CU-B-2 (Conditional Use – General Business) to B-2(CD) (General Business Conditional Zoning District). The developer proposes to develop the property for two detached commercial buildings that will be primarily served by traffic on Wilson Road Extension. The developer is offering to restrict the business uses of the property. Hendon Properties, LLC, has the property under contract. The developer has provided a site plan that will apply to the conditional zoning district. The site plan was reviewed by the Technical Review Committee and was revised based upon feedback.

The developer will be required to make all of improvements at his own expense except those noted on the site plan as being a NCDOT responsibility for the transportation improvement project I-5711 to widen Mebane Oaks Road. The property is also identified as Alamance County GPIN 9824046036. Mark Tiller, with Hendon Properties, LLC, 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.

Mark Tiller, Development Partner, with Hendon Properties, LLC, provided a brief overview of the rezoning request.

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

Lori Oakley inquired about the waiver request for a 15' side yard reduction on the south side of the site per their application.

Cy Stober explained that the UDO allows a small lot exemption and it was determined through the TRC process that a waiver is not needed for the side and that the aggregate averages 15'.

Lori Oakley addressed the proposed uses such as drive thru's being prohibited.

Mark Tiller replied sales, dental, 1,500 square foot space but no commitments yet. The two large spaces have signed.

Lori Oakley stated a bank, drug store, car lot, hotel, car washes don't fit this site; will you remove these or want to keep them.

Mark Tiller replied maybe in the future there could be a bank or other one of these may want to come in the future.



Lori Oakley asked with the future road expansion, will that be wider since they want a front waiver?

Cy replied there are plans for final improvements; maybe some small field changes.

Mark Tiller replied there was a dedication of 10' for Chick-Fil-A and then for our lot, that's why we asked for the waiver.

Lori Oakley asked does the parking meet the UDO?

Cy Stober replied yes.

Lori Oakley replied I have some concerns about some of the uses, hotel, etc.
Cy Stober replied a new public hearing would be required for changes.

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

Thomas Vinson made a motion to recommend approval of the rezoning as follows:

1. Motion to approve the B-2(CD) 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 G-4 Secondary Growth Area, which is intended to be "...generally residential and commercial in nature..." (Mebane CLP, p.72);
 - Serves Mebane CLP Growth Management Goal 1.6 by providing a bike rack on site and dedicating right of way to NCDOT to sidewalk on Mebane Oaks Road that will connect the property to other business and neighboring residences (pp.17 & 84);
 - Serves Mebane CLP Public Facilities and Infrastructure Goal 2.1 by providing right ow way on Mebane Oaks Road that improve pedestrian safety and access (pp.17 & 84); and
 - Implements the Mebane Oaks Road Transportation Improvement Plan along its frontage; or
- Vice Chairman Judy Taylor seconded the motion, which passed unanimously (8-0).

5. **Request to Rezone +/-3.85 Acres Located at 101 & 103 South Fifth Street From M-1 (Heavy Manufacturing), B-3 (Neighborhood Business) to B-2 (CD) (General Business Conditional Zoning District) From Buffaloe Brothers Investments, LLC**
RZ-20-07



Staff presented an application/tax map from Buffalo Brothers Investments, LLC, 513 Birchleaf Drive, Raleigh, NC 27606 requesting the conditional rezoning of two properties totaling +/-4.90 acres at 101 & 103 South Fifth Street from M-1 and B-3 to B-2(CD) to bring the lots into conformance. Buffalo Brothers Investments, LLC, owns the properties and proposes to introduce new tenants that will significantly change the traffic volumes. They are proposing to restrict the permitted uses for the conditional zoning district. The rezoning of the property will also bring it into conformance for existing uses and place the onsite sanitary sewer lift station within a municipal maintenance and landscaping easement. The applicant is requesting that the existing conditions on the properties be permitted to persist as a blanket condition of the zoning district. There are no proposed improvements to the property. The owner will be required to restripe the parking lot and make any improvements to the property that are necessary in the future. Significant changes to the properties will require a public hearing to amend the conditional zoning district. The site plan was reviewed by the Technical Review Committee and was revised based upon feedback. The property is also identified as Alamance County GPIN 9825134492, 9825133632. Michael L. Stewart, Engineer, with Stewart-Proctor, PLLC, attended the Planning Board meeting to answer any question in regards to this application.

Chairman Edward Tulauskas inquired about combining Items 5 & 6 for discussion. Gale Pettiford made a motion to recommend combining both Items 5 & 6 for discussion. Vice Chairman Judy Taylor seconded the motion, which passed unanimously (8-0).

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

Michael L. Stewart, P.E., with Stewart-Proctor, PLLC, Engineering & Surveying, 319 Chapanoke Road, Suite 106, Raleigh, NC 27603 provided a brief overview of the rezoning request. He explained that they want to clean up the site to current uses, restrict several uses, keep existing conditions, and add no new structures.

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

Lori Oakley stated this location is the gateway to downtown, but I'm concerned about some these uses such as RV's, Boat Sales, etc.

Michael Stewart replied some of these uses may have slipped by us.

Lori Oakley continued other uses such BNB, Nursing Homes, Hotel, Motel, Orphanage.

Michael Stewart replied I thought we had gone over the uses; a hotel might be good.

Lori Oakley continued garage uses, taxi terminal under Transportation, Warehouses, & Utilities.



A brief discussion ensued.

Michael Stewart replied we will take off Bicycle and Motorcycle Sales, Boat Sales, Orphanage, and Taxi Terminal. He concluded we will make these changes and resubmit.

Kevin Brouwer asked are any waivers listed?

Cy Stober replied waivers weren't itemized, but I can get that to you since I don't have those right now such as landscaping, parking, sidewalk, screening, setbacks, and buffering.

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

Gale Pettiford made a motion to recommend approval of the rezoning as follows:

1. Motion to approve and amend the B-2(CD) rezoning request as follows:
 - The applicant has volunteered to restrict the following uses in addition to those submitted with their initial rezoning application: Bicycle and Motorcycle Sales, Boat Sales, Orphanage, and Taxi Terminal; **and**
2. Motion to find that the request 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 G-1 Mixed Use Primary (I) Growth Area "Downtown", which is intended to be "...support this central business district containing a mix of stores, restaurants, old industrial, institutional and residential land uses ..." (Mebane CLP, pp.17, 68, & 69);
 - Serves Mebane CLP Growth Management Goal 1.1 by "...[e]ncourag[ing] a variety of uses in growth strategy areas and in the downtown, promot[ing]/encourage[ing] a village concept that supports compact and walkable environments" (pp.17 & 82);
 - Serves Mebane CLP Growth Management Goal 1.2 by "...continu[ing] to support historic Downtown Mebane's culture... [with] walkability, bikeability, shopping, dining...options" (pp.17, 82, & 83);
 - Serves Mebane CLP Growth Management Goal 1.6 by "...supporting walking between differing land uses while also reducing parking requirements," (pp.17 & 84); and
 - Serves the goals and objectives of the adopted *Downtown Vision Plan*, which applies to these properties.

Keith Hoover seconded the motion, which passed unanimously (8-0).



6. Request for a Special Use Permit to Allow a Planned Multiple Occupancy Group on +/-3.85 Acres Located at 101 & 103 South Fifth Street from Buffalo Brothers Investments, LLC

SU-20-01

Staff presented an application/tax map/site plan from Buffalo Brothers Investments, LLC, 6701 Fayetteville Road, Raleigh, NC 27603 requesting approval of a Special Use Permit to allow a Planned Multiple Occupancy Group for the two properties totaling +/-4.90 acres at 101 & 103 South Fifth Street. These properties are both owned by Buffalo Brothers Investments, LLC, which is proposing to recombine them, pending Special Use and Rezoning approval. The parcels function as a single lot, sharing parking and access. The Special Use Permit will bring the property into conformance with the Mebane UDO for multiple tenants on properties with >15,000 square feet of businesses use and allow new tenants that will generate significantly higher volumes of onsite traffic.

The Special Use Permit request is accompanied by a conditional rezoning request that is defined by a site plan that was reviewed by the City's Technical Review Committee. That site plan was revised based upon City staff feedback. The property is also identified as Alamance County GPIN 9825134492, 9825133632. Michael L. Stewart, Engineer, with Stewart-Proctor, PLLC, attended the Planning Board meeting to answer any question in regards to this application.

Chairman Edward Tulauskas inquired about combining Items 5 & 6 for discussion. Gale Pettiford made a motion to recommend combining both Items 5 & 6 for discussion. Vice Chairman Judy Taylor seconded the motion, which passed unanimously (8-0). See Item 5.

Gale Pettiford made a motion to recommend approval as follows:

1. Motion to approve the special use request as presented; **and**
3. Motion to find that the request is both reasonable and in the public interest because it finds that it:
 - a. Will not materially endanger the public health or safety;
 - b. Will not substantially injure the value of adjoining or abutting property;
 - c. Will be in harmony with the area in which it is located; and
 - d. Will be in conformity 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 G-1 Mixed Use Primary (I) Growth Area "Downtown", which is intended to be "...support this central business district containing a mix of stores, restaurants, old industrial, institutional and residential land uses ..." (Mebane CLP, pp.17, 68, & 69); and



- Serves Mebane CLP Growth Management Goal 1.1 by “...[e]ncourag[ing] a variety of uses in growth strategy areas and in the downtown, promot[ing]/encourage[ing] a village concept that supports compact and walkable environments” (pp.17 & 82);
- Serves Mebane CLP Growth Management Goal 1.2 by “...continu[ing] to support historic Downtown Mebane’s culture... [with] walkability, bikeability, shopping, dining...options” (pp.17, 82, & 83);
- Serves Mebane CLP Growth Management Goal 1.6 by “...supporting walking between differing land uses while also reducing parking requirements,” (pp.17 & 84); and
- Is consistent with the goals and objectives of the adopted *Downtown Vision Plan* that applies to this property.

Keith Hoover seconded the motion, which passed unanimously (8-0).

7. Request to Rezone +/-92.8 Acres Located Within the North Carolina Commerce Park (NCCP) Directly West of Prescient Manufacturing along Senator Ralph Scott Parkway From B-2 (General Business) to M-2 (Light Manufacturing) from Samet Corporation

RZ-20-08

Staff presented an application/tax map from Samet Corporation, 309 Gallimore Dairy Road, Suite 102, Greensboro, NC 27409 requesting the rezoning of one +/-92.80-ac property transected by Senator Ralph Scott Parkway and fronting both Interstate 40/85 and NC 119, from B-2 (General Business) to M-2 (Light Manufacturing). The rezoning of the property will be consistent with the designated purpose and use of the North Carolina Commerce Park (NCCP), which is jointly served and zoned by the Cities of Mebane and Graham. There are utilities present along Senator Ralph Scott Parkway but this property is not within the City’s corporate limits. There is no proposed use for the property at this time. The applicant has an option to purchase the property. The property is also identified as Alamance County GPIN 9804601723. Brian Hall, with Samet Corporation, attended the Planning Board meeting to answer any question in regards to this application.

Chairman Edward Tulauskas inquired about combining Items 7 & 8 for discussion. Gale Pettiford made a motion to recommend combining both Items 7 & 8 for discussion. Kevin Brouwer seconded the motion, which passed unanimously (8-0).

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

Brian Hall, Director of Development, with Samet Corporation, provided a brief overview and PowerPoint of the rezoning request. He explained the partnerships with the NCIC since 2001 and with the NCCP since 2015. He concluded that they were preparing the property for the continued



development of the NCCP and preparing the property to adequately serve similar industrial uses as planned for the North Carolina Commerce Park.

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.

Gale Pettiford made a motion to recommend approval of the rezoning request as follows:

1. Motion to approve the M-2 rezoning request as presented; **and**
2. Motion to find that the request 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 G-1 Industrial Primary (IV) Growth Area "Part of NCCP", which is intended to be "Support industrial uses at this location, Buffer inconsistent land uses (especially residential) from this site with treed buffers, as provided in the [UDO]. (Mebane CLP, pp. 17, 74, & 75); and
 - Serves Mebane CLP Growth Management Goal 1.7 by "Continu[ing] to support industrial development at existing industrial parks near I-40/85" (pp. 17 & 84)

Thomas Vinson seconded the motion, which passed unanimously (8-0).

8. Request to Rezone +/-6.6 Acres Located Within the North Carolina Commerce Park (NCCP) West of Prescient Manufacturing along Senator Ralph Scott Parkway from MHP (Mobile Home Park) to M-2 (Light Manufacturing) from the City of Mebane and the City of Graham
RZ-20-09

Staff presented an application/tax map from the City of Mebane, City of Graham, P.O. Drawer 357, Graham, NC 27253 requesting the rezoning of one +/-6.66-ac property along Senator Ralph Scott Parkway, from MHP (Mobile Home Park) to M-2 (Light Manufacturing). The City owns the property jointly with the City of Graham. The rezoning of the property will be consistent with the designated purpose and use of the North Carolina Commerce Park (NCCP), which is jointly served and zoned by the City of Graham. There are utilities present along Senator Ralph Scott Parkway but this property is not within the City's corporate limits. There is no proposed use for the property at this time. The applicant has an option to purchase the property. The property is also identified as Alamance County GPIN 9804513400. Brian Hall, with Samet Corporation, attended the Planning Board meeting to answer any question in regards to this application.



Chairman Edward Tulauskas inquired about combining Items 7 & 8 for discussion. Gale Pettiford made a motion to recommend combining both Items 7 & 8 for discussion. Kevin Brouwer seconded the motion, which passed unanimously (8-0). See Item 7.

Gale Pettiford made a motion to recommend approval of the rezoning request as follows:

1. Motion to approve the M-2 rezoning request as presented; **and**
2. Motion to find that the request 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 G-1 Industrial Primary (IV) Growth Area "Part of NCCP", which is intended to be "Support industrial uses at this location, Buffer inconsistent land uses (especially residential) from this site with treed buffers, as provided in the [UDO]. (Mebane CLP, pp. 17, 74, & 75); and
- Serves Mebane CLP Growth Management Goal 1.7 by "Continu[ing] to support industrial development at existing industrial parks near I-40/85" (pp. 17 & 84)

Thomas Vinson seconded the motion, which passed unanimously (8-0).

9. Proposed Text Amendment to the Mebane Unified Development Ordinance (UDO), Article 4, Table 4-1-1, Table of Permitted Uses – to allow Fruit & Vegetable Stands as a Temporary Use in B-1 (Central Business District) Zoning Districts
UDO-OA-20-01

Cy Stober, Development Director, presented and provided a brief overview and PowerPoint of the proposed amendments to the Unified Development Ordinance (UDO) as follows:

Proposed Text Amendments to the City of Mebane Unified Development Article 4 ("Use Regulations, Density, and Dimensional Standards, Development Standards for Individual Uses"), Section 1 ("Permitted Uses"), Table 4-1-1 ("Table of Permitted Uses"); and Section 7.13 ("Development Standards for Temporary Uses") to allow Outdoor Fruit and Vegetable Stand, Seasonal, as a permitted use with development standard for the B-1 Central Business District. Currently, this temporary use is permitted only in R-20A, B-2, and B-3 zoning districts. The adopted *Mebane Vision Plan* calls for allowing greater access to local foods and even recommends a Farmers' Market downtown. However, the majority of properties in the City's downtown historic district are B-1 zoning districts. There are very few B-1 zoning districts elsewhere in the City, making the impacts of this amendment to the UDO localized. The proposed amendment will allow this use downtown, provided the development standards that are already apply to the other zoning districts are required. While on-site parking may be less possible downtown, there is more availability for on-street parking that is not readily available elsewhere in the City.



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

Thomas Vinson asked are they expanding?

Cy Stober replied they are moving to a new property and that's what is driving this by staff.

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

Lori Oakley made a motion to recommend approval of the amendment as follows:

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

- Serves Mebane CLP Growth Management Goal 1.1 by "...[e]ncourag[ing] a variety of uses in growth strategy areas and in the downtown, promot[ing]/encourage[ing] a village concept that supports compact and walkable environments" (pp.17 & 82);
- Serves Mebane CLP Growth Management Goal 1.2 by "...continu[ing] to support historic Downtown Mebane's culture... [with] walkability, bikeability, shopping, dining...options" (pp.17, 82, & 83); and
- Serves the goals and objectives of the adopted *Downtown Vision Plan*.

Gale Pettiford seconded the motion, which passed unanimously (8-0).

10. New & Other Business

Cy Stober provided an update on the virtual Open House meeting for the Burlington-Graham MPO Metropolitan Transportation Plan scheduled for Tuesday, May 12, 2020, 5:30 p.m. - 6:30 p.m. 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.

Cy Stober informed the Board that Gale Pettiford's seat is up for reappointment and the term ends June 30, 2020. Ms. Pettiford has expressed interest for reappointment. Reappointment will be held at the July City Council meeting for the Alamance County ETJ seat.

Cy Stober provided a brief UDO update – A six (6) month extension has been granted and updates are due July 2021.

11. Adjournment

There being no further business, the meeting was adjourned at 7:35 p.m.