



**Planning Board
Minutes to the Meeting**

July 19, 2021
6:30 p.m.

The Planning Board meeting was held at the Glendel Stephenson Municipal Building located at 106 E. Washington Street, Mebane, NC 27302 and livestreamed via YouTube. The video can be accessed through the following link: <https://www.youtube.com/watch?v=73t0saVgl3c>

Members Present: Chairman Edward Tulauskas, Vice Chair Judy Taylor, Lori Oakley, Gale Pettiford, Keith Hoover, Kevin Brouwer

Also Present: Audrey Vogel, Planner; Ashley Ownbey, 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 June 14, 2021 Minutes

Judy Taylor made a motion to approve the minutes from the June 14, 2021 meeting. Lori Oakley 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 at the July City Council meeting, noting the unanimous appointment of Kurt Pearson, Judy Taylor, and Edward Tulauskas to serve on the Planning Board and unanimous recommendation to the Alamance County Commissioners to appoint Larry Teague to be one of two representatives for the Alamance County ETJ.

4. Lori Oakley made a motion to add the swearing-in of Judy Taylor and Edward Tulauskas to the agenda which passed unanimously.

Stephanie Shaw, City Clerk, swore in Judy Taylor and Edward Tulauskas to take their oaths for their new terms as members of the Planning Board.

5. Request to rezone the +/- 0.97-acre property addressed 115 Hoover Road (PIN 9825817912), from R-20 to B-2 (CD) to allow for a new use in the existing structures by Steve Rose. (Item #4)

Staff presented the above application from Steve Rose. The property has a history as a permitted nonconforming use featuring a cabinetry business. The applicant is requesting acceptance of existing



conditions, with any future improvements to the property complying with the Mebane Unified Development Ordinance (UDO) not requiring further public hearing and legislative approval by the City Council. The applicant has also proposed a series of use restriction. Planning staff has reviewed the request for harmony with the zoning of the surrounding area and consistency with the City's adopted plans and recommends approval.

Ashley Ownbey provided a brief overview and PowerPoint of the request.

The applicant, Steve Rose, spoke about his power equipment repair business and how he plans to use the 115 Hoover Road property. He explained that it would be used primarily as a place to work on and repair power equipment, with the potential to sell equipment in the future. Mr. Rose addressed concerns about the appearance of the building, explaining that they are a professional business and will have a professional appearance. He added that the property would not look like one if those properties on 70 with broken down equipment in the front yard, and that it would be kept neat just as his own yard at home.

Judy Taylor asked Mr. Rose if he was planning on adding any landscape buffers. Mr. Rose responded that he did not intend to add buffers. Lori Oakley asked if the UDO required a buffer along the northern side where it abuts a residential in the Orange County Jurisdiction. Cy Stober responded that the interpretation of the buffer requirement is that it applies to any residential property. Lori Oakley asked Steve Rose if he would consider providing a buffer of evergreen shrubs along the adjacent residential property. Steve Rose responded that he would be happy to do so, adding that he intends to improve the site and appearance.

Lori Oakley asked approximately how many spaces the existing gravel parking lot could accommodate and how many would be required by the UDO. Steve Rose responded that there were 8 existing spaces, and Ashley Ownbey added that 10-15 are required by the UDO. Ms. Oakley asked if it would be possible to accommodate two additional gravel spaces without exceeding impervious surface limitations? Cy Stober responded that it would be possible to add additional impervious.

Lori Oakley asked if the existing cabinet business would be vacated. Mr. Rose responded that Mr. Mebane is winding down his business and will be selling the entire property to him. Mr. Rose confirmed that his business would be the only use of the site.

Lori Oakley asked about the proposed condition to allow for changes onsite without returning to public hearing. Cy Stober clarified that it is referring to upfits that comply with the UDO that could and would be approved at the staff level. Mr. Stober added that a strict reading of Article 9 of the UDO would require further public hearing for compliant improvements of the property, so he



counseled Mr. Rose to include an allowance for improvements that comply with all of the development standards in the UDO.

Judy Taylor asked if the fuel storage tank would be underground. Steve Rose provided some clarification about the fuel storage tank and the purpose of the fuel oil in his business. He noted that it is typical to be stored outside and is likely required by fire code.

Judy Taylor asked if any addition lighting will be installed that could be a problem for the neighbors. Mr. Rose responded that he does not have any immediate plans for any. He noted that the site currently has minimal lighting, so in the future they may want to add some motion lighting for security. Mr. Rose added that he lives on Hoover Road, so as a neighbor he has an interest in the impacts of the lighting as well.

At this time Chairman Tulauskas asked if anyone from the public had questions or comments.

Gary Owen, 207 Hoover Road, asked how much outside storage could be expected for the property, expressing concerns about clutter. Steve Rose responded that he would not tolerate any unsightly outdoor storage. He added that he currently operates his business with 1200 sf and this new location would provide 4000 sf of indoor space, which is more than enough for his business. Mr. Owen asked if the business was a single person operation or if there were any additional employees, expressing concerns about parking. Mr. Rose responded that there would be employees. Mr. Owen commented that he wants to keep his neighborhood nice the way it currently is and has fears of the area looking like the unsightly properties that you see along US 70.

Cy Stober clarified that outdoor storage is a classified use in the table of permitted uses (Article 4 of the UDO) that would be restricted for this property, per the conditional rezoning request. He added that any outdoor storage outside of normal business hours would be a code violation. Mr. Stober also added that the unsightly properties on 70 referenced during the meeting, to his knowledge, are located outside of the Mebane Planning Jurisdiction.

Grace Moon, 500 Hoover Road, spoke in favor Mr. Rose's request. She commented that they are neighbors, and he always keeps his yard in order.

Lori Oakley made a motion to approve the request to rezone the property from R-20 to B-2 CD, with the following conditions to be added to the request:

1. Require a 5' buffer of evergreen trees and/or shrubs along adjacent residential property lines
2. Allow gravel parking to remain on site and to provide 10 gravel parking spaces
3. Allow improvements to the property per the Mebane UDO to be approved at the staff level



Gale Pettiford seconded the motion, which passed unanimously. Chairman Tulauskas confirmed that the request will go before the Mebane City Council at the August 2nd public hearing.

6. Request to rezone the +/- 8.192-acre property located on South Eleventh Street (PIN 9825410961), from R-8 to R-8 (CD) to allow for three apartment buildings totaling 48 units by Espitia Properties, LLC.

Staff presented the above application from Espitia Properties, LLC. The Planning staff has reviewed the request for harmony with the zoning of the surrounding area and consistency with the City's adopted plans and recommends approval. The Technical Review Committee (TRC) has reviewed the site plan and the applicant has revised the plan to reflect the comments.

The proposed onsite amenities & dedications include the following:

- A 5' sidewalk inside the public right-of-way of S Eleventh Street, as required by the Mebane UDO and Bicycle and Pedestrian Transportation Plan.
- The construction of an internal sidewalk network connected to a 5'-wide, decomposed granite trail.
- A private recreation area consisting of a shelter, play field, playground, volleyball court, bocce ball, and dog park.

Ashley Ownbey provided a brief overview and PowerPoint of the request.

Tim Smith, Senior Project Manager at Summit Design and Engineering Services, 320 Executive Court, Hillsborough, NC 27278 provided a presentation of the request and site plan. During his presentation, Mr. Smith described a series of building commitments and proposed elevations for the apartment buildings, in addition to typical photos of the proposed recreation amenities.

Lori Oakley commented that she liked all of the proposed recreation amenities and asked if any consideration had been given to increasing the size of the volleyball court and dog park, per Aaron Davis Recreation & Parks Director's memo (included in the packet). Tim Smith responded that they have revised the amenities per Mr. Davis' comments, and there is room on site to increase the size of the amenities if necessary.

Lori Oakley asked if the trash removal would be privately contracted for the dumpsters shown on the plans, and if recycling would be provided as well. Tim Smith confirmed that both would be provided.

Lori Oakley commented that she was pleased with the parking provided and overall layout of the site.

Judy Taylor commented that she was happy to see so much of the existing tree canopy preserved in the rear of the site and asked if any would be preserved along the front or side of the property as part



of the buffers shown. Tim Smith responded some of the existing trees along the north and south property lines will be preserved, but they will not be able to preserve and along the front for grading purposes.

Chairman Tulauskas asked if anyone from the public had questions or comments.

Tom Boney, Alamance News, asked for clarification about the number of two-bedroom and one-bedroom units per building. Tim Smith confirmed that there will be eight of each type per building.

Mr. Boney asked why the City had an opinion on the proposed recreation amenities if they are private? Cy Stober responded that the intent of the UDO requirement to provide private recreation space is so that tenants have facilities available to them rather than relying on public facilities. The Ordinance requires the Recreation & Parks Director to evaluate the sufficiency of these facilities. Judy Taylor added that it is also important for safety.

Varetta Browning, 204 S Eleventh Street, asked about the entrance to the site. Ms. Browning commented that S Eleventh Street is a nice place to live and that she wants it to stay that way. She added that she thought the project was a good idea and that people want to live in Mebane.

Terry Dillard, 202 S Eleventh Street, spoke against the project, noting that Mebane has too many apartments and renters do not contribute significantly to the tax base.

Lori Oakley asked for clarification that apartments are permitted by right in the R-8 zoning district, but that the UDO requires conditional zoning for properties larger than 2-acres.

Gale Pettiford asked if the Fire Department had any concerns about the single entrance to the property. Cy Stober responded that Chief Louis and Fire Marshall Jamie Joseph are on the Mebane Technical Review Committee (TRC). They have reviewed and are satisfied with the plans.

Judy Taylor asked if there will be onsite management. The applicant, Ezequiel Espitia, that is has not been determined at this time. Judy Taylor noted that it is something to consider, as it may help address the neighbor's concerns.

Lori Oakley commented that she knows there are concerns about multifamily housing being approved in Mebane and added that there are variety of housing types available to Mebane residents of all life stages. Ms. Oakley clarified that the role of the Planning Board comes down to evaluating if the project meets the Mebane UDO and comprehensive plan.



Judy Taylor made a motion to approve the R-8 CD rezoning as presented. Kevin Brouwer seconded the motion. The motion passed (5-1). Gale Pettiford did not vote in favor due to concerns about the fire and safety. Chairman Tulauskas confirmed that the request will go before the Mebane City Council at the August 2nd public hearing.

7. Request to rezone the +/- 13.96-acre property located on South Eleventh Street (PIN 9825416325), from R-8 to R-8 (CD) to allow for a residential townhome development of 51 homes by Meritage Homes.

Staff presented the above application from Meritage. The Planning staff has reviewed the request for harmony with the zoning of the surrounding area and consistency with the City's adopted plans and recommends approval. The Technical Review Committee (TRC) has reviewed the site plan and the applicant has revised the plan to reflect the comments.

The proposed onsite amenities & dedications include the following:

- The construction of all internal roads with 5' sidewalks.
- The construction of a dog park and picnic shelter to serve development residents to be maintained by the HOA and 7.84 acres of passive HOA owned open space

Requested waivers:

- 20' front setback, UDO requires 30'
- Lot area and width as presented

Audrey Vogel provided a brief overview and PowerPoint of the request.

Tim Smith, Senior Project Manager at Summit Design and Engineering Services, 320 Executive Court, Hillsborough, NC 27278 provided a presentation of the request and site plan. During his presentation, Mr. Smith described a series of building commitments and proposed elevations for the home products. In addition, Mr. Smith provided a drawing that showed how the Oak Grove Trails project would tie into the recently approved Oakwood subdivision.

Kevin Brouwer raised concerns about the proposal to share amenities with the Oakwood subdivision, particularly with respect to the walking distance to the pool and clubhouse from the further out sections of the subdivisions and the amount of available parking at the club house. He noted that when Oakwood was approved, he was not under the impression that the parking lot would serve more townhomes. Tim Smith responded that the walking distance from Oak Grove trails would not be more than 10 minutes, and the project team feels that the provide parking at the Clubhouse would be adequate – more than 60 spaces.

Tim Smith introduced Melanie Graff, the Vice President of Land Development for Meritage Homes.



Lori Oakley commented that she was happy with the layout of the site and available parking. She added that she had more concern about residents of the Washington Street area of the Oakwood Subdivision getting to the pool and clubhouse compared to the proposed Oak Grove Trails section, which is closer. Ms. Oakley also added that the sidewalks and available parking at the clubhouse appeared to be sufficient, and referred to her experience walking to the pool in the Ashbury Subdivision.

Lori Oakley made a motion to approve the R-8 CD rezoning request as presented. Keith Hoover seconded the motion, which passed unanimously. Chairman Tulauskas confirmed that the request will go before the Mebane City Council at the August 2nd public hearing.

8. Proposed Text Amendment to the City of Mebane Unified Development Ordinance Article 2 (“Administration, Development Review, and Permitting Procedures”), Section 3.C (“Board of Adjustment, Composition”)

Cy Stober presented the above proposed Text Amendment to Article 2, Section 3.C. of the City of Mebane Unified Development Ordinance to clarify the Mayor’s role on the Board of Adjustment.

Lori Oakley raised the question of who would break the tie if the Board of Adjustment had eight sitting members. Cy Stober clarified that the request should be revised to reflect the same ordinance language used for the city council that establishes the Mayor as the tie-breaking vote.

Judy Taylor made a motion to approve the proposed amendments to Article 2, Section 3.C. of the City of Mebane Unified Development Ordinance, with the condition that the language is revised to clarify that the Mayor will vote only in the event of a tie. Kevin Brouwer seconded the motion, which passed unanimously.

9. Proposed Text Amendment to the City of Mebane Unified Development Ordinance Article 5 (“WSW Buffers, Overlay, Environmental, and Special Purpose Regulations”), Section 4 (“Watershed Overlay District Regulations”)

Cy Stober presented the above proposed Text Amendment to Article 5, Section 4 of the Mebane Unified Development Ordinance for the following reasons:

- Expansion of text to apply to both water supply watersheds in the City’s limits
- Current language is limited to Graham-Mebane Lake
- State law requires application of same laws to both watersheds



Kevin Brouwer made a motion to approve the proposed amendments to Article 5, Section 4. of the City of Mebane Unified Development Ordinance as presented. Keith Hoover seconded the motion, which passed unanimously.

10. New Business

Kevin West, 412 Lee Street, notified the Board about a pipe that burst on Lee Street on Friday 7/16. He expressed frustration about the City's limited response in addressing the situation, despite his calls to the City over the weekend. Cy Stober apologized for the inconvenience, gave Mr. West his contact information and assured him that Public Works would address the problem.

Audrey Vogel informed the board that Staff will be handing out hardcopies of the Mebane UDO with the 160D amendments.

Ashley Ownbey provided an update on the City Council's approval the Better Block Trailer projects recommended by the Mebane Bicycle and Pedestrian Advocacy Commission (BPAC)

11. Adjournment

There being no further business, the meeting was adjourned at 8:00 p.m.