



The Mebane City Council held a continued meeting at 6:00 p.m., Wednesday, April 7, 2021. The April 5, 2021 meeting was continued per G.S. 166A-19.24, which states that when a public body conducts a public hearing as a remote meeting, it must allow for written comments on the subject of the public hearing to be submitted between publication of any required notice and 24 hours after the public hearing. Due to public health concerns related to COVID-19, the meeting was held virtually via Zoom.

Council Present via Zoom:

Mayor Ed Hooks
Mayor Pro-Tem Jill Auditori
Councilmember Everette Greene
Councilmember Patty Philipps
Councilmember Sean Ewing
Councilmember Tim Bradley

City Staff Present via Zoom:

City Manager Chris Rollins
Assistant City Manager Preston Mitchell
City Attorney Lawson Brown
Development Director Cy Stober
City Clerk Stephanie Shaw

Mayor Hooks called the meeting to order. He then stated that a roll call vote needs to be taken on *Item 5. Mebane Fire Department 2021 Executive Board* previously voted on at the Monday, April 3, 2021 meeting. At that meeting the Council unanimously voted to approve Mr. Bradley's request to be recused. Also, at that meeting Council unanimously approved the 2021 Executive Board as presented. The roll call for that vote: Ayes- Mr. Ewing, Ms. Auditori, Ms. Philipps, Mr. Greene.

Mayor Hooks stated that the first item on the agenda for Council's vote is the continued public hearing on a request for the adoption of an Ordinance to Extend the Corporate Limits- BT-OH, LLC- United Parcel Service (UPS). No public comments were received concerning the matter. Mr. Bradley made a motion, seconded by Mr. Greene, to close the public hearing. The motion carried unanimously per a roll call vote. Mr. Bradley made a motion, seconded by Ms. Auditori, to adopt the Ordinance to Extend the Corporate Limits to include the 183.11 acres. The motion carried unanimously per a roll call vote.

Mayor Hooks stated that the second item on the agenda for Council's vote is the continued public hearing on a request from Meritage Homes of the Carolinas for approval to conditionally rezone six (6) properties totaling +/- 133.9 acres located on Oakwood St Ext with frontages on E. Washington Street Extension and Mattress Factory Road from M-1 (Heavy Manufacturing District) and R-20 (Residential District) to R-8(CD) and R-10 (CD) (Residential Conditional Zoning Districts) to allow for a residential cluster development of 134 townhomes 275 single-family homes, 409 dwellings total.

Tim Smith, Senior Project Manager at Summit Design and Engineering Services, 320 Executive Court, Hillsborough, NC 27278, gave an update regarding the discussion that took place at Monday's meeting regarding the combination of items to meet the public recreation space requirement being the dedication of the 10-foot-wide multi-use path as well as a pay-in-lieu fee offered of \$150,103.00. He said what Meritage would like to do now is provide sidewalks on both sides of the main street as discussed and shown on the plan, with one side being the 10-foot wide multi use path to be dedicated for public use, however now Meritage would like to go ahead and commit to paying full pay-in-lieu amount of \$205,318.00.

Ms. Auditori asked Mr. Smith to remind Council how much public space they are providing. Mr. Smith said on the open space side, they are providing 57.58 acres.

Mr. Bradley commented that the full payment-in-lieu is a gracious offer and a recognition that while the developer is providing the required sidewalks and multi-use path, they also recognize that the citizens that will be living in this development will also be utilizing City recreation services.

Due to internet difficulties, Councilmember Greene rejoined the meeting via telephone.

Mr. Bradley made a motion, seconded by Ms. Philipps, to close the public hearing.

Mr. Ewing referenced the Mebane Mill Loft Apartments regarding the fencing that was put in place to deter pedestrians from crossing the railroad tracks adjacent to the apartments. He cited his concerns with the possibility of residents from this development crossing the tracks. He asked if the developer has any plans in place to mitigate the danger as railroad tracks lie adjacent to the proposed project.

Mr. Smith stated that is a good point but the developer did not conduct any studies regarding that issue, nor do they have any plans in place. He said the planned multi-use path will stop at E. Washington Street and on the opposite side of the tracks, there is currently no other connectivity in that area for pedestrian access.

Mr. Rollins said just for information, the City would need to begin discussion with Norfolk Southern in order to have a fence installed in that area and it could take up to a year just to get permission to do so.

Mr. Bradley said questioned if fencing at the railroad tracks is even a developer issue as there are several residential neighborhoods that “dump onto” E. Washington Street with no fences in place. He said if folks tried to cross the tracks at this location, it would be almost impossible because of the thickness of the woods and the slope of the land.

Mr. Ewing again shared his concerns with the possibility that folks may try crossing the tracks in that area and requested that options be considered to reroute those folks. Mr. Rollins said it is fairly wooded but if Council thinks it is a concern, staff can begin discussions with Norfolk Southern with the understating that it would take quite some time for those discussions to take place. Mr. Greene felt Council and staff would need to discuss further before contacting the railroad.

Mayor Hooks called for a vote on the previous motion to close the public hearing. The motion carried unanimously per a roll call vote. Mr. Bradley made a motion, seconded by Ms. Auditori, to approve the R-8(CD) and R-10(CD) zoning as presented and finds that the application is consistent with the objectives and goals in the City’s 2017 Comprehensive Land Development Plan *Mebane By Design*. The request:

- Provides a multi-use path along its Oakwood Street frontage, as required by the City’s adopted *Bicycle and Pedestrian Transportation Plan*;
- Is for a property within the City’s G-4 Secondary Growth Area and is generally residential in nature (Mebane CLP, p.66);
- Provides a greenway connection to a different land use, consistent with Open Space and Natural Resource Protection Goal 4.2 (p. 17 & 89);
- Provides a greenway and open space in a developing area, connecting to other locations, consistent with Open Space and Natural Resource Protection Goal 4.3 (p. 17, 89, & 90); and

The motion carried unanimously per a roll call vote.

As an additional item, Council and staff discussed options on how the City could possibly move forward with allowing events in the downtown area and special events throughout the City with COVID restrictions still in place. Council stated that safety of the community is important and requested that staff handle the requests as they deem appropriate as they are received.

There being no further business, the meeting was adjourned at 6:34pm.

ATTEST:

Stephanie W. Shaw, City Clerk

Ed Hooks, Mayor