



The Mebane City Council met for its regular monthly meeting at 6:00 p.m., Monday, October 4, 2021 in the Council Chambers of the Glendel Stephenson Municipal Building located at 106 East Washington Street.

Council Present:

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

City Staff Present:

City Manager Chris Rollins
Assistant City Manager Preston Mitchell
City Attorney Lawson Brown
Development Director Cy Stober
City Engineer Franz Holt
Finance Director Daphna Schwartz
City Clerk Stephanie Shaw

The meeting was livestreamed via YouTube. The video can be accessed through the following link:
<https://www.youtube.com/watch?v=weXQZ07AsWY>

Mayor Hooks called the meeting to order and gave the invocation. He then read aloud two separate proclamations one in honor of National Hispanic Heritage Month and one for Family Court Awareness Month.

No one spoke during the Public Comment Period.

Mayor Hooks presented the Consent Agenda as follows:

- a. Approval of Minutes- August 2, 2021 Regular Meeting
- b. Petition for Voluntary Contiguous Annexation- 4710 Mrs. White Lane
- c. Petition for Voluntary Non-contiguous Annexation- Buckhorn Business Centre
- d. Final Plat- Bowman Place Ph. South-1A
- e. Final Plat- The Meadows, Ph. 3B

Mr. Ewing questioned what the benefits are of annexation. Mr. Rollins stated that the City has a policy for property owners who want to tie onto the City's utilities. In order to tie onto the City's utilities, the property owners are required to go through the two-month annexation process. If the property is annexed, they will receive all city services and will pay city taxes. Mr. Ewing added that once annexed they would also be able to vote for municipal elections. Mr. Rollins said yes, that is correct. There is a misconception that people think because they have a Mebane address, they can vote but they can only vote during municipal elections if they live inside the City limits. Some people may have a Mebane address but do not reside inside the City limits.

Mr. Greene made a motion, seconded by Mr. Bradley, to approve the consent agenda as presented. The motion carried unanimously.

Marcy Green, Vice President of Programs with Impact Alamance spoke regarding the Alamance Wellness Collaborative and presented a request for adoption of the Health in All Policies (HiAP) Resolution. Leaders from various cities have been working closely with Impact Alamance through its Wellness Collaborative. At each meeting, leaders from around Alamance County discuss what they are doing in their communities to positively change their city cultures and to place an emphasis on health and wellness. Mebane has addressed many of these topics in its adopted plans and policies to date, including the establishment of advisory committees on Recreation and Parks, Racial Equity, and Bicycle and Pedestrian matters. She also commended the Council for the implementation of an extensive sidewalk network, making Mebane a walkable community and for creating a tobacco free downtown district. The adoption of the Health in All Policies resolution will direct these and other actions of the City for its residents, and promote these principles in future

actions and policies. She shared benefits of the HiAP as follows:

- Appealing to federal, state and local funders
- Make economic sense
- Enhances potential for Mebane to identify gaps in achieving equity
- Allows time and space to discuss and assess health implication of new policies and investments
- Investing in residents who are currently here while attracting new people and businesses to the area

Ms. Philipps stated that she would like to make a motion to formalize what the City has already been doing by adopting the HiAP Resolution. Mr. Bradley seconded the motion. The motion carried unanimously.

Mr. Rollins stated that Impact Alamance has been a tremendous partner to the City of Mebane, naming many projects around the city that they have helped fund.

HEALTH IN ALL POLICIES RESOLUTION

WHEREAS, throughout the United States, chronic disease is on the rise; health care costs continue to rise; and more children are suffering from illnesses that have historically been associated with adults; and

WHEREAS, it is now widely accepted that the conditions in the environments in which people are born, live, learn, work, play, and age (known as the social determinants of health) have the greatest influence on health outcomes across populations; and

WHEREAS, the policies typically implemented by local municipalities are outside of the traditional health sector that significantly affect the social determinants of health including policies related to food access, housing, transportation, public safety, education, sustainability, climate change, parks, air and water quality, criminal justice, and economic development, and healthy choices; and

WHEREAS, public health agencies and organizations will need to work with those who are best positioned to create policies and practices that promote healthy communities and environments through healthy public policies; and interagency collaboration can lead to improved decision-making and outcomes and greater efficiencies in service delivery; and

WHEREAS, Health in All Policies is a collaborative approach to improving the health of all people by incorporating health considerations into decision-making across sectors and policy areas; encompasses a wide spectrum of activities and can be implemented in many different ways requiring innovative solutions and a new policy paradigm; and

WHEREAS, the health and well-being of Mebane residents are critical for a prosperous and sustainable community while simultaneously advancing other goals such as promoting job creation, economic stability, transportation access and mobility, a strong agricultural system, environmental sustainability, and educational attainment; and

WHEREAS, the City is addressing health in its Comprehensive Land Development Plan *Mebane By Design*, *Bicycle and Pedestrian Transportation Plan*, *2040 Comprehensive Transportation Plan*, *Downtown Vision Plan*, Complete Streets policy, Shared Sidewalk policy, and Tobacco Restriction policy, the missions of advisory committees to the Council, as well as in the City Code of Ordinances and Unified Development Ordinance; and

WHEREAS, by adopting a “Health In All Policies” approach, the City of Mebane recognizes that all local municipalities can have a role in achieving health equity, defined as the attainment of the highest level of health for all people; and

WHEREAS, achieving health equity requires valuing everyone equally and addressing avoidable inequalities, historical, and contemporary injustices, and the elimination of health and healthcare disparities.

THEREFORE, BE IT RESOLVED that the City of Mebane will consider health in policy development and implementation and service delivery and will make an effort to identify and pursue opportunities to improve health through safe and healthy housing; active living and transportation; access to healthy food, clean air, water, and soil; parks, recreation, and greenspaces; economic opportunity; and safety and violence prevention. Adopted this 4th day of October, 2021.

Ed Hooks, Mayor

A Public Hearing was held on a request from Frank Ascott of TRG Capital, LLC, to amend Table 4-1-1 (Table of Permitted Uses) to allow Condominium, Multifamily, and Townhouse residential uses in the B-1 Central Business District. Related amendments to require development standards for Condominium, Multifamily, and Townhouse uses in B-1 Districts are also proposed for Subsections C, E, and F, respectively, of Article 4, Section 7.3. The applicant is seeking the text amendments in order to re-develop a property zoned B-1 (Central Business District) at 206 E Washington Street for multifamily residential and commercial purposes. Mr. Stober presented the request via the following slides:

Proposed Amendments

- Allow the following uses if development standards are met in the B-1 Zoning District:

4-1-1 Table of Permitted Uses				Zoning Districts											
Ref.	Development														
SIC	Standards	RA20	R20	R15	R12	R10	R8	R6	OI	B1	B2	B3	M1	M2	
RESIDENTIAL USES															
Single Unit Residential															
	Single-Family Detached Dwelling	0000		Z	Z	Z	Z	Z	Z						
	Modular Home	0000		Z	Z	Z	Z	Z	Z						
	Manufactured Home, on individual lot (within MH Overlay District Only)	0000	Sec. 4-7.3 A						CC						
	Patio Home Dwelling	0000	Sec. 4-7.3 B						D	D					
Multiple Unit Residential															
	Condominium, less than 2 acres in area	0000	Sec. 4-7.3 C						D	D		D			
	Condominium, 2 or more acres in area	0000	Sec. 4-7.3 C						D	D		D			
	Manufactured Home Park (within MH Overlay District Only)	0000	Sec. 4-7.3 D						CC						
	Multifamily Dwelling, less than 2 acres in area	0000	Sec. 4-7.3 E						D	D		D			
	Multifamily Dwelling, 2 or more acres in area	0000	Sec. 4-7.3 E						D	D		D			
	Townhouse Dwelling, less than 2 acres in area	0000	Sec. 4-7.3 F						D	D		D			
	Townhouse Dwelling, 2 or more acres in area	0000	Sec. 4-7.3 F						D	D		D			
	Two-Family Dwelling (duplex)	0000							Z	Z					

Proposed Amendments

- Eliminate minimum front and rear setback requirements in the B-1 Zoning District

Table 4-2-1

Zoning District	Minimum Lot Area (Sq Ft.)	Minimum Lot Width (Ft)**	Front Yard Setback (Ft.)	Side Yard Setback (Ft.)	Rear Yard Setback (Ft.)	Maximum Building Height (Ft)	Maximum Lot Coverage***	Development Standards
O&I Office & Institutional	8,000	70	30	10	20	40		
Commercial Zoning Districts								
B-1 Central Business	N/A	N/A	15 b	c, d	20 c	50 h		
B-2 General Business	6,000	50	40 b	c, d	30 c	70 (amended 04/07/08)		
B-3 Neighborhood Business	5,000	N/A	20	20 i	20	35		
Industrial Zoning Districts								
M-1 Heavy Manufacturing	N/A	50	30	25	20	150 (amended 01/12/15)		
M-2 Light Manufacturing	N/A	50	50 e	20 a	20	150 (amended 01/12/15)		

Proposed Amendments

Revise Subsections C, E, and F of Section 4-7.3 such that the development standards for each use apply in the B-1 District

Any residential development in the B-1 District would be subject to Design and Performance Standards in Article 6 parking, landscaping, recreation requirements, etc.

- C. Condominium
 1. Where Development Standards are Required: R-8, and R-6 and B-1 districts.
- E. Multifamily Dwelling
 1. Where Development Standards are Required: R-8, and R-6 and B-1 districts.
- F. Townhouse Dwelling
 1. Where Development Standards are Required: R-8, and R-6 and B-1 districts.

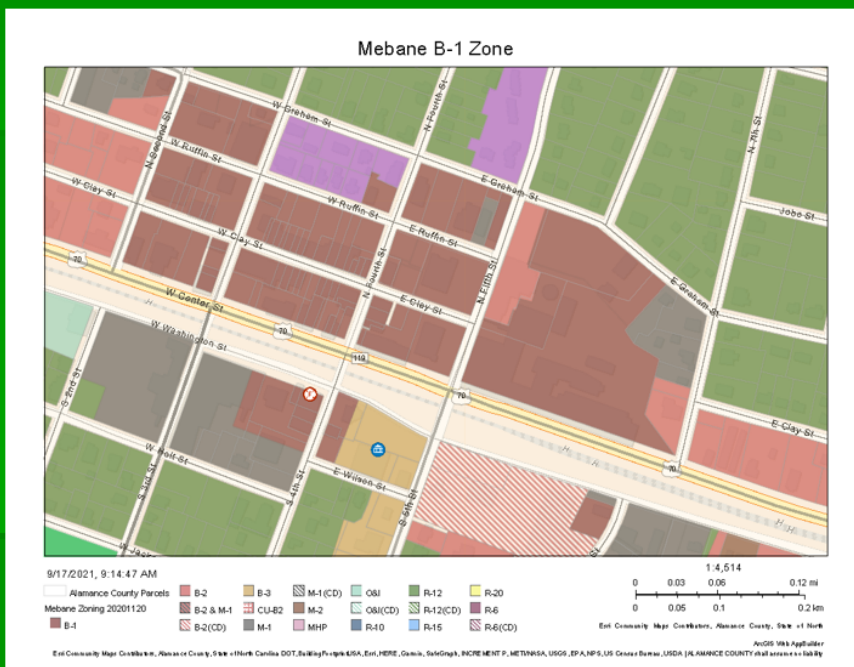


Findings of Fact

1. Amendments are consistent with City's adopted plans *Mebane by Design* and *Mebane Downtown Vision Plan*
2. Proposed amendments will allow residential development that is consistent with the use, appearance, and orientation of Historic Downtown Mebane

Mr. Koch, Project Engineer with EarthCentric Engineering, Inc., spoke on behalf of the applicant. He presented the request via the following slides:

DOWNTOWN DISTRICT



Area is currently a mix of both business and residential
 Many existing units are 0 setback units
 Many could not be rebuilt or replaced based on the current UDO

PROPOSED AMENDMENT

- Purpose of the amendment is twofold:
 - Firstly, to remove the front and rear setback requirement in the B1 district
 - Currently, no minimum lot width is required
 - Currently, no side setback is required
 - Secondly, to allow condominium, multifamily, and townhome development within the B1 district
- This would allow both redevelopment and new development to emulate the existing downtown
 - Many of the existing units along both Clay Street and Center Street currently are 0 front and or 0 side setback
 - Many of the existing units are first floor commercial with upper floor residential units

Revised Table 4-1-1 Table of Permitted Uses

4-1-1 Table of Permitted Uses			Zoning Districts													
Ref.	Development Standards		RA20	R20	R15	R12	R10	R8	R6	O1	B1	B2	B3	M1	M2	
02/04/08 amended 04/07/08 05/03/10 07/11/11 08/05/13 04/07/14, 10/05/14, 07/09/16, 11/05/18, 03/04/19																
RESIDENTIAL USES																
Single Unit Residential																
	Single-Family Detached Dwelling	0000		Z	Z	Z	Z	Z	Z	Z						
	Modular Home	0000		Z	Z	Z	Z	Z	Z							
	Manufactured Home, on individual lot (within MH Overlay District Only)	0000	Sec. 4.7.3 A						CC							
	Patio Home Dwelling	0000	Sec. 4.7.3 B						D	D						
Multiple Unit Residential																
	Condominium, less than 2 acres in area	0000	Sec. 4.7.3 C						D	D	D					
	Condominium, 2 or more acres in area	0000	Sec. 4.7.3 C						D	D	D					
	Manufactured Home Park (within MH Overlay District Only)	0000	Sec. 4.7.3 D						CC							
	Multifamily Dwelling, less than 2 acres in area	0000	Sec. 4.7.3 E						D	D	D					
	Multifamily Dwelling, 2 or more acres in area	0000	Sec. 4.7.3 E						D	D	D					
	Townhouse Dwelling, less than 2 acres in area	0000	Sec. 4.7.3 F						D	D	D					
	Townhouse Dwelling, 2 or more acres in area	0000	Sec. 4.7.3 F						D	D	D					
	Two-Family Dwelling (duplex)	0000							Z	Z						
Group Residential																
	Boarding and Rooming House	7021	Sec. 4.7.3 G								D	D				
	Family Care Home	8361	Sec. 4.7.3 H	D	D	D	D	D	D							
	Group Care Facility	8361	Sec. 4.7.3 I							D		D				
	Temporary Emergency Shelter	0000	Sec. 4.7.3 L	D	D	D	D	D	D	D	D	D	D	D	D	D
Nontraditional Residential Developments																
	Live/Work, Combination Dwelling & Nonresidential Use	0000	Sec. 4.7.3 M						D	D	D	D				
	Planned Unit Development	0000	Sec. 4.7.3 N		D	D	D	D	D	D	D	D				
	Residential Cluster Development	0000	Sec. 4.7.3 O		D	D	D	D	D							
	Traditional Neighborhood Development	0000	Sec. 4.7.3 P		D	D	D	D	D							
ACCESSORY USES AND STRUCTURES																
	Accessory Dwelling Unit (on single-family lots)	0000	Sec. 4.7.4 A	D	D	D	D	D	D	D						
	Accessory Dwelling Unit to an Office Use	0000	Sec. 4.7.4 B								BA	Z				
	Accessory Uses and Structures (customary)	0000	Sec. 4.7.4 C	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
	Automatic Teller Machine	6099														
	Caretaker Dwelling	0000	Sec. 4.7.4 C	D	D	D	D	D	D	D	D	D	D	D	D	D
	Communication Tower Under 50' in Height	0000	Sec. 4.7.4 D	D	D	D	D	D	D		Z	Z	Z	Z	Z	Z
	Fence, Wall	0000	Sec. 4.2 C	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
	Home Occupation	0000	Sec. 4.7.4 E	D	D	D	D	D	D							

Z=Allowed by right
 D=Allowed if development standards are met
 E=Exempt
 BA=Special use permit required from Board of Adjustment
 CC=Special use permit required from City Council

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This change would allow condominium, multifamily, and townhomes if development standards are met; this is consistent with existing buildings in the Central Business District (B-1)

Revised Table

4-2-1 Table of Density and Dimensional Requirements

Manufactured home on individual lot (in MH Overlay District only)								Sec 4-7.3, A
Zoning District	Minimum Lot Area (Sq Ft.)	Minimum Lot Width (Ft)**	Front Yard Setback (Ft.)	Side Yard Setback (Ft.)	Rear Yard Setback (Ft.)	Maximum Building Height (Ft.)	Maximum Lot Coverage***	Development Standards
O&I Office & Institutional	8,000	70	30	10	20	40		
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M-2 Light Manufacturing	N/A	50	50 e	20 a	20	150 (amended 01/12/15)		

* A minimum of 20,000 sq. ft. is required for lots with public water but not public sewer and 30,000 sq. ft. is required for lots with neither public water nor public sewer or the minimum lot area as determined by the health department to be necessary for an on-site septic system and/or well system, whichever is larger.

** In all zoning districts, the frontage of an individual lot on a public street shall not be reduced below 40 feet.

*** Maximum lot coverage includes principal and accessory buildings.

N/A Not applicable.

a Corner lots add 8 feet to the street side setback.

b The minimum required front yard setback shall be developed for sidewalk, grass, and/or landscape plantings and necessary driveway entrances.

c Side or rear property lines that abut a residential zoning district shall contain a buffer strip in compliance with the standards of Section 6-3.

d Structures may be built on the property line or a minimum of 5 feet from the property line. Any structure built on the property line must have fire walls that comply with the NC State Building Code.

e Except for necessary driveways, the front yard shall not have off-street parking except for visitors and office employees. Parking for non-office employees shall be behind or beside the structure.

f (Reserved)

g Setbacks of detached accessory buildings from rear and side lot lines are governed by Section 4-2, B, 1.

h In the B-1 Central Business Zoning District, every building erected or structurally altered to exceed 50 feet shall be set back from the front line at the ratio of 1 foot for 2 feet rise above said 50 feet but in no case shall the required setback exceed 10 feet. Where lots comprising more than half of the frontage on one side of a block are zoned residential and the lots comprising the remainder of said frontage are zoned business, the height regulations for the residential district shall apply to the lots zoned business.

i In the B-3 Neighborhood Business Zoning District, no side yard shall be required except that (1) buildings erected for dwelling and business purposes shall comply with the side yard regulations of the adjoining residential district and (2) where a lot abuts upon a side of a lot zoned less than 10 feet in width.

j (Reserved)

k Includes condominiums and townhouses.

Notes:

- Setback distances shall be measured from the street right-of-way line or property line to a point on the lot that is the nearest extension of any part of the building that is substantially a part of the building itself and not a mere appendage to it nor a building part allowed to encroach into a setback (see Section 4-3, C).
- Whenever a greater building setback is required by the NC Building Code, such greater setback shall be provided.
- See Section 4-3, H for calculating setback distance from private streets and for situations where no road private street right-of-way or easement exists.
- See Section 10-2, D for setbacks on nonconforming lots of record.

Mebane UDO, Article 4
February 4, 2008; amended November 25, 2008; October 6, 2014; January 12, 2015; June 5, 2017; October 1, 2018; November 5, 2018

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Change would reduce front setbacks and rear setbacks to 0 to be consistent with existing structures in the Central Business District (B-1)

Ms. Philipps stated that she is a little concerned with the rear setback going to zero (0). She said she knows that some of the buildings on W. Clay Street do not have deeded access to the backs of their buildings and if something were to burn down and be rebuilt, the new building could be built all the way to the rear setback, eliminating parking or the possibility for an alley to be built in the back. Mr. Koch said there are several buildings in that area that have zero setbacks. He said development would still be required to meet fire code which would have access requirements. He added that the City's also has access develop standard requirements.

Mr. Ewing asked what other cities or towns have similar precedents in their UDOs. Mr. Stober said most of them do in historic downtowns, from large metro centers to smaller historic downtowns such as Elkin, Roxboro and Holly Hill. Mr. Stober said he would like to "underline" a point that Mr. Koch made, stating that the City is "hanging their hat" on the fire code regarding egress and should there be redevelopment, the City hopes to elevate some of those situations and to ensure the City can get safe deeded access for ingress or egress on those properties, similar to how the City handles flag lots without deeded driveways.

Mr. Bradley asked, for example, if there was a building downtown with multiple condominiums with zero setbacks, front, back and sides what would the City do about parking. Mr. Stober said the parking standards in the UDO gives the City discretion. In the B-1 District staff would have to be confident that parking would be sufficient for a project and if a waiver is needed, Council action would be required.

No one from the public spoke concerning the matter. Mr. Greene made a motion, seconded by Mr. Ewing, to close the public hearing. The motion carried unanimously. Mr. Bradley made a motion, seconded by Ms. Philipps, to approve the amendments to the City of Mebane Unified Development Ordinance as presented. The amendments are consistent with the objectives and policies for growth and development in the Comprehensive Land Development Plan *Mebane By Design* and aligns with the recommendations of the Mebane Downtown Vision Plan. The motion carried unanimously.

Mr. Holt presented a request approval of the McGill engineering services agreement in the amount of \$3,310,000 for the design and permitting of the WRRF expansion from 2.5 MGD to 4.0 MGD to be funded by ARP grant proceeds. He stated at its September, 2021 meeting Council approved the application process for State funding assistance for the expansion of the WRRF from 2.5 MGD to 4.0 MGD and the application was submitted to the State last Thursday. He went on to say that in early September, the City advertised for a Request for Qualifications from qualified engineering firms for the design of the proposed expansion. That process yielded a statement of qualifications from McGill Associates. After scoring their submittal, staff recommended obtaining an engineering agreement for Council approval. The engineering agreement covers conceptual design services, engineering alternative analysis, NPDES permit application and support, engineering report and environmental document, final design, and project bidding/award process. The total amount of the agreement is \$3,310,000. As previously mentioned, the American Rescue Plan funds are recommended to cover the expenses. Mr. Holt said as the current Special Reserve Fund has \$2,380,000 in the budget the Finance Director will present a budget amendment to cover the balance of the engineering agreement.

Ms. Schwartz presented a request for approval of the proposed budget amendment to the Special Revenue Fund appropriating additional ARP grant proceeds for a revised Budget total of \$5,182,478.

Mr. Bradley made a motion, seconded by Ms. Philipps, to approve the appropriation of additional ARP grant proceeds to the Special Reserve Fund with a revised budget total of \$5,182,478. The motion carried unanimously.

Ms. Philipps made a motion, seconded by Mr. Ewing, to approve the McGill engineering services agreement in the amount of \$3,310,000 for the design and permitting of the WRRF expansion project using ARP grant proceeds to fund the work. The motion carried unanimously.

Mr. Rollins announced the dates for the upcoming REAC meetings.

There being no further business the meeting adjourned at 6:36p.m.

Ed Hooks Mayor

ATTEST: _____

Stephanie W. Shaw, City Clerk