



The Mebane City Council met for its regular monthly meeting at 6:00 p.m., Monday, November 1, 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
Recreation and Parks Director Aaron Davis
Public Utilities Director Kyle Smith
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=8L30q39Eqsg>

Mayor Hooks called the meeting to order. Mr. Bradley gave the invocation.

During the Public Comment Period, Matt Dail, Branch Manager of the Mebane Public Library, shared library updates as follows:

- Internet upgrades as recommended by the City's IT Director Kirk Montgomery
- New hours of operation
- Recent \$500 donation by the Mebane Women's Club

Mr. Dail thanked Mr. Montgomery for his support and help regarding the internet upgrades and he also thanked the Mebane Women's Club for its generous donation.

Also, during the Public Comment Period, Mary McFarland, 307 N. Wilba Road, shared her concerns with the recent street light change outs. She shared that In October, just outside her home, a new LED street light bulb was installed even though there was nothing wrong with the original bulb. She said that the new light is too bright especially for a residential area and that it disturbs her sleep. She shared a photo which showed how bright the light is during early morning hours. She said on Clay Street there are three different types of light bulbs all casting different shades of light which she does not understand. She feels there is too much light pollution in Mebane. She said that she did not recall any discussion regarding changes being made to the lighting and questioned if there is a policy in place. She concluded her comments by saying if the light change out to LED's is being dictated by Duke Energy, we "The City" need to tell Duke Energy what we want, not the other way around.

Mr. Bradley shared that were discussions regarding lighting due to public safety concerns, specifically in the area between First Streets and Wilba Road, so staff was addressing those concerns. Ms. McFarland said she understands but there was nothing wrong with this particular light. She said perhaps there should be other light(s) installed in the darker areas instead of brightening existing lights. She requested that this matter be looked into further.

Carl Bradley concluded the Public Comment Period with a comment regarding the recent Halloween Parade downtown, stating that it was a good event.

Mayor Hooks presented Consent Agenda as follows:

- a. Approval of Minutes-
 - i. September 13, 2021 Regular Meeting
 - ii. October 4, 2021 Regular Meeting
- b. ABC Board Reappointment- Chip Foushee
- c. Recreation Drone Policy
- d. MYSA Field Use Contract Renewal for 2022-2025

- e. Grant Project Ordinance
- f. Budget Ordinance, Capital Project, and Grant Project Amendment
- g. Quarterly Financial Report
- h. Final Plat for the Right of Way Dedication- Mebane Townes, Phases T-2, T-3, and T-4
- i. Final Plat- Cambridge Park, Phase 2B
- j. Final Plat- Summerhaven East, Phase 1

Ms. Auditori stated, after reviewing the proposed Recreation Drone Policy and the current FAA drone regulations, the proposed policy felt unfriendly as it prohibits all use of drones in the parks facilities, ball fields and any open public spaces. She cited an example of a child that may get a drone as a gift and the child may live in an apartment so they go to a park where no one else is. She feels it would be perfectly acceptable to fly the drone, stating that the FAA regulations already prohibit flying of drones over groups of people or sporting events, so that regulation would take care of any potential problems.

Recreation and Parks Director Aaron Davis said when he drafted the policy, his number one concern was for the safety of all the patrons in the parks. He said he recently spoke with several drone authorities which shared some new information with him and he is happy to revise the policy and bring back to Council for consideration.

Mr. Bradley suggested that there be an approval process in place which would grant folks permission to fly the drone.

Mr. Greene made a motion, seconded by Ms. Philipps, to approve the Consent Agenda as presented with the removal of item c. Recreation Drone Policy. The motion carried unanimously.

Item 3e.

Grant Project Ordinance for the City of Mebane American Rescue Plan Act of 2021:
Coronavirus State and Local Fiscal Recovery Funds

BE IT ORDAINED by the city council of the City of Mebane, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance to replace the previously established special revenue fund established on June 7, 2021, is hereby adopted on November 1, 2021:

Section 1: This ordinance is to establish a budget for a project to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (CSLFRF). The City of Mebane has received the first tranche in the amount of \$2,591,329 of CSLFRF funds. The total allocation is \$5,182,478, with the remainder to be distributed to the town within 12 months. These funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

Item 3f.

BE IT ORDAINED by the Council of the City of Mebane that the Budget Ordinance for the Fiscal Year beginning July 1 2021 as duly adopted on June 7, 2021, the Water Resource Recovery Facility (WRRF) Renovation Capital Project Fund, the WRRF Expansion Capital Project Fund, and American Rescue Plan Grant Project Fund, is hereby amended as follows:

ARTICLE I

APPROPRIATIONS	Current Budget	Change	Revised Budget
Revenue Bond Debt Proceeds			
WRRF Renovation Capital Project Ordinance	\$7,344,176	\$1,557,766	\$8,901,942
Water and Sewer Fund Utility Maintenance (GKN Pump Station Reroute)	\$4,240,479	\$1,900,000	\$6,140,479
Water and Sewer Non-departmental (refunding of the 2014 Graham-Mebane water plant upgrade)	\$1,823,036	\$2,771,058	\$4,594,094
Coronavirus State and Local Fiscal Recovery Funds			
CSLFRF Grant Project Ordinance	\$5,182,478	(\$3,310,000)	\$1,872,478
WRRF Expansion Capital Project Ordinance	\$925,000	\$3,310,000	\$4,235,000
FY 2020-21 Carryforward			
General Fund - Recreation and Parks	\$2,478,023	\$77,913	\$2,555,936
General Fund - Sanitation	\$1,759,477	\$4,500	\$1,763,977
Water and Sewer Fund - Engineering	\$285,000	\$40,000	\$325,000

ARTICLE II

REVENUES	Current Budget	Change	Revised Budget
Revenue Bond Debt Proceeds			
WRRF Renovation Capital Project Ordinance	\$7,344,176	\$1,557,766	\$8,901,942
Water and Sewer Fund	\$123,000	\$4,671,058	\$4,794,058
Coronavirus State and Local Fiscal Recovery Funds			
CSLFRF Grant Project Ordinance	\$5,182,478	(\$3,310,000)	\$1,872,478
WRRF Expansion Capital Project Ordinance	\$925,000	\$3,310,000	\$4,235,000
FY 2020-21 Carryforward			
Appropriated Fund Balance - General Fund	\$3,200,469	\$82,413	\$3,282,882
Appropriated Fund Balance - Water and Sewer Fund	\$1,916,468	\$40,000	\$1,956,468

This the 1st day of November, 2021.

A public hearing was held on a request from A Samet Property LLC, requesting to rezone a portion of the +/- 12.69-acre unaddressed property, GPIN 9815303841, located south of Smith Drive and Development Center Drive. Mr. Stober presented the request. He stated that the property has been divided by the NC HWY 119 Bypass. The applicant requests to rezone the +/- 8.88-acre portion west of the right-of-way to M-2, with the remaining +/- 3.81-acre portion to the east of the right of way to remain as R-20. This will create a split-zoned property; however, the property owner has committed to subdividing the property accordingly. The property is currently vacant and located within the Mebane Extra-Territorial Jurisdiction. The surrounding zoning includes M-2, M-2, R-20, and R-12. The surrounding properties on the west side of NC 119 include light industrial, warehouse and vacant industrial uses. The surrounding properties to the east of NC 119 include single-family residential and vacant residential uses. The portion of the property to be rezoned is located in the G-4 Secondary Growth Area and is adjacent to the NC 119/US 70 G-1 Mixed Use Growth Area. The proposed rezoning is consistent with the guidance provided within *Mebane By Design*, the Mebane Comprehensive Land Development Plan. The proposed rezoning will be consistent with the adjacent M-2 properties to the west of the bypass.

Josh Dry, Development Manager of Samet Corporation, 309 Gallimore Dairy Rd, Suite 102, Greensboro, NC 27409, spoke on behalf of the applicant. Mr. Dry explained that they are only seeking to rezone the western portion of the property to coincide with the rest of the North Carolina Industrial Center. They have no plans to rezone the residential eastern portion.

No one from the public spoke. Mr. Greene made a motion, seconded by Ms. Philipps, to close the public hearing. The motion carried unanimously. Ms. Philipps made a motion, seconded by Mr. Ewing, to approve the M-2 zoning as presented and a 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 motion carried unanimously.

A public hearing was held on a request from various property owners for adoption of an Ordinance to Extend the Corporate Limits. Mr. Brown spoke concerning the request. He explained that the property is a voluntary non-contiguous annexation containing approximately 115.399 acres located on West Ten Road in Orange County. He further explained that the property requesting to be annexed is also the same property to be considered during the upcoming public hearing for the Buckhorn Business Centre conditional rezoning. Mr. Brown stated, in the past, Council has combined such matters into one public hearing and if Council desired, both of tonight's public hearings concerning this property could be combined, however, separate motions on each request would still be needed, with a decision on the annexation being first.

Ms. Philipps made a motion, seconded by Mr. Ewing to combine the public hearings. The motion carried unanimously.

Mr. Stober presented the request. He explained that Al. Neyer is petitioning the City for action on fourteen parcels: rezoning of one B-2-zoned parcel in the City limits and the annexation and zoning of thirteen (13) parcels totaling +/-128.77 acres outside the City's ETJ in Orange County to M-2(CD) (Light Manufacturing, Conditional) for the "Buckhorn Business Centre." The subject properties have frontage along US Interstates 40/85, West Ten Road, and Buckhorn Road at the intersection with Rabbit Run. All properties within and immediately surrounding the project site are within Orange County's designated Buckhorn Economic Development District (BEDD). All properties north of the project site and across the interstate corridor are zoned M-1 (Heavy Manufacturing) by the City of Mebane. Most of the immediately surrounding properties to the east, west, and south are zoned R-1 (Rural Residential) by Orange County. There is one property to the east that is zoned O/RM (Office/Research and Manufacturing) by Orange County. There is also a GC-4 (General Commercial) Orange County zoning district to the southeast of the project site and has frontage at 6405 West Ten Road. The properties to the south of West Ten Road are all in an AR (Agricultural Residential) Orange County zoning district. A site plan showing a three-phased development of six lots has been provided for consideration and to show the highest potential intensity of use on the property, with a condition allowing for layout and design flexibility. The plan calls for six lots to be developed in three phases, as well as two lots that will presently remain undeveloped but may be developed but would have to come back for further public hearing and Council consideration before being developed. A Traffic Impact Analysis (TIA) was conducted for the project with focus on the intersections at the interchange as well as Washington Street and Buckhorn Road, Buckhorn Road and West Ten Road and West Ten Road and Bowman Road. Turn lane requirements were found to be necessary at all entrances, including having dual turn lanes to exit the proposed project site with continued monitoring on interchange intersections for possible traffic lights. Also noted was a recommendation for coordination with the Petro Truck Stop for access from Rabbit Run.

Mr. Bradley questioned whose responsibility it is to "monitor" the intersection for possible future signaling. Mr. Stober said a conversation with DOT would determine that responsibility. Mr. Bradley said there are several developments that are converging on that interchange off of I-40, so he feels that needs to be determined sooner than later.

Justin Parker, 4509 Creedmoor Road, Suite 201, Raleigh, NC 27612, representative and Market Leader for Al Neyer, spoke regarding the request. First, Mr. Parker gave an update for property located at 6016 West Ten Road, announcing that Thermo Fisher Scientific will be occupying building one on that property late Summer of 2022. He shared details about Thermo Fisher Scientific and expressed his excitement.

Mr. Parker continued by addressing Mr. Bradley's concerns about the monitoring the intersection for possible signalization. He said as a condition of Council's approval, they commit to pay for the stop lights to be installed at that interchange to alleviate the current and future traffic operations at that location. Mr. Parker referenced the PowerPoint slide of the illustrative site plan which depicted a breakdown of the six (6) lots/buildings. He stated that Al. Neyer will donate Lot 1 to the City for the construction of a future fire station. He said they will purchase and grade the land so it is ready for the future development. He shared that they hosted a public meeting in late August to discuss the proposed development with surrounding property owners.

Mr. Bradley said that Mr. Stober shared the building layout would be nonbinding and would be redrawn based on the needs of the occupants but he questioned if the landscape buffering would remain the same no matter the layout. Mr. Parker assured Council that the landscape buffering would stay the same, stating that they are 50 feet along the interstate and 100 feet everywhere that the development adjoins residential property, except for the northwest corner which is related to a stream crossing and mitigating the impact on that stream.

Mr. Ewing asked if there was any opportunity to use the same drive with Petro. Mr. Parker said yes, there is active dialog currently taking place with Petro.

Mayor called for public comments. No one present at the meeting spoke.

Mr. Brown read aloud the following three (3) comments received via email. He prefaced before reading the comments aloud, that as far back as 1981, Orange County has designated this property as a commercial transitional activity node.

Good evening city council. I am writing to you today in regards to the rezoning for the Buckhorn Business Center. As I stated with the 6016 West Ten rezoning, I am aware that the Buckhorn Business Center does lay within the planned Buckhorn Economic Development District. Therefore, I will not object to this project outright but I truly hope that any plans that meet the approval of city council take the local traffic and environmental impact into consideration.

I see from the traffic impact analysis that there are some added lanes that the developer plans to put in at entrances on West Ten and Buckhorn. They seem to meet the minimum required by the TIA. If I were a direct neighbor of this property, I would ask whose property those road expansions impact and if this is something that eminent domain automatically takes care of or if those property owners get a say about what happens to their road front property.

Another traffic concern for those of us not directly next door to this site is the general increase of tractor trailer traffic. It is already happening to me multiple times a week that tractor trailers coming out of the truck stop are pulling in front of oncoming traffic causing the need for extreme braking. I have spoken to other neighbors and they have experienced the same thing. This is an already unsafe situation that I worry will get worse with more tractor trailers on the road.

As stated above tractor trailers entering Buckhorn are already a concern and we have not even seen the effects of Medline and 6016 West Ten tractor trailer traffic. I see the TIA recommend "monitoring" which is appreciated but I truly feel it is a bit lackluster if the city's plans are to continue to encourage industrial development in the BEDD. If we also factor in the new housing developments that are creeping east on Bowman Rd, we are in for a significant increase in traffic

at the Buckhorn interchange and I hope that we can act a bit more proactively instead of waiting for something bad to happen.

It is truly heartbreaking to see the agricultural land around me turning into an industrial area. I ask you as someone who understands the city's need for growth to continue to consider those of us in this area that moved here specifically for the rural feel.

I also cannot help but bring up the environmental impact of increased traffic trailer traffic to our green areas. We are in a climate crisis and to continue to build and develop rural land into warehouses that feed the continuing growth of pollutants feels short sighted and frankly like a money-making grab for those at the top at the cost of all citizens. Choosing "greener" options is not always the instant profit an individual or city might be looking for but we will be paying a much larger longer-term cost if we do not start to consider what we are doing to our environment instead of how we can best line our pockets.

Thank you for your time and consideration.

Sincerely,

*Fiona Johann
5016 Johann Lane
Mebane, NC 27302*

Hello, Mebane City Council,

Regarding the rezoning for the Buckhorn Business Center, I would encourage the Council to actively study what is under consideration through the eyes and interests of the residents that live in and around that immediate area. Decisions should be made that protect the residents' quality of life and contribute to the conservation of our precious rural environment within that area. Please keep in mind that rezoning proposals that come before the Council are often driven by decisions made based solely on optimizing profit from lifting zoning restrictions that have protected land from environmental degradation for generations. The Council is the residents' only hope for representation of their families' interests and for protecting their quality of life. Buffers, noise abatement, light pollution controls based solely on what is legislated as allowable have too often failed to prevent the actual negative impacts and personal costs of rezoning and the opening up of land for active commercial speculation. Traffic concerns alone should signal the need for more study of specific plans for development in this area and for prudent restrictions brought to the table that would protect our neighbors' interests. The Mebane City Council is their only voice at the table. Please represent their concerns.

Thank you.

John Dempsey

Good evening, City Council members,

I am writing to you to ask that you consider the impact of the Buckhorn Business Center upon the rural environment of Alamance and Orange Counties. The increased tractor trailer traffic and its added pollution will increase Global Warming that is creating a Climate Crisis that we must act now to reverse.

The increased trailer traffic will bring increased traffic to the area and endanger the neighbors and commuters who pass through the area. Careful traffic planning will be needed to avert the increased danger of encounters with trailer trucks headed to and from this Center.

Any added impervious ground cover will further add to the degradation of the environment. The least the Council members could do would be to require that the UDO be amended to require that all ground cover be permeable so as to protect our adjacent water systems, ground water, and wells from toxic run-off.

I am a citizen of Orange County who moved to this area because of its rural beauty. I, like many residents of Orange and Alamance Counties, want to see this beauty preserved, now and for our future generations, and who place the long-term health of our planet and those who live on it, above the short-sighted desire for profits today.

Respectfully,

*Andrea T. Riley
1204 Brokhollow Road
Efland, NC 27243*

Ms. Philipps asked Mr. Parker to address some of the traffic issues, specifically the turn lanes that will be present, both on Buckhorn Road and at the West Ten Road entrance. Mr. Parker requested Traffic Engineer Josh Reinke address Ms. Philipps request.

Before Mr. Reinke came up, Mr. Rollins shared that previously when Al. Neyer came before Council regarding property on south West Ten Road, they made a \$200,000 contribution for future traffic improvements in that area. NCDOT has estimated that the signalization for the north and south on/off ramps to cost \$232,000. The discussion was that \$170,000 of that \$200,000 will be applied to the construction of the signalization at the on/off ramps, the other will come directly for Al. Neyer. He said as Council is familiar with other similar projects, the City will need to enter into a Municipal Agreement with NCDOT to agree with the project and to accept the funding from Al. Neyer to cover that cost.

Mayor Hooks asked if there was as timeline to when the traffic lights would be installed. Mr. Mitchell said that it is staff's understanding that the Municipal Agreement would be brought to Council for approval, then the project would begin as soon as NCDOT is able to begin the project. It is not dependent upon any phases of the proposed project.

Mr. Bradley asked for clarification regarding a comment in one of the letters read aloud that referenced land acquisition for the turn lanes through eminent domain. Mr. Rollins said that it is always the City's goal to never use eminent domain on development projects, not on this project or any other projects. The developer would be responsible for working within the existing right-of-way that is there which means the road can be widened within the existing right-of-way, if there is not existing right-of-way, the developer would be responsible for dealing with the property owner to acquire land.

Josh Reinke, Engineer with Ramey Kemp and Associates, 5808 Faringdon Place, Raleigh, NC, stated they were hired to conduct a TIA and a macro assessment letter, the later not being required but more so thought of as a proactive step looking forward into the future. They took into consideration any possible development that could take place as far out as 2030. He stated they also conducted an update TIA to address any safety concerns with the shifting of the driveway along West Ten Road.

Mr. Parker added that the site will have single sided load docks.

Carl Bradley shared concerns with truck traffic exiting the property if no traffic signals are in place.

Mr. Reinke stated there will be multiple points of access, along with the spacing of the driveways they have no safety concerns.

Mr. Ewing asked what the vision is for the west bound and east bound traffic. Mr. Reinke said their projections had 60% of the cumulative traffic straight from Buckhorn Road and heading to the interstate. Projections are detailed in the study.

Ms. Auditori said she wanted to reiterate that eleven (11) of the fourteen (14) parcels are already zoned Office/Research and Manufacturing in Orange County. Mr. Stober said yes. Ms. Auditori said, so what is really driving this request is not a significant change in existing zoning, rather the applicant desires to be incorporated into the City limits, therefore in order to do that, Council must adopt zoning to reflect Mebane's zoning, not Orange County's zoning. Mr. Stober said that is correct.

Mr. Bradley commended Mr. Parker and Thermo Fisher for their environmentally safe commitments.

Mr. Bradley then made a motion, seconded by Mr. Greene, to close the public hearing. The motion carried unanimously. Mr. Bradley made a motion, seconded by Ms. Philipps, to adopt an Ordinance to Extend the Corporate Limits of the City of Mebane, North Carolina to include the 115.399 acres. The motion carried unanimously.

Ms. Philipps made a motion, seconded by Mr. Ewing, to Motion to approve the M-2(CD) zoning as presented and a 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 within the City's G-2 Industrial Primary (V) Growth Area "Part of BEDD and North of US-70", an "... area [*that*] is intended for more robust growth, primarily for light industrial purposes... [with] areas immediately outside of these corridors, though, [*that*] are rural residential lots... (Mebane CLP, p.72. The motion carried unanimously.

A Quasi-judicial public hearing was held on a request from DRPBS Hospitality, LLC, for an amendment to a Special Use Permit previously approved by the Council in July 2019.

Mr. Brown announced the anyone that will speak on the matter needs to be sworn in. He also requested that Council disclose any communications they may have had with the applicant prior to tonight's public hearing.

Mr. Bradley stated he has had no communication with anyone and can be fair and impartial.

Ms. Auditori stated she has had no communication with anyone and can be fair and impartial.

Ms. Philipps stated she has had no communication with anyone and can be fair and impartial.

Mr. Greene stated he has had no communication with anyone and can be fair and impartial.

Mr. Ewing stated he has had no communication with anyone and can be fair and impartial.

Clerk Shaw sworn in Cy Stober, Tim Smith and Rad Pandit.

Mr. Stober presented the request. He said that DRPBS Hospitality, LLC – Lowes Blvd Retail is requesting amendment to the Special Use Permit 19-01 ("DRPBS Hospitality, LLC – Lowes Blvd Retail"), a Planned Multiple Occupancy Group for a multi-tenant building located at the end of Lowes Boulevard (ETJ), to allow for a 29% increase in hotel rooms and a corresponding redesign of the parking lot for all three buildings. DRPBS Hospitality, LLC. owns the property and is already approved to develop the property as detailed on the approved site plan and as follows:

Building Areas:

- Two 4-story hotels – 80 rooms each and 20,000 sf each (<5,000 sf meeting space)
 - Phase 1 (West) & Phase 2 (East)
- One 2-story mixed-use office/retail building with offices over retail – Phase 3
 - Retail – 5,000 sf
 - Office – 5,000 sf
- Total: 50,000 sf
- Waivers:
 - Landscaped buffer – UDO requires 20' – The developer is requesting to reduce the landscaped buffer to 10'.

The applicant is requesting to increase the number of rooms in the Phase 1 hotel to 103 and a parking plan that does not meet the number required by the Mebane Unified Development Ordinance, requiring seventeen (17) spaces to be shared between the two hotels. The Mebane UDO allows for combined parking but only in situations where the peak demands are not in conflict or to allow for relief in meeting minimum parking space requirements. The applicant will also be dedicating right of way for the extension of Lowes Boulevard, per the adopted *Lowes Boulevard Corridor Plan*.

Tim Smith, P.E., Senior Project Manager at Summit Design and Engineering Services, 320 Executive Court, Hillsborough, NC 27278 represented the applicant and provided a presentation of the request, describing the history of the project and impact of the pandemic on the project. Mr. Smith described in detail the previously approved plan and the proposed changes. He said with the increase in rooms, came the required increase for parking spaces, so, they show nineteen (19) shared spaces for parking on the site and he and the applicant feel it will work out fine between the mixed uses of hotels and office use as there has been no issues in the past with two hotels and shared parking. He said the Planning Board member Lori Oakley shared at the Planning Board meeting that she had researched parking requirements by other jurisdictions and found that the plan would meet the code in the other communities.

Mr. Ewing questioned who the other municipalities were. Mr. Stober said the municipalities referenced were Burlington, Graham and Hillsborough, all using one (1) or in some cases .85, specifically for hotels.

Mr. Smith shared elevation renderings of the hotel buildings. He stated that the findings of fact and the building commitments remain the same as with the previously approved SUP.

Ms. Philipps questioned the reduced buffer. Mr. Smith stated that was included in the original SUP approval.

After brief discussions regarding intersection traffic concerns, Mr. Stober said as Development Director, he can commit to official City comments regarding the NCDOT widening project will reflect concerns shared tonight as well as any future TIAs that evaluate this intersection.

Ms. Philipps made a motion, seconded by Mr. Ewing, to close the public hearing. The motion carried unanimously.

Mr. Bradley asked if there was any way that the City could provide a condition that if the widening of Hwy 119 and the changing of the signaling is not put in place prior to construction, that the applicant would have to work with NCDOT to put in a fixed left turn signal.

Mayor Hooks asked if the City can request that NCDOT change the signalization now to a fixed left turn instead of a caution signal. Mr. Rollins said we can ask but it is his understanding that the Hwy 119 widening project from Lowes Home Improvement to Trollingwood Road is funded and is the

State's TIP. Mr. Stober confirmed that the funding is secure. Mr. Rollins said staff can make a request for NCDOT to analyze that signal function. Mr. Stober stated he would relay the concerns to NCDOT.

Ms. Auditori asked Mr. Smith what the timeline is for the project. Mr. Smith replied that construction should begin in the Summer of 2022 with a 2023 opening.

Ms. Auditori made a motion, seconded by Ms. Philipps, to approve the motion to approve the special use permit amendment as presented and a motion to find that the application is both reasonable and in the public interest because it finds that:

1. Will not materially endanger the public health or safety;
2. Will not substantially injure the value of adjoining or abutting property;
3. Will be in harmony with the area in which it is located; and
4. 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-4 Secondary Growth Area, which is intended to be "...generally residential and commercial in nature..." and is consistent with the adopted *Lowes Boulevard Corridor Plan*. The motion carried unanimously.

Mayor Hooks called for a brief break at 7:26pm. Mayor Hooks called the meeting back to order at 7:32pm.

Prior to the start of the next public hearing. Mr. Brown gave a brief explanation regarding the differences between quasi-judicial, special use and conditional rezoning hearings.

A public hearing was held on a request from Kenyon's Meat Market, c/o Darrin Kenyon, for a rezoning of unaddressed Alamance County Parcel 163798 from O&I (Office and Institutional District) to B-2 (General Business District). Mr. Stober presented the request. He stated that the property is 1.55 acres is located inside the City limits and is currently vacant. The property has two street frontages on Foust Road and S Fifth Street Extension. The lot currently meeting the requirements for a B-2 zoning district. The property is in the G-4 Secondary Growth Strategy Area and adjacent to the G-1 Cameron Lane Mixed-Use Primary Growth Strategy Area. The proposed rezoning is consistent with the guidance provided within *Mebane By Design*, the Mebane Comprehensive Land Development Plan.

Mr. Bradley stated that he received a letter indicating that the adjoining property owners were not notified of the rezoning prior to the Planning Board meeting. Mr. Stober said that the North Carolina General Statutes (NCGS) requires notification for public hearings only, however, the Planning Board meetings are open meetings so Planning staff follows the same procedures for Planning Board meetings as they do for public hearings. He said staff's standard is to make sure they follow NCGS and get all mailings out to land owners within 300 feet of any subject property 10-25 days prior to meetings. He said notification letters were sent out for the Planning Board meeting on September 22nd and letters for tonight's public hearing were sent out on October 15th.

There was brief discussion regarding the various zoning districts near the subject area, including O&I zoning directly across the road from the subject property.

Paul Koonts, attorney representing the applicant, 3493 Forestdale Dr Suite #103, Burlington, NC 27215, presented the request. He stated that the request is a straight forward B-2 rezoning, sharing that the Planning Board approved the request with a 4-3 vote. Some of the comments that came out of the Planning Board process were related to Ms. Crisp's property. He referenced the zoning map and explained that the back portion of subject property that abuts Foust Road, adjoins Ms. Crisp's property. To address feedback from the Planning Board meeting, the applicant's set

up a public meeting to talk with folks about their plans for the property. He stated that one member of the community attended that meeting. Mr. Koonts said the applicant has modified their request by reducing what they were originally wanting to rezone to B-2.

Mayor Hooks called for another break at 7:43pm so that the drawing could be scanned in so that staff could make the drawing viewable by the public and the Council. Mayor Hooks called the meeting back to order at 7:50pm.

Mr. Koonts shared a sketch drawing that reflected the changes, explaining that the request would now be a split zoning because the back portion of the property would continue to be O&I, the B-2 zoning would only be for the front portion of the property. He stated that the applicant is modifying the original request to be respectful of the adjoining residential property. Mr. Koonts further explained that another modification is the removal of the drive on Foust Road, it has been eliminated altogether. All of the traffic will enter and exit on Fifth Street. He said that the dumpster will be located next to the back of the building.

Ms. Auditori asked for clarification about the trees and buffers on the rear portion of the property that will now remain O&I. Mr. Koonts said nothing will be placed on the O&I portion of the property, it will remain as is, with a 30-foot setback from the parking lot. All City buffer requirements will be met.

Mr. Ewing asked if the dumpster will be fenced. Mr. Stober said that the City requires a minimal 8-foot tall screening around all dumpsters. The material must be opaque and meet all City requirements.

There was discussion regarding buffer requirements for small lots. The drawing as shown meets and exceeds the City's requirements.

Ms. Auditori questioned if Council approves the request tonight, can an office could be built on the back portion which will remain O&I. Mr. Stober replied, yes. It would be developable by right as an O&I lot.

Mr. Ewing questioned if the lot is currently developable as O&I by right. Mr. Stober replied, yes.

Ms. Philipps questioned the water and sewer extension, stating that to her knowledge the utility lines run down Foust Road but not Fifth Street. She asked if there would be minimal disruption to current landscaping or conditions in that area.

Kyle Smith, Public Utilities Director, said that water and sewer are both available on Foust Road and water is available on Fifth Street. He said with the project they are proposing, it would be a simple service connection with minimal disturbance.

Mr. Ewing asked about the type of delivery trucks. Mr. Koonts stated they would be typical box trucks. They would enter and drive to the rear of the property, unload and exit. There would be approximately four or five trucks a week with deliveries being made during business hours.

Wilma Crisp, 110 Foust Road, Mebane, NC 27302, spoke in opposition of the rezoning request. She said she is requesting one of two things, for the council to vote no to the rezoning or return the matter back to the Planning Board. She stated that she sent to each Councilmember a copy of the letter she submitted to the Planning Board members requesting notification of their vote to change the zoning classification to commercial. She said at the Planning Board meeting, Mr. Kenyon had no concrete plan for the type or size of building to be built or an infrastructure plan to support the increased traffic, nor a plan for rerouting water, sewer and electrical systems. Furthermore, he had no plan for addressing environmental or public health concerns when it

comes to rodents or insect control, trash and garbage removal, air pollution, light pollution, the need for barrier fencing or the negative impact on home values and yet the Planning Board gave him full authority to build whatever structure he wants on land that he does not own. She referenced photographs which she submitted to the Council at the beginning of tonight's meeting which depict Kenyon's current property, copies of photographs attached. She asked that Council look at the photographs and then ask themselves how they would like seeing that in the middle of their quiet neighborhood. She asked if Council would approve it for Mill Creek. If not, why would Council vote to put it next to hers. She said that the meat market will destroy property values as is done in black neighborhoods all over the country. There is mountains of research that goes back hundreds of years on how quiet and gentle black neighborhoods are picked apart by highways, strip malls and store fronts like Kenyon's Meat Market in the name of progress leaving the neighborhood in poverty and ruin. She implored Council to not let Mebane be guilty of that same travesty. No resident was properly noticed by letter or signage before the Planning Board voted. She said she was told that it was a secret by the property seller's daughter. She respectfully requested that Council reflect upon what she has said tonight and vote a resounding no to the zoning change. If Council is unwilling to vote to end the matter tonight, then the Planning Board needs to legally and properly notify residents, conduct impact studies and offer ample time to present their views before moving the matter forward. She concluded with thanking the Council for its time and consideration.

Schenita Randolph stated that she is a 16-year resident of Mebane and also a representative of Mebane's Racial Equity Advisory Committee (REAC). She said she has been following this matter, as a part of her charge from Council as part of her responsibility on the REAC, along with some historical pieces of Mebane around land and racial equity. She asked Council to consider seeking advisement from the REAC before moving forward with this matter because there are some observations as a REAC that she has made.

Ms. Philipps requested to hear Ms. Randolph's comments now.

Ms. Randolph shared her observations of racial equity sensitivities and a lack of transparency. She expressed that this is an opportunity to pause for time to allow all parties to understand the process so that the City is not perpetuating inequities which Council felt needed to be addressed.

Travis Albritton, REAC Co-chair, said when sensitive matters such as tonight's hearing, which deals with a historically legacy of land use as it relates to people of color in the community, he feels Council should seek advisement from the REAC before voting. He expressed that people will have more faith in the Council if they feel they have listened to all parties' views.

Kiesha Bluford, REAC member, said that a vote tonight would be premature. She said when she was notified about the meeting and the concerns from the community that would be affected, she took time to look at the City's Unified Development Ordinance (UDO). She first expressed concerns with the notification process. Also listed as a concern was that no conditions were tied to the rezoning and in the future the meat market could become another type of business even though the applicant's intention is for the business to be in place for generations, legacies on both sides need to be respected. She said that the request has been changed and the affected residents have not had time to study and research the new proposed plan. Ms. Bluford made several references to the UDO regarding processes. She spoke in favor of Council honoring Ms. Crisp's request to send the matter back to the Planning Board for further review. She asked the Council to consider additional time before voting.

Anthony Pierce said that the residents on Foust Road have lived there a long time. He spoke highly of the neighborhood and the people that live there. He said the issue at hand is two legacies that are trying to be preserved, the Kenyon's and the legacy of the existing Foust Road community. The families do not want to lose the feeling of a neighborhood. He requested that Council table

any action tonight and to have the Planning Board revisit the matter and perhaps ensure that conditions are put in place, a conditional rezoning as opposed to a straight B-2 zoning.

Karen Oldham, owner of property adjacent to the subject property, spoke in favor of the rezoning and spoke highly of the Kenyon family. She shared that her home place was taken with the NC 119 bypass. She also shared kind words and memories of growing up in that neighborhood.

John Kirby, lifelong Mebane resident and Eastern High School Football Coach, shared kind words about the Kenyons and their business and spoke of all the good they have done for the Eastern High School and the community. He stated that he respects all parties on both sides of this matter.

Steve Hensley, owner of subject property, spoke in favor of the rezoning. He shared that other businesses have expressed interest in the property over the years but when he heard Keyon's Meat Market wanted to come there, he jumped at the chance. He said the Kenyon's are good people and the business will be an asset to the entire neighborhood. He said the new proposed plan will not affect the residents on Foust Road.

Mr. Koonts gave closing remarks, reiterating the request as modified to a split zoning and shown on the provided drawing.

Clerk Shaw read aloud letters, attached.

Daughter of Wilma Crisp requested more time to research the matter further. She cited public health concerns and wants to ensure her family has a safe place to live for years to come.

Ms. Randolph said the letters were great. In racial equity work, we focus on policy and procedure and not personal so as a decision is made, it is important to follow policy and procedure and not personal impact.

Ms. Auditori made a motion, seconded by Mr. Ewing, to close the public hearing. The motion carried unanimously.

Mr. Bradley said that mixed use zoning is in the Mebane Land Use Plan. He cited several locations throughout the city with mixed use zoning. He also explained that the Planning Board is an advisory board to the Council, they do not approve or disapprove of projects or development, that action is done by the Council. He stated that the last comment by Ms. Randolph was appropriate as this is not a popularity contest and it is also not a black and white issue. The Council looks at land use and what is appropriate.

Mr. Bradley made a motion to approve the B-2 zoning as presented. and a 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 commercial in nature (Mebane CLP, p.66). The motion carried unanimously.

Mr. Greene seconded the motion and stated when he looked at the O&I permitted uses, he feels this is best use of the land compared to what could go there.

Ms. Philipps suggested sending notification letters via certified mail in the future.

After brief discussions regarding O&I permitted uses, Mayor Hooks called for a vote on the motion. The motion carried unanimously.

Mayor Hooks called for a break at 9:31pm. Mayor Hooks called the meeting back to order at 9:36pm.

A Public Hearing was held on a request from Guy Land for the adoption of an Ordinance to Extend the Corporate Limits. Mr. Brown spoke concerning the request. He stated that the property is a voluntary contiguous annexation containing approximately 0.300 acres located at 4710 Mrs. White Lane in the Alamance County. Mr. Land plans to build a home on this property and would like to tie onto the City's water and sewer. Mr. Land was present and reiterated the request as presented by Mr. Brown. Mr. Greene made a motion, seconded by Ms. Philipps, to close the public hearing. Mr. Bradley made a motion, seconded by Mr. Ewing, to motion to adopt an Ordinance to Extend the Corporate Limits of the City of Mebane, North Carolina to include the .300 acres. The motion carried unanimously.

Mr. Davis presented a request for approval of Recreation and Parks Commission Appointments for 2022. He explained that initially, Council selected six individuals that are serving staggered entry terms of 1, 2, and 3 years. The two new members selected this year will begin a three-year term and will be a big part of the Recreation and Parks Master Plan process and helping create new special events and program ideas for the City. The qualifications of the seven candidates were detailed in the applications provided in the Council packets.

Mr. Greene nominated Jay Bissette, III. Ms. Philipps said she would support Mr. Greene's nomination as well as nominating Emily Powell. Ms. Philipps made a motion to such and was seconded by Mr. Greene. The motion carried unanimously.

Mr. Davis presented a request for approval for the City to submit the T-Mobile Community Grant for the "Fiddler Stage Cover". He explained that when the Mebane Community Park was completed, one amenity unable to initially be funded at the park was the completion of the "amphitheater," specifically, a shade structure to keep performers from sun and/or rain in either case. In the 2021 budget, the Capital Improvement Plan (CIP) included future funds to construct the amphitheater. The CIP listed a much more robust amphitheater that would include a larger structure and multiple changes to the area already earmarked for the amphitheater. The new structure will be much smaller in size than a standard amphitheater, but fit the current cement slab and provide the needed shelter for smaller performances. This structure will also include removable panels designed to keep sound in the park, rather than extending behind the structure into the nearby neighborhood, as much as possible. T-Mobile is offering four periods to submit proposals for community grants that can help with change and impact communities. The T-Mobile Community Grant offers a maximum of \$50,000 with no match required from the City that staff is interested in pursuing. The overall estimated cost is \$75,000. If the Council approvals submitting for the grant and T-Mobile grant is awarded, Recreation staff will look for pursue additional private sector funding.

Ms. Philipps said the proposed amphitheater is exactly what she had in mind. She made a motion, seconded by Mr. Greene, to approval the City's to submission for the T-Mobile Community Grant for the "Fiddler Stage Cover". The motion carried unanimously.

Mr. Stober presented a request for approval of Planning Board appointments. He explained that the Mebane Planning Board has one (1) outstanding opening for appointment. The position will fulfill the remainder of Mr. Thomas Vinson's term, as a City representative, which expires 2023. The Planning Department provided press releases, social media posts, and published legal advertisements the weeks of September, 6, September 20, October 4, and October 18. The qualifications of the three candidates were detailed in the applications provided in the Council packets.

Mr. Greene nominated Susan Semonite, stating she is very knowledgeable and would do a great job in this capacity. Mr. Ewing said he would like to nominate William Chapman as his family has lived in the community for quite some time and he is very knowledgeable about land. Ms. Auditori spoke highly of Ms. Semonite and said she would be in favor of her as well.

Mr. Bradley made a motion, seconded by Mr. Greene, to appoint Susan Semonite. The motion carried unanimously.

Mr. Stober presented a request for adoption of a Downtown Exterior Improvements Grant. He explained that in its deliberations of the Manager's Recommended FY22 Budget, the Council allocated \$50,000 for Downtown Improvements as a matching funds grant program that will reimburse an individual up to 50% of qualifying expenses for exterior improvements to a Downtown property. The application details the criteria for individuals wishing to improve their properties by addressing one of four categories:

- Façade improvements;
- Outdoor seating;
- Exterior artwork; and
- Preservation of historic architecture and buildings.

Conditions apply to the municipal awards, which are available on a first-come, first-served basis. The City must approve any encroachments into municipal rights of ways or easement, such as sidewalk seating. The grant is provided as a reimbursement for qualifying expenses, requiring proof of receipts. Applicants must provide a minimum of two quotes for the proposed project. Applications for this municipal award will be accepted until February 15, 2022.

After discussion among Council and staff, it was decided that a timeframe should be added into the application. It was a consensus of Council to set the time limit to one (1) year from date of approval. Ms. Philipps made a motion, seconded by Mr. Greene, to adopt the Downtown Exterior Improvements Grant, with the addition of the timeframe language, awarding and spending municipal funds accordingly. The motion carried unanimously.

Mr. Brown asked, if now that the Council meetings are being held in person, does Council want to continue to allow written comments for public hearings and public comments as adopted during pandemic. After some discussion, Council directed Mr. Brown to amend the current policy to no longer allow written comments to be read aloud into the official record and to bring it back for consideration.

There being no further business, the meeting was adjourned at 10:00pm.









or packet sent via email ✓ (1) Public Hearing - Kenyon

I SUPPORT the relocation of Kenyon's Meat to 1204 S Fifth Street so they may not only grow and expand their family owned business, they can grow and expand their continued faithful and dedicated service to the community in Mebane and also surrounding communities. I drive from the other side of Alamance county because of the quality of their meats, frozen and fresh goods and the friendly, hometown atmosphere. Kenyon's truly appreciates their valued customers! It shows in their service and quality!

Help them expand so that they may better serve our communities!

Expansion for Kenyon's is a win win. They bring more business by gaining a larger store offering even more products, more parking and MORE PEOPLE visiting and buying from Small Businesses.

Vote KENYON'S EXPANSION!

KATHY LYNCH

A Way To Go Travel Agency

422 Huffman Mill Rd

Burlington NC 27215

336-437-4612 cell

Join me on Facebook

Please be sure to check your destination for travel requirements:

<https://apply.joinsherpa.com/travel-restrictions?affiliateId=americanairlines>

Stephanie Shaw

From: Kathy Lynch <klynch4travel@yahoo.com>
Sent: Tuesday, October 19, 2021 9:23 AM
To: Stephanie Shaw; Info
Subject: Fwd: Support Kenyon's

Ms. Lynch,

Thank you for your e-mail about this pending general rezoning request by Kenyon's Meat Market. I have shared it with the City administration. The matter will be determined by the City Council in a public hearing at their November 1 meeting, which begins at 6 p.m. at Mebane City Hall. If you wish for your comment to be shared with the City Council, please provide it at the public hearing, either by speaking that evening or e-mailing the City Clerk, as allowed by City ordinance and NC General Statutes.

Sincerely,

Cy Stober, AICP

Development Director

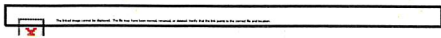


106 East Washington Street

Mebane, NC 27302

- 919 563-9990

www.cityofmebane.com



From: Kathy Lynch <klynch4travel@yahoo.com>
Sent: Sunday, October 17, 2021 11:44 AM
To: Cy Stober <cstober@cityofmebane.com>
Subject: Support Kenyon's

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

send via
email
&
packet ✓

Ⓢ Public Hearing -
Kenyon

Stephanie Shaw

From: Renee Whitt <april.whitt@duke.edu>
Sent: Tuesday, October 19, 2021 11:10 AM
To: Stephanie Shaw
Subject: Mebane City Council request for approval

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi,

I am thankful for the service that Kenyon's Meat Market has always provided for everyone. I am asking that this City Council will approve what is needed for Kenyon's to remain a staple in this great city of Mebane. They have always gone above and beyond for everyone by always giving back to the community. Now is the time to give back to them by giving approval to be able to build on this legacy that promises to continue for generations. During times like these we need families like Kenyon's to continue what is great and always provides so much to the community. How amazing it will be to share this legacy with people by granting their approval to build and help Mebane become even better.

Thanks for your time and consideration,
Jimmy, Vickie and Renee Whitt

Kind Regards,
Renee Whitt
DCRI Quality Assurance
DCRIQuality@duke.edu
<https://dcrihome.dcri.org/qarc>
919.668.8518

sent via
email
&
packet

(3)

Public Hearing

Kenyon

Stephanie Shaw

From: Beth Brigham <bethscooking4u@gmail.com>
Sent: Tuesday, October 19, 2021 2:21 PM
To: Cy Stober
Cc: Stephanie Shaw
Subject: Rezone to allow Kenyon's to build at 1204 S 5th St

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This is regarding the proposed new location of the Kenyon Meat Market at 1204 S 5th St in Mebane.

We have been customers of Kenyon's for years and have found the owners to be responsible and concerned for our community. Their daughter has been part of the business for years also and has committed to work with and run the business when her parents step down so I'm confident that this business will continue to be as community oriented as it is now for many years to come. The location they are proposing will be convenient for even more of our community than where they are now. It seems it would fit perfectly along side the other businesses near by and along side homes and apartments in that area. Remember when the neighborhood grocers were down the block and the only business among single family homes? This isn't the same but it worked and didn't hurt any neighborhood. I'd have been thrilled to have that business placed near our neighborhood. Please vote yes to rezoning for this business.

Beth Brigham
914 Palm Ct
Mebane NC 27302
919-928-6130

Sent from my iPhone

Packet

(4)

Public Hearing
Kenyon

Stephanie Shaw

From: Body Solutions <bodysolutionsllc@yahoo.com>
Sent: Wednesday, October 20, 2021 9:40 AM
To: Stephanie Shaw
Subject: Letter regarding rezoning

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello, My name is Dr. Karen Wilkinson. I have been an active member of the Mebane community for 25+ years now. I have watched Mebane grow and blossom into the beautiful place that it is. There are many people to thank for that, including Darrin, Renea and Taylor Kenyon and the Kenyon's Meat Market crew. They are all amazing people with big hearts, compassion for others and a drive and desire to make Mebane the best place to live and do business.

They tirelessly give 100% of themselves to help provide the residents of Mebane what they need every single day. During the pandemic they worked non-stop, going above and beyond to make sure the residents of Mebane had food on their table and their staff was taken care of physically and emotionally.

As for their rezoning request.....I am in support of rezoning their desired new location to B2. There is a dental office across from their desired location. There are 2 housing communities across the street, and more coming..... I am sure they would love the close access to getting groceries. I don't feel that B2 is unreasonable considering all the growth and development that has, and continues to occur, less than a mile of this location. Residences, restaurants, hair salons, medical offices, grocery stores, and other small businesses are within the surrounding mile.

We, as a community, should be encouraging not just small business' like this to build in Mebane, but the Family themselves. You won't find many better! We are doing them and the City of Mebane a disservice if this rezoning isn't approved. They have stood by our community and city..... it's now time for the community and City to stand by them.

Sincerely,

Dr. Karen Wilkinson

Paclat

(5)

Public Hearing
Kenyon

Stephanie Shaw

From: Wilson Aulbert <wilson4duke@gmail.com>
Sent: Wednesday, October 20, 2021 8:15 PM
To: Stephanie Shaw
Subject: Rezoning to B2 Kenyon's Meat Market

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

- >
- > I would like to say that I am a long time resident of Mebane and have seen the town's growth explode. I have seen the approval of projects submitted by individuals and corporations that do not reside here and where here to only profit without the best interest of the community.
- >
- > I have known Darrin Kenyon for over 40 years. I can tell you that he has the best interest of the community in mind. This is evident by the fund raisers they have had for those in need in our community over the 13 plus years they have been in business. This is a family that is well established in Mebane.
- >
- > In looking at that area of the proposed Meat Market you have Troutman Family Dentistry, Roc's Barber Shop and the First Source Equipment that is in close proximity to the Foust road neighborhood. If it's not Kenyon's there will be other businesses coming into that area to occupy the property. The property owners in that area that have concerns over the value of their property may want to look at the property values on Mebane Oaks road near Walmart.
- >
- > When Walmart was approved and allowed to build this was in a residential area. You had established neighborhoods in that area that Walmart bordered.
- >
- > I would like to ask that the City Council approve the request to change the zoning to B2 for this lifelong Mebane resident and small business owner that lives in and supports his community.
- >
- > Sincerely,
- >
- > Wilson Aulbert
- >
- >

Packet (6) Public Hearing - Kenyon

Stephanie Shaw

From: SarahEllie Penny <sarahpennync@gmail.com>
Sent: Monday, October 25, 2021 5:50 PM
To: Stephanie Shaw
Subject: Kenyon's Meat Market

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

If it is possible can you please read it at the hearing? Thank You

City of Mebane

Department of Planning and Zoning

Mebane, NC 27302

October 17, 2021

City of Mebane,

My name is Sarah Ellie Penny, I'm fourteen years old and a native of the Mebane area. I am writing this letter to express my support for Kenyon's Meat Market to build and expand at 1204 South 5th Street in Mebane, NC.

I would like to share how Kenyon's Meat Market has supported me over the years. As a senior Girl Scout, in the ninth grade, Kenyon's Meat Market have supported my cookie sales since I was a Daisy Girl Scout, for over eight years! Kenyon's has allowed me to sell Girl Scout cookies at their location, indoors without standing outside in the winter weather and enabled me to be the top seller in the county for 7 consecutive years. Selling cookies has taught me about financial literacy, entrepreneurship, and teamwork. The Kenyon's owners and staff have all supported me with my cookie sales over the years during the entire sale and beyond until all my cookies were sold.

Kenyon's Meat Market has not only tremendously supported my cookie sales, but also made donations to my elementary and middle school over the years as well as supported other fundraisers that I have participated in over the years. Kenyon's even sold my tomatoes when I grew them! Kenyon's supports local farmers and businesses! They always say "yes" and they are happy to help!

Kenyon's Meat Market is more than a store or business, they are a family to our community! During Covid, I witnessed them going above and beyond to make sure customers had food available without price increases. Working tirelessly to serve our community, Kenyon's Meat Market is an amazing example of what a business should do, they give back to the community, they are happy to see you every time you come into shop, they treat you like family! Mebane is blessed to have Kenyon's Meat Market!!!

I simply can not say enough nice things about Kenyon's Meat Market! They make our community better by being in business! I've watched them support numerous individuals with needs due to illness or hardships over the years. Kenyon's, the owners, and staff set an excellent example of compassion and support for people in our community. By expanding their business, they will be able to serve more customers and make an even bigger positive impact in our community. It is my hope that the City of Mebane allows Kenyon's the opportunity to grow and make our community better.

Thank you,

Packet

(7)

Public Hearing
Kenyon

Stephanie Shaw

From: Tarah Enoch <tlenoch88@gmail.com>
Sent: Tuesday, October 26, 2021 8:23 PM
To: Stephanie Shaw
Subject: Fwd: Kenyon's Meat Market

Tarah Enoch

Begin forwarded message:

From: Cy Stober <cstober@cityofmebane.com>
Date: October 25, 2021 at 5:15:23 PM EDT
To: Tarah Enoch <Tlenoch88@gmail.com>
Subject: RE: Kenyon's Meat Market

Ms. Enoch,

Thank you for your e-mail about this pending general rezoning request by Kenyon's Meat Market. I have shared it with the City administration. The matter will be determined by the City Council in a public hearing at their November 1 meeting, which begins at 6 p.m. at Mebane City Hall. If you wish for your comment to be shared with the City Council, please provide it at the public hearing, either by speaking that evening or e-mailing the City Clerk, as allowed by City ordinance and NC General Statutes.

Sincerely,

Cy Stober, AICP
Development Director



106 East Washington Street
Mebane, NC 27302
919 563-9990

www.cityofmebane.com



-----Original Message-----

From: Tarah Enoch <tlenoch88@gmail.com>
Sent: Friday, October 22, 2021 1:29 PM
To: Cy Stober <cstober@cityofmebane.com>
Subject: Kenyon's Meat Market

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

I'm writing this letter in support of the relocation and expansion of Kenyon's Meat Market. I have known Darrin and Renea for years and have watched them start this business from the ground up into what it is today. It truly is a staple in the Mebane community! They go out of their way to provide not only a wonderful business in a small town but also host many fundraisers to give back to their local customers and community in general. This land would be a wonderful opportunity for them to continue to grow, also providing local jobs within the area. More now than ever we should be supporting our local small businesses. I 100% am standing behind them with the request for the rezoning of the lot and hope you all do as well.

Thank you for your time!

Tarah Enoch

Stephanie Shaw

packet

(8) Kenyon Public Hearing

From: slice@triad.rr.com
Sent: Wednesday, October 27, 2021 8:05 PM
To: Stephanie Shaw
Subject: Kenyon's Meat Market

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

For inclusion in the Nov 1 meeting - thank you.

I am writing in support of the moving of Kenyon's Meat Market from its current location to 1204 S. Fifth Street in Mebane. I also support the necessary rezoning of the property.

My family and I have been shopping at Kenyon's since they opened in May of 2008. Renea and Darrin are amazing people with a wonderful community spirit. They treat all of their customers like family. They KNOW their customers. They know their families and have watched their children grow up. Above all they truly care about the people who shop in the store.

I was lucky enough to be hired by the Kenyons in November 2018. I have been working in the store ever since. I have to tell you Renea and Darrin are the best people I have ever worked for/with and I used to work for my own mother!

Our customers come from far and wide. Not just Mebane. Not just Alamance County. We have people from all over NC who come regularly to stock-up on the quality meats and fresh local produce. We have people from out of state who make a point to come to the store any time they are in NC. We even have a couple of people from other countries who come to visit the store every time they visit their families. That is how much people love the Kenyons. It's not just the amazing meat and fresh produce they come for. They come for the connection that they have forged with the Kenyons. They feel welcomed and like part of the family.

Speaking of fresh produce. Did you know that as much as possible the Kenyons get their produce from local farms and vendors? So they also support small businesses and they shop locally whenever possible.

The meat market is a cornerstone of the community and I cannot tell you how many people that the Kenyons help that no one even knows about! They are without a doubt the most generous people you would ever wish to meet.

As for people having concerns about the market moving to a former residential area, I have to tell you that if you were going to have a food-related business near your home, you would want it to be Kenyon's. It is the cleanest business I have ever seen. People who live behind the proposed lot have nothing to worry about from having Kenyon's behind them. Yes, we get deliveries and there would be trucks a couple of days a week but they are unloaded expediently and are out on the road again within minutes. Knowing the business and the way the Kenyons operate I would have no qualms about them opening a store in my back yard.

The current location of the meat market is far too small for the needs of the community. Yes, the community, not just the store. Our older customers often complain about the lack of parking and as it is currently, we can do nothing to help them. If we were able to have a dedicated parking area our customers would not have to fight for spaces with people visiting or even working at businesses nearby.

I hope you will grant the rezoning and the relocation as it can only benefit Mebane and Alamance County.

packet (9)

Kenyon
Public Hearing

Info

From: notify@proudcity.com
Sent: Friday, October 29, 2021 10:48 AM
To: Info
Subject: New submission from Contact Administration

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Name

Carson Johnson

Email

hawkandhandsaw@gmail.com

Phone

(336) 260-5184

Message

To the City of Mebane City Clerk,

I am writing in support of Kenyon's Meat Market which is asking for the rezoning of 1204 S. Fifth St. in Mebane to B-2. As you know the proposed area is already zoned for businesses but does not currently allow for grocery stores. Independent grocers are important to the community in a variety of ways. From carrying local produce and meat to providing the opportunity to do business with our neighbors Kenyon's will be a boon to the community. It's close proximity to residential sites will be an asset to those living nearby as well as the rest of the community as they provide a local alternative to chain grocery stores. Locally owned businesses return fifty-two percent of their revenue back to the community versus a dismal fourteen percent returned by national retailers. That means by keeping Kenyon's Meat Market in Mebane you are stimulating the local economy in a way that a Food Lion or a Walmart will never do. Please support the small businesses of Mebane and vote to approve the requested zoning change and help keep Kenyon's as a staple to the community for years to come.

Thank you,
Carson Johnson

Stephanie Shaw

emailed
11/1

(10)

Kenyon PH

From: Marlo Countiss <marloc@remaxmovesmebane.net>
Sent: Friday, October 29, 2021 10:49 AM
To: Stephanie Shaw
Subject: Rezoning of 1204 S. Fifth St from O&I to B-2

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mrs Shaw,

I would like to submit a letter of support for the rezoning of 1204 S. Fifth Street, Mebane NC (Alamance County parcel number 1637980). It is my understanding that this property is currently zoned O&I and that the purchaser is requesting the property be rezoned to B-2. I am a local REALTOR® with 15 years of experience and I feel that allowing the rezoning will enhance other properties in the area.

I understand that the major objection of the neighboring properties was additional traffic on Foust Rd. I feel that the Kenyon's made it clear that the back entrance would mostly be used by delivery vehicles and employees. Most of the traffic will be using the entrance on Fifth Street.

I also feel that walkability to a grocery store will add value to the homes on Foust Road, the Villas on Fifth and The Mebane Towne Center. I recently sold a home in Mebane Towne Center. My buyer selected that neighborhood because she could walk to Lowes Foods. How much better would it be if she could walk to a locally owned grocery store and spend her money locally?

Additionally, Kenyon's has been an incredible resource to our community since opening. They offer fresh meat, produce, frozen foods, fresh milk, eggs, bread, canned goods and much more. They allow local companies to display their products. They have promoted fund raisers for local citizens in need. Their friendly staff never ceases to brighten my day! I think the City of Mebane would want to do whatever they can to ensure that this business stay open in Mebane and encourage them to build on this site.

It is my professional opinion that this is the perfect location for them to build on and that they will enhance the area with their presence.

Please let me know if I can be of further assistance.

Sincerely,

Marlo Countiss
Broker/Realtor®
Re/Max Diamond Realty
202 S. Fifth Street
Mebane NC 27302
marloc@remax.net
336-269-5292

Emailed
11/1

(11)

Kenyon
Public
Her

From: Colin Cannell <colin@cannells.com>
Sent: Friday, October 29, 2021 12:35 PM
To: Info
Subject: Public comment for Nov. 1st mtg

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the council:

I write to ask the council to deny the application by Kenyon's Meat Market to rezone Alamance County Parcel 163798 from O&I to B-2, due to a lack of harmony with the surrounding zoning.

I have no particular dog in this fight; I don't know the Kenyons or any of the residents of Foust Rd, who I gather also oppose this application. However, on review of the application, two significant problems are visible:

Problem 1: The rezoning is purely for the convenience of the applicant

The applicant's public position has been that a B-2 rezoning is required for it to open a food store on this lot. One email in Attachment 3 stated, "the proposed area is already zoned for businesses but does not currently allow for grocery stores." Another stated, "Please change the zone to a B-2 zone, so Kenyon Meat Market can build and relocate there." Another said, "the Meat Market sells food which is not included in currently approved zoning."

These supporters didn't adopt these opinions by reading the UDO front-to-back, they got them from the applicant. The applicant is telling people that they cannot build a food store in a district zoned for O&I.

This is false.

I'm not in a position to say whether the applicant knows it's false or not. But if the applicant has done their due diligence, they will have read UDO Section 4-7.8(D), which states that food stores are permitted in O&I districts, subject to meeting development standards. The standards listed are very normal things like having reasonable hours of operation and screening the parking lot with a hedge. There is no reason Kenyon's couldn't meet these standards or ask for variances – particularly on setbacks, since the lot is quite narrow.

Except there is a reason, and it's the reason the applicant stated plainly when they came before the planning committee: they're in a hurry. During the October planning committee session, the applicant stated that the lease on their current store would be ending soon, and they didn't think they would have time to go through the approval process and build the new store before the lease was up. UNLESS, that is, the city were to rezone the new parcel for B-2, which would reduce the constraints on what they could build, which would speed up the construction process.

I hardly need to point out that the underlying driver for this urgency is that the applicant has chosen a lot to build on that is vacant and has restrictive zoning. There are many B-2 lots in the city. Some of them even come with buildings! The old Discount Furniture Connection building has acres of parking. If the applicant is in such a rush, why not relocate to one of these? The location and price may be less ideal than the property on Foust St, but as the proverb says, "Lack of planning on your part does not create an emergency on my part." Surely the applicant has been aware of their upcoming lease expiration for more than the last few months. Why is the City being urged to create a special, permanent zoning district to accommodate them?

Which brings me to...

Problem 2: The requested B-2 zone is highly unusual

The applicant, and the planning board, have suggested that the B-2 rezoning is appropriate because, among other reasons, the property is on a major collector road and there is another vacant B-2 zone two lots over. (Perhaps they should buy that one.) However, this lot is unusual in that it fronts both on Fifth St and on Foust Rd. It spans the entire width between a major collector road and a residential street.

The frontage on Foust Rd is not incidental. Water and sewer lines would come from the Foust Rd side. During the October planning meeting, the applicant stated their intent to build the store set far back from Fifth St, close to the Foust Rd side, with the Fifth St side given over to parking. Indeed, the applicant said the second frontage was part of the lot's appeal, because trucks could pull through instead of turning around. I would bet that a lot of customers will opt to exit that way as well, to avoid pulling out onto Fifth St from a parking lot.

With that in mind, the City should properly understand this to be a request to place a B-2 district on a residential street. It would be the only non-corner-facing B-2 district on that street (but with parking accessible from a major road). I reviewed the City's GIS map to determine how many B-2 districts currently meet that criteria.

Zero. There are no other isolated B-2 districts in residential neighborhoods anywhere in the City. B-2 districts are placed on collector roads and on corner lots – nowhere else. This factor might be overlooked if the Foust Rd frontage were merely an artifact of platting, but the applicant has made clear that it intends to use that frontage heavily.

Considering that the requested zoning amendment is being driven by expediency rather than need, and that it would create a district unlike any other in the City, I urge the council to deny the application.

I am also concerned by the applicant's special pleading. The city should apply its standards fairly. No applicant should be given special consideration because of their popularity, charitable works, or because there is any special demand for their services. The attitude of nearly every letter included in Attachment 3 is that the council should grant the applicant's request because (1) the applicant says they need it, (2) the applicant is well-loved, and (3) the writer would greatly miss the applicant if they weren't around. None of these are valid reasons to approve a zoning amendment. The council should make clear in its public deliberations that it is considering this application on the merits alone.

Regards,
Colin Cannell
717 S Fifth St

Emailed 11/1 (112) Kenyon PH

Stephanie Shaw

From: Kayla Oles <kayla.oles264@gmail.com>
Sent: Monday, November 1, 2021 10:47 AM
To: Stephanie Shaw
Subject: Kenyons Meat Market

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hey Stephanie!

I'm writing in regards to Renna and Darrin Kenyon and their relocation.

Renna and Darrin are a beloved member of the Mebane Community. I've been a customer of their store for over six years and with that I have seen this small business grow. With growth comes challenges though.

In order for their business to continue serving the Mebane Community in the utmost ways they need more space inside and out. The parking lot is shared by five other businesses and its hard for those that are disabled or handicapped to have a close parking spot on busy business days, one wouldnt think this could detour customers but it absolutely could.

I would ask that the council highly consider this business to be a part of the fifth street area. As a citizen of Mebane I would much rather this location be for a small business than a corporate one, we have enough of those, dont you think?

Moving forward into 2022 I know Kenyons Meat Market will only continue to propser and be supported by members of the mebane community, this is why they deserve the property in question.

Sincerely,
Kayla Oles

(13) Kenyon
PH

Stephanie Shaw

From: Tina Smith <tina@maverickradionc.com>
Sent: Monday, November 1, 2021 3:27 PM
To: Stephanie Shaw
Subject: Support For Kenyon's Meat Market

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the City of Mebane City Clerk,

This email is to express my support for the rezoning of 1204 S. Fifth St to B-2 to allow the new location for Kenyon's Meat Market. I have had the pleasure of getting to know Darrin and Renea Kenyon over the last 2.5 years and they are a huge asset to the Mebane Community as well as Alamance County. I have partnered with them on fundraisers and if there is ever a need in the local Community the Kenyon's Family is always there to help any way they can.

They along with their wonderful employees worked tirelessly through the Pandemic to make sure their community had the items they needed to keep their family fed when the big box stores had bare shelves. In a time that has been so challenging for locally owned small family businesses, Kenyon's has thrived and gone above and beyond to keep their customers as well as employees happy. As a customer, I would rather support a small family run business that treats all of their customers like family. This should not even be a question for the City of Mebane, Kenyon's is a staple in the Mebane Community and this would be a great move for the City of Mebane and Kenyon's to have a larger space to serve their customers.

Please make the right choice for the city of Mebane and its Residents and allow Kenyon's Meat Market to build at 1204 S. Fifth Street.

Thank you,
Tina Smith

14 Kenyon PH

Info

From: Joan Packenham <joan.packenham@gmail.com>
Sent: Monday, November 1, 2021 3:31 PM
To: Info
Cc: Joan.Packenham
Subject: MPORTANT: Landowner Comment for the 1/1/2021 City Council Public Hearing Meeting: Request to rezone 1.55 acre property addressed 1204 S. Fifth Street (PIN 9814468034), from O&I to B-2 by Kenyon's Meat Market

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To: Ms. Stephanie Shaw, City Clerk, City of Mebane

From: Joan Packenham, Property Owner of land on Foust Road impacted by potential rezone

RE: Public Hearing: Request to rezone 1.55 acre property addressed 1204 S. Fifth Street (PIN 9814468034), from O&I to B-2 by Kenyon's Meat Market

Date: October 28, 2021

As a property owner within 300 ft of the property to be rezoned, this memo is to respectfully oppose the request to rezone 1.55 acre property addressed 1204 S. Fifth Street from an Office and Institutional (O&I) Zone to a B-2 General Business zone.

My concerns are listed below:

1. Rezoning would significantly increase traffic to this residential area which would decrease the quality of life and health for the community. It has been well researched and documented that increased traffic to residential areas cause:
 - a. Increased chronic health conditions such as cardiovascular and pulmonary disease for individuals who live in the area due to increase in air pollution and poor air quality from PM2.5 particulate matter from car emissions;
 - b. Increased noise with increased traffic which is a health hazard both psychologically and physiologically;
 - c. Increased safety issues for residents

- i. Possibility for increased motor vehicle-pedestrian accidents related to speed and increased volume of traffic. This impact is of particular concern for vulnerable populations such as the elderly and children.
2. Some may consider this change in the neighborhood to decrease property values and this may be true at this point as it relates to a single business. However, the success of this single rezone may begin to open up interest for other businesses. It has been my experience that when businesses start developing in residential areas, more businesses will come into the area eventually driving out original residents. Property land values will eventually increase as more businesses move in and property taxes for residents in the area will drastically increase. This impacts all residents, however, for senior citizens who live on retirement incomes, this lack of foresight and concern for our seniors can become devastating and detrimental. Under these circumstances, many seniors end up losing their properties as they cannot afford the increased taxes as retiree's. Housing insecurity impacts health both physiologically and psychologically.
2. Rezoning a business within this charming residential community would decrease a sense of community, neighborhood wellbeing and connectedness. Where this property is located, a business on this property would cause disruption of the normal flow of the residential environment (Community and social environment) as well as the physical environment (natural environmental aesthetics). This is a beautiful neighborhood that has a great buffer of a woodsy area that nicely separates and protects it from business, congestion, pollution, etc. In addition, it is my belief that it would cause additional trauma to a residential neighborhood that is currently experiencing the aftermath of the new by-pass that is causing excessive growth. It seems as if well-established neighborhoods are constantly fighting in cities such as Mebane to keep their neighborhoods and communities intact as businesses, new developers, city and state road projects come in, disrupting, destroying and displacing the community and neighborhoods that long-term city residents have built, maintained and nurtured for decades.

Again, as a landowner who owns property within close proximity of the proposed rezoning request, I respectfully oppose the requested rezoning request to rezone this area from a O&I To a B-2.