



Mebane Planning Board
In Person Regular Meeting
December 13, 2021- 6:30 PM

PLEASE TAKE NOTICE that the Mebane Planning Board's Regular Meeting is scheduled for Monday, December 13, 2021 at 6:30 p.m. in the Council Chambers of the Glendel Stephenson Municipal Building located at 106 E. Washington Street, Mebane, NC 27302.

For people who plan to view the meeting, but not participate, the City provides a YouTube live stream by searching *City of Mebane* on YouTube or at the following link:

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

Access to the meeting is also available by the following three (3) options:

Option #1- Attend in Person

For people that do not plan to attend in person but would like to address the Planning Board during the presentation and discussion of an agenda item, see options below.

Option #2- Email Comments to be read aloud by Planning Staff

- Email comment to avogel@cityofmebane.com. Written comments must be received by **4pm December 13th**.
- Messages must contain commenter's name and address.
- Written comments will be read aloud by the Planning Staff.

Option #3- Conference Telephone

- Email avogel@cityofmebane.com by **2:00pm on Monday, December 13th** to comment during the meeting.
- Emails must contain commenter's name, address, and **telephone number that you are using to call into the conference line for identification, in addition to the agenda item you would like to comment on.**
- Upon the City's receipt of email, participants will be emailed a confirmation which will include the phone number and access code to use the night of the meeting.
- Callers will be held in queue and asked to mute their phones or speakers until they are called on to speak.
- Speakers will be called in the order in which their email was received.
- Per authority of NCGS 143-318.17, if a person participating remotely willfully disrupts the meeting, then upon direction by the Chair, such person may be removed from electronic participation, or his or her e-mail may not be read.



Planning Board
Regular Meeting Agenda
December 13, 2021, 6:30 p.m.

1. Call to Order
2. Approval of October 11, 2021, Meeting Minutes
3. City Council Actions Update
4. Request to rezone the +/- 0.5 acre (21,780 sf) property addressed 122 S Lane St (PIN 9825214594), from R-12 to R-10 by Gryffindoor Properties, LLC.
5. UDO Revision Information Session
6. New Business
7. Adjournment



**Planning Board
Minutes to the Meeting**

October 11, 2021
6:30 p.m.

The Planning Board meeting was held at the Glendel Stephenson Municipal Building located at 106 E. Washington Street, Mebane, NC 27302 and livestreamed via YouTube. The video can be accessed through the following link: https://www.youtube.com/watch?v=yDRc_Pp2_k

Members Present: Chairman Edward Tulauskas, Vice Chair Judy Taylor, Lori Oakley, Gale Pettiford, Kurt Pearson, Kevin Brouwer, Larry Teague

Also Present: Ashley Ownbey, Planner; Cy Stober, Development Director; Kirk Montgomery, IT Director

1. Call to Order

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

2. Approval of September 20, 2021, Minutes

Larry Teague made a motion to approve the September meeting minutes. Lori Oakley seconded the motion, which passed unanimously.

3. City Council Actions Update

Cy Stober, Development Director, provided an update on the City Council's recent action at the September City Council meeting.

4. Request to rezone the +/- 1.55-acre property addressed 1204 S Fifth Street (PIN 9814468034), from O&I to B-2 by Kenyon's Meat Market

Staff presented the above general rezoning request. The Planning staff has reviewed the general rezoning request for harmony with the zoning of the surrounding area and consistency with the City's adopted plans and recommends approval.

Ashley Ownbey provided a brief overview and PowerPoint of the request. The applicant Darrin Kenyon addressed the board, explaining that the purpose of the rezoning request is to allow them to relocate their Kenyon's Meat Market business. He noted that he's lived in Mebane his whole life and his family has owned Kenyon's Meat Market in Mebane for 13.5 years. Mr. Kenyon explained that the subject property would allow for easier access and traffic flow.

Kurt Pearson asked Mr. Kenyon if they planned to have a curb cut on the Foust Rd frontage of the property. He noted that he understood that type of question would be asked in TRC. Mr. Kenyon answered that his thought is to have traffic enter and exit via 119, with the exception that a small



number of delivery trucks would exit out the back of the site via Foust to avoid difficult turns, in addition to employee parking and access in the back of the site.

Lori Oakley commented that she is a big fan of the Kenyon's Meat Market business but shared some concerns about the general rezoning request. Ms. Oakley explained that a general rezoning would allow any use permitted in the B-2 zoning district beyond just a meat market. Ms. Oakley asked if Mr. Kenyon had considered a conditional rezoning with a site-specific plan showing the layout of the proposed use and site access. Mr. Kenyon responded that a B-2 rezoning request would be an easier thing to do in terms of flexibility, building location, parking, and setbacks. He added that his daughter plans to take over the business, so it will be around for 25 to 30 more years, which is the reason.

Lori Oakley reiterated that without a site-specific plan, her concern is that the B-2 general rezoning request would open the property up to a lot of uses, in the event that something fell through with the Kenyon's Meat Market business, the property could be sold and used for an abundance of business uses in an area surrounding by residential, particularly on Foust. Judy Taylor echoed Ms. Oakley's concerns.

Kurt Pearson asked planning staff to show the zoning map on the screen. Referencing the map, Mr. Pearson commented that it's not surprising that business uses are creeping towards the subject property and surrounding area; however, as it is doing so the Planning Board has an interest in protecting the people that live there now. Mr. Pearson asked Cy Stober to comment on the possibility for a conditional rezoning as opposed to a general rezoning request. Cy Stober responded that they discussed conditional zoning, general business, and neighborhood business options, and the applicant chose to pursue general business rezoning.

Kurt Pearson commented that there is B-2 in the area, occupied office and institutional, and occupied residential surrounding the property. Judy Taylor asked the applicant how they intend to orient the building on the lot. Mr. Kenyon responded that they were thinking the building would be about 150 feet from the back of the property. Judy Taylor responded that it would put it inline with the existing residence back there. Mr. Kenyon responded that he intended to preserve the natural area and forested buffer back by the existing residential area, and the the amount of parking in the rear wouldn't extend that far back. Judy Taylor added that meat market is a great part of the community, but she is concerned about the other uses that would be permitted there under a general B-2 zoning.

Lori Oakley asked for clarification about the type of truck delivery traffic to expect for the meat market that would be exiting via Foust. Mr. Kenyon responded that the traffic is primarily box trucks, with tractor trailers only a couple of times/week. Mr. Kenyon also added that exiting from the rear of the site would be safer, allowing trucks better visibility at the Foust and 5th intersection.

At this time, the Planning Board invited members of the public to ask any questions.



Tom Boney of Alamance News asked who owned the property in question. Mr. Kenyon responded that he does not yet own the property. Mr. Boney followed up by asking if the approval went specifically with the applicant and his application, or in the long term to the property owner. Cy Stober responded that per state law, the bested rights persist with the property, not the owner. Mr. Boney then asked if there was a timeframe should it be approved, that Mr. Kenyon would need build his meat market within. Cy Stober responded that vested rights persist for 24 months, but there is a bill in General Assembly that would extend that period during the permitting process. Cy Stober clarified that the general rezoning would persist with the property.

Mr. Boney asked what the building timeframe might be if it is approved. Mr. Kenyon responded as soon as possible. Renae Kenyon added that their current lease isn't up until May 2023. Kurt Pearson commented that theoretically, if Council were to approve the rezoning it could be 10 years before the site is developed and if the Kenyon's changed their mind, they would be in a situation where the B-2 property is open to any variety of conflicting uses.

Mr. Pearson commented that conditional zoning is a wonderful tool that allows us to set in stone the use of the property, along with the layout and design of the project. He added they are not against the meat market, but there is a way that would make the Board more inclined to approve the project. Lori Oakley added that there is a huge cost to this. Renae Kenyon responded that it is a big cost, and they are just a small business looking to stop renting, and they wouldn't be doing it if the property wasn't right for them. Kurt Pearson asked if they could go through with a conditional zoning that determines the use for the property without the site plan. Cy Stober responded that Article 9 of the UDO requires a set specific plan, including waivers, layout, etc. for a conditional rezoning.

Lori Oakley asked if the project would need to go through the Mebane Technical Review Committee after an approved rezoning. Cy Stober responded that all construction drawings must be approved by the Mebane TRC, including detailed layout/building footprint, grading, sewer and water, lighting, and landscaping requirements. He added that building plans are typically provided on the same scheduled as construction drawings. Lori Oakley clarified that if it was approved, the same type of drawings would be required later in process compared to a conditional zoning.

Danny Walker, 106 Foust Rd, commented that he shops at Kenyons but has a problem with the meat market coming to Foust Rd. He named traffic as his primary concerns, with the sharp curve on the road that would be unsafe for existing trucks. He also noted that there is a long wait at the intersection of Foust Rd and 119. Kurt Pearson asked Mr. Walker to point out where he lives on the map. Mrs. Kenyon responded that all customer parking would be in the front, with employee parking in the back and trucks exiting.

Larry Teague asked if the meat market would require a traffic study. Mr. Stober responder that the threshold is generally 100 peak hour trips per day. Based on the general use and trip generation calculation used by DOT, the project would not warrant a TIA, however the UDO does allow the City



some discretion to require them if appropriate. Judy Taylor asked if the Foust & 5th intersection is supposed to have a traffic light at some point. Cy Stober responded that there is not a signal proposed for that intersection.

Wilma Crisp, 110 Foust Road, commented that the project would have the biggest impact on her because she lives right next to the subject property. Ms. Crisp commented that the people in the neighborhood are older and have nowhere to go, and the proposed rezoning will create more traffic more people going in and out, safety issues, and noises, with unclear impacts to their property values. Ms. Crisp explained that she supports Kenyon's Meat Market from afar, but not right in her front door. She expressed that she wants her neighborhood to remain the same sweet little safe pleasant community that it has been all these years, where her children grew up and have memories.

Ms. Crisp brought a petition with 16 signatures and added that she just learned about the project and gathered the signatures in 30 minutes¹. Cy Stober explained that the letter and petition would be added into the record.

Larry Teague made a motion to approve the general B-2 rezoning as presented and to find that the application is consistent with the objectives and goals in the City's 2017 Comprehensive Land Development Plan *Mebane By Design*. Gale Pettiford seconded the motion. Kurt Pearson asked to clarify that the motion is to approve the request. Tom Boney asked for a clear distinction of the vote to be made. Larry Teague clarified the motion to approve the rezoning request. Gale Pettiford seconded the motion. The motion passed 4-3 as follows:

- In favor (4)
 - o Larry Teague made the motion
 - o Gale Pettiford second
 - o Kevin Brouwer
 - o Chairman Ed Tulauskas
- Not in favor (3)
 - o Judy Taylor
 - o Lori Oakley
 - o Kurt Pearson

Cy Stober indicated that the request will go before the Mebane City Council on Monday, November 1st at 6:00 pm.

Lori Oakley added for the record that she did not vote in favor because she did not feel that the proposed rezoning is in harmony with the surrounding area, because it is a general rezoning without a site-specific plan there is no way of knowing that the future use will be in harmony in the area. Larry Teague responded that he appreciates Ms. Oakley's opinion and shares some of her concerns, but he

¹ The Foust Rd petition gathered by Ms. Crisp has been provided as an attachment to the meeting minutes.



believes that applicant will do that they say they will do. Kurt Pearson added that he's not against Kenyon's Meat Market, but they need to make sure that the use doesn't harm adjacent properties. Mr. Pearson reiterated that the applicant could take the route of conditional rezoning, and it would yield a site-specific approval that is more harmonious with the surrounding area.

Tom Boney asked if the applicant could volunteer a change in their rezoning request before the Planning Board and Council. Cy Stober responded that the applicant is welcome to offer conditions to restrict their development on the property. Lori Oakley clarified that this is only true under a conditional rezoning, not a general rezoning.

5. Request to rezone a portion of the +/- 12.69-acre property located on Smith Dr (PIN 9815303841), from R-20 to M-2 by A Samet Property, LLC

Staff presented the above general rezoning request. The Planning staff has reviewed the general rezoning request for harmony with the zoning of the surrounding area and consistency with the City's adopted plans and recommends approval.

Ashley Ownbey provided a brief overview and PowerPoint of the request. 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 the subject property is divided by NC 119 and they are only seeking to rezone the portion to the west of the right of way, with the eastern portion to remain as R-20 residential.

Tom Boney asked where the access to the site would be. Mr. Dry responded that it would be on the new cul-de-sac that is currently there off of Development Center Dr. Cy Stober added that 119 at that location has restricted access, no driveway can be provided on to it. Access to the site must be provided by way of the surrounding properties owned by Samet. Mr. Dry added that have no plans at this time for the property, their intent is to establish zoning that is consistent with the surrounding industrial park area.

Kurt Pearson asked for clarification that the applicant would be subdividing the property since it will be split zoned. Mr. Dry confirmed that they are committed to subdividing the property and already have already contracted a surveyor.

James Gillis, 428 Huckleberry Loop, commented that his property backs up to the eastern east side of the subject site and expressed concern about flooding. He asked the applicant how they will protect the wetlands on the property. Mr. Dry respond that they would abide by all applicable regulations should they choose to develop the property. Mr. Gillis responded that there is the wildlife habitat on that eastern portion of the site that he would like to see preserved since much of it has already been developed for the industrial park. Mr. Gillis suggested giving that land back to the City to be preserved.



Mr. Dry responded that the size and shape of residential portion in question would be difficult to develop in any form.

Lori Oakley asked about the average depth of the eastern portion of the property. Mr. Dry responded that he did not know, but it is very narrow. Mr. Pearson commented that given the property is zoned R-20 and does not have access from 119, Huckleberry Loop or Fieldstone Drive, it will essentially be undeveloped and serve as greenspace by the way it sits. Mr. Dry concurred. Mr. Gillis asked how they could assure that the property won't be developed, when the property owner to the north of the site could purchase it to develop housing. Mr. Pearson responded that the Planning Board doesn't have the ability to make someone give the City a piece of land. Mr. Gillis replied that he understands but Samet could easily donate the land to the City. He also questioned the value that the property was purchased for by Samet in 2018. Judy Taylor responded that those are private transactions that the Planning Board would not address or be involved in.

Mr. Gillis reiterated that his concern is about flooding behind his neighborhood. Lori Oakley clarifies that the request before the Planning Board is exclusively for the western portion of the site, and no changes are being proposed to the R-20 portion to the east of 119.

Tom Boney asked if Lotus Bakery was located south of the subject property, west of 119. Mr. Dry confirmed Mr. Boney's statement. Mr. Gillis commented that the lights and noise from Lotus are disruptive, and he has concerns about his property value.

Lori Oakley asked Staff if the future land use map could be included in the packets for general rezoning in the future. Lori Oakley commented that the general rezoning makes to M-2 makes sense for the portion of the property because it is surrounded by M-2 zoning, especially with 119 bisecting the property.

Larry Teague made a motion to approve the general M-2 rezoning as presented and to find that the application is consistent with the objectives and goals in the City's 2017 Comprehensive Land Development Plan *Mebane By Design*. Judy Taylor seconded the motion. The motion passed unanimously. Chairman Tulauskas indicated that the request will go before the Mebane City Council on Monday, November 1st.

6. Request to amend the approved Special Use Permit (SU-19-03) for the property located on Lowes Blvd (PIN 9804937529) to increase the number of hotel rooms approved for Phase 1 of the project, by DRPBS Hospitality, LLC

Cy Stober provided a brief overview and PowerPoint of the above request from DRPBS Hospitality, LLC to amend the approved Special Use Permit (SU-19-03) to allow for combined parking and increase the number of hotel rooms approved for Phase 1 of the project by 29%. Cy Stober explained this special use permanent was approved by the City Council at a quasi-judicial public hearing in July 2019



for a planned multiple occupancy group to allow two hotels of 160 hotel rooms and 10,000 sf of retail and office space, located at the end of Lowes Blvd.

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.

Lori Oakley discussed the difference between 229 parking spaces required by the and the 210 spaces being provided on the plans. Ms. Oakley noted that she did some research on parking requirements by other jurisdictions and found that the plan would meet the code in these other communities. Ms. Oakley's observation is that Mebane's parking requirements are a little high compared to peers, but shared mixed feelings that the proposed plan doesn't meet the City's requirements. Tim Smith responded that he discussed this with the developer, and they found that parking hasn't been an issue for these projects. Mr. Smith also clarified that they are asking for flexibility for shared parking as part of the special use permit request. Kurt Pearson clarified that the 17-space deficiency is made up as shared parking between uses within the project area.

Cy Stober added that staff could have made a recommendation to reserve those shared spaces during business hours for the office retail uses. Judy Taylor commented that it may not be wise to make that distinction without knowing how the office and retail spaces will be occupied.

Tom Boney asked Lori Oakley to confirm which municipalities she looked at for parking requirements. Lori Oakley responded that she looked at Person County, Graham - one space for every rental unit, Burlington - one space per rental unit plus an additional 5 spaces, and Hillsborough - 0.8 spaces per room plus one for every 800 sf of public meeting and restaurant space. She added that looking at the DRPBS plans she could tell that it would meet all of those jurisdictions' requirements.

Judy Taylor made a motion to approve the special use permit amendment as presented, and to find that find that the application is both reasonable and in the public interest meeting the four criteria for special use permits and will be in conformity with the goals and objectives of CLP *Mebane By Design*, and is consistent with the adopted *Lowes Boulevard Corridor Plan*. Kurt Pearson seconded the motion. The motion passed unanimously. Chairman Tulauskas indicated that the request will go before the Mebane City Council on Monday, November 1st.

- 7. Request to establish M-2 (CD) zoning on fourteen (14) contiguous properties totaling +/-121.74 acres with frontages on Interstate 40/85, West Ten Road, Rabbit Run Lane, and Buckhorn Road, located outside of the Mebane Extra-Territorial Jurisdiction (ETJ) in Orange County and identified by Parcel Identification Numbers 9834060117, 9824961908, 9834073088, 9834178082,**



9834058903, 9834056927, 9834059397, 9834152994, 9834151366, 9834173345, 9834261132, 9834257896, 9834360270, and 9834069071 by Al Neyer.

Staff presented an application from Al Neyer, 4509 Creedmoor Rd., Suite 201, Raleigh, NC 27612 requesting to rezone one parcel (GPIN 9834178082) within the Mebane City limits from B-2 to M-2(CD), and to establish M-2 (CD) zoning on thirteen (13) contiguous properties located outside of the Mebane Extra-Territorial Jurisdiction (ETJ) in Orange County totaling +/-128.77 acres, with frontages on Interstate 40/85, West Ten Road, Rabbit Run Lane, and Buckhorn Road for the “Buckhorn Business Centre.” A master 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; and an allowance for two lots totaling +/-10.79 ac not currently proposed for development to be developed according to the standards of the Mebane UDO without further public hearing. The applicant proposes to develop the property as a conditional zoning district with a master plan that shall not be exceeded in intensity. The properties that lie outside the City of Mebane’s ETJ and will require annexation for action to be taken by the City Council. The Planning staff has reviewed the request for harmony with the zoning of the surrounding area and consistency with the City’s adopted plans. The site is located in the *Mebane By Design* G-2 Primary Industrial (V) Growth Area “Part of BEDD and North of US-70.” The Technical Review Committee (TRC) has reviewed the site plan and the applicant has revised the plan to reflect the comments.

Cy Stober provided a brief overview and PowerPoint of the request, noting a discrepancy in the item description on the agenda that did not clearly call out the property within the City’s jurisdiction or quantify the total area of the site. This information is correct in the packet materials.

Kurt Pearson asked what the UDO requires for permitter buffers compared to the 100 ft buffer being proposed. Cy Stober responded that the UDO required 50 ft for light manufacturing, although some uses require 70 ft. Medline for example.

Justin Parker, representative of Al Neyer, spoke to the Planning Board and indicated that he and other members of the project team are available to answer questions about the project.

Judy Taylor asked for clarification on the entrances to the site. Cy Stober referred to the master plan and indicated that there is one proposed entrance on West Ten Rd about 500 ft from the Bowman Rd intersection, and the other entrance on Buckhorn Rd at Rabbit Run which is currently a private drive but would be dedicated as public street, meeting the City’s street standards. It would also have a dedicated left turn lane for exiting the site as well as internally into the site with the storage.

Lori Oakley asked, Joshua Reinke, P.E., traffic engineer at Ramey Kemp, about some differences between the TIA, the TIA review letters, and the memo from Orange County (all included in the packet). Mr. Reinke explained that the original TIA had been revised based on changes to the site plan in addition, an addendum examining the driveway offset on West Ten Rd was added. Mr. Reinke added that while the total square footage on the site plan had been reduced, the TIA used the larger



the square footage to keep the results conservative. Mr. Reinke also added that they are working with NCDOT to address the review comments, and the warranted improvements, particularly signals, are ultimately NCDOT's call. The goal is to safely get truck traffic off of Buckhorn Rd into the site with minimal impacts to other properties.

Cy Stober discussed the memorandum from Orange County that Lori Oakley asked about. The project site is the product of a joint venture between the City of Mebane and Orange County for the investment in utilities in the area for economic development purposes. Mr. Stober indicated that he inquired with Orange County about the proposed improvements and explained that a follow up to the memo was received after the packets went out and he shared those remarks, primarily emphasis on the potential for future development and growth in the area that will trigger improvements.

Josh Reinke added that they also looked at a macro study that considered the growth potential in the area including school driveways, to assess if the proposed traffic mitigation measures would be adequate out to the year 2030.

Judy Taylor asked if any consideration was given to a plan without a driveway on West Ten Rd, expressing concerns about the rural road's capacity to accommodate anymore truck traffic taking into consideration of the school on West Ten Rd and the amount of recently approved industrial development. Mr. Reinke responded that they did not exclude the driveway on West Ten Rd from their analyses; however, the entrance on Buckhorn Rd would be the logical primary driveway due to its vicinity to the interstate.

Larry Teague asked a question about the potential for another clover leaf interchange in the area. Cy Stober responded that it is not being considered in any adopted plans of by the Federal Highway Administration. Mr. Teague asked the applicant to confirm that they would not try to connect to the residential street Amy Joe Lane in the future phases and if there was a buffer there. Mr. Reinke responded that he did not believe there would be any connection there and Mr. Parker added that that area is wooded.

Tom Boney asked what the project team to confirm the sizes of the five proposed building. Cy Stober responded that the buildings range in size from 75,000 sf to 300,000 sf, with a cumulative total of just under one million sf.

Mr. Boney asked for more information on the purpose and use of the buildings. Justin Parker responded that they do not have any information about confirmed tenants to share at this time. Mr. Boney asked if Al Neyer is similar to Samet Corporation in that they develop industrial properties and then find tenants. Justin Parker indicated that is a correct comparison. Mr. Boney asked if there would be any connection to the other recently approved Al Neyer project on West Ten Rd. Mr. Parker responded that they are hoping to be publicly announce an exciting tenant for the existing West Ten/Buckhorn Rd Site in the next month or so. He indicated that is a Fortune 100 company in the



warehouse and distribution business and is also creating manufacturing jobs. He also added that it is in an industry classification that Mebane and Western Orange County have long been recruiting for the area, and a type of company in name, brand, and function that similar companies tend to cluster around. Tom Boney asked if the company has any relation to Medline. Justin Parker responded that it is not related. Mr. Parker responded that the proposed site may be related to the existing site and tenant he just described in a number of outcomes including supply chain and clustering.

Lori Oakley asked to see an aerial. Larry Teague asked about the property already in the City Limits. Cy Stober responded by describing the location behind Petro and referencing the parcel within City Limits on the map in the PowerPoint presentation.

At this time, Planning Staff read aloud for the record the following written comments received via email:

Patty O'Connor, 1011 Squires Road, Mebane NC 27302

October 11, 2021

Dear Planning Board Members,

My name is Patty O'Connor and I live on Squires Road in Mebane. My property is less than ¼ mile from the Medline warehouse and about 300 feet from the Neyer construction at the corner of West Ten and Buckhorn Road. I'm writing to express my concern about the proposed zoning change to accommodate the "Buckhorn Business Park". If approved as requested, it will turn these lovely Mebane semi-rural lands into a warehouse district. It would hardly be "positively charming"; it would be more like "positively alarming". What I currently experience from the two sites near my home, both of which remain under construction, is incessant beeping as trucks and construction vehicles back up and banging of equipment, often well into the evening hours. This morning, the piercing beeping began promptly at 7:10 am. Sadly, those sounds won't disappear after the completion of construction. They will only be amplified as the hundreds of daily truck trips begin when both facilities are up and running.

The proposed facilities of Buckhorn Business Park are very close to a significant number of homes that currently experience a relatively quiet, rural ambiance. While 100 foot buffers are proposed, I would offer that 100 feet does little to buffer the continual noise and fumes of diesel engines and the relentless beeping of trucks docking; sounds that can easily be heard over ¼ mile away. While I know that change is inevitable, I also know that it can be as bad for a community as it can be good. A warehouse park may generate revenue but it would also turn a lovely neighborhood into an ugly locality. The truck and employee traffic generated by a group of warehouses will significantly disrupt a rural neighborhood with noise, light and air pollution, non-stop traffic and take away from the rural ambiance that is currently enjoyed by tax paying citizens. It will forever change the character of this community. Is this "Mebane by Design" or designs by Mebane? The



Al. Neyer website leads off with We Design/Build/Develop/Hunt as a Pack. It truly feels as though the wolves are among us.

And what about the impact on the land, water and wildlife? In an era of climate change and water threats, when we've been charged with protecting the environment, it's not deemed wise to cut down acres of trees and then lay down acres of impermeable surface. There must be other projects that would be more conducive to good land stewardship as well as be attractive in a semi-rural community. Are you seeking development that would enhance the area or simply taking what comes along and running with it? Planning is based on foresight and is the process of thinking about the activities required to achieve a desired goal. Is the only goal of this projected development garnering revenue for Mebane? What about what the citizens would like to see in their backyards? What about preserving the character of a community? If these thoughts are not in your plans then you're missing some big puzzle pieces.

"Mebane, positively charming" seems to apply only to Main St., Fifth St. and a few other select neighborhoods. I, and others, would like it to apply to our neighborhood, too.

*Thank you for your time,
Patty O'Connor*

Aimee Tattersall, 1133 Squires Road, Mebane NC 27302

RE: Planning Board Agenda Item #7 Proposed Buckhorn Business Center October 11, 2021

My name is Aimee Tattersall. My address is 1133 Squires Road, Mebane NC 27302. My home and at least 40 other home owners live within ½ mile (2,640 feet) of both Neyer and Medline projects under construction on West 10 Road. Some days we hear the backup beeps and noise from trucks all day long as well as other disruptive construction noise. We do not expect that the traffic and noise will be any less when the projects are completed. A 100-foot buffer between warehouses and dwellings will NOT stop the incessant beeps, not to mention the many other disturbances from such construction. My heart goes out to our neighbors west of us who must endure what we endure if this project goes forward.

There are proposed entrances at Bowman Road and at Rabbit Run. The children from the 177 homes being constructed on Bowman Road, as well as other current and planned housing developments, will attend Orange County Schools. Their school busses will contend with increased traffic from both cars and trucks on the West 10 and Buckhorn Road as they make their way to schools serving children from preschool to high school.

The Mebane Planning Board needs to deny the M-2 (CD) zoning as presented.

*Thank you,
Aimee Tattersall*

Fiona Johann, 5016 Johann Ln, Mebane, NC 27302



Good evening to the planning board and in person attendees. I am sorry I could not attend this meeting but hope that my review of the agenda packet ahead of tonight's meeting along with my questions provide a useful viewpoint from a rural resident.

*I want to start by showing my appreciation for the 100' buffers automatically put into this site plan from Al Neyer. I recognize that this is double the 50' requirement in the UDO and as many of you know something I fought hard for on the 6016 West Ten Property. **I will again push that the developer and the planning board consider a slightly higher buffer of 150', at the very least on property lines that touch rural residential housing.** I can personally attest to the disturbance that building in this area brings not only to the people, but the animals. The noise pollution alone, every day from 7am to 10pm, is enough to discourage opening your own window on a beautiful day instead of running an HVAC system.*

*My second concern is the traffic. 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 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 approval of the planning board take the local traffic into consideration.** 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 will continue to tune in via Youtube and speak up when I am concerned. I appreciate all the planning board does and recognize that balancing the needs of developers and local rural residents is a tricky one, thank you for your time and consideration.

Sincerely,



Fiona Johann

Beth Bronson, 1221 Buckhorn Rd

*Public Comment on agenda Item 7,
Beth Bronson of Buckhorn Rd.*

Good evening Mebane Planning Board,

I would like to provide this written comment around the deliberations of continued annexation for high density residential, and light industrial development on West Ten, Bowman, and Buckhorn Rd. While acknowledging this area is within Mebane's Growth Area 2, I ask that the planning board remember the inherent weakness of any Traffic Impact Analysis of this area. In 2018, Medline did not have provide a TIA report, and therefore any projections on what impact Medline, the existing Al Neyer project, and hundreds of homes slated for development in the next 6-18 months is yet to be seen. To date, not a dollar of state funding is being assigned for expansion and development from the DOT. Therefore it is incumbent on the developers of these rushed projects, that they bear the costs of responsibility when tearing up rural roads with industrial development. The city should not let lack of regulation be the citizens cost to bear. These new neighbors should be held accountable if they are going to participate in irreversible urbanization of natural landscape and residential charm.

*Thank you,
Beth Bronson*

Chairman Tulauskas asked if there were any more questions or comments.

Larry Teague asked what the distance between the driveway on West Ten Road and the intersection of West Ten and Bowman Road. A member of the project team confirmed the distance is about 800ft.

Kurt Pearson asked if the proposed land use was appropriate per the UDO. Cy Stober confirmed that it is appropriate and added that there are notes on the plans specific to lighting and parking, but no waivers have been requested. Mr. Pearson asked how long the UDO has been in place and if there have been any changes to the specific area since then. Mr. Stober responded since 2008, to his knowledge there have not been any substantial changes to the development standards for light manufacturing. Kurt Pearson asked if Orange County's plans agreed that this area is suitable for light industrial development. Cy confirmed that they compared the City's M-2 classification and the County's EDB2 (Economic Development District Buckhorn) classification, and the biggest difference is between landscape buffer requirements. Kurt Pearson commented that the plans go above and beyond the City's requirements for buffers and traffic studies.

Lori Oakley asked the project team for more details about the 100 ft buffer shown on the plans. Justin Parker commented that there is one portion of the buffer that decreases to avoid environmental



impacts around the stream, and the buffer along the interstate is 50 ft. Justin Parker went over the various buffer requirements and how they are met on the plans. Cy Stober referred to the requirements for Type B buffers and tree preservation/protection requirements to answer Ms. Oakley's questions. Justin Parker added that they will preserve as much existing vegetation as possible.

Lori Oakley asked for clarification about the waiver request for the two lots totaling +/-10.79 ac not currently proposed for development to be developed according to the standards of the Mebane UDO without further public hearing.

Justin Parker explained that Al Neyer and the City are discussing the potential to dedicate the parcel to the east of the site for a future fire station (PIN 9834360270). Mr. Parker explained that there are no development plans for the parcel to the west (PIN 9834060117). Lori Oakley responded that she has concerns about that western parcel because it abuts the residential properties on Amy Joe Lane, because the approval would allow M-2 development on that property in the future without a public hearing or public input. Mr. Parker repeated that there are no current plans to develop the site and added that the same development standards, including 100 ft buffers, would be applied to the balance of the site which would not leave much room for any future development.

Judy Taylor asked if the traffic improvements in the TIA would impact additional property owners. Mr. Reinke responded that the egress lanes will be completely contained to the site, and the project team is working with DOT on the design for turn lanes and tapers to reduce the impacts on other properties, and other improvements such as signals will be completely contained in the right of way.

Lori Oakley asked some follow up questions about the undeveloped parcel (PIN 9834060117) discussed previously. Justin Parker referred to the parcel in question on the plans and repeated that there are not any plans to develop the property, and there is limited space for development. After a discussion about the potential negative consequences of developing those properties without a public hearing, Mr. Parker offered to drop the waiver request for both properties.

Kurt Pearson made a motion to approve the M-2 CD zoning request, with the condition that the waiver request for lots 9834060117 and 9834360270 be eliminated from the applicant's request, and to find that the request is consistent with the objectives and goals in the City's 2017 Comprehensive Land Development Plan *Mebane By Design*. Larry Teague seconded the motion. The motion passed unanimously. Chairman Tulauskas indicated that the request will go before the Mebane City Council on Monday, November 1st.

8. New Business

Cy Stober reminded the Planning Board members that the City is advertising for the open seat on Planning Board



Ashley Ownbey provided an update on the BPAC Better Block Project and encouraged the Board to provide feedback on the projects through the available surveys.

Cy Stober provided overview on the City's Billboard Campaign, which is partnership with the Alamance Visitors Bureau. Mr. Stober informed the board on the location of the billboard and the various designs to promote downtown Mebane.

9. Adjournment

There being no further business, the meeting was adjourned at 8:30 p.m.



AGENDA ITEM #4

RZ 21-014

Rezoning –122 S Lane St

Presenter

Audrey Vogel, Planner

Applicant

Gryffindoor Properties, LLC

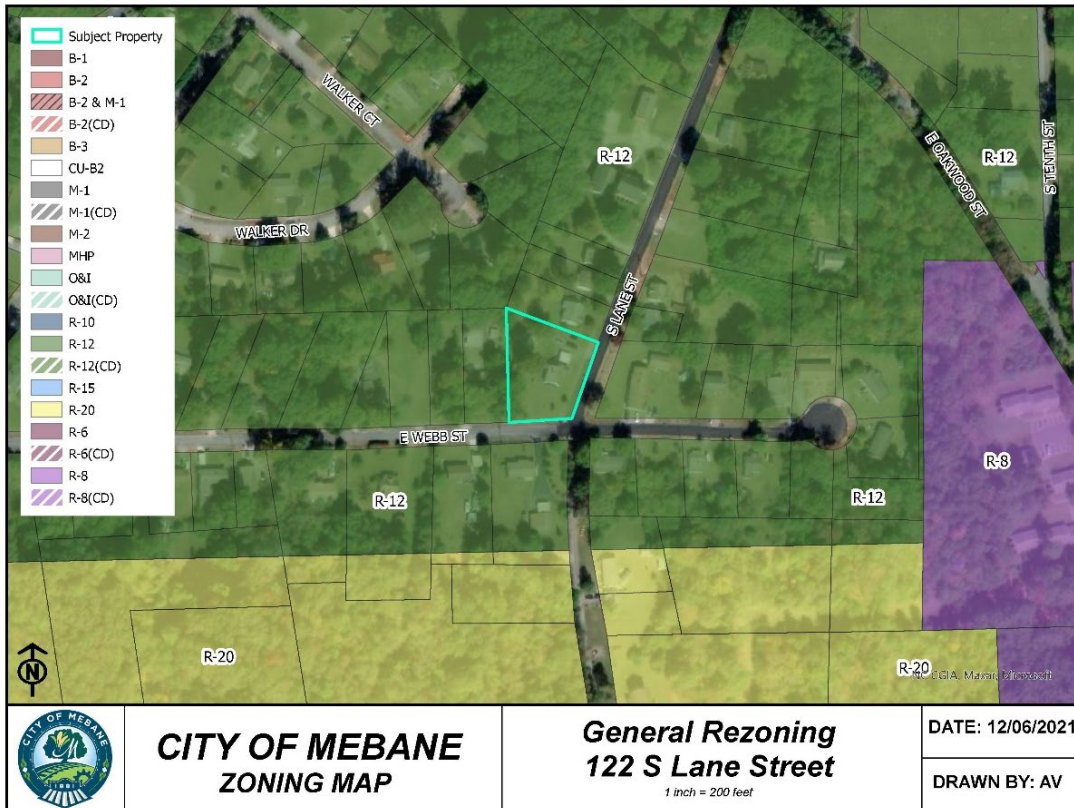
PO Box 90214

Raleigh, NC 27510

Public Hearing

Yes No

Zoning Map



Property

122 S Lane St
PIN
9825214594

Proposed Zoning

R-10

Current Zoning

R-12

Size

+/- 21,780
(0.5-acre)

Surrounding Zoning

R-12

Adjacent Land Uses

Single-Family Residential

Utilities

Water and sewer present

Floodplain

No

Watershed

No

City Limits

City Limits

Summary

Gryffindoor Properties, LLC, is requesting to rezone the +/- 21,780 sf property addressed 122 S Lane St (Alamance County GPIN 9825214594), from R-12 to R-10.

The property is currently developed with a single-family home and accessory structures. The applicant is seeking to subdivide the property into two lots and there is not sufficient area for two lots to meet the R-12 minimum lot size. As shown on the sketch provided as an attachment, a rezoning to R-10 would meet the minimum lot area of 10,000 sf and minimum lot width of 70 ft can be met and allow for an exempt subdivision.

The surrounding zoning and land use in the immediate area is R-12, single family residential. While there are not any R-10 zoned properties in the surrounding area, several properties on Lane and Webb Streets are nonconforming R-12 lots that have areas less than 12,000 sf. Higher density R-8 residential zoning exists nearby to the east, in addition to mostly vacant R-20 lots to the south.

The subject property is located in the G-4 Secondary 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 surrounding single-family residential properties in the area.

A project report has not been provided for this general rezoning request due to the simplicity of the request and lack of site details, waivers, etc.

Financial Impact

The developer will be required to make any improvements at their own expense.

Recommendation

The Planning staff has reviewed the request for harmony with the zoning of the surrounding area and consistency with the City's adopted plans and recommends approval.

Suggested Motion

1. Motion to approve the R-10 rezoning as presented.

2. Motion to find that **the application is consistent** with the objectives and goals in the City's 2017 Comprehensive Land Development Plan *Mebane By Design*. The request:
 - Is for a property within the City's G-4 Secondary Growth Area and is generally residential in nature (Mebane CLP, p.66).

3. Motion to **deny** the R-10 rezoning as presented due to a lack of
 - a. Harmony with the surrounding zoning.

OR

 - b. Consistency with the objectives and goals in the City's 2017 Comprehensive Land Development Plan *Mebane By Design* or any of the City's other adopted plans.

Attachments

1. Zoning Amendment Application
2. Zoning Map
3. Future Growth Area Map



APPLICATION FOR A ZONING/TEXT AMENDMENT

Application is hereby made for an amendment to the Mebane Unified Development Ordinance:

Name of Applicant: Michael Griffith - Griffiths Properties, LLC

Address of Applicant: PO Box 90214 Raleigh NC 27675

Address and brief description of property to be rezoned and/or text to be amended:

122 S. Lane St Mebane, NC Parcel 168586

0.50 acre lot with existing home in poor condition

Applicant's interest in property (owned, leased or otherwise): owned

Do you have any conflicts of interest with Elected/Appointed Officials, Staff, etc.?

Yes Explain: _____ No

Type of action requested: Rezoning to R10

Reason for the requested action: Rezone to R10 to allow lot to be split & 2 new homes built. This will be harmonious w/ neighborhood

Sketch attached: Yes No

Signed: [Signature]

Date: 10/29/2021

Action by Planning Board: _____

Public Hearing Date: _____ Action: _____

Zoning Map Corrected: _____

- The following items should be included with the application for rezoning when it is returned:
1. Tax Map showing the area that is to be considered for rezoning.
 2. Names and addresses of all adjoining property owners within a 300' radius (Include those across the street).
 3. \$300.00 Fee to cover administrative costs. **PAID 11/01/2021**
 4. The information is due 15 working days prior to the Planning Board meeting. The Planning Board meets the 2nd Monday of each month at 6:30 p.m. Then the request goes to the City Council for a Public Hearing the following month. The City Council meets the 1st Monday of each month at 6:00 p.m.

Gryffindoor Properties, LLC

PO Box 90214

Raleigh, NC 27675

October 29, 2021

City of Mebane

To Whom It May Concern:

We are humbly asking for assistance in gaining approval to split the lot located on the corner of S. Lane and E. Webb St. We recently purchased the property Parcel ID 168586, that has an existing home in poor condition. We feel that the best use of the property for us, as well as the community, would be to tear down the existing home and build 2 new single family homes. After purchasing the property which GIS shows at .596 acres (25,961sqft), we had it surveyed. The survey revealed .50 acres (21,780), which just falls short of the zoning requirement of 12,000 sqft needed for the R12 zoning.

Upon further review, we are finding that many of the surrounding homes are built on lots that are less than the square footage needed for the current R12 zoning. I am including GIS maps showing numerous non-conforming homes in this direct area. Also attached is a preliminary survey showing the property split into 2 lots, each with 0.25 acres (10,890 sqft). This would allow us to easily build 2 single family homes, thus improving the aesthetics, and being harmonious with the neighborhood. Parcels 168573, 168875, 168589, 168590, 168311 in particular are at or under .25 acres, and in the immediate neighborhood. There are many others within that direct area that have existing homes and are also under .25 acres.

Parcels within 300ft of subject property.

118 S. Lane St. WENDELKEN MARIKA & LESA HOLMES

116 S. Lane St. Ann & Dennis Miller

114 S. Lane St. Ann & Dennis Miller

115 S. Lane St. TINNIN JAMES HEIRS C/O SOPHELIA BANKS

117 S. Lane St. Heather Gunn

119 S. Lane St. Dennis & Joyce Miller

110 S. Lane St Mebane First Baptist Church

MICHAEL R. WHITFIELD
 PROFESSIONAL LAND SURVEYOR
 3118 N.C. HWY 86 N.
 HILLSBOROUGH, N.C. 27278
 984-234-9793
 mikewhitfieldpls@yahoo.com

SITE SURVEY
 FOR
LOT 5
 LOT 5, "PROPERTY OF GEORGE E. HOLT, JR
 DUKE McCRAKEN HOLT,
 ALEXANDER W. DICKSON"
 MELVILLE TWP., ALAMANCE CO., N.C.

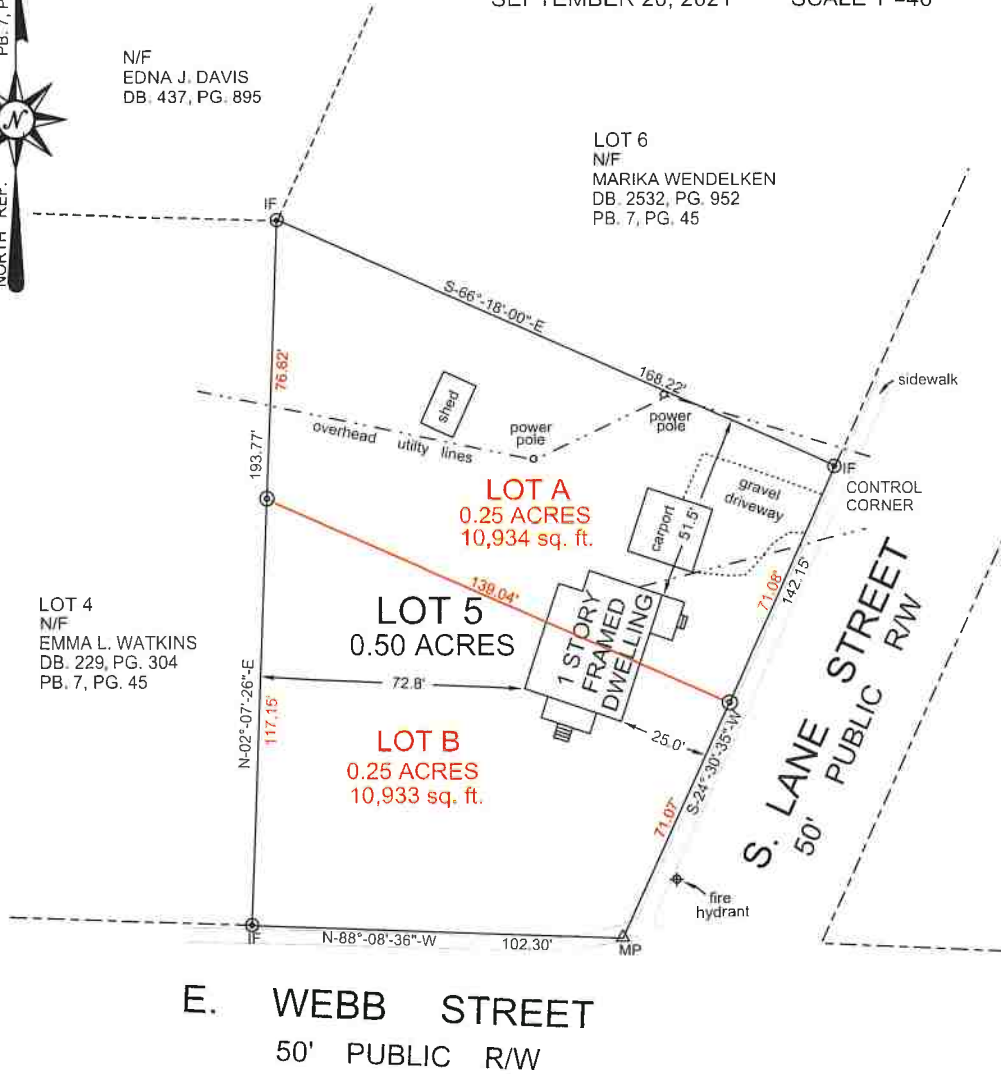
40' 0 40' 80'
 SEPTEMBER 20, 2021 SCALE 1"=40'



N/F
 EDNA J. DAVIS
 DB. 437, PG. 895

LOT 6
 N/F
 MARIKA WENDELKEN
 DB. 2532, PG. 952
 PB. 7, PG. 45

LOT 4
 N/F
 EMMA L. WATKINS
 DB. 229, PG. 304
 PB. 7, PG. 45



E. WEBB STREET
 50' PUBLIC R/W

S. LANE STREET
 50' PUBLIC R/W

LEGEND

IF = IRON FOUND
 IS = IRON SET
 MP = MATHEMATICAL POINT

NOTE: UNDERGROUND UTILITY SERVICE
 EXISTS ON SUBJECT PROPERTY.

LOT INFORMATION
 122 S. LANE STREET,
 MEBANE, N.C. 27302
 GPIN # 9825214594
 PARCEL ID # 168586
 PLAT BOOK 7, PG. 45

I, MICHAEL R. WHITFIELD, A PROFESSIONAL LAND SURVEYOR.
 CERTIFY THAT THE BUILDINGS SHOWN LIE UPON THE
 PROPERTY AS SHOWN, AND THAT EXCEPT AS NOTED, THERE
 ARE NO ENCROACHMENTS OF OTHER STRUCTURES ONTO
 THE PROPERTY.
 THIS PLAT IS NOT IN ACCORDANCE WITH G.S. 47-30 AND IS
 NOT FOR RECORDATION.

MICHAEL R. WHITFIELD

DATE

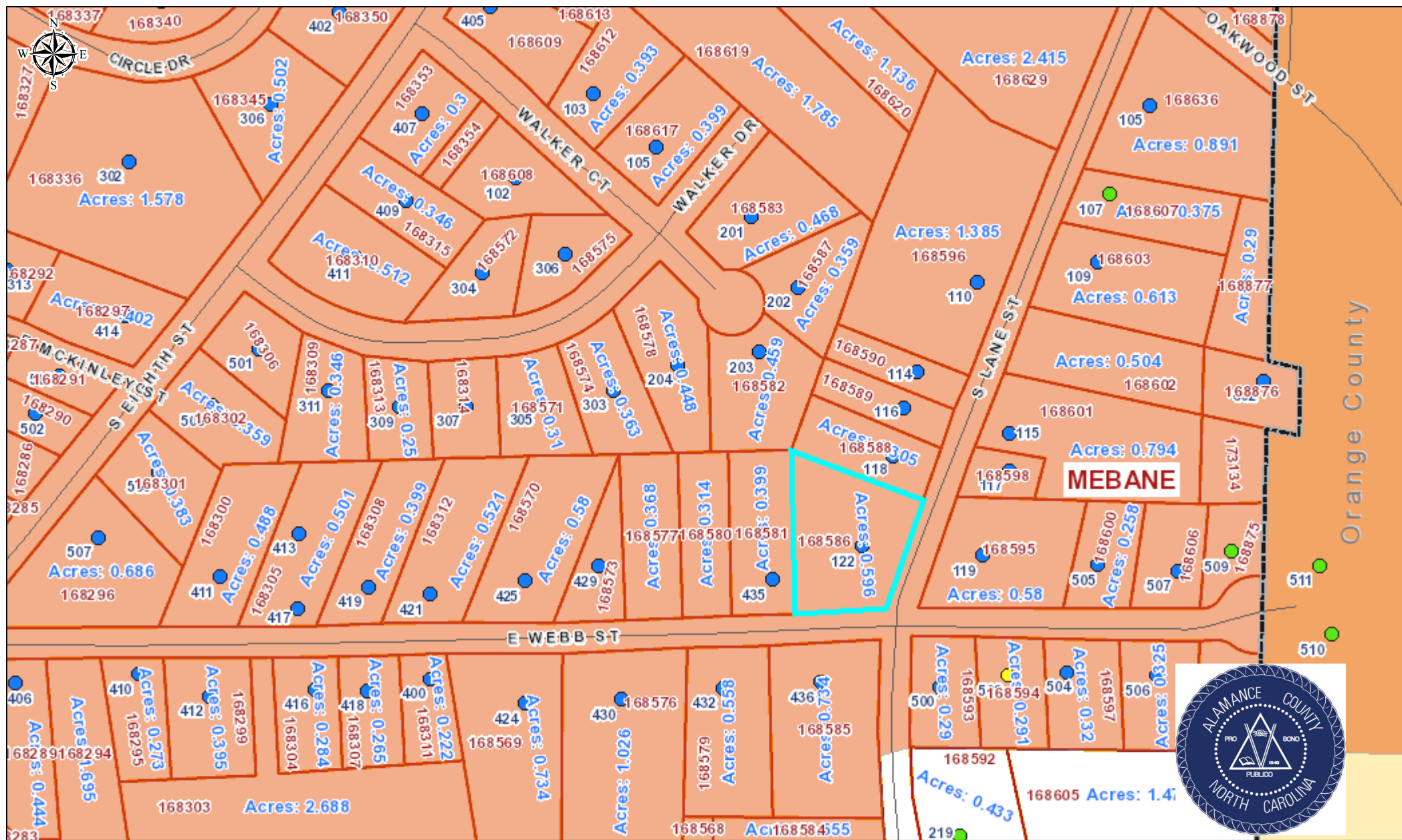
PRELIMINARY PLAT;
 NOT FOR SALES,
 CONVEYANCES OR
 RECORDATION.

VICINITY MAP
 NOT TO SCALE









Owner Name: GRYFFINDOOR PROPERTIES LLC

November 10, 2021 0.02 0.04 mi

GPIN: 9825214594
PID: 217-856-19

- Address Points
- Address
- Tax Address
- Preliminary Address
- Heavy Industrial Development Applicants**
- APPLIED FOR PERMIT

- PERMIT APPROVED
- UNDER CONSTRUCTION
- PERMIT RENEWED

Alamance County GIS
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan

DISCLAIMER:
The datasets and maps available are not survey grade or a legal document. They are a best approximation of what is on the ground, but do contain errors. The data comes from various sources nationally, the state of North Carolina, and here in Alamance County. Alamance County will not be held responsible for the misuse, misrepresentation, or misinterpretation of the data or maps. These maps and data are a service provided for the benefit for Alamance County citizens. We constantly strive to improve the quality and expand the amount of data and maps available.

ALAMANCE COUNTY shall assume no liability for any errors, omissions, or inaccuracies in the information provided regardless of how caused; or any decision made or act on taken or not taken by user in reliance upon any information or data furnished hereunder.

INCREMEN
System that may arise from the mapping data. Date: 11/10/2021



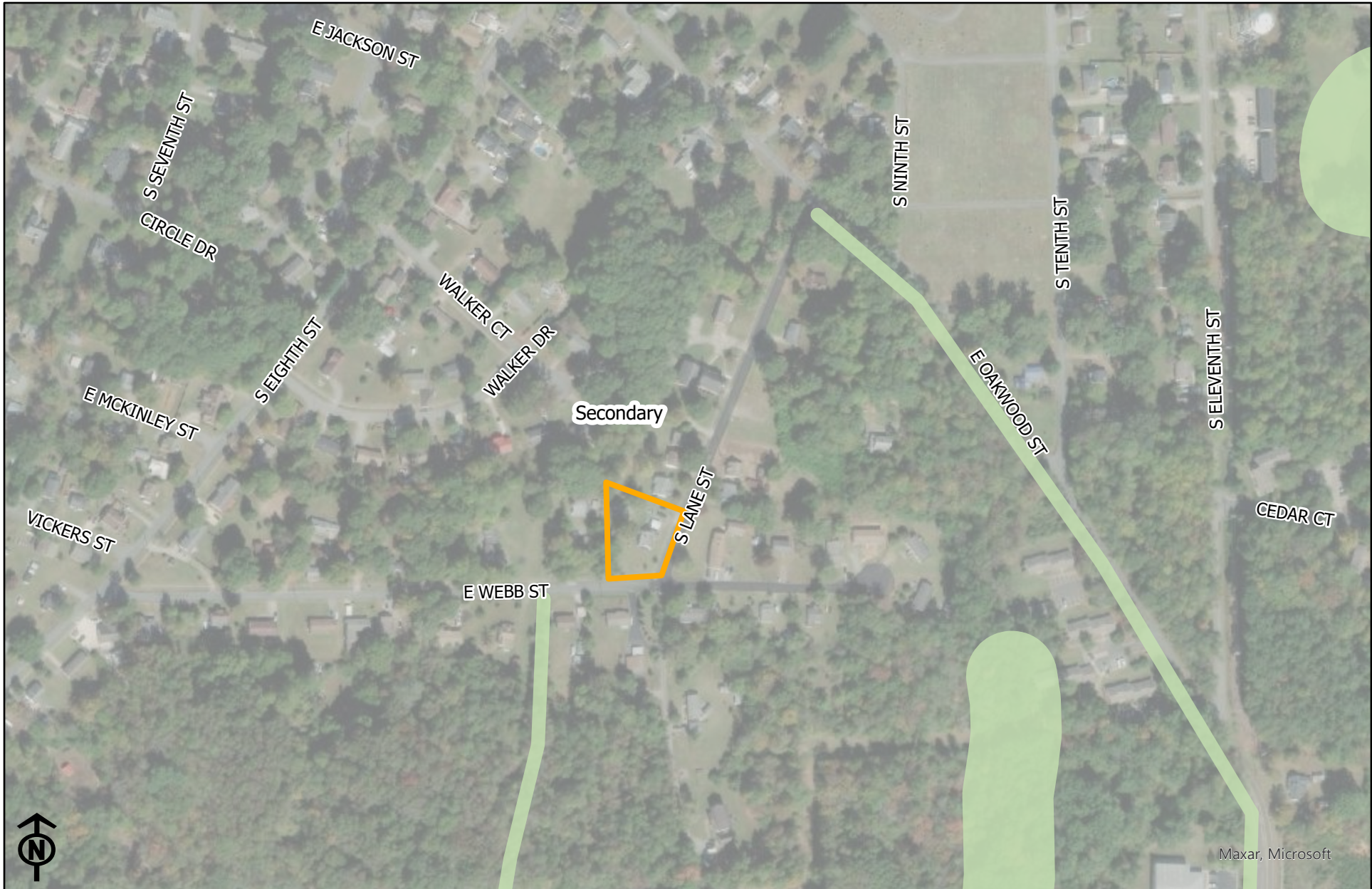
**CITY OF MEBANE
ZONING MAP**

**General Rezoning
122 S Lane Street**

1 inch = 200 feet

DATE: 12/06/2021

DRAWN BY: AV



Maxar, Microsoft



CITY OF MEBANE
Future Growth Area Map

General Rezoning
122 S Lane Street

1 inch = 300 feet

DATE: 12/06/2021

DRAWN BY: AV



AGENDA ITEM #5

Information Only - Unified Development Ordinance Proposed Revisions

Presenter

Cy Stober, Development Director

Public Hearing

Yes No

Summary

The City of Mebane Unified Development Ordinance (UDO) was adopted in 2008. It has since been revised many times to reflect emerging municipal goals and objectives, the direction of City Council, best professional practices, and compliance with NC General Statutes and Codes. As part of the updates for the required updates to make the City compliant with NCGS 160D, City Planning staff evaluated other needs of the Mebane UDO and are bringing them to the public, Planning Board, and City Council for consideration. Staff is also inviting input and feedback on what changes are needed in the UDO to meet the goals and objectives of the City's Comprehensive Land Development Plan, *Mebane By Design*. Staff is explicitly seeking the input of the Planning Board in its advisory capacity to the City Council, as empowered in the Mebane UDO. Two rounds of amendments will be presented for consideration: the first shall be presented to the Mebane Planning Board at its February 14 meeting; the second, focusing on matters warranting longer discussion, shall be presented at its March 14 meeting.

Mebane By Design features five Focus Areas and 18 Goals, and is based upon three Growth Strategy Principles that support:

- 1) a "Village Concept" rather than a "Separation of Uses";
- 2) a "Road Network" rather than "Unconnected Roads"; and
- 3) "Conservation Development" rather than "Conventional Development".

While *Mebane By Design* establishes Primary Growth Areas, it has universal development standards; there are no overlay districts that require additional development standards. Therefore, the development standards established by the Mebane UDO apply equally throughout the City's zoning districts, providing the same regulations and liberties in Mebane, regardless of geography. Conditional zoning, as allowed by NCGS and the Mebane UDO, allows for flexibility in the application of some of these standards but, by its definition, is a land use regulatory approach that requires public hearing and City Council action rather than administrative review by City staff. However, the conditional zoning process has provided staff with insights on areas of the UDO that could benefit from revision due to persistent concerns from the public, Planning Board, and City Council.

Staff is currently considering amendments to Articles 2, 3, 4, 5, 6, 7, 9, 10, 12, and Appendix E. Topics of discussion include updates to the City's permitted uses; updates to the City's definitions; integrating of text amendments recommended in the City's adopted *Bicycle and Pedestrian Transportation Plan*; establishing current and clearer sign, landscaping, fence, parking, open space, and recreational standards; clarification on allowable exterior building materials; and several structural changes to collate lot standards, zoning

standards, and allow for the rights of *bona fide* farms, as allowed by NCGS. Staff is inviting the public to provide input and feedback and is seeking guidance from the Planning Board on these matters, as well as any topics that do not appear to be featured for amendment at this time.

Financial Impact

N/A

Staff Recommendation

This item is for information only. Staff welcomes Planning Board feedback but no action is recommended at this time.

Suggested Motion

No action is needed at this time.

Attachments

No attachments are being provided. Staff will be presenting on the matter and can provide copies of the slides upon request.