



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=zsw0Q4LENRO>

Members Present:

Edward Tulauskas, Chair
Judy Taylor, Vice Chair
Jason VanBuren
Gale Pettiford

Kurt Pearson
Keith Hoover
Larry Teague

City Staff Present:

Ashley Ownbey, Interim Development Director
Audrey Vogel, Planner

Franz Holt, City Engineer
Kirk Montgomery, IT Director

1. Call to Order

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

2. Introduction of newly appointed Planning Board member Mr. Jason VanBuren

City Planner Audrey Vogel provided a brief introduction to Jason VanBuren, the newest Planning Board member

3. Planning Board Member Elections

Judy Taylor and Kurt Pearson made a motion to re-elect the current officers Judy Taylor as vice chair and Ed Tulauskas as chair. The motion passed unanimously.

4. Approval of June 13, 2022, Meeting Minutes

Larry Teague made a motion to approve the meeting minutes. Gale Pettiford seconded the motion which passed unanimously.

5. City Council Actions Update

Ashley Ownbey, Interim Development Director, provided an update on the City Council's recent action at the July City Council meeting

6. Rezoning Requests

- A. Request to rezone the +/- 10.01-acre property located at 4677 Mrs White Lane (PIN 9816955507), from R-20 to R-12 (CD) to allow for a residential development of 18 single family detached homes by Tanner Built Homes, LLC.**

Tanner Built Homes, LLC is requesting approval to conditionally rezone the +/-10.01-acre property located at 4677 Mrs White Lane (GPIN 9816955507) from R-20 to R-12(CD) to allow "Mill Run" a residential subdivision of 18 single family homes. The property is located outside of City Limits in the



Mebane Extraterritorial Jurisdiction (ETJ). Proposed onsite amenities are detailed in the meeting agenda packet available [here](#). The Planning staff has reviewed the request for harmony with the zoning of the surrounding area and consistency with the City's adopted plans and recommends approval. The Technical Review Committee (TRC) has reviewed the site plan and the applicant has revised the plan to reflect the comments

Audrey Vogel provided an overview and PowerPoint presentation of the request.

Phil Koch, P.E. of EarthCentric Engineering presented the rezoning request including a discussion of the site plan, stormwater, project history and examples of home elevations.

Kurt Pearson asked if the property would be annexed into the City. Mr. Koch responded that annexation is a requirement for utility connection.

Larry Teague asked why the City was not requiring curb and gutter for the proposed street. Audrey Vogel responded that in some situations the City will waive this requirement for a low-density development to enable lower impervious surface coverage. Larry Teague asked if curb and gutter would be better to guide water to the retention areas if drainage was already an issue in this area. Phil Koch responded that the site design would channel water to the stormwater retention area and the ditch line would better accommodate stormwater runoff in the water supply watershed.

Larry Teague asked why sidewalk was only being provide on one side of the street. Mr. Koch explained that sidewalk on one side meet's the City's typical street design requirement even for curb and gutter streets. He added that they tied the end of the sidewalk into the walking trail to loop around the subdivision.

At this time Chairman Tulauskas asked if anyone from the public wanted to speak.

Gene Burns, 1432 Rutledge Trail, commented that the property should stay one 10-acre single-family home site. He added that the was area originally made up of very spacious lots with nice forest coverage and the proposed Mill Run subdivision would be too many lots and Mebane is growing too much.

Evon Connally, 1549 Rutledge Trail, explained that she lives across from the proposed subdivision and elaborated on the current drainage issues along Rutledge Trail. She asked for more explanation about the proposed stormwater management for Mill Run to ensure that it doesn't exacerbate the drainage problem.

Phil Koch responded to Mrs. Connally, highlighting on the site plan how and where the current drainage issues occur at the entrance of Rutledge Trail. Mr. Koch explained that the area was not graded properly to begin with, and the current drainage ditch is sedimented. In order to address these concerns, they will be putting in a pipe to direct water under the entrance and reestablishing the ditch line to better accommodate stormwater.



Evon Connally's husband Mr. Connally asked about the property line that runs down the middle of Rutledge Trail and if the Mill Run HOA would be responsible for the maintenance of the street.

Mr. Koch responded that Rutledge Trail is a private road contained within an easement and the surrounding property lines on either side extend to the centerline of the road. Mr. Koch explained that there is an existing maintenance agreement among the surrounding property owners for the maintenance of the street. The property owner/applicant Mr. Tanner is not written into the current agreement but is willing to help with the street maintenance even though he does not have any maintenance responsibility. He added that it was a priority for the project to restore the drainage on the road. Mr. Connally responded that a new maintenance agreement would be necessary to include the Mill Run HOA. Kurt Pearson emphasized that this would be important to set up between the HOA.

Kurt Pearson asked if the Rutledge easement conflicted with the landscape buffer for the subdivision. Mr. Koch responded that the easement is just outside of the buffer, no conflict.

Mrs. Connally asked about the crosswalk and sewer extension for the project near their property, Mr. Koch explained that per DOT requirements they would not have a problem.

Kurt Pearson commented that the applicant's rezoning request is very reasonable with reasonable waiver requests. He added that it was important for the applicant to include the HOA in the maintenance agreement of Rutledge.

Kurt Pearson made a motion to approve the request as follows:

Motion to approve the R-12 (CD) zoning as presented; and

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. Specifically, 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);*
- Provides a sidewalk along its street frontage, as required by the City's adopted Bicycle and Pedestrian Transportation Plan.*

Gale Pettiford seconded the motion which passed unanimously. Mr. Tulauskas confirmed that the request would be scheduled for a public hearing before the Mebane City Council on August 1st.

B. Request to rezone four properties totaling +/- 5.74 acres located at 120, 122, 126 W Holt Street (PINs 9825033678, 9825033700, 9825031924, 9825034785) from M-1, B-1, and R-12 to B-1 (CD) to allow for a Planned Unit Development of 268 apartment units and +/- 21,540 square feet of retail space by NC Mebane Holt, LLC.

NC Mebane Holt, LLC, is requesting approval to conditionally rezone four (4) properties totaling +/- 5.74 acres located at 120, 122, and 126 W Holt Street. The properties are currently split-zoned HM,



R-12, and B-1. The proposed request is to rezone the properties to B-1(CD) (Central Business Conditional District) to allow for a Planned Unit Development of 268 apartment units and +/- 21,540 square feet of commercial space. The properties are in Alamance County and in the City limits. The applicant has a contract to purchase the properties. Proposed onsite amenities, traffic considerations and waiver requests are detailed in the meeting agenda packet available [here](#). The Planning staff has reviewed the request for harmony with the zoning of the surrounding area and consistency with the City's adopted plans and recommends approval. The Technical Review Committee (TRC) has reviewed the site plan and the applicant has revised the plan to reflect the comments

Ashley Ownbey provided an overview and PowerPoint presentation of the request.

Tom Boney of Alamance News asked how many buildings are proposed and asked if the commercial space was proposed in specific buildings. Ms. Ownbey replied the two buildings fronting Washington St have commercial in the ground floor of 5 buildings total.

Robert Wright represented the client Mebane Holt LLC and introduced the additional representatives on the applicant team present at the meeting: David Allen and Charles Zevenhuizen of RealtyLink, LLC, John Plageman the project architect, Allan Hill the project civil engineer and Josh Reinke traffic engineer.

David Allen introduced the proposed development as "The Downs at Mebane," discussed partnership with Kingsdown, and goals to foster historical character and alignment with the Mebane *Downtown Vision Plan*. Mr. Allen went over the site plan and the various proposed buildings, including the community space within the "cotton building", a rooftop amenity for outdoor social gatherings, and areas with retail space. He explained the current conditions of the existing buildings and that they are preserving what can be preserved although most of it must be torn down. He added that they would buy 50 red oaks to be planted on site, distributed to the City to plant and to be gifted to the surrounding property owners to make up for some of the existing trees that cannot be saved on the property.

Robert Wright gave a presentation including discussion of the following:

- waiver requests for parking, lighting, and landscaping
- the agreement with the library and with the church for overflow parking that would primarily be for the retail and the restaurants in the evening
- proposed unit mix and amenities for the apartments
- design inspiration for the project
- community space, economic development, and community investments

Kurt Pearson commented that parking did not add up, noting that the available parking is 48 spaces short per the 422 spaces required by UDO. He questioned how the overflow parking could sufficiently accommodate the retail parking when there isn't enough residential parking.



Robert Wright responded that the UDO allows for some flexibility for the parking required in the downtown area. Kurt Pearson responded that he was correct, but the flexibility given by the UDO doesn't necessarily make up for such a large deficit.

Larry Teague questioned how they would be able to use the library parking when they already restrict the nearby apartment development from parking there. Mr. Wright responded that he was unaware of other restrictions, but in speaking with the library they were open to a parking agreement. Larry commented that the library doesn't close until 8 p.m. so it didn't seem like there would be a wide window to use it.

Larry Teague asked what the proposed building height was and how it compared to the average building height downtown. Mr. Wright explained the proposed building height is 50 ft and although he didn't know the average height downtown, their proposal aligns with the *Downtown Vision Plan*. Larry Teague also expressed concern about the cotton building being located in the sight triangle. Mr. Wright responded that the building already exists. Larry Teague asked how the adjacent home on Holt St would be impacted, nearest to the proposed dog park. Mr. Wright responded that there would be no impact on the home, and screening would be provided.

Tom Boney asked for clarity on the existing buildings and the "cotton building." Robert Wright explained that all of the existing buildings would be demolished except for the "cotton building" on the northeast corner by the pool shown on the site plan.

Dave Roth, 410 S 4th St, expressed support and excitement for the project to bring more activity and economic development to downtown Mebane. He noted that the site is currently derelict abandoned characterless buildings and the whole western block is surrounded by a six-foot-tall chain-link fence with barbed wire. He added that he trusted the engineers that designed site and performed the traffic study. He commented that the project would add much needed value to the property and hoped for the project to be approved.

Steve Krans, 100 W Crawford, St commented as a downtown business owner, downtown resident, and co-president of destination downtown and spoke on behalf of other downtown business owners. He expressed support and excitement for project and echoed the comments of Mr. Roth before him. He noted the importance of bringing traffic to downtown businesses and the overall positive impact the project would have downtown.

Dan Shannon, 4681 Mebane Rogers Road, commented that this is a phenomenal opportunity for the City of Mebane to have interest and intent in developing the property. He noted a slight concern about parking but was confident that it could be worked out.

Becky Beedy, 116 W Holt St, explained that she lives in the property Mr. Teague asked about immediately adjacent to the site and dog park. Ms. Beedy expressed excitement for the project and



interest in living in an apartment and asked questions about the provision of handicap accessible parking and accessible apartment units.

Josh Woodard, 500 S Third St, commented that he is excited about the potential to redevelop the Kingsdown site with mixed use but expressed significant concern with the development as presented. He noted that much of the property is covered by a parking lot and yet that there is not enough parking being provided. He noted concern about the use of the library for overflow parking, asking where he would be able to park when visiting the library with his kids. Mr. Woodard expressed disappointment in the lack of greenspace being provided on site, highlighting a missed opportunity to provide vibrant green space tied-in to downtown. Mr. Woodard also commented that there should be condos in addition to apartments in order to bring people in that are invested in the community long term.

Roger Halchin, 407 S Third St, noted that he is a long term resident of Mebane (32 years). Mr. Halchin echoed that it would be nice to see the property developed but expressed concern about stormwater and the increase in impervious surfaces. He added the S Third St area of Mebane gets a lot of run off and flooding from downtown when there is heavy is rain. He pointed out an abandoned storm sewer pipe under his property that connects all the way to Kingsdown which creates additional drainage problems and sinkholes. He also expressed concern about traffic and the impact of the mixed use and apartments on the neighborhood character.

Gene Jester, 209 W Holt St, spoke about his home at the corner of 2nd and Holt St adjacent to the proposed development, and his surrounding neighbors. He commented that such high-density housing, nearly 500 new residents right across the street, would be disruptive and dramatically impact the density and character of the neighborhood. He noted that the people to live in the apartments will not be inclusive or diverse, but mostly a young transient generation without children. He added that the units would not be affordable. Mr. Jester expressed deep respect and appreciation for the downtown community and how hard they have worked to transform it into a vibrant place but expressed concern for how traffic and congestion could really disrupt the success of the downtown area. Mr. Jester echoed concern about the 4-story building height. He shared frustration about the on-street parking that would be right in front of his home. He expressed great concern about the legacy trees on site that would be cleared and he reiterated that the project was too dense and out of character with the community.

Mary McFarland, 307 N Wilba Rd, echoed the same concerns expressed by others about parking, density, building height, and lack of harmony with its surroundings. Ms. McFarland commented on the *Downtown Vision Plan* process from 2018 and how it depicted a concept for the Kingsdown property. She commented that the Vision Plan recommended a setback for a 4th story on the building to reduce the visual impact. Ms. McFarland elaborated on some other uses that would be suitable for the property such as greenspace/public space and YMCA. Ms. McFarland expressed concern about the waiver requests. She reiterated that proposed development is too dense and too tall.



Tom Boney asked about the parking agreement with the library – who owns the property and who has the authority to make the decision about parking. Ashley Ownbey, Interim Development Director, responded that the City owns the library lot and the City Attorney has confirmed that the lessee (the leaseholder/tenant) has the option to determine who utilizes the parking.

Tom Boney asked then in that case, did the County Library give permission to use the parking. Robert Wright responded that an individual at the library sent him an email confirming that they would be fine with overflow parking in the library during the hours they discussed. He confirmed it was the director of the Mebane Library but did not know the name of the individual he spoke with. Judy Taylor asked if it was clear that this would be an agreement made in perpetuity. Mr. Wright responded that they spoke at length about the project.

In response to questions raised by the public, Mr. Wright highlighted the ADA parking spaces on the site plan including an accessible garage at building 3. Kurt Pearson asked who would be able to use the interior parking lot with the accessible spaces. Mr. Wright responded that the spaces would be available to the apartment residents.

Mr. Wright explained that the apartments are driven by demand and there are more people today that want to rent and a lot of people are opting not to purchase, so they are meeting that demand.

Allan Hill, the project engineer, elaborated on the stormwater design for the project noting that the development would only increase the impervious surface by roughly one acre. He noted that the City requires that additional impervious and stormwater be treated for quality and quantity so that peak flows do not exceed the existing level. The City of Mebane Engineer Franz Holt added that they were required to provide rendition for a 100-year storm event.

Mr. Wright elaborated on how the project aligns with the *Downtown Vision Plan* by providing a mix of uses and housing as a transition area towards the existing central business district across the railroad tracks. He responded to questions about low-income housing and explained that low-income housing would be less beneficial to property values. Mr. Wright also explained that the existing buildings are not designated as historic and are structurally unusable.

Gale Pettiford asked where delivery trucks would be able to access the commercial tenants for the site and if it would be a public safety hazard. David Allen highlighted on the plans areas where there would be access for trucks, namely on street parking areas in the morning,

Ms. Beedy followed up about her question regarding accessible apartments. The architect for the applicant Mr. Plageman responded that in compliance with building code, 9 apartments would be fully accessible and all of them would be adaptable because of the elevators.



Ms. McFarland asked if there would be a safety hazard due to traffic and the close proximity to the Mebane Fire Station. Mr. Wright responded that the Mebane Fire Department and TRC reviewed and approved the plans as presented, meeting city requirements.

Kurt Pearson shared a series of concerns about the proposed development:

- Mr. Pearson expressed concern in general about the number of apartments in Mebane. He advised using caution whenever considering apartment developments to avoid saturating the housing market. He suggested a study be performed for the City to ensure there is a healthy mix of housing in the City and the number of apartments does not approach or exceed that healthy threshold. He added that he did see that apartments in this downtown area are more desirable but wanted to see condos and townhomes as well.
- Mr. Pearson shared his opinion that the proposed development was asking too much with waiver request he considered be too severe, particularly with respect to parking. He noted that the project fails to provide enough parking for the residential component with a deficit of 48 spaces let alone the commercial component. He added that it was in his opinion inappropriate to use the public property at the library as overflow parking for a private development.
- Mr. Pearson indicated that in his opinion the proposed 4-story building height is too tall, and not in character with the surrounding buildings downtown which do not exceed three stories. He shared Ms. McFarland's concern about being "too dense and too tall." Kurt also added that while it is great to have development that will increase activity downtown, he is concerned that the proposed development will exacerbate traffic and parking problems downtown.
- He explained the City has discretion to grant waivers when reasonable and appropriate, but in this case the waiver requests are irresponsible and do not meet the intent of the UDO. He added that he didn't want to be too critical because he understands it is a prime location and it should be developed, but as presented it is not a smart development. Mr. Pearson questioned why not be picky and demand more from the developer when in the current economy almost every developer would love to come develop in Mebane, in such a prime location.
- Mr. Pearson concluded by stating he has a lot of knowledge and education from his professional background in city planning and that even though the Planning Board is an advisory body, the City Council watches these meetings and reads the meeting minutes. Mr. Pearson noted that considering the density, waiver requests and the irresponsible parking deficit, his only option would be to vote in opposition to the rezoning request.

Larry Teague commented that he agreed with Kurt Pearson.

Judy Taylor commented that she was excited about the redevelopment potential for mixed use on the Kingsdown properties but shared some concerns that the proposed development did not quite align with the intent and character of the *Downtown Vision Plan*. She noted that a buffer was



necessary to provide a transition between the existing homes on Holt Street and the mixed-use development.

Kurt Pearson made it clear that he is not against development on the Kingsdown properties, but that any proposed development needed to be responsible and in character with the surrounding area.

Kurt Pearson made *a motion to deny the B-1(CD) rezoning as presented due to a lack of harmony with the surrounding zoning or land use*, noting his concerns about the numerous waiver requests that he discussed earlier. Gale Pettiford seconded the motion which passed unanimously.

Chairman Tulauskas indicated that the request would go before the Mebane City Council on Monday, August 1st.

C. Request to rezone two properties totaling +/- 10.67 acres located at Peartree Dr & Parker Ln (PINs 9824071555 & 9824073438) from R-8 (CD) and R-20 to R-8 (CD) to allow for a residential development of 70 townhomes by KB Home Carolina Division.

KB Home Carolinas Division is requesting approval to conditionally rezone two properties totaling +/- 10.67 acres located at Peartree Dr & Parker Ln (PINs 9824071555 & 9824073438) from R-8 (CD) and R-20 to R-8 (CD) to allow for a residential development “Peartree Townhomes” of 70 townhomes. The property is located outside of City Limits in the Mebane Extraterritorial Jurisdiction (ETJ). Proposed onsite amenities are detailed in the meeting agenda packet available [here](#). The Planning staff has reviewed the request for harmony with the zoning of the surrounding area and consistency with the City’s adopted plans and recommends approval. The Technical Review Committee (TRC) has reviewed the site plan and the applicant has revised the plan to reflect the comments

Ashley Ownbey provided an overview and PowerPoint presentation of the request.

Donald Sever, PE of Summit Design and Engineering presented the rezoning request including discussion of the site plan, stormwater, project history and examples of home elevations. Thurm Bowen of KB home was also in attendance to represent the applicant.

Tom Boney of the Alamance News asked about the typical number of bedrooms and price point for the proposed townhomes. Mr. Bowen answered that the homes would have 3 bedrooms and would be in the 290 to low 300 thousand price range.

Joe Wiggs, adjacent property owner at 408 Stratford Dr, expressed several concerns about the project, namely that the connection of the road and sidewalk to Stratford would be disruptive to his property and the quiet street. He added that in previous conversations, the project engineer told him that a cut through was not necessary but the City wanted it for emergency response purposes.



Mr. Wiggs added that there are plenty of dead-end roads in Mebane and it shouldn't have an impact on emergency response. Mr. Wiggs also expressed concerns about the lighting for the proposed subdivision entrance sign and loss of large existing evergreen trees. He added that the stormwater ponds would increase mosquitos.

Aaron Smeltz, property and business owner at 831 S 8th Street, expressed concern about how the project may impact his property, particularly traffic. He asked if the development would limit his ability to recombine his properties in the future and if he could access his property from the proposed road that would run behind him. Don Sever responded that he did not see an issue providing an entryway for Mr. Smeltz to tie into provided that the City did not have an issue.

Mr. Wiggs also asked if a fence or buffer would be installed around where the project abuts his property.

In response to Mr. Wiggs, Don Sever highlighted on the site plan where they are proposing to preserve the exiting tree canopy. He added that screening along Mr. Wiggs' property would be determined during the construction plan approval process.

Mr. Wiggs asked how close the proposed parking spaces shown on the plans would be to his property. Mr. Sever responded that the spaces would be 8 to 10 feet from the property line. Tom Boney asked if there were any buffer requirements with respect to the parking spaces. Ashley Ownbey responded that the parking is required to be screen from adjacent properties. Mr. Wiggs expressed concern about these spaces so close to his property line without a sufficient buffer and asked whether those spaces were necessary.

Ashley Ownbey responded that the parking spaces in question contribute to meeting the parking requirements for the subdivision, although they are exceeding the requirement by 2 spaces.

Kurt Pearson asked what the required setback is for parking. Ashley Ownbey responded that there are not setbacks for parking areas. Kurt Pearson responded that the proposed screening seemed sufficient and would not have a large impact on the surrounding properties. He also commented that the lighting from the subdivision entrance sign would not have a significant impact on surrounding properties because there are lighting requirements for signs. Mr. Pearson also added that the connectivity to Stratford in his opinion would be generally favorable. Mr. Wiggs restated his concern about the street being used for a cut through.

Kurt Pearson commented that the requested waivers for this proposed development are not significant, and the property is already zoned R-8 so it would not cause any significant changes from the current zoning.

Aaron Smeltz asked if the development would limit his ability to recombine his properties in the future. Staff responded that it would not change his ability to recombine his properties.



Mr. Wiggs asked how the site plan addresses stormwater management. Mr. Sever responded by highlighting the stormwater control measures as shown on the site plan.

Tom Boney asked about the proposed private amenities. Mr. Sever highlighted the proposed private amenities on the site plan including the dog park, walk path, sports field, bocce ball, and picnic area.

Kurt Pearson noted that the City Council will have the final decision on the rezoning request and that Mr. Wiggs will have an opportunity to share his concerns at the public hearing.

Kurt Pearson commented that the project does not have any major red flags that would negatively impact surrounding property owners.

Keith Hoover made a motion as follows:

Motion to approve the R-8 (CD) zoning as presented; and

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. Specifically, the request:

- *Is for a property within the City's G-1 Mixed-Use (Cameron Lane) and is residential in nature; and*
- *Promotes a village concept that supports compact and walkable environments, consistent with Growth Management Goal 1.1 (pp. 17 & 82)*

Larry Teague seconded the motion which passed unanimously. Chairman Tulauskas indicated that the request would go before the Mebane City Council on Monday, August 1st.

7. New Business

The following new business items were shared with the Board:

- Staff is arranging a Planning Board basics training, please share availability with staff.
- There is a vacancy on the Bicycle and Pedestrian Advisory Committee

8. Adjournment

Chairman Tulauskas adjourned the meeting at 9:25 p.m.