The Mebane City Council met for its regular monthly meeting at 6:00 p.m., Monday, August 7, 2023 in the Council Chambers of the Glendel Stephenson Municipal Building located at 106 E. Washington Street.

Councilmembers Present:

Mayor Ed Hooks
Mayor Pro-Tem Tim Bradley
Councilmember Katie Burkholder
Councilmember Sean Ewing
Councilmember Montrena Hadley
Councilmember Jonathan White

Also Present:

Chris Rollins, City Manager
Preston Mitchell, Assistant City Manager
Lawson Brown, City Attorney
Stephanie Shaw, City Clerk
Ashley Ownbey, Development Director
Daphna Schwartz, Finance Director

Mayor Hooks called the meeting to order. Pastor Stu Johnston of Grace Reformed Baptist Church gave the invocation.

Mayor Hooks recognized Downtown Mebane Development Corporation (DMDC) Executive Director Barbara Hollerand. He commended her on a job well done on the Main Street Celebration Event and also thanked the DMDC Board Members and City staff for their hard work achieving the Main Street designation and work put in for the celebration event.

Ms. Hollerand thanked City Council, City staff and the Mebane citizens for support in showing up and making the event such a wonderful success.

During the Public Comment Period, Kim Belmonte, 139 Campaign Drive, Mebane, shared that she submitted a public records request to the City and expressed that she feels the City has had ample time to fulfil her request. She questioned when she would be given the requested information. No response was given.

Mayor Hooks gave an overview of the Consent Agenda as follows:

- a. Approval of Minutes- July 10, 2023- Regular Meeting
- b. Petition for Voluntary Contiguous Annexation- Hawfields Presbyterian Church, Inc.
- c. FY22-23 Asset Disposals January 1, 2023 to June 30, 2023

Mr. Bradley made a motion, seconded by Mr. Ewing, to approved the Consent Agenda as presented. The motion carried unanimously.

Item b.

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-31

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mebane, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at the Glendel Stephenson Municipal Building at 6:00 p.m. on September 5, 2023.

Section 2. The area proposed for annexation is described as follows:

BEGINNING AT A 1"EIP (EXISTING IRON PIPE)ON THE SOUTHWEST SIDE OF TROLINGWOOD-HAWFIELDS ROAD, THE SOUTHEAST CORNER OF THE SARAH S. BRADLEY PROPERTY; THENCE WITH SAID SARAH S, BRADLEY S55°38'31"W A DISTANCE OF 640.16'TO A 1"EIP; THENCE S44°03'48"W A DISTANCE OF 256.96'TO A POINT 1"EIP; THENCE S40°48'42"W A DISTANCE OF 499.13'TO A POINT IN THE LINE OF HAWFIELDS PRESBYTERIAN CHURCH, INC.; THENCE WITH SAID HAWFIELDS PRESBYTERIAN CHURCH, INC. S77°50'12"E A DISTANCE OF 346.72'TO A POINT; THENCE S35°54'58"E A DISTANCE OF 488.40'TO A POINT; THENCE

N58°25'02"E A DISTANCE OF 300.30'TO A POINT; THENCE N32°42'58"W A DISTANCE OF 152.80'TO A POINT; THENCE N58°17'40"E A DISTANCE OF 793.98'TO A POINT IN THE R/W OF SAID TROLLINGWOOD-HAWFIELDS ROAD; THENCE WITH SAID R/W N31°44'19"W A DISTANCE OF 83.47'TO A NCDOT R/W DISK; THENCE N29°31'37"W A DISTANCE OF 246.45'TO A POINT; THENCE N61°41'15"E A DISTANCE OF 11.00'TO A POINT; THENCE N31°03'36"W A DISTANCE OF 328.06'TO A POINT; THENCE N44°34'58"W A DISTANCE OF 165.00'TO A POINT; WHICH IS THE POINT OF BEGINNING, HAVING AN AREA OF 22.04 ACRES, 0.034 SQ. MILES AND BEING ALL OF ALAMANCE COUNTY PARCEL ID:160518, PROPERTY OF HAWFIELDS PRESBYTERIAN CHURCH, INC. ALSO BEING TOTAL ANNEXATION AREA AS SHOWN ON PLAT OF SURVEY ENTITLED "FINAL PLAT: CITY OF MEBANE CORPORATE LIMITS EXTENSION CONTIGUOUS VOLUNTARY ANNEXATION" PREPARED BY R.S. JONES & ASSOCIATES, INC. DATED JULY 20, 2023

Section 3. Notice of the public hearing shall be published once in the Mebane Enterprise, a newspaper having general circulation in the City of Mebane, at least ten (10) days prior to the date of the public hearing.

ATTEST:	Ed Hooks, Mayor	
Stenhanie W. Shaw. City Clerk		

A public hearing was held on a request from Terry Hedgspeth to conditionally rezone her property located at 600 E. Brown Street from R-12 to B-3 (CD) to operate a retail business in the existing structure. The property is located within the Mebane City Limits in Orange County. The surrounding zoning in the area includes R-12, Residential District and R-20, Residential District. The property is in the General Watershed Area Overlay District and built-upon area restrictions apply. The property is connected to city water and sewer services. A vacant storefront is on the property and has historically been used as a bait and tackle store, dating back to the 1970s. Surrounding land uses include single-family residential and a church. The applicant is proposing the following conditions to maintain harmony with the residential nature of the neighborhood:

- The survey of existing conditions is to serve as a site-specific plan. Construction of additional structures or expansion of existing structures is not allowed without amendment to the conditions of the zoning district.
- Provision of three striped parking stalls, with one stall dedicated as an ADA space. The Mebane Unified Development Ordinance requires a minimum of five parking stalls and one bicycle rack for any nonresidential use.
- Any expansion of the existing driveway and/or parking area requires review by the Mebane Technical Review Committee (TRC).
- The removal of any existing landscaping requires review by City staff.
- The following uses will not be allowed in the zoning district:
 - o Billiard Parlor, Pool Hall
 - o Civic, Social and Fraternal Clubs and Lodges
 - o Indoor Recreation
 - o Country Club with Golf Course
 - o School for the Arts
 - o Fortune Tellers, Astrologers
 - o Golf Course, Miniature
 - o Health Club or Gym
 - o Private Club or Recreational Facility, Outdoor
 - o Public Park
 - o Sports and Recreation Club, Indoor
 - o Swim and Tennis Club
 - o Advertising, Outdoor Services
 - o Laundromat, Coin-Operated
 - o Laundry or Dry Cleaning, Retail Facility
 - o Bar, Night Club, Tavern, Brewpub
 - o Restaurant (drive-in or take-out window only)
 - o Restaurant (with drive-through)

Ms. Hedgspeth stated that her reason for the request was so she could open a business at this property, a vintage thrift store.

Kim O'Quinn property owner of 607 E. Brown Street expressed her opposition to the request, citing concerns with a business being in a residential area.

Mr. Ewing made a motion, seconded by Mr. White, to close the public hearing. The motion carried unanimously. Mr. Bradley made a motion, seconded by Mr. Ewing, to approve the B-3(CD) the B-3 (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. Specifically, the request is for a property within the City's G-4 Secondary Growth Area, which is generally residential and commercial in nature (Mebane CLP, p. 66). The motion carried unanimously.

A public hearing was held on a request from Elizabeth S. Woody to adopt an ordinance to extend the corporate limits. Mr. Brown presented the request. He stated that this is a voluntary contiguous annexation of +/- 0.327 acres located on the corner of Oakwood Street and S. Eleventh Street in Orange County. The property is zoned residential and a residential subdivision is planned for the property. At last month's meeting, the Council accepted the annexation petition and the certificate of sufficiency. No one from the public spoke concerning the request. Mr. White made a motion, seconded by Ms. Burkholder, to close the public hearing. The motion carried unanimously. Mr. White made a motion, seconded by Mr. Bradley, to adopt the ordinance to extend the corporate limits to include the +/- 0.327 acres. The motion carried unanimously.

A public hearing was held on a request from Keystone Group Inc. to adopt an ordinance to extend the corporate limits. Mr. Brown presented the request. He stated that this is a voluntary contiguous annexation of +/- 23.340 acres located in Alamance County and being Phases A2, A3 and A4 of Mebane Towne Center. At last month's meeting, the Council accepted the annexation petition and the certificate of sufficiency. No one from the public spoke concerning the request. Ms. Burkholder made a motion, seconded by Ms. Hadley, to close the public hearing. The motion carried unanimously. Mr. Bradley made a motion, seconded by Mr. Ewing, to adopt the ordinance to extend the corporate limits to include the +/- 23.340 acres. The motion carried unanimously.

A public hearing was held on a request from Mebane Housing, LLC and Evolve Mebane Oaks, LLC for approval to conditionally rezone six (6) properties totaling +/- 60.241 acres and located with frontages on Mebane Oaks Road, Broadwood Acres Road, and Longleaf Pine Place from R-20 and B-2 to R-8 (CD). The properties are located in Alamance County in the Extra-Territorial Jurisdiction (ETJ). The applicant must petition for annexation before connecting to City water and sewer. Ms. Ownbey presented details of the request via the attached PowerPoint. The property is located in the City's secondary growth strategy area as identified by the Comprehensive Development plan, and as mentioned with the other requests, this area tends to be in areas of the city where infrastructure exists or is capable of being extended and where there's existing residential and commercial uses. Additionally, this property appears in a plan from 2007 known as the Mebane Oaks Road Small Area Plan. That plan was developed to create different traffic options on Mebane Oaks Road to where people may be able to travel down Wilson Road which you'll see parts of that constructed with the Chick-fil-A and Wendys site and then the property that is subject of tonight's rezoning request shows the extension of Broadwood Acres Road as displayed on the referenced plan which includes a stoplight, also envisioned back in 2007. She explained that because this is a conditional rezoning request, it is a site-specific plan and what is discussed tonight, is what would be built, if the request is approved. The request is for a Planned Unit Development featuring 95 single-family homes, 294 apartments, and, +/- 13,000 square feet of commercial space. This is a change from what was presented at the Planning Board meeting, with a loss of 1 single family home and 26 apartment units and the addition of the commercial space which would front Mebane Oaks Road. She stated that another change since the Planning Board meeting is that the applicant is now meeting the requirements of the private recreation space which is required of the multi-family development; those units that are intended for rent. Since the Planning Board meeting the applicant has proposed a type of pocket park which is located more in the singlefamily home section and would be maintained by that HOA but would be available for use for the

multi-family residents. The site shows an internal street network which is consistent with the plan shown previously and includes traffic calming along Broadwood Acres Road that would be grass medians, a traffic circle, and sidewalks on both sides. A traffic calming device has been added since the planning board and is at the connection to Longleaf Pine Place which would be connecting to the existing Arbor Creek subdivision and includes curb bump outs, for traffic calming measures. One condition that remains with the approval of the request would be a condition that buildings one and two the multi-family development sewer allocation would occur in 2024 in buildings three and four in 2025. This is not a UDO requirement but in August 2021 the Council adopted a policy related to accumulated paper flow and that is why the condition is included because it would deviate from that policy. Another item that changed since the Planning Board meeting is the public recreation requirement. The applicant is still showing the lot to be dedicated to the city of Mebane as a way to meet part of that public Recreation requirement. There is no specified use yet for that lot and it would be developed at the City's discretion. That lot totals just over 7.4 acres. Additionally, there is a payment in lieu since the Planning Board meeting in which the applicant has committed to and is allowable by the UDO and has been brought with other subdivisions as well. That would be the remaining 3.73 acres of public recreation covered by payment in lieu which totals just over \$255,000. The proposed pocket park would include a pickleball court, shade pavilion, cornhole, playground, and a trail system that would connect to the multi-family section. There is also a proposed community garden. A traffic impact analysis (TIA) was required of the development. Since commercial space has been added, they have updated the TIA. It is still being formally reviewed by NCDOT but staff has received preliminary comments in which they indicated that their approval as outlined would still stand with the possibility that some changes to the storage length of turn lanes, however, that would be something the applicant could easily accommodate. As part of the TIA requirements, the applicant should coordinate with the NCDOT to develop coordination and timing plan for all the signals on Mebane Oaks Road. In addition, the applicant would be required to install a traffic signal at their site access and would be installed with the first phase of development.

Amanda Hodierne, attorney representing the applicants, she introduced several members of the project team who were in attendance. Ms. Hodierne stated that her client has already purchased the property, unlike a lot of situations which are contingent upon the entitlement process. She stated they have made the commitment and are excited to be in Mebane.

Frank Forde, with Evolve and project property owner, reiterated that they have purchased the property. He continued, stating that they are a local company, based out of Greensboro, NC and have a lot of subcontractors in Alamance County as well as bank in Alamance County. He stated that they are tied to the community. He stated that they have worked diligently with the City staff and they are hopeful that the project will be approved.

Ms. Hodierne began a presentation via the attached PowerPoint. She said as previously mentioned by Ms. Ownbey, the project is mixed-use, largely focused on residential. She spoke regarding the existing land use pattern and how they made use of the property in developing the site plan in conjunction with the City's Comprehensive plan, Mebane By Design, and all of its ancillary policy documents such as the Comprehensive Thoroughfare Plan, Comprehensive Transportation Plan, Small Area Plans, Bicycle and Transportation Plan, and Health in All Policies. She spoke about the surrounding area, referencing the interstate and the intense thriving hub of activity. She talked about the zoning in the area and how their project can provide a "step down" transition from commercial to residential. She spoke in more detail regarding how they designed the project to meet the City's goals and objectives of all the City's previously mentioned adopted plans and policies. She gave an overview of the proposed site plan layout.

Aden Stoltzfus, Engineer with Stoltzfus Engineering, gave an overview of the site plan, reiterating some of the same details as shared by Ms. Ownbey. He spoke about the land elevations throughout the property, sanitary sewer outfall and stormwater control measures. He spoke briefly about the multi-use path plans. He pointed out that the connection to Longleaf Pond Place is currently shown as the last phase of the single-family section, stating that they hope that would ease concerns regarding construction traffic. He said currently there is a stop sign at the intersection of Longleaf Pine Place and Sweetgum Way and would continue to be a stop condition but the traffic calming measures were added in between the project's last intersection and Longleaf Pine Place in order to slow people down as they are entering into the neighborhood.

Ms. Hodierne stated that the Longleaf Pine Place connectivity purposes would be for vehicular and pedestrian traffic only as it would not be an effective or efficient construction entrance. She said that this is an in-fill project and they want to be sensitive to the residential neighbors. She said she also wanted to highlight that they are not asking for any setback or dimensional decreases to the R8 lots. She gave a detailed overviewed of the PowerPoint slide (attached) that listed the project revisions since the Planning Board meeting.

Rynal Stephenson, Transportation Manager with Ramey, Kemp, and Associates, spoke regarding the Traffic Impact Study. He overviewed the recommended traffic improvements, trip distribution percentages and traffic calming design as shown the attached PowerPoint slides. Mr. Stevenson talked briefly about the project's transpiration connectivity, not only for vehicles but for pedestrians and bikes, stating that residents could get to Walmart, Chick-fil-A, Starbucks, etc. without traveling on Mebane Oaks Road.

There was considerable discussion among Council, Mr. Stephenson, Mr. Stoltzfus, Ms. Hodierne and city staff regarding the project traffic improvements, guaranteed connectivity phasing and traffic calming measures. Ms. Hadley and Ms. Burkholder requested that staff look into crosswalks and children at play signage within the existing Arbor Creek neighborhood, specifically on Longleaf Pine Place and Sweet Gum Way. There was also discussion regarding traffic on Mebane Oaks Road and the traffic signalization timing. Ms. Hodierne re-emphasized that the installation of the traffic signal on Mebane Oaks Road is a Phase 1 requirement that must be met at the initiation of this project's construction of the access road. Mr. Rollins added comments regarding the synchronization of the traffic lights on Mebane Oaks Road. He stated that NCDOT has given city staff a Mebane Oaks Road traffic improvement project completion date for the end of September or beginning of October of this year.

Ms. Hodierne continued the presentation showing renderings of the proposed apartments and commercial space buildings. She then shared a slide listing the multi-family amenities and features, along with renderings of those features. She shared an up-close view of the pocket park on the site plan and shared features unique to that park. Single-family renderings were also shared.

Ms. Hodierne spoke about their neighborhood outreach initiatives. She said after 6 TRC reviews, a neighborhood meeting and a planning board hearing, they feel they are offering the best manifestation of what infill needs to be in this location.

After more discussion among all parties, Mr. White asked if the applicant would consider a further reduction in density, particularly on the apartment side. Ms. Hodierne said they would have to consider what that would look like, stating that this has been an evolving process and she hopes they have demonstrated that they are open to considerations and dedicated to making the project the best version.

Mayor Hooks called for a break at 8:15 p.m. Mayor Hooks called the meeting back to order at 8:24 p.m.

Mr. Forde responded to Mr. White's question asked before the break. He said his answer would have to be no as they are already at 6.94 units per acre which is under the allowable density.

Nancy Bouchard, 107 campaign Drive, Mebane, spoke in opposition of the request, stating that she feels that the project is not needed right now. She also cited concerns with a lack of infrastructure and public services.

Brenda Buchanan, 1143 Dartmouth Drive, Mebane, spoke in opposition of the request. She stated that the Planning Board rejected the initial plan with a 5-2 vote and she asked the Council to abide by the Planning Boards rejection. She cited concerns with traffic, lack of infrastructure

Louise Bryan, 1301 Yellowwood Drive, Mebane, spoke in opposition of the request. She said her biggest issue is a mixed-use development being connected to a residential neighborhood. She expressed concerns with growth, traffic and high density. She said she feels this is just not the right location for this project.

Ray Oliver, 909 Sugar Tree Drive, Mebane, stated that he is the HOA president for Arbor Creek Manorfield and he represents 300 homes in that neighborhood. Mr. Oliver spoke in opposition of

the project, citing concerns with traffic. He asked if Council could make concession on not having the development connect through to his neighborhood.

Michael Maxwell, 1414 Yellowwood Drive, Mebane, spoke in opposition of the request, citing concerns with traffic.

Charles Stancati, 1034 Longleaf Pine Place, Mebane, spoke in opposition of the request, citing public safety concerns due to the traffic congestion on Mebane Oaks Road and the Fire Department location on that road. He also cited concerns with the City having only one platform ladder firetruck. He concluded his comments with more traffic concerns.

Edwin Wale, 383 Longleaf Pine Place, Mebane, suggested that the project's road end with a culde-sac instead of connecting to the Manorfield subdivision. He questioned how the city can ensure that the high-end finishes, amenities and cost of homes be guaranteed.

Stan Kessler, 912 Palm Court, Mebane, spoke in opposition of the request. He asked for clarification regarding the recreational space payment in lieu and the land donation. Mr. Rollins explained that the applicant is still committed to the land donation and on top of that they would be paying roughly \$250,000 as a payment in lieu of developing the 3.73 acres of recreation space as allowed by the City's ordinance. Mr. Kessler expressed his displeasure and commented that it sounds like a bribe. He concluded his comments citing concerns with the density of the project and the funneling of traffic through his neighborhood.

Arlinda Ellison, 1213 Yellowwood Drive, Mebane, shared two things she feels should be considered, first, the development causing animals to be driven out of their homes and into the roads. Second, the development will abut her backyard and she request a landscape buffer between their development and her property.

Barbara Morris, 1045 Sweet Gum Way, Mebane, cited traffic concerns on Mebane Oaks Road and Old Hillsborough Road. She requested that Council consider the true demand for this type of housing in an already congested area and what benefit it will add to the existing Mebane residents. She questioned if the project will make Mebane a better place to live or just deteriorate the charm.

Don Windsor, 4253 Old Hillsborough Road, Mebane, shared his displeasure with all the growth in Mebane and with the traffic congestion generated by the growth.

Jim Shaw, 839 Longleaf Pine Place, Mebane, shared concerns with the increased traffic that would be generated by this project that could funnel through his neighborhood. He asked if the pocket park will be open to the public, where will the public park.

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

Ms. Hodierne said she would like to address a couple of the matters that are continually being brought up. First being the connectivity of the project to the Arbor Creek Manorfield subdivision. She stated that the applicant is willing to cut off the connectivity. The connectivity was provided in order to abide by the City's comprehensive planning documents, ordinance and TRC process which dictates the connectivity but the applicant is amendable at the Council's discretion. Second, the density of the project. She stated that this project is medium density under City's ordinance and under all accepted planning definitions and terminology for this region; 7 units an acre is medium density. Additionally, she addressed the matter brought up concerning an apartment study. She stated that the City has not conducted an apartment study that deemed Mebane to have an unhealthy number of apartments. She concluded her comments, citing several public benefits of the project.

Mr. Brown explained that the City's UDO allows a developer or an applicant to address public recreation by either dedicating the space or providing a financial contribution which is based upon a formula that is time honored and has been in the ordinance for years because this property is valued on the B-2 side as high, the payment-in-lieu ended up being high at \$255,000. It is permissible as an option. He said otherwise as to the contribution of the 7 acres, that was a

condition offered by the developer and it relates to the recreation space but it is not restricted to recreation. So, the City will have some flexibility if this project is approved to do something further with that.

There was discussion concerning the legalities of moratoriums on development. Mr. Brown explained briefly that the legislature has said that municipalities cannot enact a moratorium on single-family or multi-family housing. The city can always consider if there's a utility limitation and the City has a policy on that which the applicant has complied with. So, there are some outs, if you will, but an absolute moratorium on housing cannot be done.

After more discussion, Ms. Burkholder stated that she personally sees a benefit in the connectivity as presented. She made a motion to approve the R-8(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. 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) and allows for the integration of a community facility, consistent with Growth Management Goal 1.4 (p. 17 & 83). Motions were seconded by Mr. Ewing.

Mr. Bradley said there are 6 potential entrances and exits to this development. He questioned if its absolutely critical to have the connectivity to the existing neighborhood.

Mr. Rollins said that one of the basic principles in the City's UDO is connectivity but, in the end, it is a Council decision. Mr. Ewing stated that he would be disappointed as he feels not making the connection would be a huge loss of opportunity, he is willing to go with what the people are asking for and that is to not make the connection.

Mr. Forde stated they would be willing to not connect. He said he does not mind putting in a culde-sac end of that street right there but obviously long before I was here somebody stubbed that street out so the City will have is a stub and a cul-de-sac but if that is what is wanted, we do not have a problem with that.

Mr. Ewing retracted his second to the motions made previously by Ms. Burkholder.

Ms. Burkholder amended her previous motion. She made a motion to approve the R-8(CD) zoning as presented with the voluntarily offered condition 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. 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) and allows for the integration of a community facility, consistent with Growth Management Goal 1.4 (p. 17 & 83). Motions were seconded by Mr. Ewing. Mr. White stated that he still has some concerns with this overall project and its impact on Mebane Oaks Road.

As there was some confusion with the initial vote, Mayor Hooks called for a roll call vote. Ms. Burkholder- Aye, Ms. Hadley- Aye, Mr. Bradley- Aye, Mr. White- Nay and Mr. Ewing- Aye. The motions passed with the 4-1 vote.

A public hearing was held on a request for adoption of an ordinance directing the Building Inspector as Code Enforcer to demolish the building on the property with the address of 608 Giles Street, Mebane. Mr. Brown presented the request. He explained that this is a situation in which staff has held multiple hearings before the Building Inspector and staff felt it was time to bring this dilapidated structure before Council for condemnation. Typically, the condemnation order provides for the property owner to have 90 days within which to come forward with a plan. Staff has noticed by email, registered mail and first-class mail to the owners of the property of record. They are not present but if there is someone in attendance, they need to be heard but otherwise the evidence that Council had in its packet, as evidenced by the photographs, justify a condemnation. No one spoke concerning the matter. Mr. Bradley made a motion, seconded by Mr. Ewing, to close the public hearing. The motion carried unanimously. Mr. Bradley made a motion, seconded by Mr. Ewing, that the Building Inspector as Code Enforcer, after 90 days, demolish the building on the property with the address of 608 Giles Street, Mebane, NC; that the costs of such demolition and clean up assessed as a lien on the property and collected in accordance with the applicable statutes as provided for assessments; that the Inspector post the property with a placard stating "This building is unfit for human habitation and the use and

occupancy of this building is prohibited and unlawful"; and that a copy of this Ordinance be recorded in the Alamance County Registry. The motion carried unanimously.

Ms. Schwartz presented a request for approval of the Fund Balance Policy revision. She explained that Council requested that a revised Fund Balance Policy be presented for consideration. The City of Mebane's first Fund Balance Policy was adopted by the City Council on March 6, 2017. At that time the policy was set at 50% of expenditures and transfers. She further explained that a Fund Balance Policy defines the various designations of fund balance, describes when and how fund balance may be used, and provides guidelines for maintaining acceptable levels of fund balance. Finally, the policy describes steps to be taken in the event that fund balance falls below the levels adopted. The definitions, uses, and remedies are in keeping with generally accepted accounting procedures and the City's past practices, so the key point to be considered in setting the policy is the acceptable level of fund balance. Ms. Schwartz shared a comparison to other municipalities. The recommendation is to adopt a target of unrestricted fund balance equal to at least 33% of operating expenses and transfers. A balance of 33% provides sufficient funds to meet day-to-day obligations, maintain the City's credit rating, and provide for emergencies and opportunities that may arise. The minimum fund balance percentage recommended by the Local Government Commission is around eight percent or one month of operating funds. Reducing the policy to 33% drops the months of fund balance to four months.

Mr. Bradley made a motion, seconded by Ms. Burkholder to adopt the revised Fund Balance Policy as presented. The motion carried unanimously.

Ms. Schwartz presented a request for approval to adopt the resolution approving the issuance and terms of the financing agreement for the purchase of rolling stock. Ms. Schwartz explained that on June 5, the FY23-24 Budget Ordinance approved the following to be financed with debt:

- Fire engine (purchase order rolled over from FY22-23)
- Fire prevention vehicle
- ATV rescue vehicle
- Mini-excavator
- Six police vehicles
- Two pick-up trucks
- Gator
- Sidearm garbage truck
- Dump truck

The amount to be financed totals \$2,097,500. Requests for financing proposals went out to eight banking institutions. Two institutions responded.

Lending Institution	Term	Rate	Prepayment Penalty
American National Bank & Trust	5 years	4.95%	no penalty
Truist	5 years	5.21%	no penalty

She recommended American National Bank & Trust Company as they offered the lowest rate with no additional fees. Ms. Burkholder made a motion, seconded by Mr. White, to adopt the resolution approving the issuance and financing agreement with American National Bank & Trust Company.

Resolution

Resolution Authorizing Installment Purchasing Contract with American National Bank & Trust Company for the Purchase of Rolling Stock

WHEREAS: The City of Mebane (the "City") has previously determined to purchase a fire engine, seven sport utility vehicles, two pick-up trucks, an all-terrain vehicle, a mini excavator, a gator, a sidearm garbage truck, and a dump truck (the "Purchase"), and the Finance Officer has now presented a proposal for the financing of such Purchase.

BE IT THEREFORE RESOLVED, as follows:

- 1. The City hereby determines to finance the Purchase through American National Bank & Trust Company ("AMNB") in accordance with the proposal dated July 14, 2023. The amount financed shall not exceed \$2,097,500, the annual interest rate shall not exceed 4.95%, and the financing term shall not exceed five (5) years from closing.
- 2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the City are hereby authorized and directed to execute and deliver any Financing Documents and to take all such further action as they may consider necessary or desirable to carry out the financing of the Purchase as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and a Project Fund Agreement, as AMNB may request.
- 3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by City officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
- 4. The City hereby designates its obligations to make principal and interest payments under the Financing Documents as tax-exempt obligations for the purpose of Internal Revenue Code Section 265(b)(3).
- 5. All prior actions of City officers in furtherance of the purposes of this resolution are hereby ratified, approved, and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed to the extent of the conflict. This resolution shall take effect immediately.

This the 7th day of August 2023.

Ms. Schwartz presented a request for the adoption of a resolution supporting an application to the Local Government Commission and the approval of the proposed lending institution. She gave an overview of the request, explaining that the City's current water tank meets regulatory requirements but it's too small to equalize projected water demands. The City purchased property at 1500 S. Third Street to build a new elevated storage tank. On August 1, 2022, the City Council awarded Hazen and Sawyer the engineering contract for this project. Construction bids will be received on August 29, 2023. The project's total cost is estimated to be \$7,025,000; however, the City of Mebane was awarded \$2,652,990 in grant funding, thus reducing the amount of debt required. She further explained that the City reached out to Davenport Public Finance to help with the financing and to obtain bids. She then introduced Ted Cole, Senior VP of Davenport & Company, LLC.

Mr. Cole reiterated some of the same background information as Ms. Schwartz. He shared that Davenport, on behalf of the City, distributed a Request for Proposals (RFP) to several banks specifically requesting re-payment terms for 15-year and 20-year because of the long-term nature of the asset and because of the several large projects coming in the future.

The City was able to secure three responses to the RFP as follows:

- 1. Capital One Public Funding, LLC ("Capital One");
- Truist Bank ("Truist");
- 3. Webster Bank ("Webster")

Based upon a review of the proposals, related analyses, and discussions with City Staff and Bond Counsel, Davenport recommended that the City select the Capital One proposal offering the 20-year amortization. The Capital One proposal provides the lowest interest rate that was able to be locked through anticipated closing. Mr. Cole overviewed the details of Capital One proposal. The

final issuance of the revenue bonds is subject to the LGC's approval and this Council's subsequent approval at the October Council meeting.

After a brief discussion, Mr. Ewing made a motion, seconded by Ms. Burkholder, to adopt the resolution supporting an application to the Local Government Commission and the approval of the Capital One Public Financing, LLC financing for City revenue bonds in an estimated amount of up to \$4,372,000 at a 4.46% interest rate for 20 years. The motion carried unanimously.

Mr. Brown presented a request on behalf of BEC Enterprises, Inc., owner of 319 Tate Avenue, who has requested annexation into the City and, by City policy have signed an annexation agreement and a petition for annexation. In order to be considered for annexation under the policy, the applicants must sign an annexation application or petition and an agreement to be annexed in the future if the City desires. Generally, the City would request the individual property to be annexed if City utility services were available to the property; however, the City has the flexibility to defer the annexation of individual properties. Furthermore, the City may request annexation of the individual property, in the future, if the City determines that it is in the best interest of the City to do so. The purpose of the policy is for the City to be able to extend its corporate limits and provide municipal services on a consistent basis. In the event that the City does not desire immediate annexation of an individual property, the policy provides that the annexation agreement be recorded in the public registry to provide notice to all persons who may purchase the property in the future. If an individual property is not annexed into the City, City policy provides for the individual property owner to pay the outside-the-City rate for utility services.

Mr. Boney questioned why it would not be appropriate to annex now. Clarification was provided by Mr. Mitchell and Mr. Rollins by reference to the policy.

Mr. Bradley made a motion, seconded by Ms. Hadley, to accept the petition for annexation and the Annexation Agreement for the property at 319 Tate Avenue but defer annexation until the future per the City's policy and upon recordation of the signed Annexation Agreement and that the City allow access to the City utility services per the Voluntary Annexation Policy. The motion carried unanimously.

Ms. Ownbey presented a request for adoption of a Resolution Supporting the Creation of the Eastern Piedmont NC HOME Consortium. The Piedmont Triad Regional Council (PTRC) is forming a new HOME consortium to be known as the Eastern Piedmont NC HOME Consortium. The consortium will include five counties, Alamance, Caswell, Davidson, Randolph, and Rockingham and will provide the opportunity for federal block grant funding to be used toward the development of affordable housing opportunities in these counties, effective July 1, 2024. By participating, the City of Mebane will have access to direct formula allocations of HOME funds to support housing activities and programs in the City limits. The creation of the consortium has no immediate financial impact for the City of Mebane. The only time a funding commitment may be required of the City is if it pursues any grant funding.

Ms. Burkholder made a motion, seconded by Mr. Bradley, to authorize the City of Mebane to enter into an agreement to join the Eastern Piedmont NC HOME Consortium. The motion carried unanimously.

RESOLUTION SUPPORTING THE CREATION OF THE EASTERN PIEDMONT NC HOME CONSORTIUM

WHEREAS, if approved, this resolution would offer support for the creation of the Eastern Piedmont NC Home Consortium and further authorizes the City Manager to negotiate and enter into an agreement with other units of local government in the five (5) counties in creating the consortium, and further authorizes the City Manager to sign all contracts, grant agreements, certifications with the US Department of Housing and Urban Development, the State of North Carolina, or other agencies as may be required to carry out the activities of the consortium.

WHEREAS, the creation of the HOME Consortium provides an opportunity for federal block grant funding to be used toward the development of affordable housing opportunities within the Eastern Piedmont Consortium, which covers Alamance, Caswell, Davidson, Randolph and Rockingham Counties. This action does not commit the City to provide any funding, as the only time a funding commitment may be required is if the City were to pursue grant funding through the consortium for an affordable housing initiative.

WHEREAS, the HOME Investment Partnerships Program (HOME) provides formula grants to States and localities that communities use, often in partnership with local nonprofit groups, to fund a wide range of activities including building, buying, and/or rehabilitating affordable housing for rent or homeownership, or providing direct rental assistance to low-income households. HOME is the largest Federal block grant to state and local governments, designed exclusively to create affordable housing for low-income households, with HOME funds awarded annually as formula grants to participating jurisdictions.

WHEREAS, generally, units of local government form consortia to access direct formula allocations of HOME funds to support housing activities and programs, for which States are automatically eligible for HOME funds and receive their formula allocation or \$3 million, whichever is greater. Local jurisdictions eligible for at least \$750,000 under the formula also can receive a direct allocation. Communities that do not qualify for an individual allocation under the formula can join with one or more neighboring localities in a legally binding consortium whose members' combined allocation would meet the threshold for direct funding. Under current funding levels, if all eligible counties, and municipalities, join this consortium, the proposed consortium would have funding of approximately \$2,172,070 annually. The net funding level after deducting administrative fees used to run the program would be approximately \$1,960,000.

WHEREAS, there is a 25% on-going match requirement on all funds drawn from the consortium's HOME Investment Trust Fund treasury account in that fiscal year. The 25% non-federal match can be in the form of cash, assets, labor or other services valuable to the HOME program. The 25% match will be the responsibility of the recipient accessing the funds on a project-by-project basis. In the current regional consortium, funds from private and non-profit partners have produced far more match funds than would be required and no local funds have been required for match. No money is required from local governments to join the consortium.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, that the Council is in support of participation in an Agreement to join the Eastern Piedmont NC HOME Consortium, which will provide an opportunity for Low Income Residents of the City to receive benefit from grant funds to be used toward the development of affordable housing.

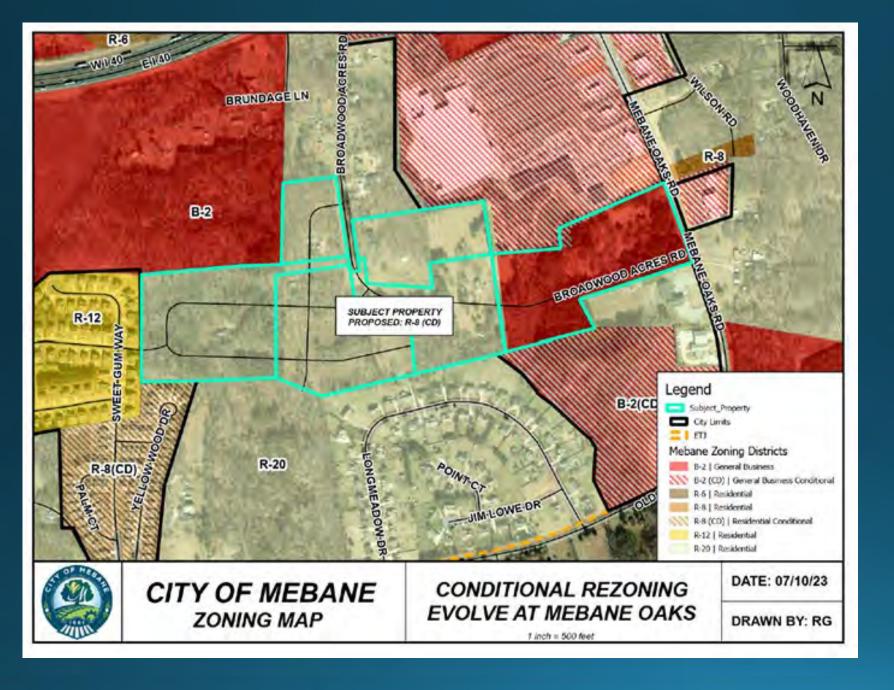
Adopted this 7th day of August 2023.

There being no further business, the meeting	adjourned at 10:15 p.m.		
ATTEST:	·		
	Ed Hooks, Mayor		
Stephanie W. Shaw, City Clerk			



Ashley Ownbey, Development Director

Public Hearing- Rezoning Request: R-20 and B-2 to R-8 (CD) by Mebane Housing, LLC & Evolve Mebane Oaks, LLC



Evolve at Mebane Oaks Conditional Rezoning Request

- Request by Mebane Housing, LLC and Evolve Mebane Oaks, LLC
- Six lots totaling +/- 60.241 acres
- Existing zoning: R-20 & B-2
- Requested zoning: R-8(CD)





Evolve at Mebane Oaks

Conditional Rezoning Request

- Mebane ETJ
- Applicant must petition for annexation before connecting to City water and sewer.



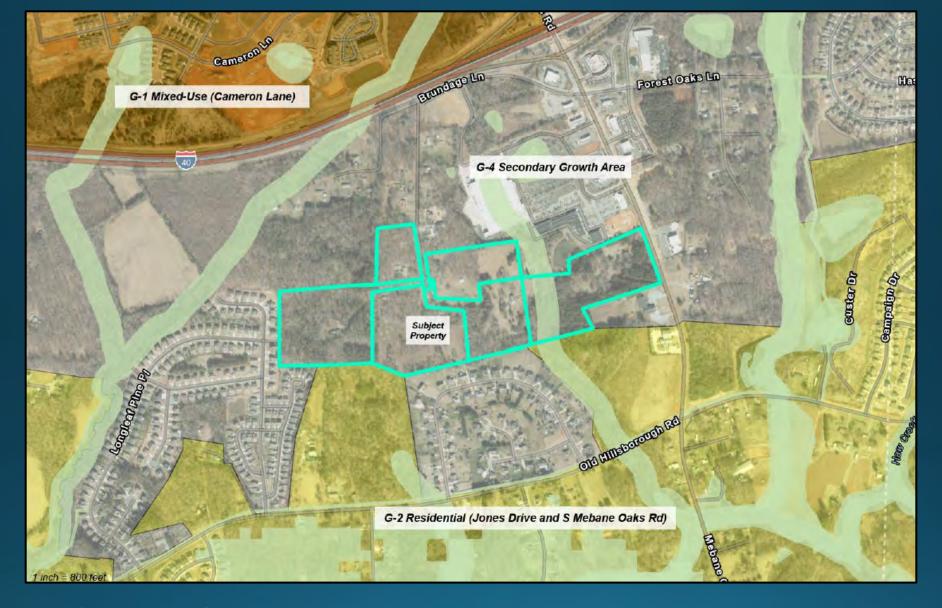


Evolve at Mebane Oaks

Conditional Rezoning Request

- Current use is single-family residential.
- Surrounding uses include:
 - Walmart and other Retail Stores
 - Restaurants and Other Commercial Uses
 - Church
 - Single-Family Residential

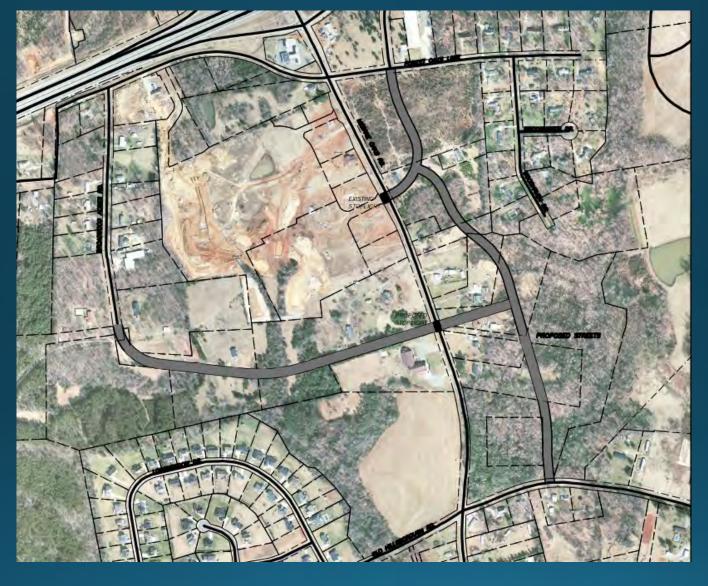




Evolve at Mebane Oaks
Conditional Rezoning Request

• Mebane By Design G-4 Secondary Growth Area

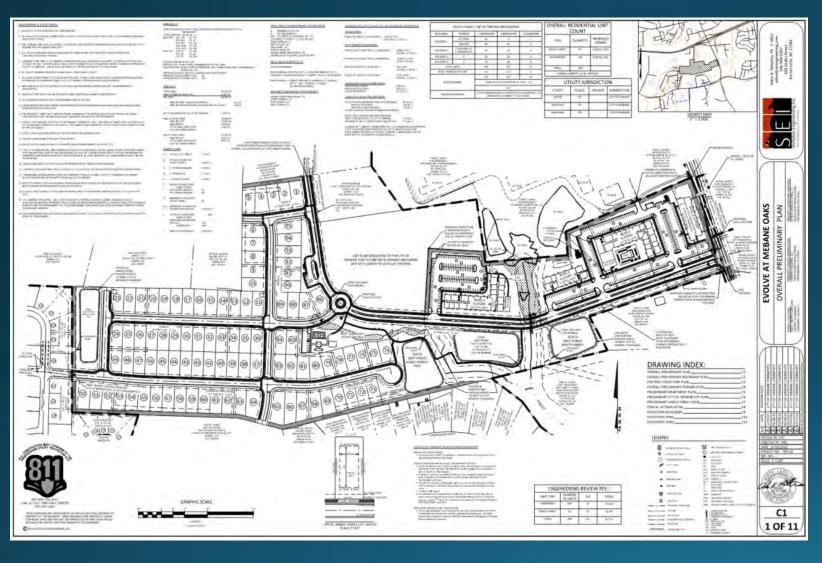




Evolve at Mebane Oaks
Conditional Rezoning Request

• Mebane Oaks Road Small Area Plan, 2007

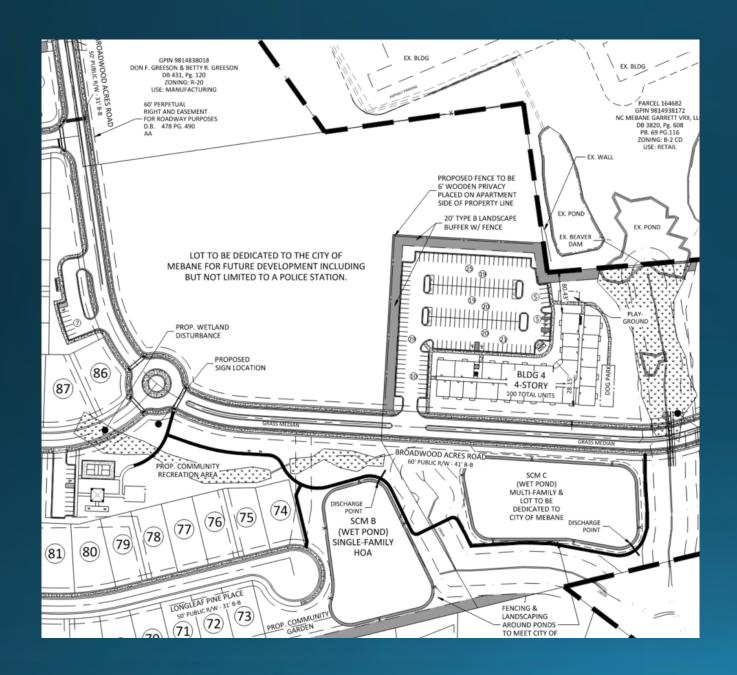




Evolve at Mebane Oaks

Conditional Rezoning Request

- R-8 (CD) Zoning requested to allow for a Planned Unit Development with 95 single-family residences, 294 apartments, and +/- 13,000 sq. ft. of commercial space
- No conditions related to setback distances or lot dimensions have been requested.
- The four apartment buildings will consist of a total of:
 - 140 1-bedroom units
 - 133 2-bedroom units
 - 21 3-bedroom units
- The total parking requirement for these units is 537 spaces. The applicant has proposed to provide:
 - 510 standard spaces
 - 4 EV charging spaces
 - 6 compact car spaces
 - 14 ADA accessible spaces
- Private recreation areas
- Internal street network to include traffic calming and sidewalks



Evolve at Mebane Oaks Conditional Rezoning Request

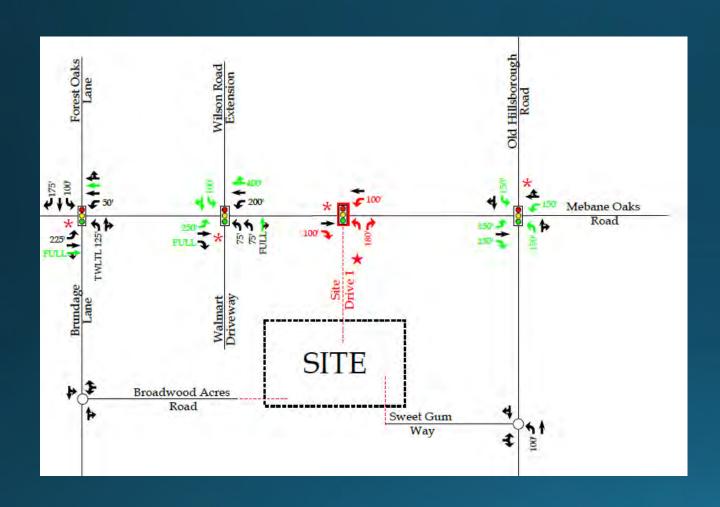
Non-UDO Condition Requested:

 As a condition of the approval of the apartments, buildings 1 and 2 sewer flow will be allocated in year 2024 and buildings 3 and 4 in 2025.

Public Recreation Requirement:

- Dedication of +/- 7.44-acre lot to the City for development at the City's discretion.
- Payment in lieu of remaining 3.73 acres of required public recreation.





Traffic Impact Analysis (TIA)

The developer is required to make the following improvements:

- Coordinate with NCDOT to develop a coordination and timing plan for the signals along Mebane Oaks Road.
- Install a traffic signal at the site access on Mebane Oaks
 Road with the first phase of development.
- Provide an exclusive northbound left-turn lane with a minimum of 100 feet of full width storage with appropriate transitions.
- Provide an exclusive southbound right-turn lane with a minimum of 100 feet of storage with appropriate deceleration taper.
- Construct the Site Access 1 (from Mebane Oaks Road) with one ingress lane and two egress lanes striped as one left-turn lane with 180' of full width storage and one right-turn lane as shown on the site plan.
- Provide an internal protected system (IPS) of 580' as shown on the site plan to ensure acceptable operations with additional traffic growth and potential addition of the 4th leg of the intersection as shown on the adopted Mebane Oaks Road Small Area Plan.





Applicant Presentation

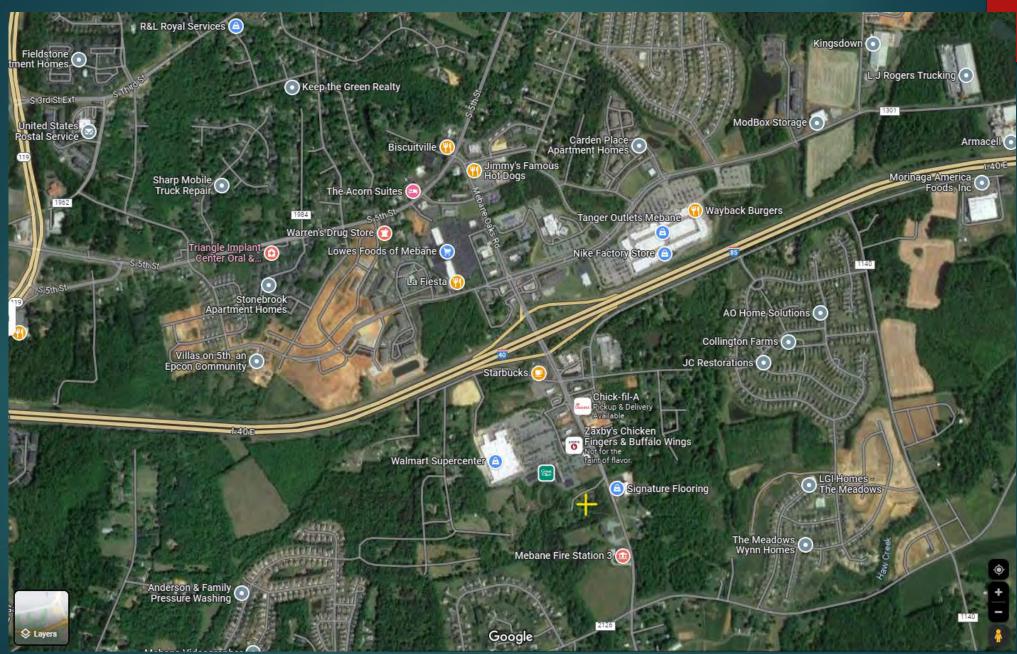


RZ-23-05 Evolve at Mebane Oaks

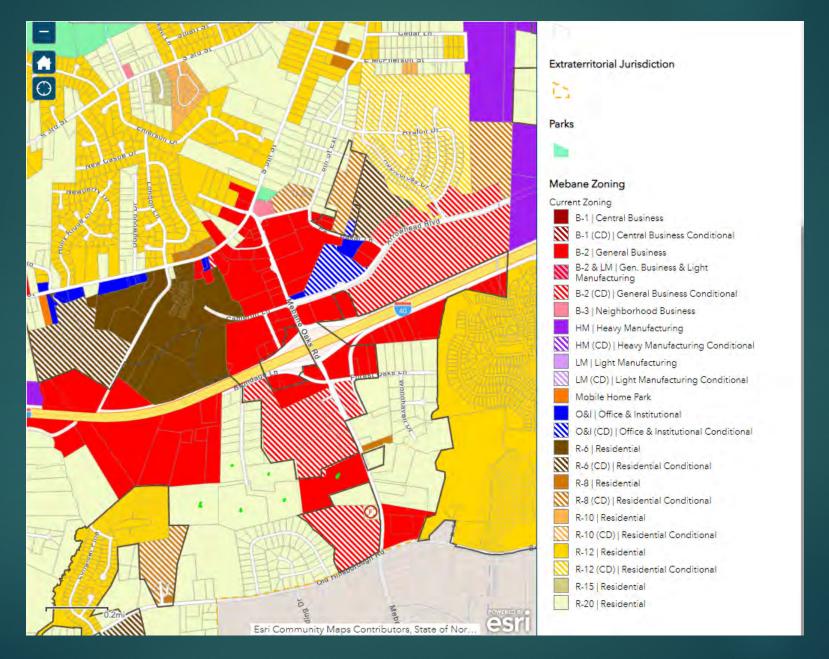
CITY OF MEBANE CITY COUNCIL AUGUST 7, 2023



EXISTING LAND USE PATTERN



ZONING CONTEXT



MEBANE BY DESIGN

MEBANE BY DESIGN

Comprehensive Land Development Plan

City of Mebane







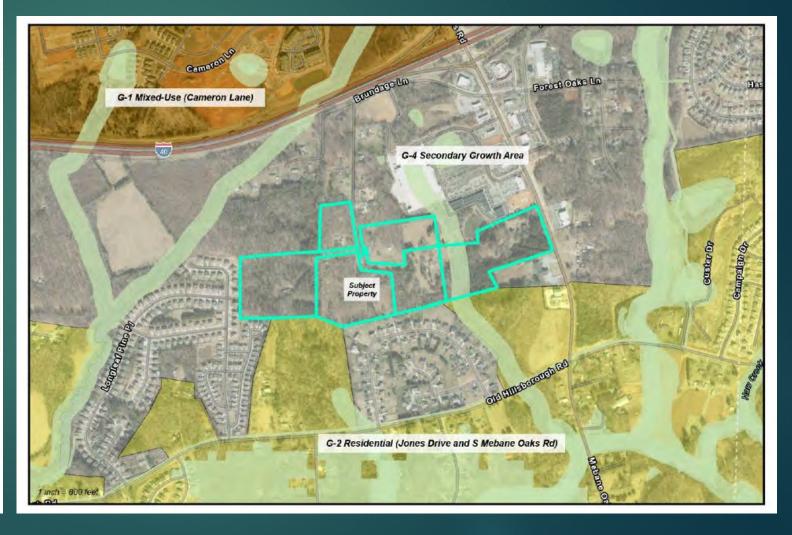
FINAL REPORT

Adopted by Mebane City Council
May 1, 2017









Comprehensive Transportation Plan/Mebane Oaks Rd Small Area Plan

MEBANE 2040 COMPREHENSIVE TRANSPORTATION PLAN PROJECT SHEET

Wilson Road / Old Hillsborough Road / Broadwood Acres Road Connectors

Project Description

Build approximately 1.1 miles of a two-lane section connector streets between Wilson Road, Old Hillsborough Road, and Broadwood Acres Road to provide additional connectivity near the Wal-Mart on Mebane Oaks Road.

Identified Problem

Lack of street connectivity around commercial development south of I-85/40.

Justification of Need

The recommendation will improve connectivity.

Community Vision and Goals Fulfilled

Recommendation seeks to aid economic development and local connectivity.



Vision

In 2015 the City of Mebane created a vision of its future and how the physic approached. During the development of the <u>Mebane Land Development Plan</u> the s growth should be encouraged inward towards developed areas, increasing density The vision for public facilities and infrastructure should be fueled by sustainable intended by external economic interest and strong corporate citizens. Industrial ce provide stable local jobs that provide family-supporting wages, making the City a the area.

The city's specific transportation vision also developed in 2016 states that the city

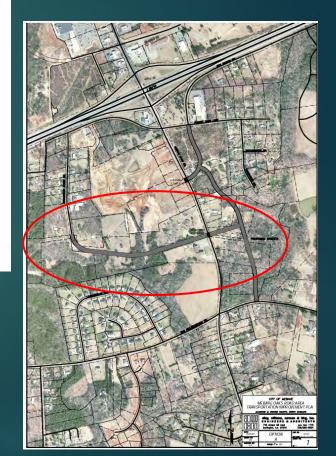
A safe, cost-effective, reliable and integrated multimodal transportation system that will support sustainable economic development, regional and local connectivity, and healthy living – with the following goals;

Goal: Provide cohesive connectivity to surrounding areas, cities, and counties.

improve connectivity and continuity of the transportation system and infrastructure to provide citizens with a variety of options for traveling.

Goal: Develop and maintain the character of the transportation network that is consistent and exemplary of the City's overall development vision.

The Mebane 2040 CTP is the result of a multi-level partnership that brought local, regional and state partners to the table with local residents and other stakeholders. This is Mebane's first Comprehensive Transportation Plan and it converts the desires of all the stakeholders into actionable projects.



BICYCLE / PEDESTRIAN TRANSPORTATION PLAN

Benefits of a Walk- and Bicycle-Friendly Community

Increased Health and Physical Activity

Transportation Savings

Transportation Benefits

Property Values

Air Quality

Quality of Life

Vision Statement

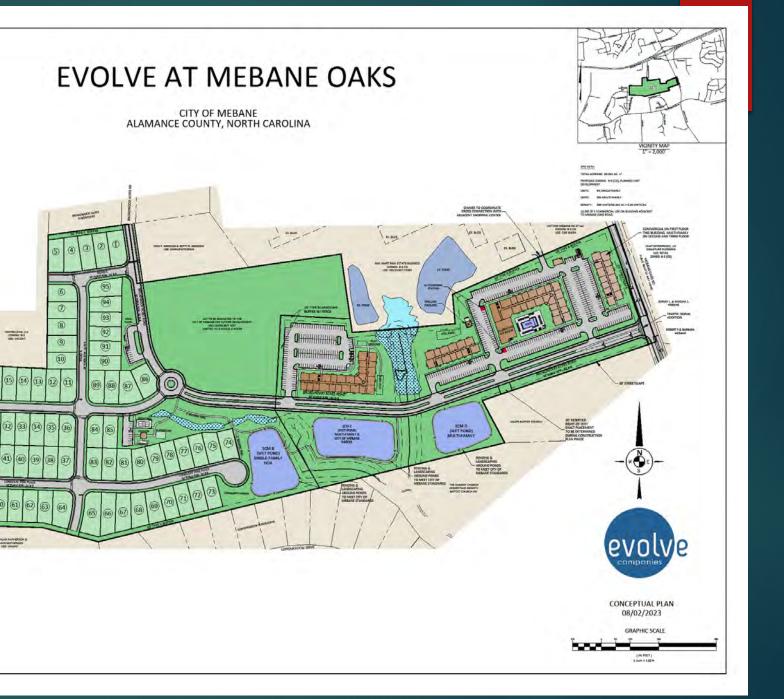
The City of Mebane will be a clean, connected, healthy, and active community where residents and visitors can experience nature, enjoy exercising, and travel safely by foot or by bicycle to local businesses, services, and schools.

Health In All Polices

What is a Healthy Mebane?



☐ Safe, sustainable, accessible, and affordable transportation options ☐ Affordable, accessible, and <u>nutritious foods</u>, and safe <u>drinkable</u> water ☐ Affordable, high quality, socially integrated, and locationefficient housing Affordable, accessible, and high quality health care Complete and livable communities including quality schools, parks and recreational facilities, child care, libraries, financial services and other daily needs Access to affordable and safe opportunities for physical activity ☐ Able to <u>adapt to changing environments</u>, resilient, and prepared for emergencies Opportunities for engagement with arts, music, and culture

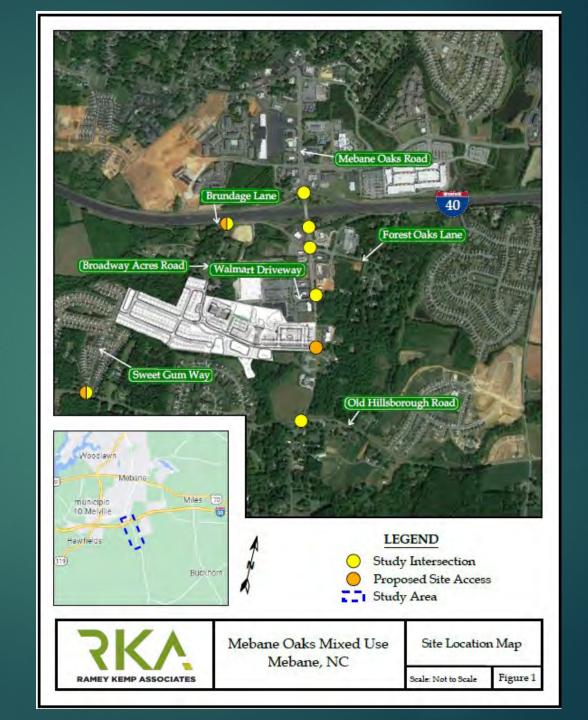




REVISIONS SINCE PLANNING BOARD

Previous Plan	Current Revised Plan
320 Proposed Apartment Homes	294 Proposed Apartment Homes
All Four Story Multifamily Buildings	Reduction of Building 1 to Three Stories
96 Single Family Homes	95 Single Family Homes
No Commercial aspect proposed	Addition of Retail Space to Bottom Floor of Building 1 facing Mebane Oaks Road
No Traffic Calming Feature on Longleaf Pine Place	Addition of Traffic Calming Design on Longleaf Pine Place at transition point
Single Family Amenity of Playground and immediate area only	Increase to full Pocket Park with Playground, Pickle Ball Court, Pavilion, Walking Trails, Cornhole and Community Gardens
Proposed Condition Regarding Building Height	Proposed Condition Removed
Proposed Condition Regarding Open Space, Private Recreation and Public Recreation	Proposed Condition Removed via reduced density, increased community recreation area and payment in lieu

TRAFFIC IMPACT STUDY



Mebane Oaks Mixed Use | E-4

RAMEY KEMP ASSOCIATES

Improvements by NCDOT STIP I-5711 and SM-5707B

STIP I-5711 is expected to improve the on/off ramps for I-85/I-40 and provide additional through lanes along the northbound and southbound approaches along Mebane Oaks Road from Arrowhead Road to the signalized Walmart Driveway intersection. The 5M-5707B project is expected to provide geometric improvements at the intersection of Old Hillsborough Road and Mebane Oaks Road.

Recommended Improvements by the Mebane Oaks Mixed Use Development Mebane Oaks Road Corridor

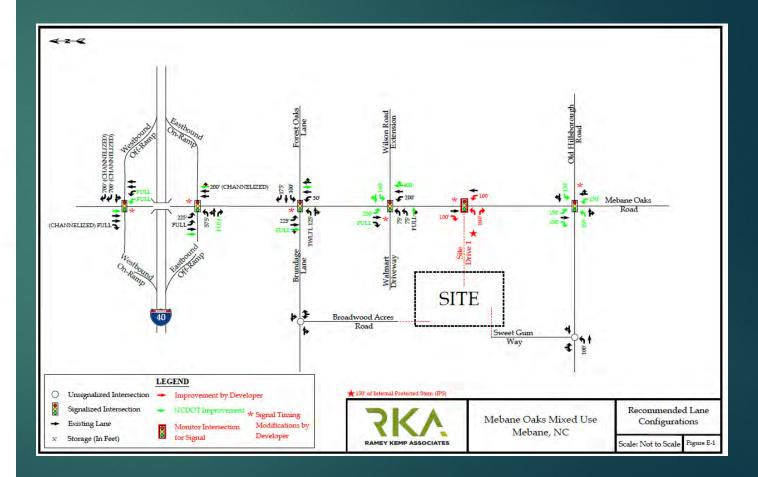
 Coordinate with NCDOT to develop a coordination and timing plan for signals along Mebane Oaks Road.

Mebane Oaks Road and Site Drive 1

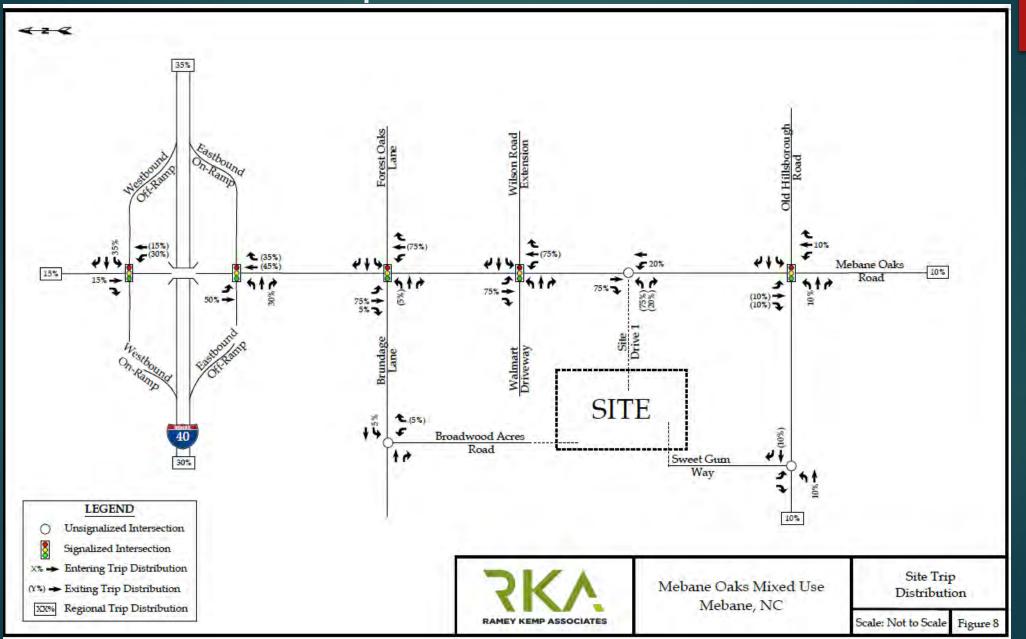
- Construct Site Drive 1 with one ingress lane and two egress lanes striped as one left-turn lane and one right-turn lane with 100 feet of full width storage.
- Provide an exclusive northbound left-turn lane with at least 100 feet of full width storage with appropriate deceleration and taper.
- Provide an exclusive southbound right-turn lane with at least 100 feet of storage with appropriate deceleration and taper.
- Monitor the intersection in the future as the development is constructed to determine if a traffic signal is warranted at this intersection. A traffic signal must be approved by NCDOT for installation.
- Provide an internal protected steam (IPS) of at least 150 feet for the eastbound approach.



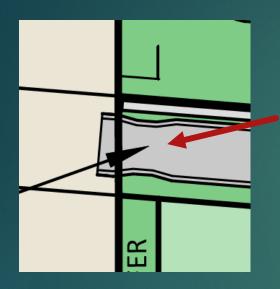
TRAFFIC IMPROVEMENTS



Trip Distribution



TRAFFIC CALMING DESIGN



Lane Throttle / Choker

Round About



Planted Median







Evolve at Mebane Oaks Renderings: Building 2 with Clubhouse
Mebane, NC August 2, 2023 Conceptual View 1







Evolve at Mebane Oaks Renderings: Building 2 with Clubhouse
Mebane, NC August 2, 2023 Conceptual View 2







Evolve at Mebane Oaks Renderings: Building 2 with Clubhouse
Mebane, NC August 2, 2023 Conceptual View 4



Multifamily Community Features

Amenities:

Community Clubhouse with Complimentary Wi-fi

Complementary Starbucks Coffee

Business Center with complimentary printing

Game Room with billiard table/games (vary depending on the

space—air hockey, ping pong, etc.)

24 hour state of the art fitness center with Precor equipment

24 hour Yoga Studio

Resort Style saltwater swimming pool with in pool loungers

Pool house with outdoor seating, fireplace and TV for

entertainment

Grilling Pavilion

Playground with rubber turf

2 Pet Wash stations (one indoor, one outdoor)

2 Fenced Bark Parks with artificial turf and agility equipment

Bike storage

Luxer Package Room

Electric Car Charging Stations

Other Features:

On site professional management team

24 hour emergency maintenance services

Planned Resident Socials

Model Apartment

Pet Friendly Community with Petscreening.com registration

Renters Insurance Program

Rent Plus Program (reports on time credit to bureaus,

budgeting tool and fraud protection program)

Valet Trash Services

Pest Control

















































Additional Community Recreation Amenities



Pocket Park Features



- HOA Maintained but open to Public Use
- Modeled after City's Holt Street Park, First Street Park and Fifth Street Park
- Provides multi age recreation opportunity and promotes community



SINGLE FAMILY ILLUSTRATIVES





SECOND FLOOR

FIRST FLOOR



evolve

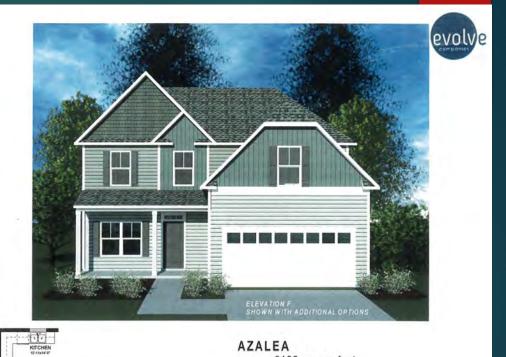


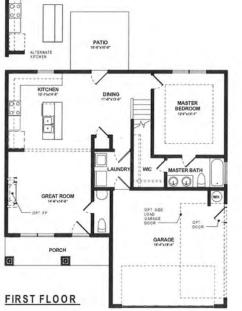
SECOND FLOOR

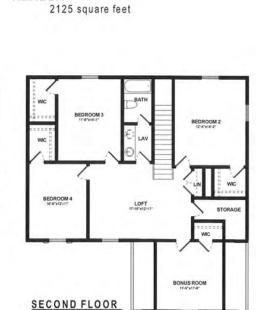
FIRST FLOOR



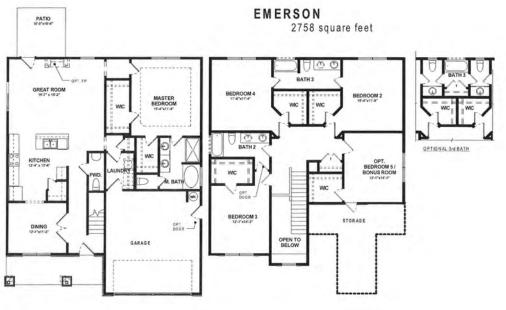












SECOND FLOOR

FIRST FLOOR





NEIGHBORHOOD OUTREACH



April 6, 2023

Dear Neighbor:

Our company, Evolve Companies of Greensboro, owns the properties known as Alamance County PIN 4a 9814-92-0726, 9814-82-3848, 9814-72-7217, 9814-82-4291, 9814-92-1385, 9824-02-0553 located on or man Mebane Oaks Road. We develop and own residential communities across North Carolina. Our plan for the above properties is to develop thesite with a multifamily community at Mebane Oaks Road, dedicate acreage to the City for its use in the middle of the site, and develop the remaining western half of the site with single family homes.

We have worked with the City of Mebane to design an appending and well-thought-out plan and are excited to share it with you. To facilitate this plan we have applied to the City of Mebane to rezone the property to R-8 Conditional Use, Planned Unit Development. We expect to be heard by the Planning Board in May or June of this year, but those dates have not yet been set.

The granting of our request will enable us to proceed with our plans for an attractive and desirable residential community at this location. We believe our request reflects a reasonable plan for growth and development in Mebane and will provide additional options for high quality homes for current and future cirizens.

In order to provide information about our project and respond to any questions that you might have, we will hast a neighborhood Zoom meeting on Monday, April 17 at 6:00 pm. The Zoom link is included in this envelope.

We look forward to hearing your thoughts and questions as we move through the rezoning process. Please feel free to contact our project representative, Amanda Hodierne, with any questions you have about this request. Her direct phone number is 336-609-5137, or you can email her at amanda@ssacsonsheridan.com.

Sincerely

John McDonald

Development Manager

Enclosures

- Held via Zoom on April 17th
- Approximately 25 participants
- Updates since then on timing and plan changes
- Other inquiries via phone/email

Questions and Discussion