



Council Meeting Agenda
August 7, 2023
6:00PM

1. Call to Order..... Mayor Ed Hooks
2. Invocation Pastor Stu Johnston, Grace Reformed Baptist Church
3. Public Comments Mayor
4. Consent Agenda..... Mayor
 - a. Approval of Minutes- July 10, 2023 Regular Meeting
 - b. Petition for Voluntary Contiguous Annexation- Hawfields Presbyterian Church, LLC
 - c. FY22-23 Asset Disposals January 1, 2023 to June 30, 2023
5. **Public Hearings-**
 - a. Rezoning- Terry Hedgspeth-
600 E. Brown Street- R-12 to B-3 Neighborhood
Business District (CD) Ashley Ownbey, Development Director
 - b. Ordinance to Extend the Corporate Limits-
Voluntary Contiguous Annexation-
Elizabeth S. Woody- Montclair Subdivision Lawson Brown, City Attorney
 - c. Ordinance to Extend the Corporate Limits-
Voluntary Contiguous Annexation-
Keystone- Mebane Towne Center, Ph. A2, A3 and A4 Mr. Brown
 - d. Rezoning- Mebane Housing LLC and Evolve Mebane Oaks LLC-
Mebane Oaks Road, Broadwood Acres Road, and Longleaf Pine Place-
R-20 and B-2 to R-8 (CD) to allow for a Planned Unit Development
featuring 95 single-family residences and 294 mixed-use apartments
with +/- 13,000 square feet of commercial space Ms. Ownbey
 - e. Condemnation of 608 Giles Street..... Mr. Brown
Cliff Ayscue, Chief Building Inspector
6. Fund Balance Policy Revision Daphna Schwartz, Finance Director
7. Resolution- FY24 Rolling Stock Financing Approval Ms. Schwartz
8. Resolution Supporting an Application to the Local Government
Commission and Selection of a Lending Institution for Revenue
Bonds for the Elevated Water Storage Tank..... Ms. Schwartz
Ted Cole, Senior VP Davenport & Company, LLC
 - a. Adoption of Resolution
 - b. Approval of Financing
9. Annexation Agreement- 319 Tate Avenue..... Ms. Ownbey
10. Resolution- New HOME Program Consortium..... Ms. Ownbey
11. Adjournment..... Mayor



The Mebane City Council met for its regular monthly meeting at 6:00 p.m., Monday, July 10, 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
Beatrice Hunter, HR Director and REAC Liaison
Kyle Smith, Utilities Director

Mayor Hooks called the meeting to order and called for a moment of silence.

Mayor Hooks began the Council's formal recognition of retiring Police Chief Terrence Caldwell with the adoption of a Resolution Awarding his Badge and Service Sidearm. Mr. Bradley made a motion seconded by Mr. White, to adopt the resolution as presented. The motion carried unanimously. Mayor Hooks then read aloud a Resolution Honoring Police Chief Terrence Caldwell on the Occasion of His Retirement and presented the framed resolution to Chief Caldwell.

**RESOLUTION AWARDING BADGE AND SERVICE SIDEARM
TO RETIRING POLICE CHIEF**

WHEREAS, Terrence E. Caldwell, Police Chief will retire from the City of Mebane Police Department on July 14, 2023; and

WHEREAS, in accordance with N. C. G. S. 20-187.2, Terrence E. Caldwell has requested his badge; and

WHEREAS, in accordance with N. C. G. S. 20-187.2, Terrence E. Caldwell has requested his service sidearm, a Glock 19 9mm, Serial Number BLEW365.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mebane that the service sidearm, is hereby declared surplus to the City and the City Manager or his designee is authorized to present said badge, and service sidearm to Terrence E. Caldwell.

Adopted this the 10th day of July, 2023.

ATTEST: _____
Stephanie W. Shaw, City Clerk

Ed Hooks, Mayor

**RESOLUTION HONORING POLICE CHIEF TERRENCE E. CALDWELL
ON THE OCCASION OF HIS RETIREMENT**

WHEREAS, the City of Mebane is proud to recognize the life, legacy, and accolades of Terrence E. Caldwell, Chief of the Mebane Police Department, on the occasion of his retirement; and

WHEREAS, Chief Terrence Caldwell's background includes having served four years in the Army's Military Police Corps. During his enlistment, Chief Caldwell specialized in Special Weapons and Tactics (SWAT) operations. Additionally, Chief Caldwell completed the Army's Non-Commission Officer's Leadership Program at Fort Campbell, Kentucky. After active service, he served an additional two years in the Army Reserves; and

WHEREAS, Chief Terrence Caldwell began his career with the Mebane Police Department in July of 1993 moving up through the ranks of the police department and being sworn in as Police Chief in September of 2006; and

WHEREAS, Chief Terrence Caldwell, is a graduate of numerous leadership and management courses including the Law Enforcement Executive Program at North Carolina State University and earned his Associates Degree from Alamance Community College in Criminal Justice before going on to Western

Carolina University to pursue his Bachelor's Degree in the same field; and

WHEREAS, Chief Terrence Caldwell has been a recipient of numerous recognitions, yet has always remained a humble public servant, who not only had the respect of the citizens, but the respect of the men and women who served under him and with him.

WHEREAS, Chief Terrence Caldwell's retirement from the Mebane Police Department will be effective July 14, 2023; and

WHEREAS, Police Chief Terrence Caldwell has served his community with pride, and upon the occasion of his retirement, is deserving of recognition and the highest commendation.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Mebane, hereby honor and take pride in bringing special public attention to Police Chief Terrence Caldwell, for his 30 years of exemplary service. His service and dedication have positively impacted many lives throughout his career. We offer our best wishes for a long, happy, and healthy retirement.

Adopted this 10th day of July in the year 2023.

ATTEST: _____
Stephanie W. Shaw, City Clerk

Ed Hooks, Mayor

Mayor Hooks then introduced Mayor Pro-Tem Bradley and requested that he make an additional presentation. Mr. Bradley came forward to present Chief Caldwell with the prestigious Order of the Long Leaf Pine, the highest award for state service granted by the Office of the Governor. Chief Caldwell received a standing ovation.

The Mayor, each Council Member, and Mr. Rollins all took a moment to share their sentiments with Chief Caldwell, expressing admiration, gratitude, and best wishes. Mayor Hooks presented Chief Caldwell with a final gift, a Mebane Logo brick sculpture; hand sculpted by NC artist Brad Spencer. Chief Caldwell then took a few moments to speak about his 30-year law enforcement career, sharing that his desire and commitment to serve began when he was a young boy and remained strong throughout his career. He acknowledged his family, friends, Council, City Management, co-workers, and "Team Mebane" (Mebane Police Department), thanking them all for their support and the opportunity to serve and requested that "Team Mebane" continue the support and good work for the incoming Police Chief.

Mayor Hooks recognized Eastern Alamance's Women's Soccer Team for winning the 2023 NCHSAA 3A State Championship. He read aloud the following resolution honoring the team and coaches.

2023 NCHSAA 3A Women's Soccer State Champions

WHEREAS, on June 3, 2023, the Eastern Alamance High School Lady Eagles soccer team won the NCHSAA 3A Women's Soccer Championship with a 4-0 victory over South Point; and

WHEREAS, the championship victory completed a storybook 20-0-1 season for the Lady Eagles, which included 14 shutouts, conference and regional titles, and a 20-match winning streak; and

WHEREAS, the members of this team exhibited exceptional dedication, soccer skills, athleticism, teamwork, and sportsmanship required to win a championship; and

WHEREAS, Head Coach Bob Webber and his assistant coaches provided outstanding leadership for the Lady Eagles; and

WHEREAS, the 2023 roster included the following players and coaches:

Karsyn Johnson
Lucy Taylor
Ryen Gibbs
Aubrey Dial
Maddy Loranger
Maci Link
Adrianna Glancy

Alena Pak
Ainsley Dial
Carson Story
Genesis Chinchilla
Catherine Parker
Abby Stadnicar
Abby Brinker

Molly Widderich
Audrey Hupman
Mackenzie Webber
Hayden Todd-Gesty
Meredith Doi
Nadia Navarro

Head Coach: Bob Webber
Assistant Coach: Shawn Gibbs
Assistant Coach: David Peters

Team Managers: Lindsey Link, Katherine Mejia, & Rocio Rosa Quezada
Athletic Director: John Kirby
Principal: Whitney Fliehman

WHEREAS, these young athletes and their coaches represented Eastern Alamance High School, Alamance County, and the City of Mebane with great character and class: and

NOW, THEREFORE, BE IT, RESOLVED, City of Mebane City Council hereby recognizes and commends the Eastern Alamance High School Lady Eagles Soccer Team for winning the 2023 NCHSAA 3A Women's Soccer State Championship.

Adopted this day 10th of July, 2023.

Ed Hooks, Mayor

Mayor Hooks read aloud a Resolution designating July 2023 as Recreation and Parks Month.

Designation of July as Park and Recreation Month

WHEREAS, Parks and Recreation is an integral part of communities throughout this country, including the City of Mebane; and

WHEREAS, Parks and Recreation promotes health and wellness, improving the physical and mental health of people who live near parks; and

WHEREAS, Parks and Recreation promotes time spent in nature, which positively impacts mental health by increasing cognitive performance and well-being, and alleviating illnesses such as depression, attention deficit disorders, and Alzheimers; and

WHEREAS, Parks and Recreation encourages physical activities by providing space for popular sports, hiking trails, swimming pools and many other activities designed to promote active lifestyles; and

WHEREAS, Parks and Recreation is a leading provider of healthy meals, nutrition services and education; and

WHEREAS, Parks and Recreation programming and educational activities, such as out-of-school time programming, youth sports and environmental education, are critical to childhood development; and

WHEREAS, Parks and Recreation increases a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, Parks and Recreation is fundamental to the environmental well-being of our community; and

WHEREAS, Parks and Recreation is essential and adaptable infrastructure that makes our communities resilient in the face of natural disasters and climate change; and

WHEREAS, our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS, the City of Mebane recognizes the benefits derived from Parks and Recreation resources.

NOW THEREFORE, BE IT RESOLVED BY the Mebane City Council that July is recognized as Parks and Recreation Month in the City of Mebane.

Signed, sealed and delivered this 10th day of July, 2023.

Ed Hooks, Mayor

During the Public Comment Period, Ed Priola, 747 S. Eighth Street, Mebane, shared his concerns with an item on the agenda in which the Council will be considering the Racial Equity Advisory Committee's (REAC) proposal to have the City become a member of the Government Alliance on Race & Equity (GARE). He questioned what metrics the Council will use to demonstrate and

validate that paying the \$1,000 annual GARE membership fees is an ethical use of Mebane taxpayers' money.

Peter Huff, 134 Edinborough Drive, Mebane, continued the Public Comment Period, stating that he agrees with the previous speaker and questioned why the City would fund the GARE organization and what impact would it have on the town. He said his concern is that we are steering away from determining a person's value based on something other than the content of their character.

Concluding the Public Comment Period, Brenda Pattison, 716 Buena Vista Road, Mebane. She stated that she also saw the item on the agenda for the REAC's presentation and she wanted to speak out against using any public funds towards dividing people, whether by sex or color of skin. She stated that there are two amendments to the Constitution that addresses those issues.

Barbara Hollerand, Downtown Mebane Development Corporation (DMDC) Executive Director, shared that the DMDC received its Mebane Main Street Designation letter, making Mebane the 70th "Main Street" community in NC. She expressed their excitement as the City has been working towards this designation for several years.

Mayor Hooks read aloud the following Proclamation.

MEBANE MAIN STREET DAY- July 31, 2023

WHEREAS, Main Street America has been helping to revitalize older and historic commercial districts for more than 40 years; and

WHEREAS, today, Main Street America is a network of more than 1,200 neighborhoods and communities who share both a commitment to place and to building stronger communities through preservation-based economic development; and

WHEREAS, Main Street America is a mark of distinction, a seal recognizing that participating programs, organizations and communities are part of a national movement with a proven track record for celebrating community character, preserving local history and generating impressive economic returns; and

WHEREAS, the City of Mebane, in embracing the Main Street model, applied for participation in the North Carolina Main Street program and was named a Downtown Associate Community in 2019; and

WHEREAS, the nonprofit Downtown Mebane Development Corporation was formed and then incorporated in 2022 as the managing body of the future Mebane Main Street program; and

WHEREAS, the City has committed to provide funding and other program support for the Mebane Main Street program; and

WHEREAS, the Downtown Mebane Development Corporation's volunteer board of directors has adopted an annual budget and program of work and has satisfied all other requirements of the North Carolina Main Street program necessary for full program designation in July 2023;

NOW THEREFORE, I, Ed Hooks, Mayor of the City of Mebane, North Carolina, do hereby proclaim July 31, 2023 as Mebane Main Street Day, and invite all citizens and supporters of Downtown Mebane to celebrate this milestone achievement at a community celebration on July 31 at 5:30 p.m. in Downtown Mebane.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Mebane, North Carolina to be affixed this 10th day of July, 2023.

Signed, Sealed and Delivered this day of 10th day of July, 2023.

Ed Hooks, Mayor

Ms. Hollerand then presented the DMDC's quarterly report for April- June 2023.

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

- a. Approval of Minutes- June 5, 2023- Regular Meeting
- b. Petition for Voluntary Contiguous Annexation- Mebane Towne Center- Phases A2, A3 and A4
- c. Petition for Voluntary Contiguous Annexation- Elizabeth S. Woody- Montclair
- d. Final Plat Reapproval- Magnolia Glen Estates, Ph. 3

Mr. Bradley made a motion, seconded by Mr. Ewing, to approve 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 August 7, 2023.

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

Being a portion of Keystone Group Inc, described in Deed Book 3831, Page 473, and Deed Book 3831, Page 476 of the Alamance County Registry (ACR), lying in the City of Mebane, Melville Township, Alamance County, North Carolina.

BEGINNING at a point running with the right-of-way of Cameron Lane, the following 16 calls:

Thence on a curve to the left having a radius of 20.00, a length of 31.99 feet and a chord of S13°08'04"E, 28.69 feet to a point, thence on a curve to the left having a radius of 360.00, a length of 227.57 feet and a chord of S77°04'06"E, 223.80 feet to a point, thence N84°49'19"E, 104.01 feet to a point, thence on a curve to the left having a radius of 460.00, a length of 172.76 feet and a chord of N74°03'45"E, 171.75 feet to a point, thence on a curve to the left having a radius of 50.00, a length of 92.52 feet and a chord of N10°17'34"E, 79.87 feet to a point, thence N44°56'40"E, 45.04 feet to a point, thence S42°43'02"E, 16.52 feet to a point, thence on a curve to the left having a radius of 50.00, a length of 33.67 feet and a chord of S62°00'24"E, 33.03 feet to a point, thence on a curve to the left having a radius of 50.00, a length of 48.76 feet and a chord of N70°45'57"E, 46.85 feet to a point, thence on a curve to the left having a radius of 460.00, a length of 60.85 feet and a chord of N39°02'17"E, 60.80 feet to a point, thence N35°14'55"E, 10.59 feet to a point, thence on a curve to the right having a radius of 540.00, a length of 188.37 feet and a chord of N45°14'31"E, 187.42 feet to a point, thence on a curve to the right having a radius of 540.00, a length of 172.17 feet and a chord of N64°22'09"E, 171.44 feet to a point, thence N73°30'11"E, 186.18 feet to an existing iron rod, thence N73°30'11"E, 236.14 feet to a point, thence S16°30'29"E, 4.24 feet to an existing iron rod also on the western line of Keystone at Mebane Oaks recorded in Book 3326, Page 670,

Thence S27°38'18"W, 98.60 feet to an existing iron rod, thence S27°38'18"W, 151.34 feet to an existing iron rod, thence S24°38'18"W, 223.38 feet to an existing iron pipe, thence S19°25'08"W, 196.59 feet to a point, thence S29°41'37"E, 83.13 feet to a point, thence S28°44'35"E, 86.87 feet to a point, thence S60°18'23"W, 19.50 feet to a point, thence S29°41'37"E, 36.94 feet to an existing iron pipe, thence S29°41'37"E, 224.95 feet to an existing iron pipe, thence S71°54'52"W, 251.05 feet to a point, thence on a curve to the right having a radius of 3819.72, a length of 687.07 feet and a chord of S76°40'56"W, 686.17 feet to a point, thence N48°08'45"W, 3.75 feet to a point, thence N46°31'46"W, 301.91 feet to a point, thence N46°32'51"W, 444.56 feet to a point, thence N32°41'24"E, 194.85 feet to a point, thence N32°41'24"E, 115.04 feet to a point and the place of BEGINNING and being approximately 22.340 +/- acres according to a survey prepared by Jeffery Caison, PLS.

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.

Ed Hooks, Mayor

ATTEST:

Stephanie W. Shaw, City Clerk

Item c.

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 August 7, 2023.

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

COMMENCING AT A NORTH CAROLINA GRID CONTINUOUSLY OPERATING REFERENCE STATION (CORS) NAMED "NCBU"; THENCE, S88°34'58"E, 52,793.66 FEET TO A ¾" IRON STAKE found AT THE INTERSECTION THE WESTERN MARGIN OF THE SOUTH ELEVENTH STREET RIGHT-OF-WAY AND THE NORTHEASTERN MARGIN OF THE OAKWOOD STREET RIGHT-OF-WAY, BEING ALSO THE WESTERN MARGIN OF THE CITY OF MEBANE CORPORATE LIMITS AND THE EASTERN MARGIN OF THE PROPOSED ANNEXATION TRACT, BEING ALSO THE SOUTHERN CORNER OF THE ELIZABETH S. WOODY TRACT, WITH A PIN OF 9825.31.5555 AND A NC GRID COORDINATE OF NORTHING 851204.16 AND EASTING 1923744.26, being also the PLACE AND POINT OF BEGINNING:

THENCE, ALONG SAID WESTERN MARGIN OF THE CITY OF MEBANE CORPORATE LIMITS, S01°28'16"E, 115.65 FEET TO THE SOUTHWESTERLY MARGIN OF SAID OAKWOOD STREET RIGHT-OF-WAY; THENCE, ALONG SAID SOUTHWESTERLY MARGIN OF OAKWOOD STREET AND THE SOUTHWESTERLY LINE OF SAID PROPOSED ANNEXATION TRACT, N32°41'27"W, 254.74 FEET TO A POINT IN THE SOUTH LINE OF SAID CITY OF MEBANE CORPORATE LIMITS; THENCE, N89°26'15"E, 132.06 FEET TO A POINT IN SAID WESTERN MARGIN OF THE CITY OF MEBANE CORPORATE LIMITS; THENCE, S01°28'16"E, 100.10 FEET TO THE PLACE AND POINT OF BEGINNING, CONTAINING 0.3270 ACRES, MORE OR LESS.

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.

Ed Hooks, Mayor

ATTEST:

Stephanie W. Shaw, City Clerk

A public hearing was held on a request from GD Adams, LLC for approval to rezone the +/- 12,632 square foot unaddressed parcel located on St. Lukes Church Road from R-12 and HM to R-12 to eliminate the split zoning of the property. Ms. Ownbey gave an overview of the request. She stated that the property is currently vacant and in Mebane's extraterritorial jurisdiction (ETJ) in Alamance County. City utilities are not located on St. Lukes Church Road so any development of the property would be served by Orange-Alamance Water and a septic system. She shared that there was a formal home on the property but has been recently demolished. The surrounding zoning in the area includes R-12, Residential District and HM, Heavy Manufacturing District. Surrounding land uses include single-family residential, vacant land, and a church. The subject property is located in the Secondary Growth Area. The proposed rezoning is consistent with the guidance provided within *Mebane By Design*, the City's Comprehensive Land Development Plan.

The proposed rezoning will be a continuance of the R-12 zoning and residential uses of surrounding properties.

Jerry Adams, the applicant, stated that when he purchased the property, he did not know that it was split-zoned. He said everything around the property is residential. He shared a few details regarding the house he plans to build. He concluded his comments by sharing that from what he has witnessed in this meeting, the Council should be proud of the work they done to make Mebane what it is.

No one from the public spoke concerning the matter.

Mr. Bradley made a motion, seconded by Mr. White, to close the public hearing. The motion carried unanimously. Mr. White made a motion, seconded by Mr. Bradley, to approve the R-12 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. The motion carried unanimously.

Dr. Allison De Marco, PhD, School of Social Work, University of North Carolina at Chapel Hill gave a PowerPoint presentation about the Government Alliance on Race & Equity (GARE) organization and the value of membership. She shared that the REAC requested her to share information with Council about the GARE organization.

After several questions from the Council and after considerable discussion, Mr. Bradley made a motion, seconded by Mr. Ewing, that more information and clarification would be needed before Council can take action on whether to join or not join into a membership with GARE. The motion passed with a 4-1 vote. Ayes- Mr. Bradley, Mr. White. Mr. Ewing and Ms. Burkholder. Nays- Ms. Hadley.

Mr. Rollins presented a request for the adoption of Resolution establishing a General Fund Capital Reserve Fund. He explained that the budget ordinance adopted by the City Council on June 5, 2023, includes a transfer equal to two cents of property tax revenue to a capital reserve fund. Approval from the Council is required to establish the reserve fund for specific General Fund projects. North Carolina General Statutes 159-18 and 159-19 give the City Council the authority to establish and maintain a capital reserve fund for any purpose for which it may issue bonds. The City Council maintains control over the capital reserve fund by establishing it, defining its purpose, and authorizing the use of money accumulated through a resolution or ordinance. The resolution will establish the fund and its purpose.

CAPITAL RESERVE FUND RESOLUTION

WHEREAS, there is a need in the City of Mebane to provide funds for Fire Station Four, a Police Facility, and a recreation project(s); and

WHEREAS, the City of Mebane shall bear the cost of constructing Fire Station Four, a Police Facility, and a recreation project(s) at an estimated cost of thirty-five million dollars (\$35,000,000).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEBANE THAT:

Section 1. The City Council hereby creates a Capital Reserve Fund for the purpose of funding the following capital projects related to the City's General Fund:

Fire Station Four – estimated cost of five million dollars (\$5,000,000)

Police Facility – estimated cost of fifteen million dollars (\$15,000,000)

Recreation project(s) – estimated cost of fifteen million dollars (\$15,000,000)

Section 2. This Fund shall remain operational during the life of these projects.

Section 3. The City Council shall appropriate or transfer an amount of two cents of actual property tax collections each fiscal year to this Fund. The budget for FY23-24 is \$840,317.

Section 4. This Resolution shall become effective and binding upon its adoption.

Adopted this 10th day of July 2023.

Mr. Bradley made a motion, seconded by Ms. Burkholder, to adopt the Resolution as presented. The motion carried unanimously.

Mr. Smith presented an item regarding the AIA Grant for the Study of Existing Water Infrastructure as related to the January 2021 Lead and Copper Rule Revision (LCRR). He stated that staff is requesting approval of the American Rescue Plan Fund Acceptance Resolution and the Budget Ordinance Amendment, along with awarding Alley Williams Carmen & King, Inc. the engineering services for Asset Inventory and Assessment in the amount of \$300,000. He explained that as part of the revised Lead and Copper rules, the City is required to provide the State an inventory by January of 2024. In August of 2022, the City received a letter of intent to fund an Asset Inventory and Assessment Grant in the amount of \$300,000 through the American Rescue Plan. On November 28, 2022, the City put out a Request for Qualifications for qualified firms to submit a statement of qualifications to provide engineering and surveying services for the below objectives:

- Grant/Loan Administration
- GPS or Survey Mapping of Water Infrastructure
- Review of As-Builts confirming material type and age
- System Evaluations
- Lead and Copper Rule Revision Evaluation and Inventory Preparation

Alley Williams Carmen & King, Inc. was the only firm that submitted their statement of qualifications by the December 21, 2022, due date. On June 21, 2023 the City received the official Offer & Acceptance for American Rescue Plan Funding.

Mr. Bradley made a motion, seconded by Mr. White to approve the American Rescue Plan Fund Acceptance Resolution. The motion carried unanimously.

Mr. White made a motion, seconded by Mr. Bradley to approve the related Budget Ordinance Amendment. The motion carried unanimously.

Ms. Burkholder made a motion, seconded by Ms. Hadley, to award Alley Williams Carmen & King, Inc. the engineering services for Asset Inventory and Assessment in the amount of \$300,000. The motion carried unanimously.

**AMERICAN RESCUE PLAN
FUND ACCEPTANCE
RESOLUTION**

WHEREAS, the American Rescue Plan (ARP) funded from the State Fiscal Recovery Fund was established in S.L. 2021-180 to assist eligible units of government with meeting their water/wastewater infrastructure needs; and

WHEREAS, the North Carolina Department of Environmental Quality has offered American Rescue Plan (ARP) funding in the amount of \$300,000.00 to perform an Asset Inventory and Assessment study detailed in the submitted application; and

WHEREAS, the City of Mebane intends to perform said project in accordance with the agreed scope of work.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEBANE:

That the City of Mebane does hereby accept the American Rescue Plan (ARP) offer of \$300,000.00.

That the City of Mebane does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award

Offer will be adhered to.

That the City of Mebane, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

Adopted this 10th day of July 2023.

Mayor Hooks called forward a woman that wished to speak earlier in the meeting.

Carolyn Burns, 600 Bunker Drive, Mebane, shared comments regarding her views on the previously discussed GARE organization. She encouraged Council to slow down, stating that Mebane can be a leader in equality for all but it requires much more forethought and ingenuity.

Mayor Hooks commended Public Works Director Chuck Smith and his employees for the great work they did on refurbishing some of the City's old Christmas star decorations and turning them into patriotic stars.

Mayor Hooks concluded the meeting with reading aloud announcements for upcoming City events.

Mr. Bradley commended the Recreation and Parks Department for the great job they did on the City's July 4th Celebration. He also thanked Public Works, Police and Fire.

There being no further business, the meeting adjourned at 7:57 p.m.

ATTEST:

Stephanie W. Shaw, City Clerk

Ed Hooks, Mayor



AGENDA ITEM #4B

Petition for Voluntary Contiguous Annexation- Hawfields Presbyterian Church, Inc.

Meeting Date

August 7, 2023

Presenter

Lawson Brown, City Attorney

Public Hearing

Yes No

Summary

Staff received a petition requesting voluntary contiguous annexation from Hawfields Presbyterian Church, Inc.

Background

The applicant is requesting that the described property be annexed into Mebane's Corporate Limits. This is a contiguous annexation containing approximately +/- 22.04 acres located in Alamance County.

Financial Impact

N/A.

Recommendation

Staff recommends the Council's acceptance of the petition, the Clerk's Certificate of Sufficiency, and to adopt a Resolution setting a date of public hearing for September 11, 2023.

Suggested Motion

I make a motion to accept the petition, the Clerk's Certificate of Sufficiency, and to adopt a Resolution setting a date of public hearing for September 11, 2023.

Attachments

1. Petition
2. Clerk's Certificate of Sufficiency
3. Map
4. Resolution



PETITION REQUESTING A CONTIGUOUS ANNEXATION

Annexation Process – Approximately a 2 Month Process

1st Month- Submit a Petition for Annexation to the City Council, the Clerk reports to City Council the Sufficiency of the Annexation and the City Council adopts a Resolution to set a Public Hearing

2nd Month- A Public Hearing is held and normally that same night, the City Council will adopt an Ordinance to set the effective date as the same or the Council will deny the request

Date: 6/19/2023

To the City Council of the City of Mebane:

1. We the undersigned owners of real property respectfully request that the area described in Paragraph 2 below be annexed to the City of Mebane.
2. The area to be annexed is contiguous to the City of Mebane and the boundaries of such territory are as follows:

**Please include a Description of Boundaries (Metes and Bounds) on a separate paper.*

- **3. We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof.)

Name	Address	Do you declare vested rights (Yes or No)	Signature
1. HAWFIELDS PRESBYTERIAN CHURCH INC	2115 S. NC HIGHWAY 1A MEBANE NC 27302		<i>J. Matt Lawrence, PRESIDENT</i>
2. (PARCEL ID	160375)		
3.	160518 <i>JML 6/20/2023</i>		

*Municipality may wish to require metes and bounds description or map. (Provide 2 paper copies, an electronic copy and 3 mylars)

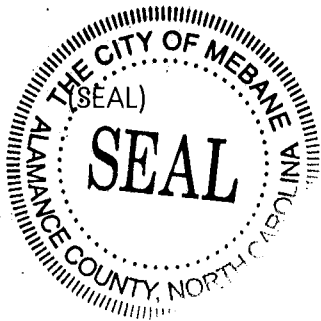
**This is one possible format for zoning vested rights declaration. This language may require modification to reflect the requirements of the municipal zoning vested rights ordinance, if any.

CERTIFICATE OF SUFFICIENCY

To the City Council of the City of Mebane, North Carolina:

I, Stephanie W. Shaw, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Mebane, this 7th day of August, 2023.

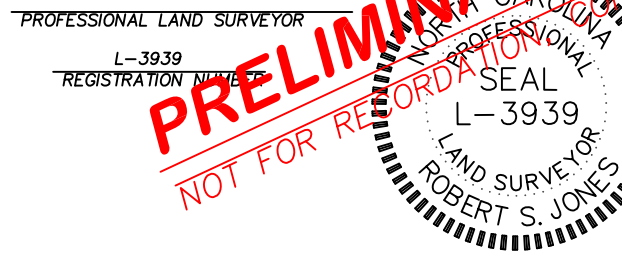


Stephanie W. Shaw
Stephanie W. Shaw, City Clerk

SURVEYOR'S CERTIFICATE
 I, ROBERT S. JONES, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION(DEED DESCRIPTION RECORDED IN BOOK _____ PAGE _____); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK _____ PAGE _____ THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10000+; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600). THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

AND THAT:
 PER NC CS 47-30 (1)(11)(J) THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO BOUNDARY PLATS OF STATE LINES, COUNTY LINES, AREAS ANNEXED BY MUNICIPALITIES, NOR TO PLATS OF MUNICIPAL BOUNDARIES, WHETHER OR NOT REQUIRED BY LAW TO BE RECORDED.

WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS _____ DAY OF _____, 2023.

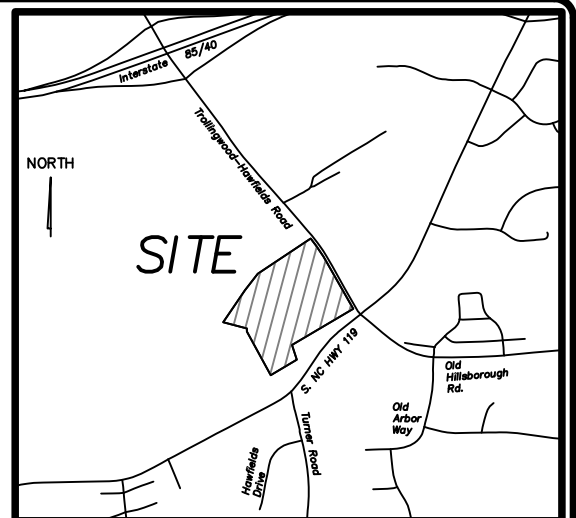


PRELIMINARY PLAT
 NOT FOR RECORDATION, EASEMENT, OR SALES.

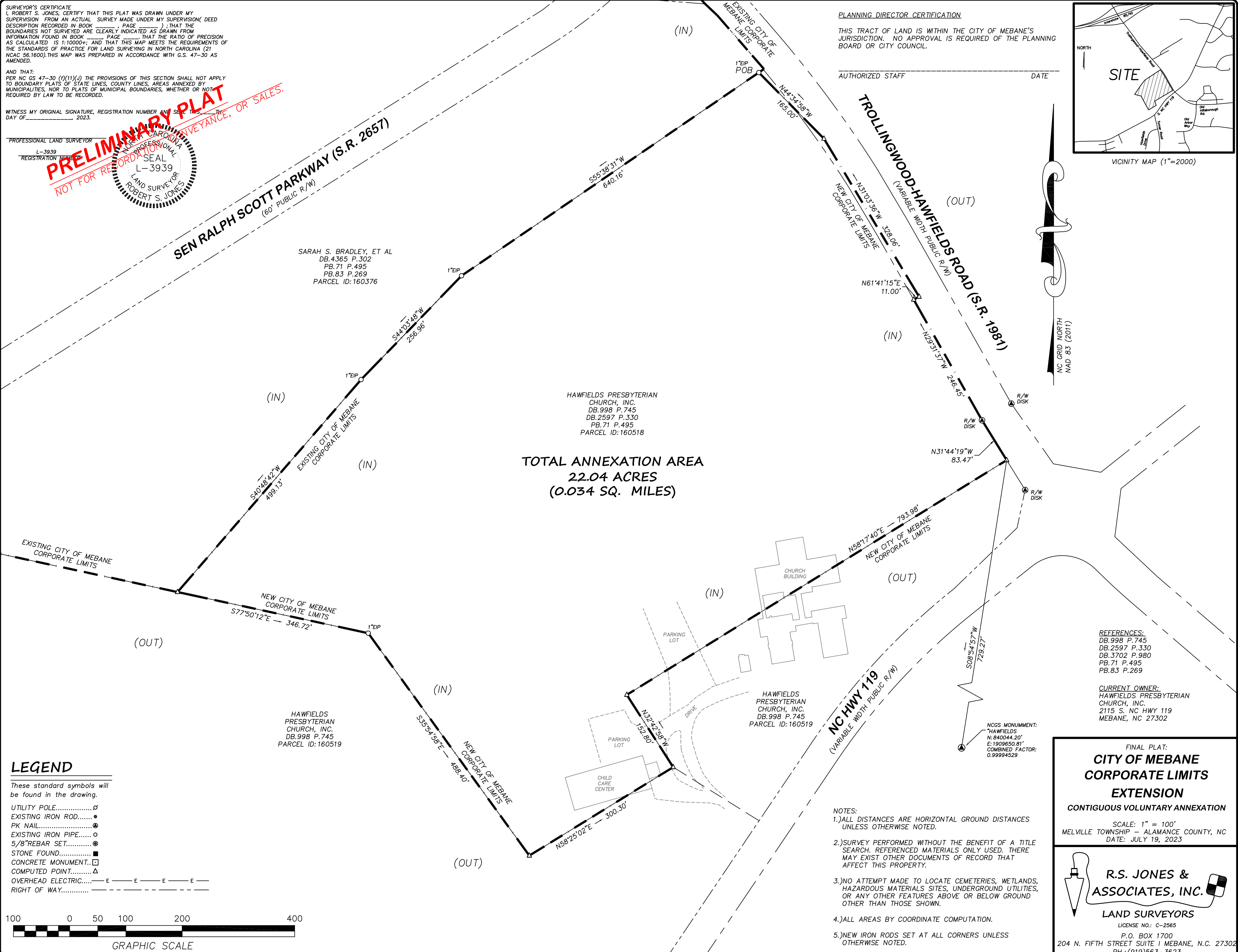
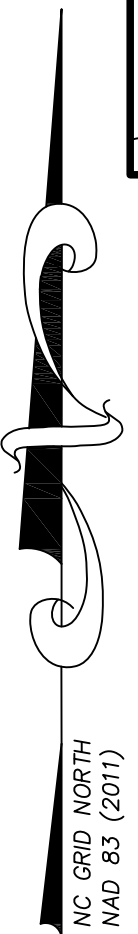
PLANNING DIRECTOR CERTIFICATION

THIS TRACT OF LAND IS WITHIN THE CITY OF MEBANE'S JURISDICTION. NO APPROVAL IS REQUIRED OF THE PLANNING BOARD OR CITY COUNCIL.

AUTHORIZED STAFF _____ DATE _____



VICINITY MAP (1"=2000)



**TOTAL ANNEXATION AREA
 22.04 ACRES
 (0.034 SQ. MILES)**

REFERENCES:
 DB.998 P.745
 DB.2597 P.330
 DB.3702 P.980
 PB.71 P.495
 PB.83 P.269

CURRENT OWNER:
 HAWFIELDS PRESBYTERIAN CHURCH, INC.
 2115 S. NC HWY 119
 MEBANE, NC 27302

NCGS MONUMENT:
 "HAWFIELDS"
 N: 840044.20'
 E: 1909650.81'
 COMBINED FACTOR:
 0.99994529

LEGEND

- These standard symbols will be found in the drawing.
- UTILITY POLE.....
 - EXISTING IRON ROD.....
 - PK NAIL.....
 - EXISTING IRON PIPE.....
 - 5/8"REBAR SET.....
 - STONE FOUND.....
 - CONCRETE MONUMENT.....
 - COMPUTED POINT.....
 - OVERHEAD ELECTRIC.....
 - RIGHT OF WAY.....



- NOTES:**
- 1.) ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
 - 2.) SURVEY PERFORMED WITHOUT THE BENEFIT OF A TITLE SEARCH. REFERENCED MATERIALS ONLY USED. THERE MAY EXIST OTHER DOCUMENTS OF RECORD THAT AFFECT THIS PROPERTY.
 - 3.) NO ATTEMPT MADE TO LOCATE CEMETERIES, WETLANDS, HAZARDOUS MATERIALS SITES, UNDERGROUND UTILITIES, OR ANY OTHER FEATURES ABOVE OR BELOW GROUND OTHER THAN THOSE SHOWN.
 - 4.) ALL AREAS BY COORDINATE COMPUTATION.
 - 5.) NEW IRON RODS SET AT ALL CORNERS UNLESS OTHERWISE NOTED.

FINAL PLAT:
CITY OF MEBANE CORPORATE LIMITS EXTENSION
 CONTIGUOUS VOLUNTARY ANNEXATION
 SCALE: 1" = 100'
 MELVILLE TOWNSHIP - ALAMANCE COUNTY, NC
 DATE: JULY 19, 2023

R.S. JONES & ASSOCIATES, INC.
 LAND SURVEYORS
 LICENSE NO.: C-2565
 P.O. BOX 1700
 204 N. FIFTH STREET SUITE 1 MEBANE, N.C. 27302
 PH.: (919) 563-3623

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 11, 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 TROLLINGWOOD-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.

Ed Hooks, Mayor

ATTEST:

Stephanie W. Shaw, City Clerk



AGENDA ITEM #4C

FY22-23 Asset Disposals

January 1, 2023 to June 30, 2023

Meeting Date

August 7, 2023

Presenter

Daphna Schwartz, Finance Director

Public Hearing

Yes No

Summary

Per the City Code, the City Council shall receive a bi-annual list of disposed assets for informational purposes.

Background

Per the City Code (Sec. 2-181 – 2-184) and in compliance with North Carolina General Statute 160A-266(c), the City Manager is authorized to dispose of any surplus personal property owned by the city whenever he determines, in his discretion, that has a fair market value of less than \$30,000, is no longer necessary for the conduct of public business, and sound property management principles and financial considerations indicate that the interests of the city would best be served by disposing of the property.

Financial Impact

All of the disposed assets are fully depreciated. The sale proceeds for all assets were \$26,252.67.

Recommendation

Accept the asset disposal report.

Suggested Motion

Motion to accept the asset disposal report as presented.

Attachments

1. Disposed Asset Listing Report for 1/1/23 to 6/30/23



Mebane, NC

Disposed Asset Listing Report

By Asset ID

Disposed Date: 1/1/2023-6/30/2023

Disposed Assets: 6

Asset ID	Description	Primary Location	Class	Category	Disposed Date	Disposed Amount	Disposed Proceeds
Department: 5500 - PUBLIC WORKS							
559	ETNYRE MODEL NS/H STREET FLUS...	PW	HEAVY	VEHICLE	06/22/2023	0.00	15,751.00
Department: 5800 - SANITATION							
566	1993 FORD F800 SAN-42	GAR	PICK-UP	VEHICLE	06/22/2023	0.00	4,150.00
Department: 6200 - PARKS/RECREATION							
125	KUBOTA MOWER B2710HSD W/ DE...	MACC	MOWER	EQUIP	06/22/2023	0.00	2,001.67
Department: 8200 - UTILITY MAINTENANCE							
068	1997 FORD F250 TRUCK ST-3	PW	PICK-UP	VEHICLE	06/22/2023	0.00	3,250.00
310	PORTABLE ECCO GENERATOR	PW	SEWER SMALL	EQUIP	06/22/2023	0.00	525.00
565	1997 FORD F-150 SAN-28	GAR	WATER PICK-UP	VEHICLE	06/22/2023	0.00	575.00



AGENDA ITEM #5A

RZ 23-04

600 E Brown St – Conditional Rezoning

Presenter

Ashley Ownbey, Development Director

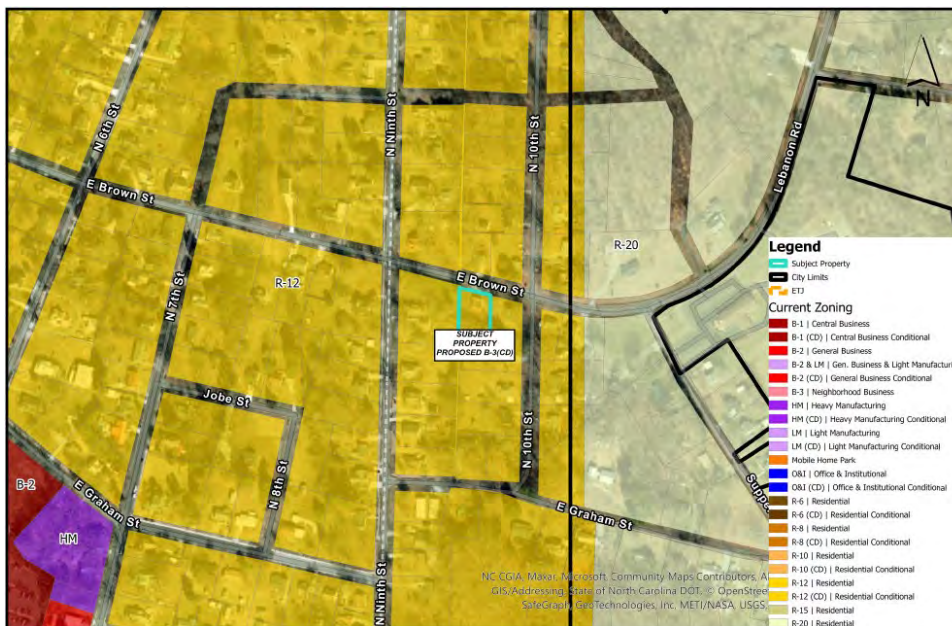
Applicant

Terry Hedgspeth
609 Terry Rd.
Hillsborough, NC 27278

Public Hearing

Yes No

Zoning Map



Property

600 E Brown St
Orange County
GPIN: 9825342675

Proposed Zoning

B-3 (CD)

Current Zoning

R-12

Size

+/- 15,246 sq. ft.

Surrounding Zoning

R-12 and R-20

Surrounding Land Uses

Residential, Church

Utilities

Available

Floodplain

No

Watershed

Yes

City Limits

Yes



CITY OF MEBANE
ZONING MAP

Conditional Rezoning
600 E Brown St.

1 inch = 300 feet

DATE 7/17/2023

DRAWN BY: BP

Application Brief

See Planning Project Report for more details.

Recommendations	
Technical Review Committee:	The Technical Review Committee (TRC) has reviewed the request one time and the applicant has addressed comments.
Planning Staff:	The proposed rezoning is consistent with the guidance provided within <i>Mebane By Design</i> , the Mebane Comprehensive Land Development Plan.
Planning Board:	At their July 17 meeting, the Planning Board voted 6-1 to recommend approval of the rezoning request.
Zoning & Land Use Report	
Jurisdiction:	Mebane City Limits
Proposed Use By-Right (Yes/No):	No
Type of Rezoning Request:	Conditional
Special Use Request (Yes/No):	No
Consistency with Mebane By Design (Yes/No):	Yes
Utilities Report	
Available Utilities (Yes/No):	Yes
Adequate Stormwater Control (Yes/No):	N/A
Innovative Stormwater Control (Yes/No):	N/A
Consistency with Long-Range Utility Plan (Yes/No):	Yes
Transportation Report	
Traffic Impact Analysis Required (Yes/No):	No
Multi-Modal Improvements (Yes/No):	No
Consistency with Bike/Ped Transportation Plan (Yes/No):	Yes

Summary

Terry Hedgspeth is requesting to conditionally rezone the +/- 15,246 square foot parcel located at 600 E. Brown Street (Orange County GPIN 9825342675), 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 current structure has a storefront and has historically existed as a neighborhood retail use. The surrounding zoning in the area includes R-12, Residential District and R-20, Residential District. 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 property is in the General Watershed Area Overlay District and built-upon area restrictions apply.
- The removal of any existing landscaping requires review by City staff.
- The following uses will not be allowed in the zoning district:
 - Billiard Parlor, Pool Hall
 - Civic, Social and Fraternal Clubs and Lodges
 - Indoor Recreation
 - Country Club with Golf Course
 - School for the Arts
 - Fortune Tellers, Astrologers
 - Golf Course, Miniature
 - Health Club or Gym
 - Private Club or Recreational Facility, Outdoor
 - Public Park
 - Sports and Recreation Club, Indoor
 - Swim and Tennis Club
 - Advertising, Outdoor Services
 - Laundromat, Coin-Operated
 - Laundry or Dry Cleaning, Retail Facility
 - Bar, Night Club, Tavern, Brewpub
 - Restaurant (drive-in or take out window only)
 - Restaurant (with drive-through)

The Technical Review Committee (TRC) has reviewed the request one time and the applicant has addressed comments.

Financial Impact

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

Suggested Motion

1. Motion to approve the B-3 (CD) zoning 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*. 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).

OR

3. Motion to **deny** the B-3 (CD) rezoning as presented due to a lack of
 - a. Harmony with the surrounding zoning or land use

OR

 - b. Consistency with the objectives and goals in the City's 2017 Comprehensive Land Development Plan *Mebane By Design*.

Attachments

1. Preliminary Presentation Slides
2. Zoning Amendment Application
3. Zoning Map
4. Site Plan
5. Planning Project Report



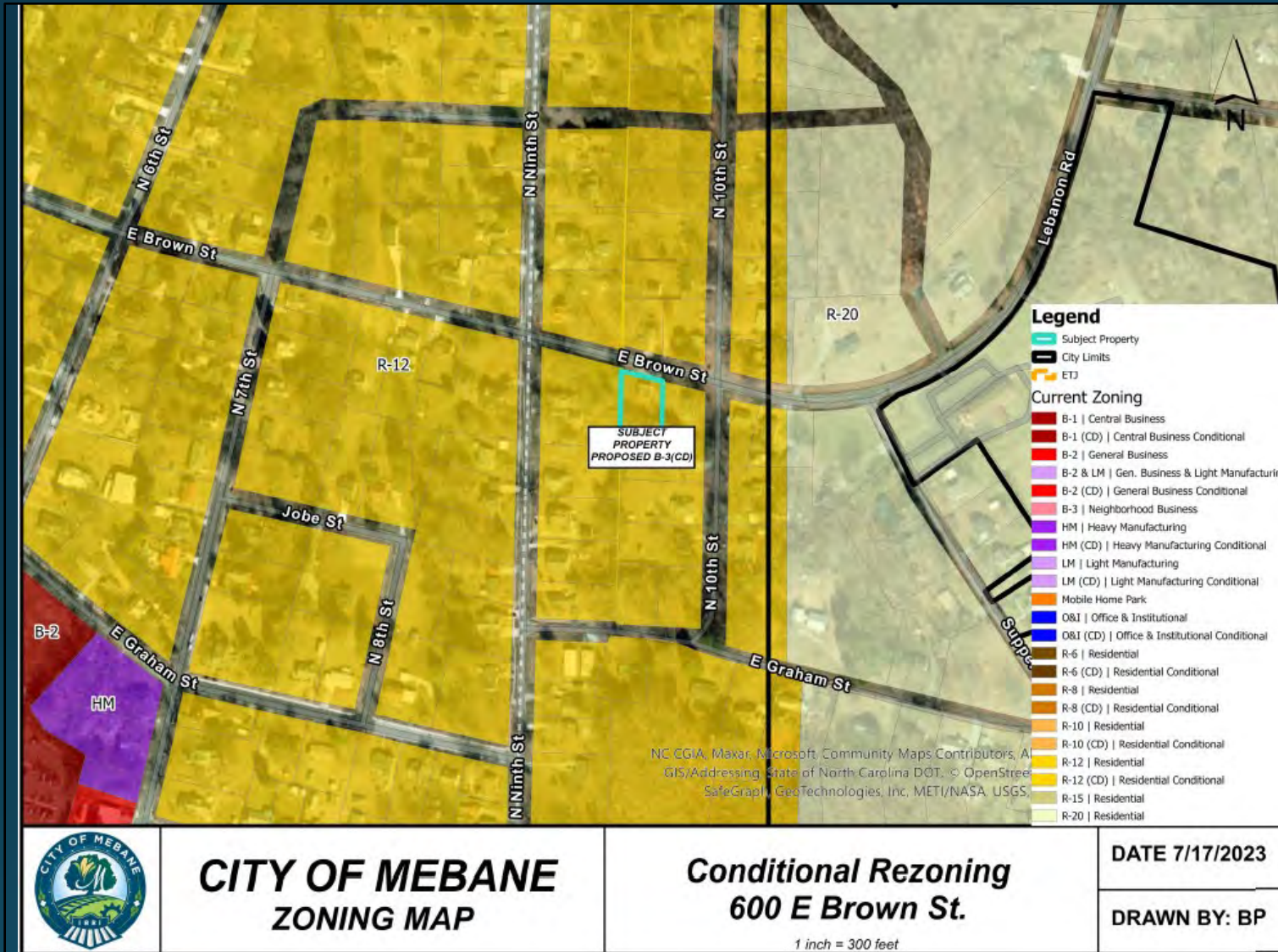
Ashley Ownbey, Development Director

Rezoning Request: R-12 to B-3 (CD)
by Terry Hedgspeth



600 E. Brown St. Conditional Rezoning Request

- Request by Terry Hedgspeth
- +/- 15,246 square foot lot
- Existing zoning: R-12
- Requested zoning: B-3 (CD)
- General Watershed Area Overlay District

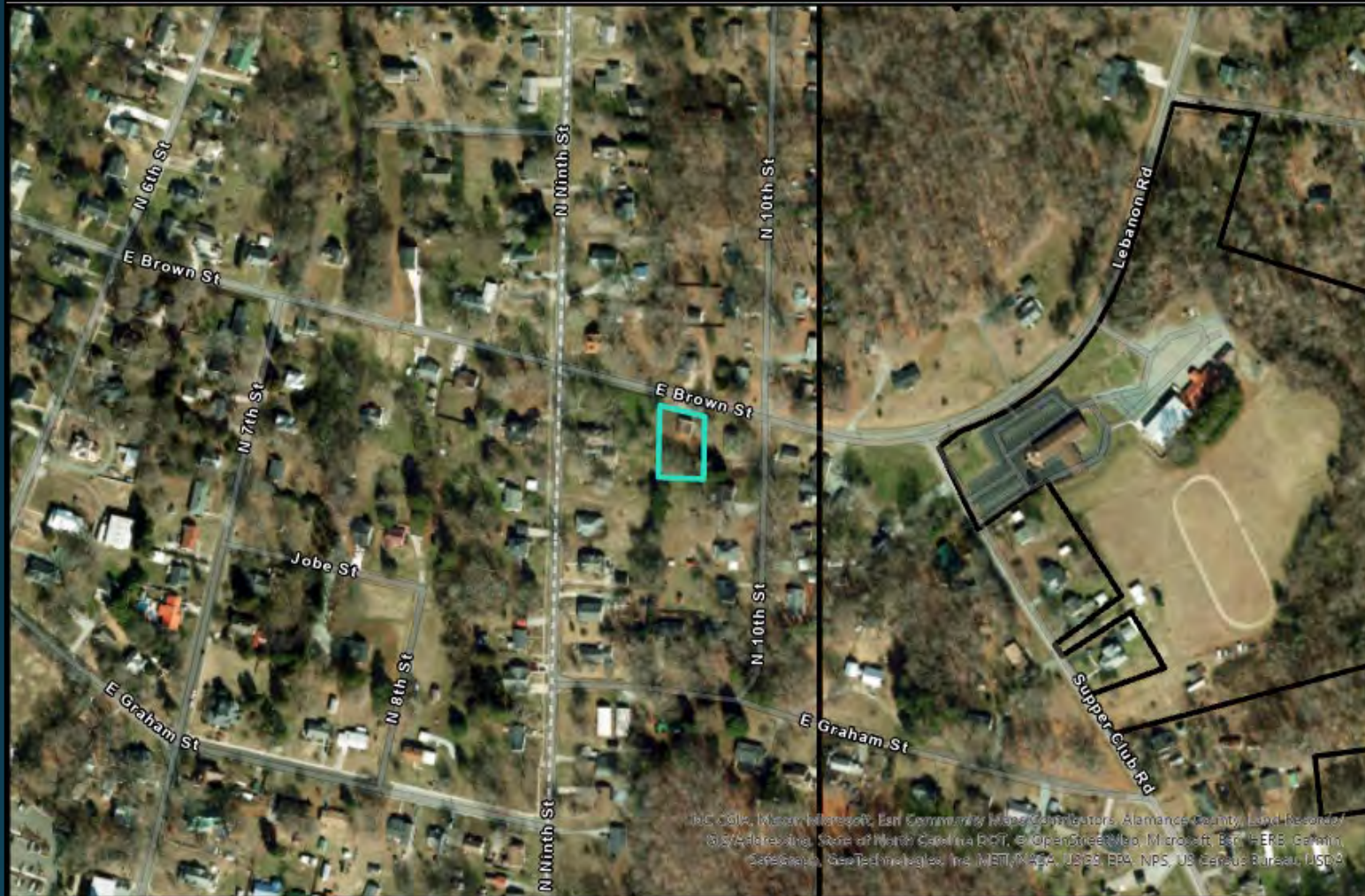




600 E. Brown St. Conditional Rezoning Request

- City of Mebane, Orange County
- City water and sewer

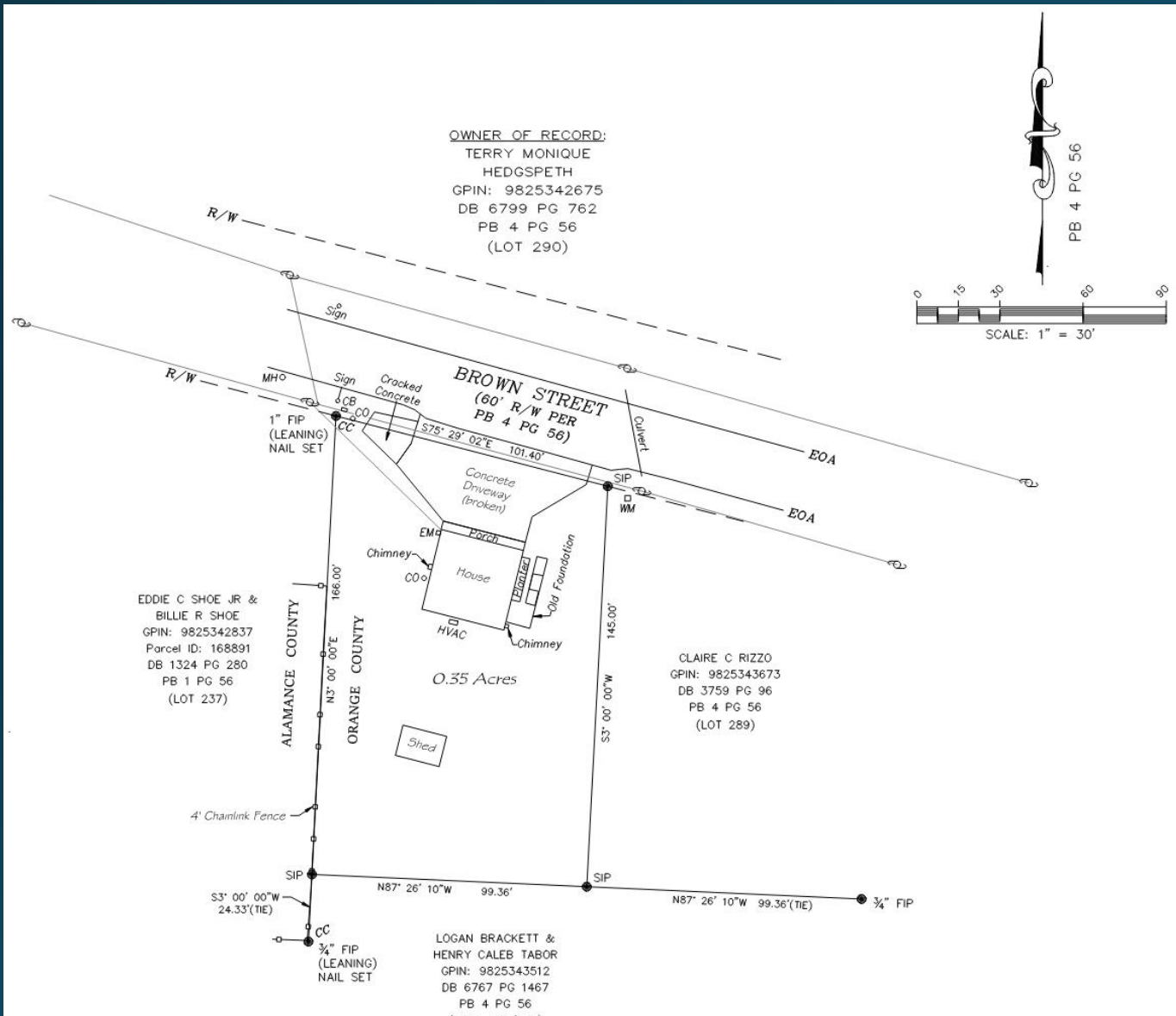




600 E. Brown St. Conditional Rezoning

- Vacant Storefront
- Surrounding uses include:
 - Single-Family Residential
 - Eastside Baptist Church





600 E. Brown St. Conditional Zoning Request

Zoning Request: Neighborhood Business,
 Conditional District

Proposed Conditions:

- No expansion to existing structures.
- No new structures.
- Three striped parking stalls
 - Mebane UDO requires five.
- Any changes to driveway, parking, or landscaping require review by City staff.
- Restriction of uses





Applicant Presentation





APPLICATION FOR A ZONING AMENDMENT

Application is hereby made for an amendment to the Mebane Zoning Ordinance as follows:

Name of Applicant: Terry Hedgspeth

Address of Applicant: 600 E. Brown St. / 609 Terrey Rd Hillsborough

Address and brief description of property to be rezoned: 600 E. Brown St. Mebane, NC 27302

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

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

Yes Explain: Husband City of Mebane No

Type of re-zoning requested: B-3 (CN)

Sketch attached: Yes No

Reason for the requested re-zoning: To operate retail business

Signed: Terry Hedgspeth

Date: June 28, 2023

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 that are across the street).
3. \$300.00 Fee to cover administrative costs.
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.

Orange County



July 12, 2023

This map contains parcels prepared for the inventory of real property within Orange County, and is compiled from recorded deed, plats, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map.

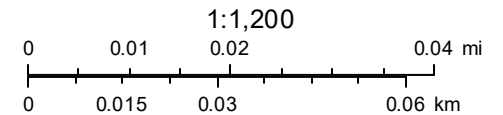
The county and its mapping companies assume no legal responsibility for the information on this map.

PIN: 9825342675

OWNER 1: HEDGSPETH TERRY MONIQUE
 OWNER 2:
 ADDRESS 1: 609 TERRY RD
 ADDRESS 2:
 CITY: HILLSBOROUGH
 STATE, ZIP: NC 27278
 LEGAL DESC: 290 THOMPSON HEIGHTS P4/56 & P126/113

SIZE: 0.35 A
 DEED REF: 6799/762
 RATECODE: 24
 TOWNSHIP: CHEEKS
 BLDG SQFT:
 YEAR BUILT:

BUILDING COUNT:
 LAND VALUE: \$17,500
 BLDG_VALUE: \$3,500
 USE_VALUE: \$0
 TOTAL VALUE: \$21,000
 DATE SOLD: 10/27/2022
 TAX STAMPS: 60



Conditional Rezoning Request – 600 East Brown Street

B-3 (CD), Neighborhood Business Conditional District

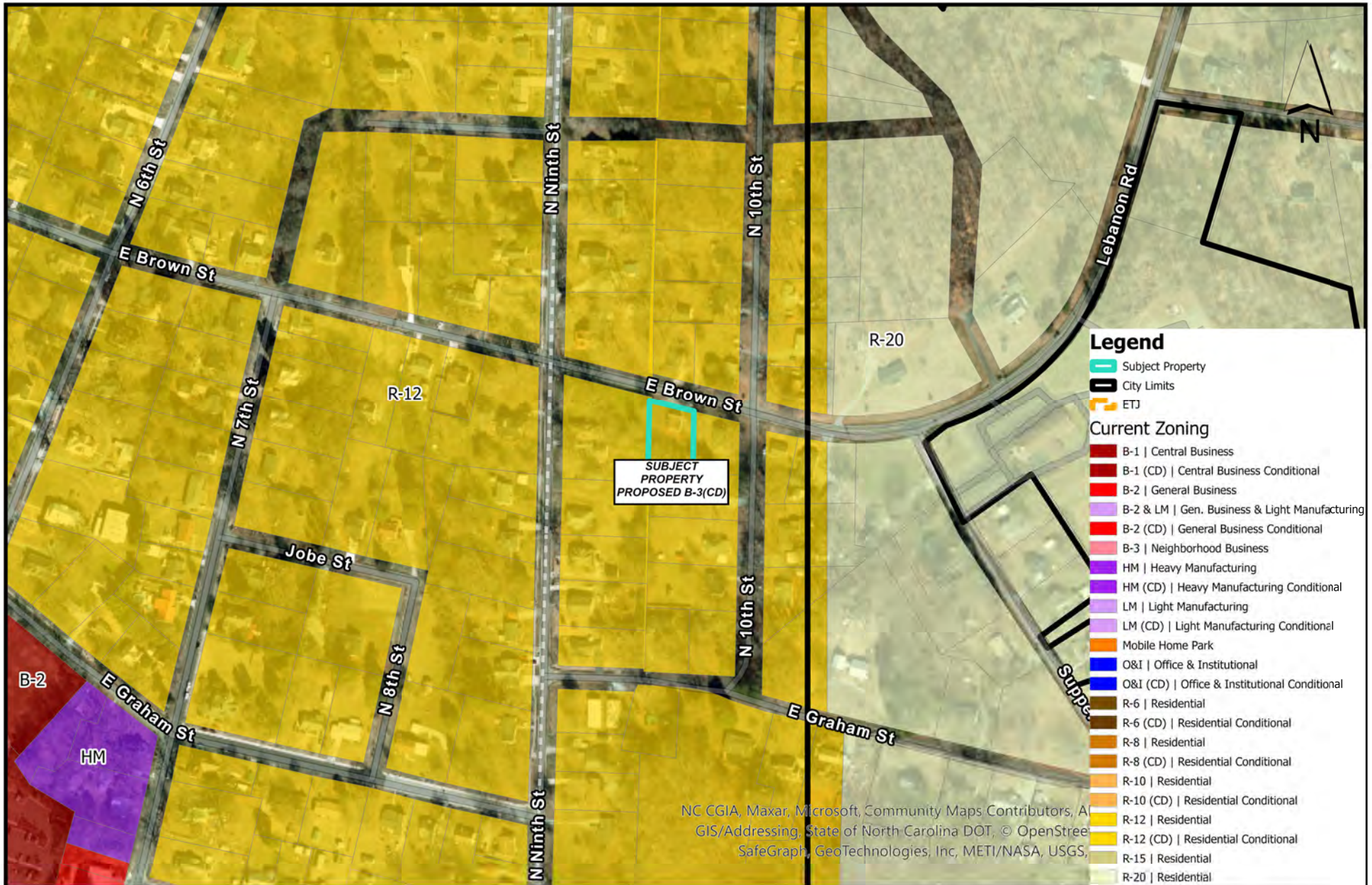
Conditions of the Request:

- Rezoning to B-3 (CD) with the survey of existing conditions serving as the site-specific plan. Construction of additional structures or expansion of existing structures is not allowed without amendment to the conditions of the zoning district. This requires the approval of the Mebane City Council.
- Request to provide three striped parking stalls, with one stall dedicated to ADA parking. The Mebane Unified Development Ordinance requires a minimum of five.
- Any expansion of the existing driveway and/or parking area requires the review of the Mebane Technical Review Committee. As the property is in a protected watershed, built-upon area restrictions apply.
- The removal of any existing landscaping requires review by City staff.
- The following uses will not be allowed on the property:
 - Billiard Parlor, Pool Hall
 - Civic, Social and Fraternal Clubs and Lodges
 - Indoor Recreation
 - Country Club with Golf Course
 - School for the Arts
 - Fortune Tellers, Astrologers
 - Golf Course, Miniature
 - Health Club or Gym
 - Private Club or Recreational Facility, Outdoor
 - Public Park
 - Sports and Recreation Club, Indoor
 - Swim and Tennis Club
 - Advertising, Outdoor Services
 - Laundromat, Coin-Operated
 - Laundry or Dry Cleaning, Retail Facility
 - Bar, Night Club, Tavern, Brewpub
 - Restaurant (drive-in or take out window only)
 - Restaurant (with drive-through)


Terry Hegspeth, Property Owner of 600 E. Brown Street

June 28, 2023

Date



NC CGIA, Maxar, Microsoft, Community Maps Contributors, AI
 GIS/Addressing, State of North Carolina DOT, © OpenStreet
 SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS,

- Legend**
- Subject Property
 - City Limits
 - ETJ
- Current Zoning**
- B-1 | Central Business
 - B-1 (CD) | Central Business Conditional
 - B-2 | General Business
 - B-2 & LM | Gen. Business & Light Manufacturing
 - B-2 (CD) | General Business Conditional
 - B-3 | Neighborhood Business
 - HM | Heavy Manufacturing
 - HM (CD) | Heavy Manufacturing Conditional
 - LM | Light Manufacturing
 - LM (CD) | Light Manufacturing Conditional
 - Mobile Home Park
 - O&I | Office & Institutional
 - O&I (CD) | Office & Institutional Conditional
 - R-6 | Residential
 - R-6 (CD) | Residential Conditional
 - R-8 | Residential
 - R-8 (CD) | Residential Conditional
 - R-10 | Residential
 - R-10 (CD) | Residential Conditional
 - R-12 | Residential
 - R-12 (CD) | Residential Conditional
 - R-15 | Residential
 - R-20 | Residential



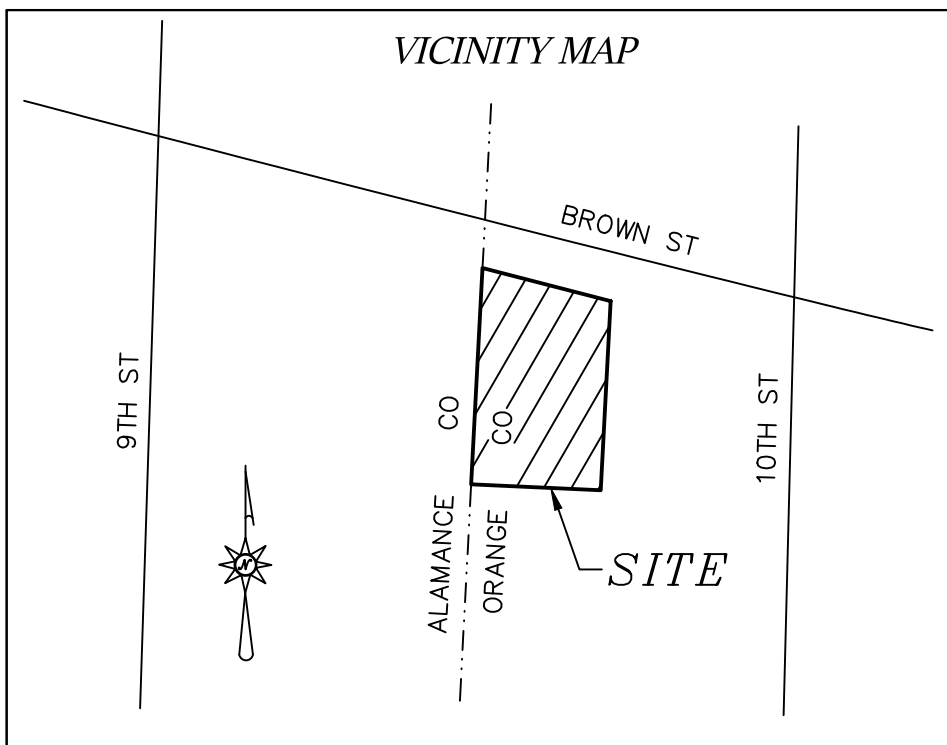
**CITY OF MEBANE
 ZONING MAP**

**Conditional Rezoning
 600 E Brown St.**

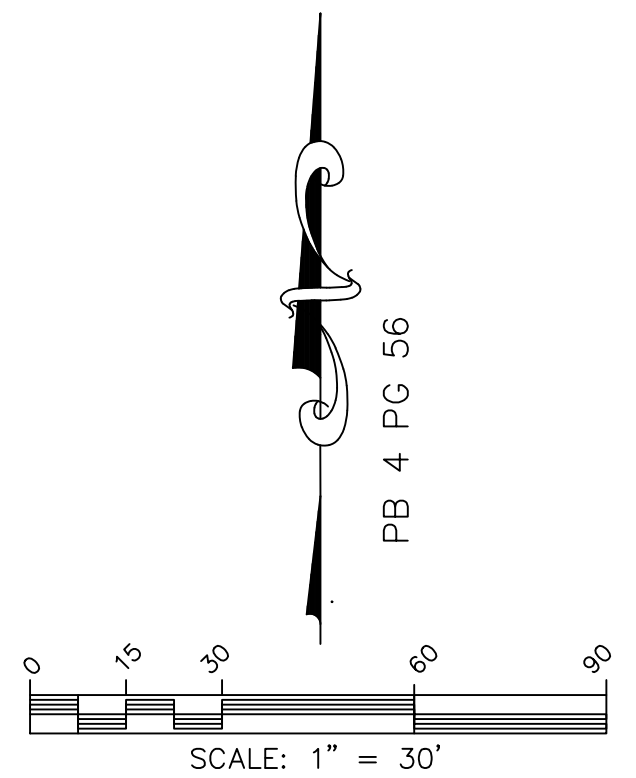
1 inch = 300 feet

DATE 7/17/2023

DRAWN BY: BP



OWNER OF RECORD:
 TERRY MONIQUE
 HEDGSPETH
 GPIN: 9825342675
 DB 6799 PG 762
 PB 4 PG 56
 (LOT 290)



Certificate of Purpose of Plat

- I, Donald B. Abele, Professional Land Surveyor No. L-4482, certify to one or more of the following as indicated thus, _ or X:
- ___a. That the survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land;
 - ___b. That the survey is located in a portion of a county or municipality that is unregulated as to an ordinance that regulates parcels of land;
 - X___c. Any one of the following:
 1. That the survey is of an existing parcel or parcels of land and does not create a new street or change an existing street;
 2. That the survey is of an existing building or other structure, or natural feature, such as a watercourse;
 3. That the survey is a control survey.
 - ___d. That the survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exception to the definition of subdivision;
 - ___e. That the information available to the surveyor is such that the surveyor is unable to make a determination to the best of the surveyor's professional ability as to provisions contained in (a) through (d) above.

Professional Land Surveyor L-4482

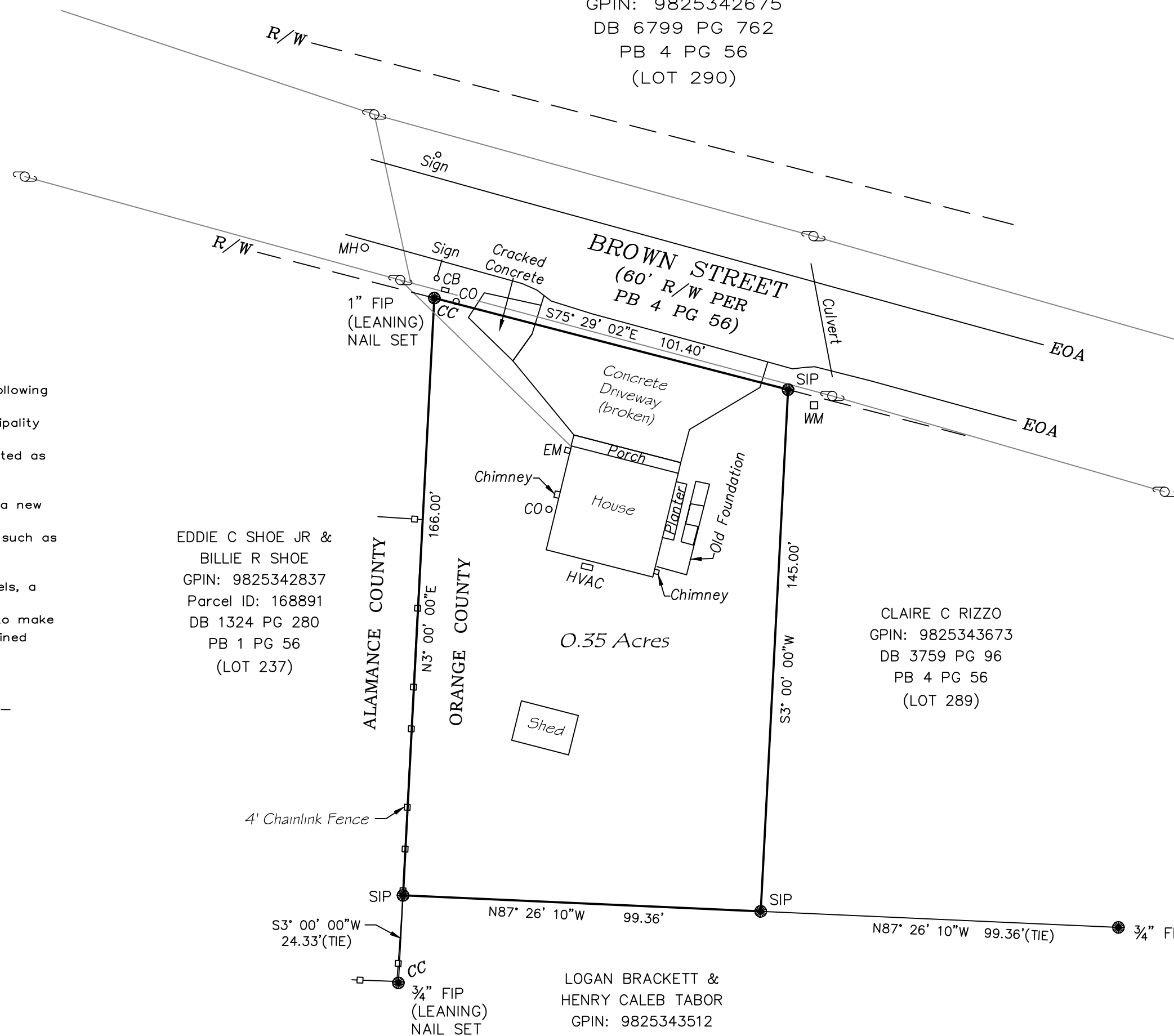
Date

I, DONALD B ABELE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY PERFORMED UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 6799 PAGE 762); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN PLAT BOOK 4, PAGE 56; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS 10,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL,

THIS _____ DAY OF _____, A.D., 2023.

PROFESSIONAL LAND SURVEYOR, DONALD B ABELE, LICENSE NO. PLS L-4482



EDDIE C SHOE JR &
 BILLIE R SHOE
 GPIN: 9825342837
 Parcel ID: 168891
 DB 1324 PG 280
 PB 1 PG 56
 (LOT 237)

CLAIRE C RIZZO
 GPIN: 9825343673
 DB 3759 PG 96
 PB 4 PG 56
 (LOT 289)

LOGAN BRACKETT &
 HENRY CALEB TABOR
 GPIN: 9825343512
 DB 6767 PG 1467
 PB 4 PG 56
 (LOTS 291/292)

GENERAL NOTES

1) THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT THEREFORE NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.

FLOOD CERTIFICATION

PROPERTY LOCATED IN FLOOD ZONE "X" - AREA OF MINIMAL FLOOD HAZARD (FEMA PANEL 3710982500L EFFECTIVE 11/17/2017)

SETBACKS	
FRONT	= 30'
SIDE	= 10'
REAR	= 25'

ZONING	
R-12 RESIDENTIAL	CITY OF MEBANE

LEGEND

- FIP-FOUND IRON PIN/PIPE
- SIP-SET IRON PIN
- CC CONTROL CORNER
- GPIN GRID PARCEL ID NUMBER
- R/W RIGHT OF WAY
- EOA EDGE OF ASPHALT
- CO CLEAN OUT
- WM WATER METER
- MH MAN HOLE
- CB CABLE BOX
- ⊙ POWER POLE
- MEASURED PROPERTY LINE
- - - ADJOINING PROPERTY LINE
- RIGHT OF WAY

DRAFTSMAN:	KLK
REVISION DATE(S):	
SURVEYED: 05/11/2023	
DRAWN: 05/16/2023	

RELIANT
 LAND SURVEY
 P.L.L.C. P-1735

DRAWN FOR: TERRY HEDGSPETH 804-901-1890

Quality Service. On Time.

DONALD B ABELE LICENSED SURVEYOR
 1320 HAWTHORNE LANE BURLINGTON, NC 27215
 336-447-8399

PROJECT NAME:
HEDGSPETH BOUNDARY SURVEY
 RLS PROJECT No. 4648

BOUNDARY SURVEY of the PROPERTY of
 TERRY MONIQUE HEDGSPETH
 at 600 EAST BROWN STREET
 MEBANE, NC 27302 in the
 CHECKS TOWNSHIP of ORANGE COUNTY

PLANNING PROJECT REPORT

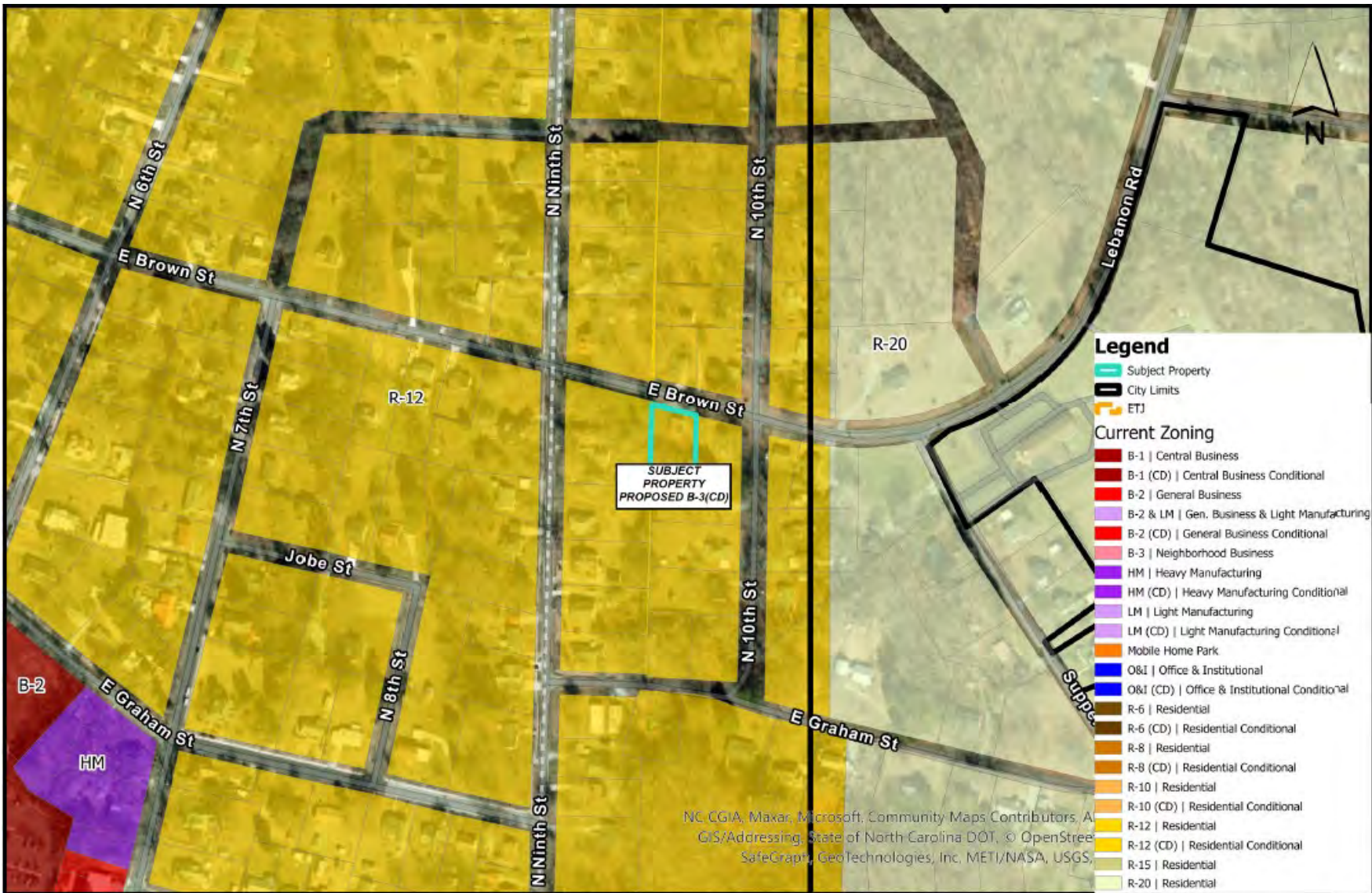
DATE	07/11/2023
PROJECT NUMBER	RZ 23-04
PROJECT NAME	600 East Brown Street – Conditional Rezoning
APPLICANT	Terry Hedgspeth 609 Terry Road Hillsborough, NC 27278

CONTENTS

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STAFF ZONING REQUEST RECOMMENDATION	PAGE 6

ZONING REPORT

EXISTING ZONE	R-12, Residential
REQUESTED ACTION	B-3 (CD) – Neighborhood Business, Conditional Zoning District
CONDITIONAL ZONE?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
CURRENT LAND USE	Vacant Storefront
PARCEL SIZE	+/- 15,246 square feet
PROPERTY OWNERS	Terry Hedgspeth 609 Terry Road Hillsborough, NC 27278 GPIN: 9825342675
LEGAL DESCRIPTION	Request to rezone a +/- 15,246 square foot parcel located at 600 E. Brown Street (GPIN 9825342675), from R-12 to B-3 (CD) by Terry Hedgspeth.
AREA ZONING & DISTRICTS	Surrounding properties are zoned R-12, Residential District.
SITE HISTORY	Historically, the structure was used as a bait and tackle store.
STAFF ANALYSIS	
CITY LIMITS?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
PROPOSED USE BY-RIGHT?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
SPECIAL USE?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
EXISTING UTILITIES?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
POTENTIAL IMPACT OF PROPOSED ZONE	The structure on the property currently has a storefront and was historically used for a small retail business. The proposed use of the property is consistent with the historic use of the property. The conditions of the zoning district will limit the impact of a neighborhood business on surrounding residential uses.



**CITY OF MEBANE
ZONING MAP**

**Conditional Rezoning
600 E Brown St.**

1 inch = 300 feet

DATE 7/17/2023

DRAWN BY: BP

LAND USE REPORT

EXISTING LAND USE	Vacant Storefront
PROPOSED LAND USE & REQUESTED ACTION	The property owner is requesting to conditionally rezone the +/- 15,246 square foot parcel located at 600 E. Brown Street (Orange County GPIN 9825342675), from R-12 to B-3 (CD) to operate a small retail business in the existing structure.
PROPOSED ZONING	B-3 (CD) Neighborhood Business, Conditional Zoning
PARCEL SIZE	+/- 15,246 square feet
AREA LAND USE	The surrounding uses are primarily single-family residential.
ONSITE AMENITIES & DEDICATIONS	No improvements are proposed.
CONDITIONAL ZONE?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
DESCRIPTION OF PROPOSED CONDITIONS	<ol style="list-style-type: none"> 1) No new structures or expansions to existing structures is allowed. 2) The applicant will provide three striped parking stalls, with one stall dedicated to ADA parking. 3) Any expansion of the existing driveway and/or parking area requires review by the Mebane Technical Review Committee (TRC). As the property is in a protected watershed, built-upon area restrictions apply. 4) The removal of any existing landscaping requires review by City staff. 5) As described in the rezoning application, certain uses would be prohibited in the zoning district.

CONSISTENCY WITH *MEBANE BY DESIGN* STRATEGY

LAND USE GROWTH STRATEGY DESIGNATION(S) G-4 Secondary

OTHER LAND USE CONSIDERATIONS

MEBANE BY DESIGN GOALS & OBJECTIVES SUPPORTED

MEBANE BY DESIGN GOALS & OBJECTIVES NOT SUPPORTED

UTILITIES REPORT

AVAILABLE UTILITIES	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
PROPOSED UTILITY NEEDS	The structure is already connected to City water and sewer.
UTILITIES PROVIDED BY APPLICANT	N/A
MUNICIPAL CAPACITY TO ABSORB PROJECT	The City has adequate water & sewer supply to meet the domestic and fire flow demands of the project.
CONSISTENCY WITH MEBANE LONG RANGE UTILITY PLAN?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
ADEQUATE STORMWATER CONTROL?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A
INNOVATIVE STORMWATER MANAGEMENT?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

TRANSPORTATION NETWORK STATUS

CURRENT CONDITIONS	The site includes an existing driveway connection on E. Brown Street (SR 1306), which is a two-lane, local road maintained by the NCDOT. In 2021, the NCDOT reported an annual average daily traffic count of 1,500 vehicles on the section of E. Brown Street between Ninth Street and Supper Club Road.
TRAFFIC IMPACT ANALYSIS REQUIRED?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
DESCRIPTION OF RECOMMENDED IMPROVEMENTS	N/A
CONSISTENCY WITH THE MEBANE BICYCLE AND PEDESTRIAN TRANSPORTATION PLAN?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
MULTIMODAL IMPROVEMENTS PROVIDED BY APPLICANT?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
DESCRIPTION OF MULTIMODAL IMPROVEMENTS	N/A

STAFF RECOMMENDATION

STAFF RECOMMENDATION	<input checked="" type="checkbox"/> APPROVE <input type="checkbox"/> DISAPPROVE
STAFF SPECIAL USE FINDING	<input checked="" type="checkbox"/> CONSISTENT <input type="checkbox"/> NOT CONSISTENT.....WITH <i>MEBANE BY DESIGN</i>
RATIONALE	The proposed development at 600 E. Brown Street is consistent with the guidance provided within <i>Mebane By Design</i> , the Mebane Comprehensive Land Development Plan. The rezoning will be more appropriate for a property historically used for nonresidential purposes and is proposed with conditions to limit the impacts to residential neighbors.

AGENDA ITEM #5B

Ordinance to Extend the Corporate Limits-
Voluntary Contiguous Annexation-
Elizabeth S. Woody- Montclair

Meeting Date

August 7, 2023

Presenter

Lawson Brown, City Attorney

Public Hearing

Yes No

Summary

The Council will consider the approval of an Ordinance to Extend the Corporate Limits as the next step in the annexation process. This is a contiguous annexation of +/- .327 acres located in Orange County on the corner of Oakwood Street and S. Eleventh Street.

Background

At the July 10, 2023, Council Meeting, Council accepted the petition for annexation and the Clerk's certificate of sufficiency and adopted a Resolution setting a date of Public Hearing for August 7, 2023, to consider approval of extending Mebane's corporate limits. The Public Hearing Notice was properly advertised.

Financial Impact

The property and improvements will be added to the ad valorem tax base for the City once the property is annexed as determined by the state statute.

Recommendation

Staff recommends the adoption of an Ordinance to Extend the Corporate Limits of the City of Mebane, North Carolina.

Suggested Motion

I make a motion to adopt an Ordinance to Extend the Corporate Limits of the City of Mebane, North Carolina to include the +/- .327 acres.

Attachments

1. Ordinance
2. Map

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS
OF THE CITY OF MEBANE, NORTH CAROLINA

Mail after recording to: City of Mebane, Attn: City Clerk, 106 E. Washington Street, Mebane, NC 27302

Ordinance No. 162

WHEREAS, the City Council has been petitioned under G.S. 160A-31 to annex the area described below; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at the Glendel Stephenson Municipal Building at 6:00 p.m. on August 7, 2023, after due notice by the Mebane Enterprise on July 26, 2023; and

WHEREAS, the City Council finds that the petition meets the requirements of G.S. 160A-31;

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

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the City of Mebane as of August 7, 2023:

COMMENCING AT A NORTH CAROLINA GRID CONTINUOUSLY OPERATING REFERENCE STATION (CORS) NAMED "NCBU"; THENCE, S88°34'58"E, 52,793.66 FEET TO A ¾" IRON STAKE found AT THE INTERSECTION THE WESTERN MARGIN OF THE SOUTH ELEVENTH STREET RIGHT-OF-WAY AND THE NORTHEASTERN MARGIN OF THE OAKWOOD STREET RIGHT-OF-WAY, BEING ALSO THE WESTERN MARGIN OF THE CITY OF MEBANE CORPORATE LIMITS AND THE EASTERN MARGIN OF THE PROPOSED ANNEXATION TRACT, BEING ALSO THE SOUTHERN CORNER OF THE ELIZABETH S. WOODY TRACT, WITH A PIN OF 9825.31.5555 AND A nc GRID COORDINATE OF NORTHING 851204.16 AND EASTING 1923744.26, being also the PLACE AND POINT OF BEGINNING:

THENCE, ALONG SAID WESTERN MARGIN OF THE CITY OF MEBANE CORPORATE LIMITS, S01°28'16"E, 115.65 FEET TO THE SOUTHWESTERLY MARGIN OF SAID OAKWOOD STREET RIGHT-OF-WAY; THENCE, ALONG SAID SOUTHWESTERLY MARGIN OF OAKWOOD STREET AND THE SOUTHWESTERLY LINE OF SAID PROPOSED ANNEXATION TRACT, N32°41'27"W, 254.74 FEET TO A POINT IN THE SOUTH LINE OF SAID CITY OF MEBANE CORPORATE LIMITS; THENCE, N89°26'15"E, 132.06 FEET TO A POINT IN SAID WESTERN MARGIN OF THE CITY OF MEBANE CORPORATE LIMITS; THENCE, S01°28'16"E, 100.10 FEET TO THE PLACE AND POINT OF BEGINNING, CONTAINING 0.3270 ACRES, MORE OR LESS.

Section 2. Upon and after August 7, 2023 the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Mebane and shall be entitled to the same privileges and benefits as other parts of the City of Mebane. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the City of Mebane shall cause to be recorded in the office of the Register of Deeds of Orange County and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with duly certified copy of this ordinance. Such a map shall also be delivered to the Orange County Board of Elections as required by G.S. 163-288.1.

Adopted this 7th day of August, 2023.

City of Mebane

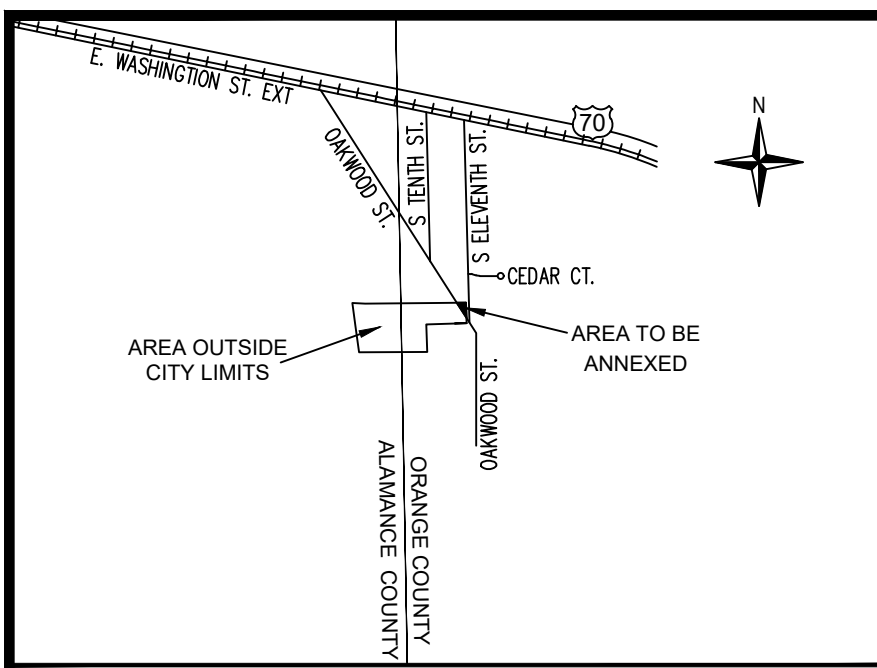
Ed Hooks, Mayor

ATTEST:

Stephanie W. Shaw, City Clerk

Approved as to form:

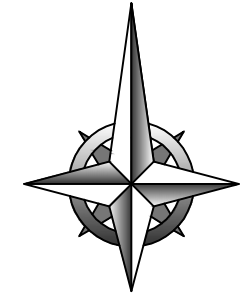
Lawson Brown, City Attorney



VICINITY MAP 1"=200'

- ABBREVIATIONS**
- PB PLAT BOOK
 - DB DEED BOOK
 - PG PAGE
 - N/F NOW OR FORMERLY
 - CMF CONCRETE MONUMENT FOUND
 - IPF IRON PIPE FOUND
 - IPS IRON PIPE SET
 - IRF IRON ROD FOUND
 - NS NAIL SET
 - R/W RIGHT-OF-WAY
 - SF SQUARE FEET
 - AC ACRE
 - AG ABOVE GROUND
 - BG BELOW GROUND

PROPERTY DATA
 CURRENT OWNER:
 NOW OR FORMERLY
 ELIZABETH S. WOODY
 PIN: 9825.31.5555
 DEED BOOK 6656 PAGES 1690-93



NC GRID
 NAD 83 (2011)

MERSTAN, PLLC
 Land Surveyors
 241 US 64 BUS. W. - PITTSPORO, NC 27312
 PH: 919.545-7001 NC LIC. P-1408

MO RE Investments LLC
 3317 HARDEN ROAD
 RALEIGH, NC 27607

CITY OF MEBANE CORPORATE LIMITS EXTENSION
 VOLUNTARY CONTIGUOUS EXTENSION
 ORANGE COUNTY PIN: 9825.31.5555
 CHEEKS TOWNSHIP, CITY OF MEBANE
 ORANGE COUNTY, NORTH CAROLINA

GENERAL NOTES

- 1) THIS PLAT DEPICTS A PROPOSED CONTIGUOUS ANNEXATION FOR THE REMAINING PORTION OF ORANGE COUNTY PIN: 9825-31-5555 INTO THE LIMITS OF THE CITY OF MEBANE, NORTH CAROLINA.
- 2) PROPERTIES SHOWN HEREON ARE SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD THAT WOULD BE REVEALED BY A THOROUGH TITLE SEARCH. THIS PLAT SHOULD NOT BE RELIED UPON AS A COMPLETE RECORD OF ALL EASEMENTS THAT MAY AFFECT THESE PROPERTIES.
- 3) UNIT OF MEASUREMENT IS U.S. SURVEY FEET (FT) UNLESS SPECIFICALLY NOTED AS METERS (m).
- 4) ALL DISTANCES AND COORDINATES SHOWN HEREON ARE LOCALIZED, GROUND INFORMATION, UNLESS SPECIFICALLY NOTED AS "GRID".
- 5) AREA(S) CALCULATED BY THE COORDINATE METHOD.
- 6) CITY LIMITS LINES PLOTTED FROM CITY OF MEBANE GEOGRAPHIC INFORMATION SYSTEM.

SURVEY CONTROL / GRID TIE NOTES

THE CONTROL LINE SHOWN HEREON WAS ESTABLISHED BY GPS SURVEY METHODOLOGIES USING THE NORTH CAROLINA GEODETIC SURVEY'S (NCGS) VIRTUAL REFERENCE SYSTEM (VRS), WHICH IS BASED UPON THE CONTINUALLY OPERATING REFERENCE STATIONS (CORS). NO NCGS MONUMENT WAS FOUND WITHIN 2,000 FEET OF THE SITE. SURVEY METADATA IS AS FOLLOWS:

1. RICHARD ELLIS BULLOCK, JR., CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY AND CONVENTIONAL SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:
 - 1) CLASS OF SURVEY: CLASS B
 - 2) POSITIONAL ACCURACY: 0.03' HZ, 0.04' VT
 - 3) TYPE OF GPS FIELD PROCEDURE: REAL TIME KINEMATIC NETWORKS (VRS)
 - 4) DATE OF GPS SURVEY: 08.17.2020
 - 5) HORIZONTAL DATUM/EPOCH: NAD83 (NSRS2011) NC STATE PLANE COORDINATE SYSTEM
 - 6) PUBLISHED/FIXED-CONTROL USE:
 - NAME: NCBU PID: DF9213 DATUM: NAD83
 - EPOCH: 2010
 - LATITUDE: 36°05'29.58604" ELLIPSOID HEIGHT: 173.401m
 - LONGITUDE: 79°26'12.17620" GEOD HEIGHT: -30.227m
 - ELEVATION: 668.0ft
 - 7) GEOID MODEL: GEOID 12B
 - 8) COMBINED FACTOR: 0.99997616634
 - 9) UNITS: LOCALIZED GROUND U.S. SURVEY FEET @ 1"x2" IRON BAR FOUND AS SHOWN HEREON.
- GPS ANTENNA: SPECTRA PRECISION EPOCH 50 (SERIAL #5133819279)
- ADJUSTMENT: SURVEY DATA WAS POST PROCESSED WITH TRIMBLE BUSINESS CENTER (TBC) USING A NETWORK LEAST SQUARES ADJUSTMENT AT THE 95% CONFIDENCE LEVEL.

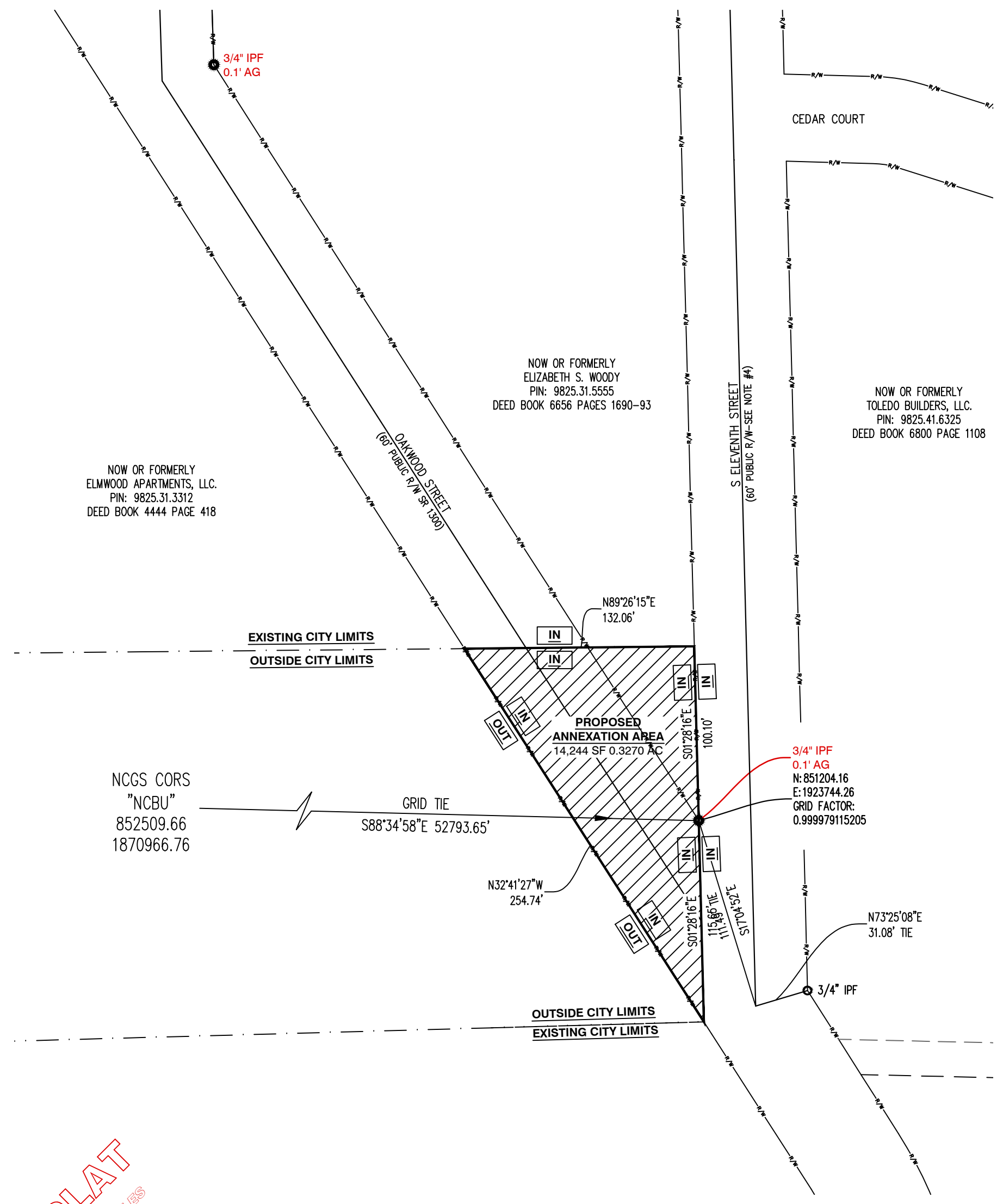
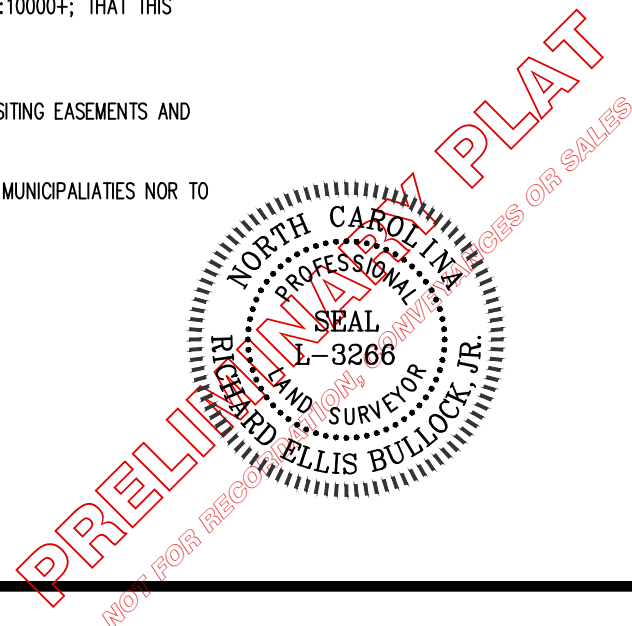
I, RICHARD ELLIS BULLOCK, JR., AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH CAROLINA, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN ME, OR UNDER MY SUPERVISION, FROM AN ACTUAL GROUND (CONVENTIONAL) AND GPS; THAT THE GPS SURVEY INFORMATION (METADATA) HAS BEEN REPORTED HEREON UNDER THE "SURVEY CONTROL / GRID TIE NOTES"; THAT SURVEYED PROPERTY LINES SHOWN HEREON ARE BASED UPON THE DEEDS AND PLATS REPORTED HEREON; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS SUCH AND ARE BASED UPON THE DEEDS AND PLATS REPORTED HEREON; THAT THE POSITIONAL ACCURACY HAS BEEN REPORTED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10000+; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH NORTH CAROLINA GENERAL STATUTES G.S.47-30, AS AMENDED.

THAT THIS PLAT MEETS THE REQUIREMENT OF G.S.47-30 SECTION:
 (f)(11)(c)(1) THAT THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

(j) THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO BOUNDARY PLATS OF AREAS ANNEXED BY MUNICIPALITIES NOR TO PLATS OF MUNICIPAL BOUNDARIES, WHETHER OR NOT REQUIRED BY LAW TO BE RECORDED.

WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 26th DAY OF JUNE, 2023.

RICHARD ELLIS BULLOCK, JR., LICENSE NO. L-3266



CITY OF MEBANE
 PLANNING DIRECTOR CERTIFICATION

THIS TRACT OF LAND IS WITHIN THE CITY OF MEBANE'S JURISDICTION.
 NO APPROVAL IS REQUIRED OF THE PLANNING BOARD OR CITY COUNCIL.

CITY OF MEBANE
 PLANNING DIRECTOR



DATE	NO.	REVISION
06.26.2023		

SCALE: 1"=60'

DRAWN BY: REB

CHECKED BY: REB

PROJECT NO.: 21593

FILE NAME: MO RE

SHEET NO. 1 of 1

AGENDA ITEM #5C

Ordinance to Extend the Corporate Limits-
Voluntary Contiguous Annexation-
Keystone Group Inc.- Mebane Towne Center-
Ph. A2, A3 and A4

Meeting Date

August 7, 2023

Presenter

Lawson Brown, City Attorney

Public Hearing

Yes No

Summary

The Council will consider the approval of an Ordinance to Extend the Corporate Limits as the next step in the annexation process. This is a contiguous annexation of +/- 23.340 acres located in Alamance County.

Background

At the July 10, 2023, Council Meeting, Council accepted the petition for annexation and the Clerk's certificate of sufficiency and adopted a Resolution setting a date of Public Hearing for August 7, 2023, to consider approval of extending Mebane's corporate limits. The Public Hearing Notice was properly advertised.

Financial Impact

The property and improvements will be added to the ad valorem tax base for the City once the property is annexed as determined by the state statute.

Recommendation

Staff recommends the adoption of an Ordinance to Extend the Corporate Limits of the City of Mebane, North Carolina.

Suggested Motion

I make a motion to adopt an Ordinance to Extend the Corporate Limits of the City of Mebane, North Carolina to include the +/- 23.340 acres.

Attachments

1. Ordinance
2. Map

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS
OF THE CITY OF MEBANE, NORTH CAROLINA

Mail after recording to: City of Mebane, Attn: City Clerk, 106 E. Washington Street, Mebane, NC 27302

Ordinance No. 163

WHEREAS, the City Council has been petitioned under G.S. 160A-31 to annex the area described below; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at the Glendel Stephenson Municipal Building at 6:00 p.m. on August 7, 2023, after due notice by the Mebane Enterprise on July 26, 2023; and

WHEREAS, the City Council finds that the petition meets the requirements of G.S. 160A-31;

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

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the City of Mebane as of August 7, 2023:

BEGINNING at a point running with the right-of-way of Cameron Lane, the following 16 calls:

Thence on a curve to the left having a radius of 20.00, a length of 31.99 feet and a chord of S13°08'04"E, 28.69 feet to a point, thence on a curve to the left having a radius of 360.00, a length of 227.57 feet and a chord of S77°04'06"E, 223.80 feet to a point, thence N84°49'19"E, 104.01 feet to a point, thence on a curve to the left having a radius of 460.00, a length of 172.76 feet and a chord of N74°03'45"E, 171.75 feet to a point, thence on a curve to the left having a radius of 50.00, a length of 92.52 feet and a chord of N10°17'34"E, 79.87 feet to a point, thence N44°56'40"E, 45.04 feet to a point, thence S42°43'02"E, 16.52 feet to a point, thence on a curve to the left having a radius of 50.00, a length of 33.67 feet and a chord of S62°00'24"E, 33.03 feet to a point, thence on a curve to the left having a radius of 50.00, a length of 48.76 feet and a chord of N70°45'57"E, 46.85 feet to a point, thence on a curve to the left having a radius of 460.00, a length of 60.85 feet and a chord of N39°02'17"E, 60.80 feet to a point, thence N35°14'55"E, 10.59 feet to a point, thence on a curve to the right having a radius of 540.00, a length of 188.37 feet and a chord of N45°14'31"E, 187.42 feet to a point, thence on a curve to the right having a radius of 540.00, a length of 172.17 feet and a chord of N64°22'09"E, 171.44 feet to a point, thence N73°30'11"E, 186.18 feet to an existing iron rod, thence N73°30'11"E, 236.14 feet to a point, thence S16°30'29"E, 4.24 feet to an existing iron rod also on the western line of Keystone at Mebane Oaks recorded in Book 3326, Page 670,

Thence S27°38'18"W, 98.60 feet to an existing iron rod, thence S27°38'18"W, 151.34 feet to an existing iron rod, thence S24°38'18"W, 223.38 feet to an existing iron pipe, thence S19°25'08"W, 196.59 feet to a point, thence S29°41'37"E, 83.13 feet to a point, thence S28°44'35"E, 86.87 feet to a point, thence S60°18'23"W, 19.50 feet to a point, thence S29°41'37"E, 36.94 feet to an existing iron pipe, thence S29°41'37"E, 224.95 feet to an existing iron pipe, thence S71°54'52"W, 251.05 feet to a point, thence on a curve to the right having a radius of 3819.72, a length of 687.07 feet and a chord of S76°40'56"W, 686.17 feet to a point, thence N48°08'45"W, 3.75 feet to a point, thence N46°31'46"W, 301.91 feet to a point, thence N46°32'51"W, 444.56 feet to a point, thence N32°41'24"E, 194.85 feet to a point, thence N32°41'24"E, 115.04 feet to a point and the place of BEGINNING and being approximately 22.340 +/- acres according to a survey prepared by Jeffery Caison, PLS.

Section 2. Upon and after August 7, 2023 the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Mebane and shall be entitled to the same privileges and benefits as other parts of the City of Mebane. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the City of Mebane shall cause to be recorded in the office of the Register of Deeds of Alamance County and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with duly certified copy of this ordinance. Such a map shall also be delivered to the Alamance County Board of Elections as required by G.S. 163-288.1.

Adopted this 7th day of August, 2023.

City of Mebane

Ed Hooks, Mayor

ATTEST:

Stephanie W. Shaw, City Clerk

Approved as to form:

Lawson Brown, City Attorney

FC-DTM-06-12-23

Certificate of Accuracy.

I, Jeffery L. Calson, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book AS, page SHOWN, etc.) (other); that the boundaries not surveyed are clearly indicated as drawn from information found in Book AS, page SHOWN; that the ratio of precision or positional accuracy as calculated is 1:10,000; that this plat was prepared in accordance with NCGS 47-30 as amended. Witness my original signature, license number and seal this day of , A.D., 2023.

GS 47-30 (f)(1)(c)(1) This survey is of an existing parcel or parcels of land and does not create a new street or change an existing street.

Per GS 47-30(j) The provisions of this section shall not apply to boundary plats of state lines, county lines, areas annexed by Municipalities, nor to plats of municipal boundaries, whether or not required by law to be recorded.

Planning Director Certification:

This tract of land is within the city of Mebane's jurisdiction. No approval is required of the planning board or City Council.

Planning Director _____

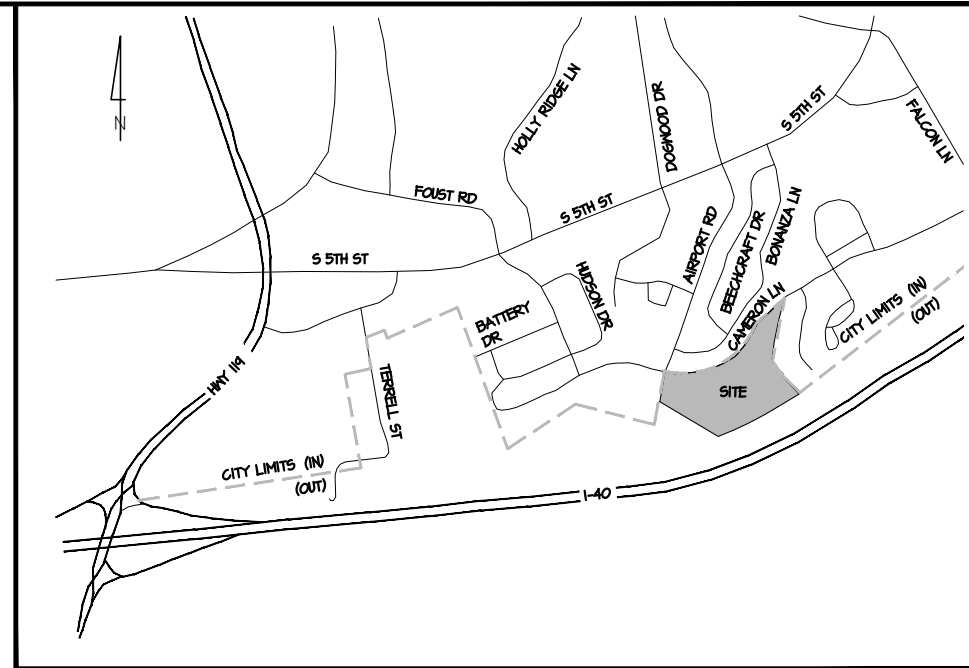
Date _____

Curve #	ARC DIST.	Radius	Delta	CH BEARING	CH DIST.
C1	31.91'	20.00'	041° 38' 55"	S13° 08' 04"E	28.64'
C2	227.57'	360.00'	036° 13' 11"	S77° 04' 06"E	223.80'
C3	172.76'	460.00'	021° 31' 07"	N14° 03' 45"E	171.75'
C4	42.52'	50.00'	106° 01' 14"	N07° 17' 34"E	74.87'
C5	33.67'	50.00'	038° 34' 42"	S62° 00' 24"E	33.03'
C6	48.76'	50.00'	055° 52' 36"	N70° 45' 57"E	46.85'
C7	60.85'	460.00'	007° 34' 44"	N84° 02' 17"E	60.80'
C8	188.37'	540.00'	014° 54' 12"	N45° 14' 31"E	187.42'
C9	172.17'	540.00'	018° 16' 03"	N64° 22' 04"E	171.44'
C10	144.62'	465.00'	017° 44' 10"	S64° 35' 36"W	144.04'
C11	165.85'	465.00'	020° 26' 06"	S45° 27' 58"W	164.97'
C12	65.57'	535.00'	007° 01' 14"	S38° 45' 35"W	65.53'
C13	55.98'	70.56'	045° 27' 27"	S14° 32' 31"W	54.52'
C14	71.66'	105.82'	038° 47' 58"	S82° 01' 01"W	70.24'
C15	207.34'	535.00'	022° 12' 16"	S73° 43' 10"W	206.04'
C16	278.15'	435.00'	036° 38' 10"	N16° 51' 36"W	273.43'
C17	30.84'	20.00'	088° 46' 06"	S77° 04' 26"W	27.98'

Line #	Direction	DIST.
L1	N84°44'14"E	104.01'
L2	N44°56'40"E	45.04'
L3	S42°43'02"E	16.52'
L4	N85°14'55"E	10.54'
L5	N73°30'11"E	186.18'
L6	N73°30'11"E	236.14'
L7	S16°30'29"E	4.24'
L8	S35°14'55"W	10.54'
L9	S48°54'18"W	82.23'
L10	S84°44'14"W	104.01'
L11	N82°41'24"E	115.04'
L12	N48°08'45"W	3.75'

SITE INFORMATION

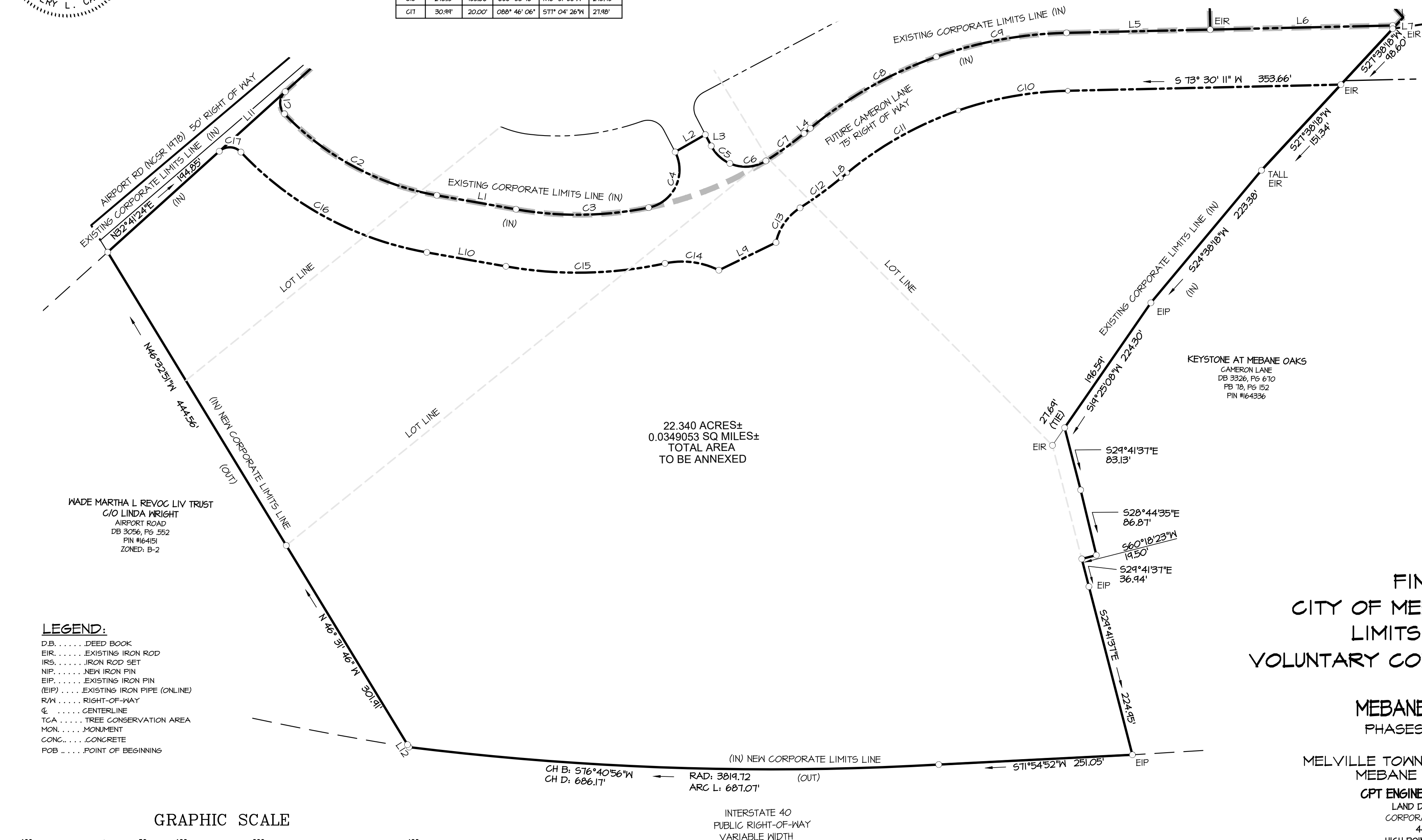
- OWNER: KEYSTONE GROUP INC
- ADDRESS: BONANZA LANE, 1032 & 1082 MEBANE AIRPORT ROAD
- PARCEL ID: 164335, 164338, 164152
- GPINS #: 9814752261, 9814648568, 9814742384
- PLAT REF.: P.B. 81, PG. 412
- DEED REF.: D.B. 3831, PG. 476, DB. 3831, PG. 473
- LAND USE CLASS.: CLASS. 4
- SITE ZONING: R-6 PUD WITH SPECIAL USE PERMIT
- EXISTING LAND USE: VACANT
- SOILS: GcC, HdB, GcB2, GcB, HdB2, HdC2
- SITE IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY FEMA FLOOD MAP PANEL 9814, CITY OF MEBANE, MAP NO. 3710981400J, PANEL EFFECTIVE DATE: 09-06-06.
- AREAS: CAMERON LANE ROW: 2.828 ACs.±
- AREA TO BE ANNEXED: 14.512 ACs.±
- TOTAL AREA TO BE ANNEXED: 22.340 ACs.±



Vicinity Map
1" = 2000'



05/20/2023
Date of Survey
Surveyor Jeffery L. Calson
L-4403
License Number



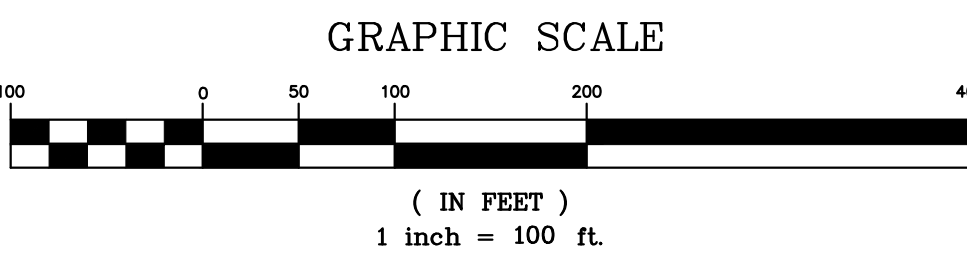
22.340 ACRES±
0.0349053 SQ MILES±
TOTAL AREA
TO BE ANNEXED

KEYSTONE AT MEBANE OAKS
CAMERON LANE
DB 3326, PG 670
PB 78, PG 152
PIN #164336

**FINAL PLAT
CITY OF MEBANE CORPORATE
LIMITS EXTENSION
VOLUNTARY CONTIGUOUS ANNEXATION**

OF
MEBANE TOWNE CENTER
PHASES A2, A3, AND A4
SHEET 1 of 1
MELVILLE TOWNSHIP ~ ALAMANCE COUNTY
MEBANE ~ NORTH CAROLINA
CPT ENGINEERING AND SURVEYING, INC.
LAND DEVELOPMENT CONSULTING
CORPORATE LICENSE NUMBER C-1375
4400 TYNING STREET
HIGH POINT, NORTH CAROLINA 27265
PHONE: (336) 812-8800 ~ FAX: (336) 812-8780

PROJECT: 1316-14 AP
DATE: JUNE 9, 2023
DRAWN BY: DTH
SCALE: 1" = 100'





AGENDA ITEM #5D

RZ 23-05

Conditional Rezoning – Evolve at Mebane Oaks

Presenter

Ashley Ownbey, Development Director

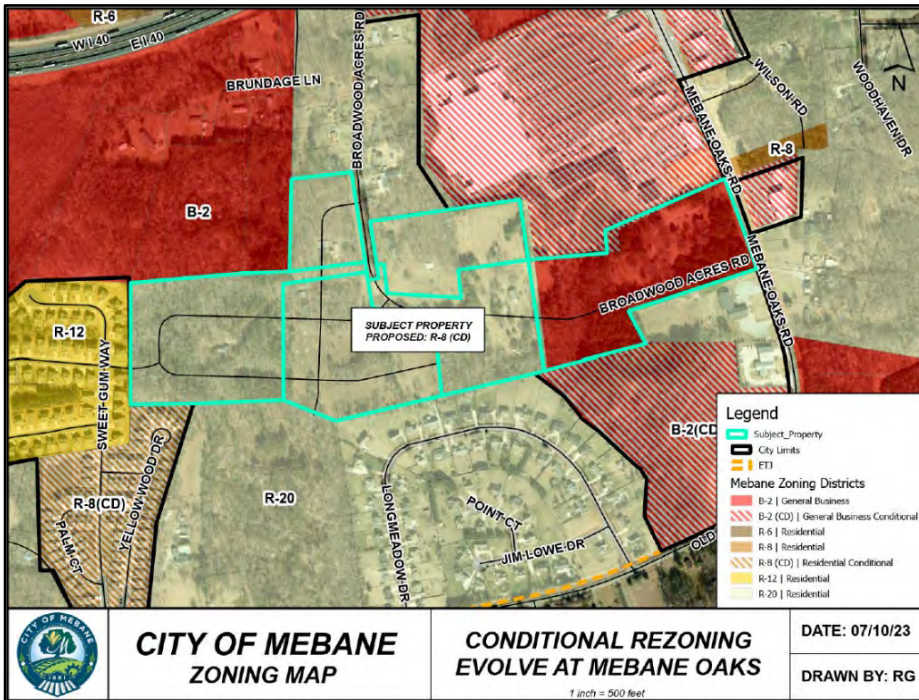
Applicant

Mebane Housing, LLC / Evolve Mebane Oaks, LLC
2918-A / 4918-A Martinsville Road
Greensboro, NC 27408

Public Hearing

Yes No

Zoning Map



Property

1413 Mebane Oaks Rd,
1326 Broadwood Acres Rd,
1332 Broadwood Acres Rd,
1333 Broadwood Acres Rd,
1345 Broadwood Acres Rd,
0 Broadwood Acres Rd

Alamance County GPINs:
9824020553, 9814921385,
9814920726, 9814824291,
9814727217, 9814823848

Proposed Zoning

R-8 (CD)

Current Zoning

R-20 & B-2

Size

+/-60.241 acres

Surrounding Zoning

B-2 (CD), B-2, R-20, R-12,
R-8, R-8(CD)

Surrounding Land Uses

Commercial, Residential,
Church, Fire Station

Utilities

Available

Floodplain

No

Watershed

No

City Limits

No

Application Brief

See Planning Project Report for more details.

Recommendations	
Technical Review Committee:	The Technical Review Committee (TRC) has reviewed the site plan six times (not including pre submittal meetings) and the applicant has revised the plan to reflect the comments.
Planning Staff:	The proposed development “Evolve at Mebane Oaks” is consistent with the guidance provided within Mebane By Design, the Mebane Comprehensive Land Development Plan.
Planning Board:	At their July 17 meeting, the Planning Board voted 5-2 to recommend denial of the rezoning request.
Zoning & Land Use Report	
Jurisdiction:	Mebane Extraterritorial Jurisdiction (ETJ)
Proposed Use By-Right (Yes/No):	No
Type of Rezoning Request:	Conditional
Special Use Request (Yes/No):	No
Consistency with Mebane By Design (Yes/No):	Yes
Utilities Report	
Available Utilities (Yes/No):	Yes
Adequate Stormwater Control (Yes/No):	Yes
Innovative Stormwater Control (Yes/No):	No
Consistency with Long-Range Utility Plan (Yes/No):	Yes
Transportation Report	
Traffic Impact Analysis Required (Yes/No):	Yes
Multi-Modal Improvements (Yes/No):	Yes
Consistency with Bike/Ped Transportation Plan (Yes/No):	Yes

Summary

Mebane Housing, LLC and Evolve Mebane Oaks, LLC are requesting approval to conditionally rezone six (6) properties (GPINs 9824020553, 9814921385, 9814920726, 9814824291, 9814727217, & 9814823848), 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) to allow for a Planned Unit Development featuring **96 95** single-family residences, **+/- 13,000 square feet of commercial space fronting Mebane Oaks Road**, and **320 294** apartments by Mebane Housing, LLC and Evolve Mebane Oaks, LLC. 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.

The site-specific plan includes the following onsite amenities and dedications:

- A 5' wide sidewalk will be constructed on Mebane Oaks Road. The applicant has also indicated that a connection to the Garrett Crossing shopping plaza will be provided.
- All internal roads within the development will include 5' wide sidewalks. Sidewalk is proposed on both sides of Broadwood Acres Road and on one side of all other roads. Traffic calming is provided on Broadwood Acres Road with grassed medians and a traffic circle. **A traffic calming device is also proposed on Longleaf Pine Place near the connection to the existing Arbor Creek subdivision.**
- **The multi-family portion of the development will include the following 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
- **A community recreation area is proposed in the single-family section of the development, which includes a pickleball court, a shade pavilion, permanent cornhole, a playground, walking trails, a pedestrian bridge, and a community garden. This community recreation area is proposed to be accessible to residents of both the single-family and multi-family sections of the development.**
- The applicant has committed to dedicating a +/- 7.44-acre lot to the City for future development at the City's discretion. **Additionally, the applicant is proposing to provide a payment of \$255,457 in lieu of the remaining +/- 3.73 acres of required public recreation area. The payment is due before the platting of any single-family lots.**

The following conditions are proposed with the conditional rezoning request:

Proposed Conditions of Zoning District	City of Mebane Requirements
<p>The applicant has requested a maximum building height of 60 feet for the apartment buildings as a condition of the zone district.</p> <p>Since the Planning Board meeting, the applicant has confirmed with their architect and with Planning staff that the multi-family buildings will not exceed 50’ in building height.</p>	<p>Section 4-2.A of the Mebane UDO states that the maximum building height for multi-family dwellings in the R-8 Zone District is 50 feet.</p>
<p>The applicant has proposed to provide 1.77 acres of private recreation and 7.08 acres of open space. As a condition of the zone district, they have requested that the City accept the dedication of a +/- 7.43 acre lot for future development in lieu of the required public recreation space and remaining private recreation and open space requirements.</p> <p>With the reduction in density and the addition of a community recreation area, the applicant is now meeting requirements for open space and private recreation area. As allowed by the Mebane UDO, the applicant has proposed to dedicate a +/- 7.44-acre lot to the City of Mebane and provide payment in lieu of the remaining +/- 3.73 acres of required public recreation area. The payment-in-lieu totals \$255,457.</p>	<p>Pursuant to Section 6-8 of the Mebane UDO, public recreation must be provided at a rate of 1,250 square feet per dwelling unit. The multi-family dwelling area must include private recreation space at a rate of 750 square feet per dwelling unit and private open space at a rate of 1,000 square feet per dwelling unit. This development is required to provide 11.83 acres of public recreation space, 5.51 acres of private recreation space, and 7.34 acres of open space.</p>
<p>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.</p>	<p>While this exceeds the requirements of the Accumulated Paper Flow Policy, staff is agreeable to this developer request due to the number of units in each building not fitting the policy and the timing at which the developer intends to construct these buildings (earlier tributary flow at a lesser amount than accumulated permitted paper flow at a higher amount over several years).</p>

A Traffic Impact Analysis (TIA) was required for the proposed development. Based on the TIA, the developer is responsible for 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 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.

With the loss of dwelling units and the addition of commercial space, the applicant revised the TIA for the development. The updates to the TIA are subject to review and approval by the NCDOT. City staff have discussed the changes with the District Engineer and no significant changes to the provided recommendations are expected.

Financial Impact

The developer will be required to make all of the improvements at his own expense.

Suggested Motion

1. Motion to approve the R-8(CD) zoning 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*. 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).
 - Allows for the integration of a community facility, consistent with Growth Management Goal 1.4 (p. 17 & 83)

OR

3. Motion to **deny** the R-8(CD) rezoning as presented due to a lack of
 - a. Harmony with the surrounding zoning or land use

OR

- b. Consistency with the objectives and goals in the City's 2017 Comprehensive Land Development Plan *Mebane By Design*.

Attachments

1. Preliminary Presentation Slides – click [here](#) to download.
2. Zoning Amendment Application
3. Zoning Map
4. Site Plan – click [here](#) to download.
5. Planning Project Report
6. Preliminary Water and Sewer System Approval Letter
7. Technical Memorandum – City Engineering Review
8. Traffic Impact Analysis – click [here](#) to download.
 - a. NCDOT Review of TIA
 - b. VHB Review of TIA



APPLICATION FOR A ZONING AMENDMENT

Application is hereby made for an amendment to the Mebane Zoning Ordinance as follows:

Name of Applicant: Evolve Mebane Oaks, LLC (Tract 1) and Mebane Housing, LLC (Tracts 2-6)

Address of Applicant: 2918-A Martinsville Road; Greensboro, NC 27408

Address and brief description of property to be rezoned: 1413 Mebane Oaks Road (Tract 1)
0, 1326, 1332, 1333 and 1345 Broadwood Acres Road (Tracts 2-6)

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

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

Yes ___ Explain: _____ No X

Type of re-zoning requested: R-8 (CD- Conditional Zoning)

Sketch attached: Yes X No _____

Reason for the requested re-zoning: To permit proposed redevelopment as shown on attached plans.

Signed: Joe A. McKinney
Date: _____

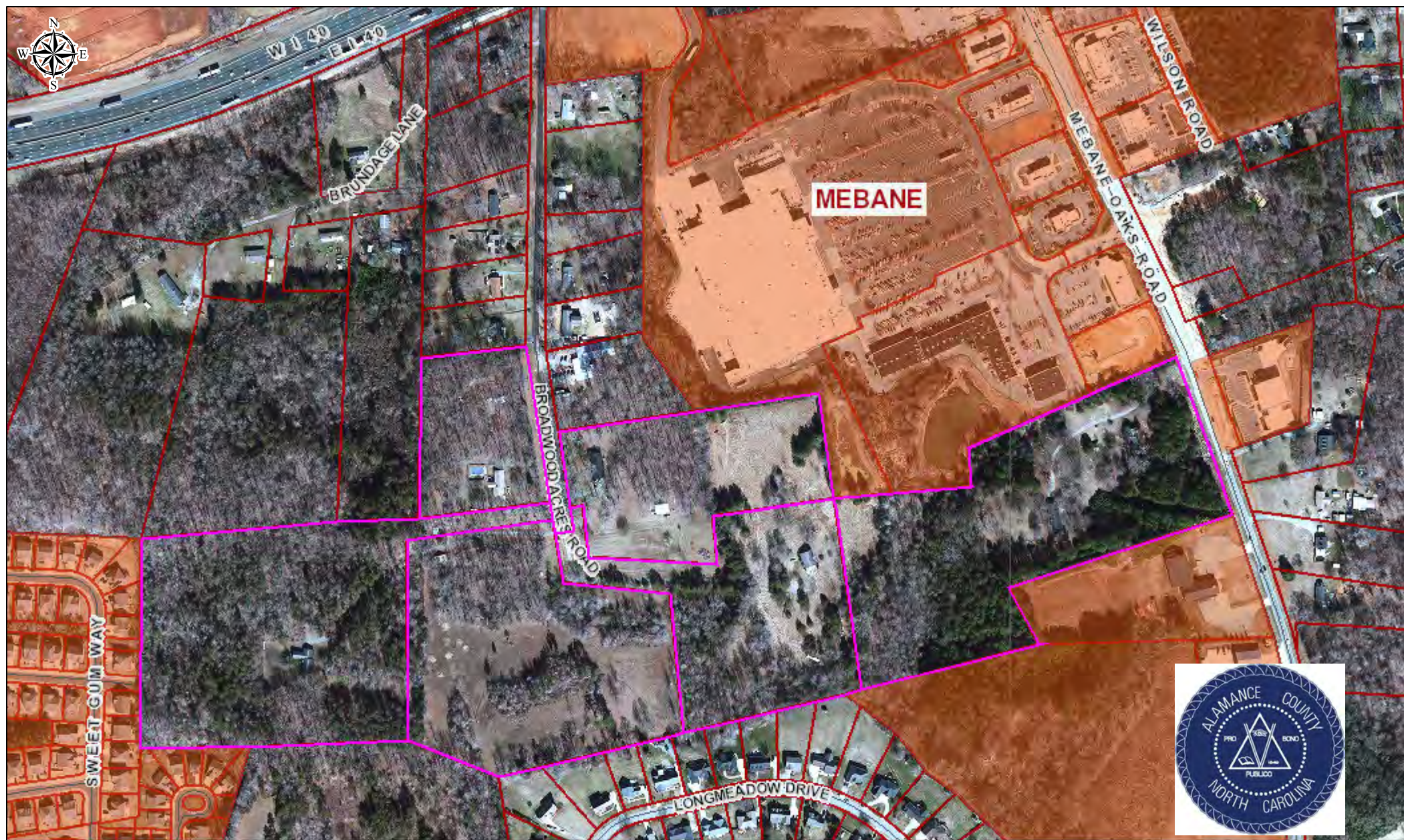
Action by Planning Board: _____

Public Hearing Date: _____ Action: _____

Zoning Map Corrected: _____

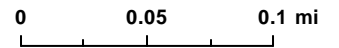
The following items should be included with the application for rezoning when it is returned:

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 that are across the street).
3. \$300.00 Fee to cover administrative costs.
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.



Owner Name: EVOLVE MEBANE OAKS LLC

July 12, 2023



2918 A MARTINSVILLE ROAD
 GREENSBORO, NC 27408
 GPIN: 9824020553
 PID: 10-23-48

Heavy Industrial Development Applicants

APPLIED FOR PERMIT

PERMIT APPROVED

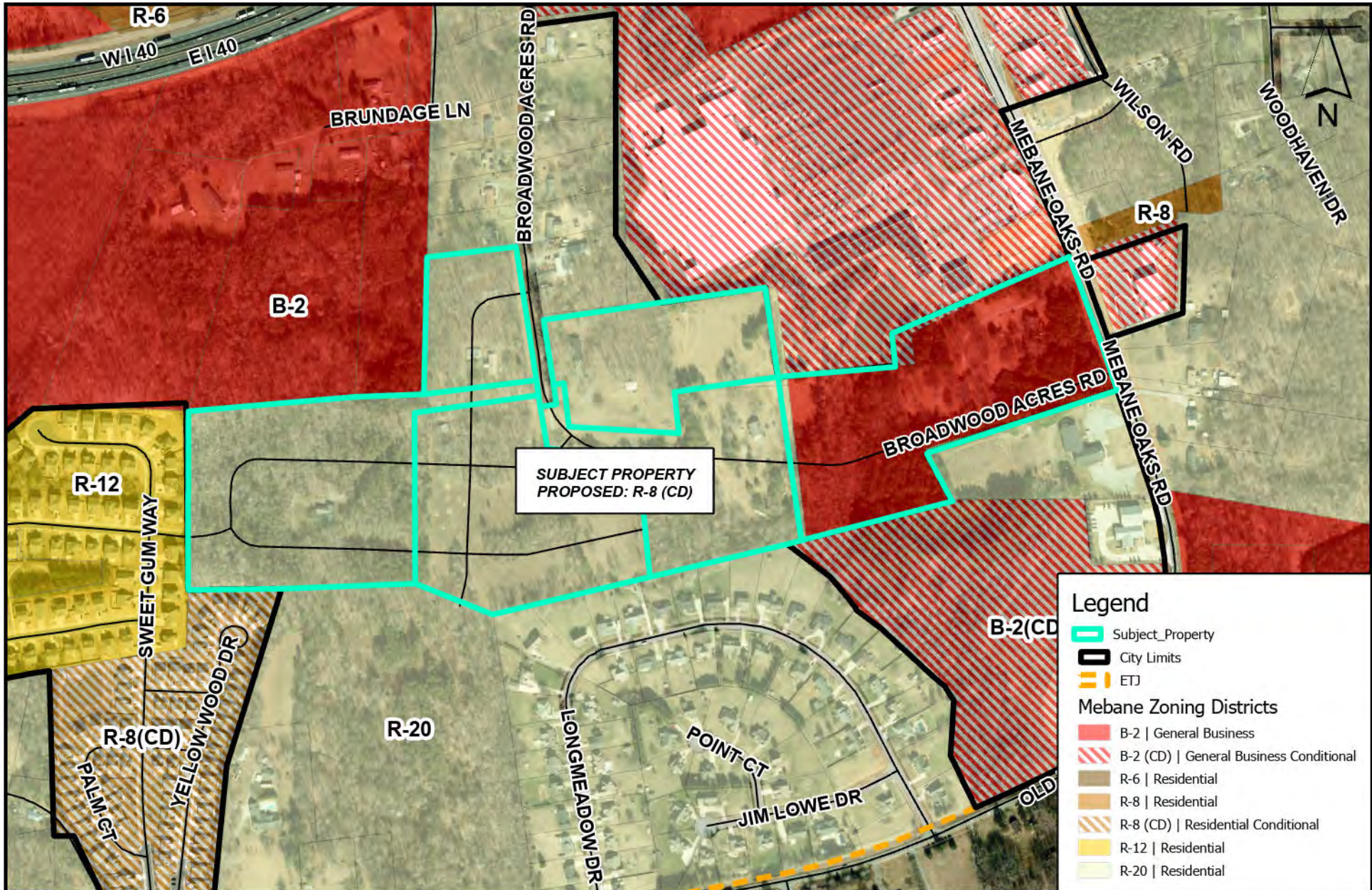
PERMIT RENEWED

UNDER CONSTRUCTION



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. The user knowingly waives any and all claims for damages against any and all of the entities comprising the Alamance County GIS System that may arise from the mapping data. Date: 7/12/2023

Alamance County GIS
 Alamance County GIS Department



**CITY OF MEBANE
ZONING MAP**

**CONDITIONAL REZONING
EVOLVE AT MEBANE OAKS**

1 inch = 500 feet

DATE: 07/10/23

DRAWN BY: RG

The site plan for this project can be accessed and downloaded through the following link:

<https://cityofmebane.sharefile.com/d-sd542d54d6e8f4a289a912365fa7bf387>.

PLANNING PROJECT REPORT

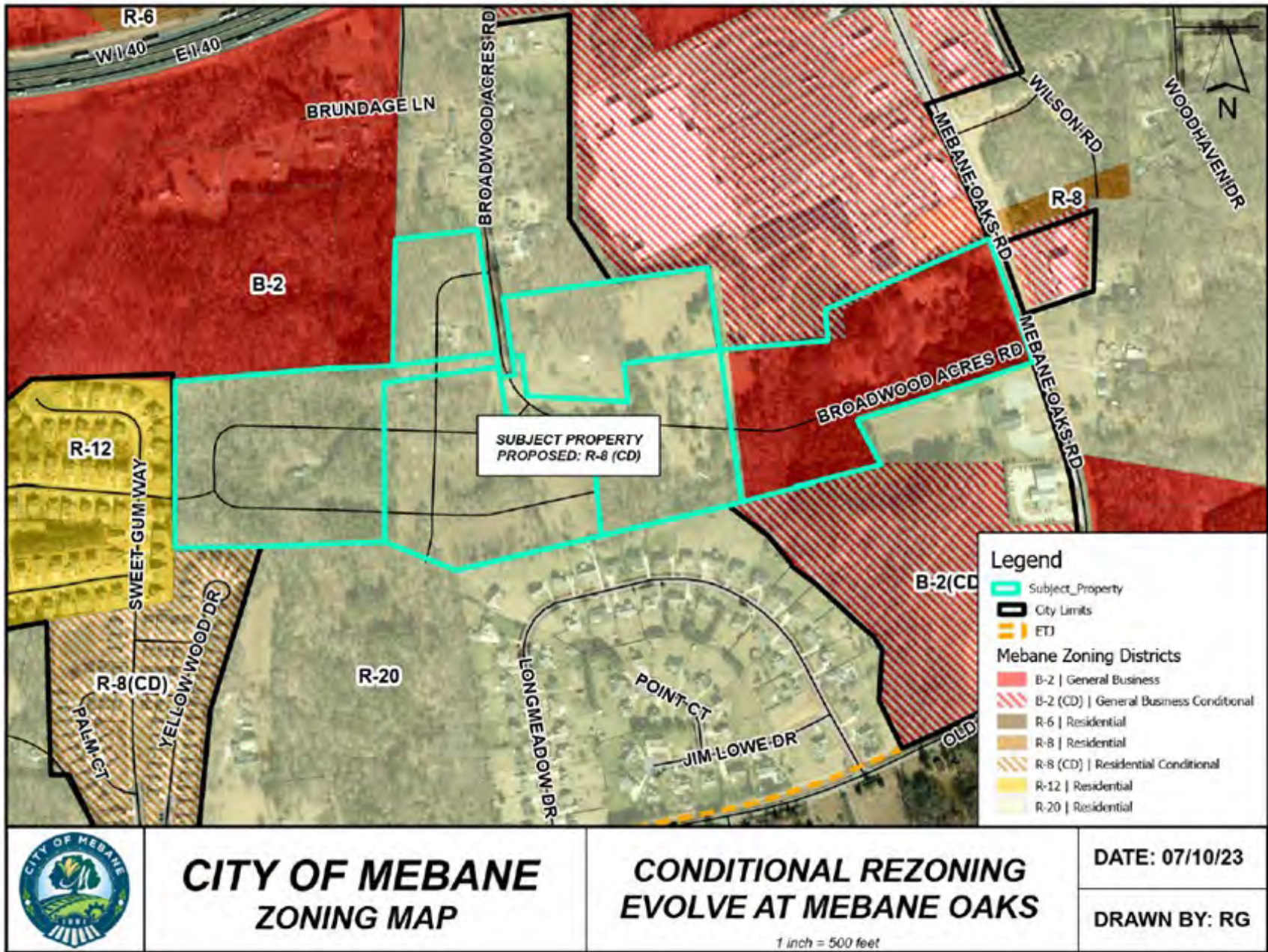
DATE	07/10/2023, <i>edited 08/02/2023</i>
PROJECT NUMBER	RZ 23-05
PROJECT NAME	Evolve at Mebane Oaks
APPLICANT	Mebane Housing, LLC / Evolve Mebane Oaks, LLC 2918-A / 4918-A Martinsville Road Greensboro, NC 27408

CONTENTS

PROJECT NAME & APPLICANT	PAGE 1
ZONING REPORT	PAGE 2
LAND USE REPORT	PAGE 4
UTILITIES REPORT	PAGE 7
STAFF ZONING REQUEST RECOMMENDATION	PAGE 9

ZONING REPORT

EXISTING ZONE	R-20, Residential and B-2, General Business
REQUESTED ACTION	R-8 (CD) (Residential Conditional District)
CONDITIONAL ZONE?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
CURRENT LAND USE	Single-Family Residential and Vacant Land
PARCEL SIZE	+/- 60.241 acres
PROPERTY OWNERS	Mebane Housing, LLC / Evolve Mebane Oaks, LLC 2918-A / 4918-A Martinsville Road Greensboro, NC 27408 GPINs: 9824020553, 9814921385, 9814920726, 9814824291, 9814727217, & 9814823848
LEGAL DESCRIPTION	Request to rezone six (6) properties (GPINs 9824020553, 9814921385, 9814920726, 9814824291, 9814727217, & 9814823848), 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) to allow for a Planned Unit Development featuring 96 95 single-family residences, +/- 13,000 square feet of commercial space fronting Mebane Oaks Road , and 320 294 apartments by Mebane Housing, LLC and Evolve Mebane Oaks, LLC.
AREA ZONING & DISTRICTS	The properties to the north are zoned B-2 (CD), B-2, and R-20. The properties to the east, across Mebane Oaks Road, are zoned R-20 and R-8. The properties to the south are zoned B-2 (CD), R-20, and R-8 (CD). The properties to the west are zoned R-12, R-8 (CD), and B-2.
SITE HISTORY	Five of the lots were previously improved with single-family residences, built between 1965 and 1998. The remaining lot has historically been vacant.
STAFF ANALYSIS	
CITY LIMITS?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
PROPOSED USE BY-RIGHT?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
SPECIAL USE?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
EXISTING UTILITIES?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
POTENTIAL IMPACT OF PROPOSED ZONE	The proposed rezoning is consistent with the R-8 (CD) and R-12 zoning to the west of the subject property. The proposed development will increase the residential density of this area, but it will also improve road network connections between developments on the north side of Old Hillsborough Road and on the west side of Mebane Oaks Road.



**CITY OF MEBANE
ZONING MAP**

**CONDITIONAL REZONING
EVOLVE AT MEBANE OAKS**

DATE: 07/10/23

DRAWN BY: RG

LAND USE REPORT

EXISTING LAND USE	Single-Family Residential and Vacant Land
PROPOSED LAND USE & REQUESTED ACTION	The applicant is requesting to 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) to allow for a Planned Unit Development featuring 96 95 single-family residences, +/- 13,000 square feet of commercial space fronting Mebane Oaks Road , and 320 294 apartments by Mebane Housing, LLC and Evolve Mebane Oaks, LLC.
PROPOSED ZONING	R-8 (CD) (Residential Conditional District)
PARCEL SIZE	+/- 60.241 acres
AREA LAND USE	<p>The subject property is located just south of the Garrett Crossing shopping plaza, which includes a Walmart and a number of restaurants, retail stores, and services. There is also a retail store east of the property, across Mebane Oaks Road. The other surrounding properties are developed with a church and single-family residences. The proposed development includes a connection to the existing Arbor Creek neighborhood.</p> <p>The multi-family portion of the development will include the following amenities:</p> <ul style="list-style-type: none">• Community Clubhouse with Complimentary Wi-fi• Complimentary 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 <p>A community recreation area is proposed in the single-family section of the development, which includes a pickleball court, a shade pavilion, permanent cornhole, a playground, walking trails, a pedestrian bridge, and a community garden. This community recreation area is proposed to be accessible to residents of both the single-family and multi-family sections of the development.</p>
ONSITE AMENITIES & DEDICATIONS	

A 5' wide sidewalk will be constructed on Mebane Oaks Road. The applicant has also indicated that a connection to the Garrett Crossing shopping plaza will be provided. All internal roads within the development will include 5' wide sidewalks. Sidewalk is proposed on both sides of Broadwood Acres Road and on one side of all other roads. Traffic calming is provided on Broadwood Acres Road with grassed medians and a traffic circle. A traffic calming device is also proposed on Longleaf Pine Place near the connection to the existing Arbor Creek subdivision.

The applicant has also committed to dedicating a +/- 7.43 acre lot to the City for future development at the City's discretion.

CONDITIONAL ZONE?

YES NO

~~The applicant has requested as a condition of the zone district that the maximum building height of the apartment buildings is 60 feet. The Unified Development Ordinance states that the maximum building height for multi-family dwellings in the R-8 Zone District is 50 feet. Since the Planning Board meeting, the applicant has confirmed with their architect and with Planning staff that the multi-family buildings will not exceed 50' in building height.~~

DESCRIPTION OF PROPOSED CONDITIONS

~~Pursuant to the requirements of the Unified Development Ordinance, this development is required to provide 11.83 acres of public recreation space, 5.51 acres of private recreation space, and 7.34 acres of open space. The applicant has proposed to provide 1.77 acres of private recreation and 7.08 acres of open space. As a condition of the zone district, the applicants have requested that the City accept the dedication of a +/- 7.43 acre lot for future development in lieu of the required public recreation space and remaining private recreation and open space requirements. With the reduction in density and the addition of a community recreation area, the applicant is now meeting requirements for open space and private recreation area. As allowed by the Mebane UDO, the applicant has proposed to dedicate a +/- 7.44-acre lot to the City of Mebane and provide payment in lieu of the remaining +/- 3.73 acres of required public recreation area. The payment-in-lieu totals \$255,457.~~

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. While this exceeds the requirements of the Accumulated Paper Flow Policy staff is agreeable to this developer request due to the number of units in each building not fitting the policy and the timing at which the developer intends to construct these buildings (earlier tributary flow at a lesser amount than accumulated permitted paper flow at a higher amount over several years).

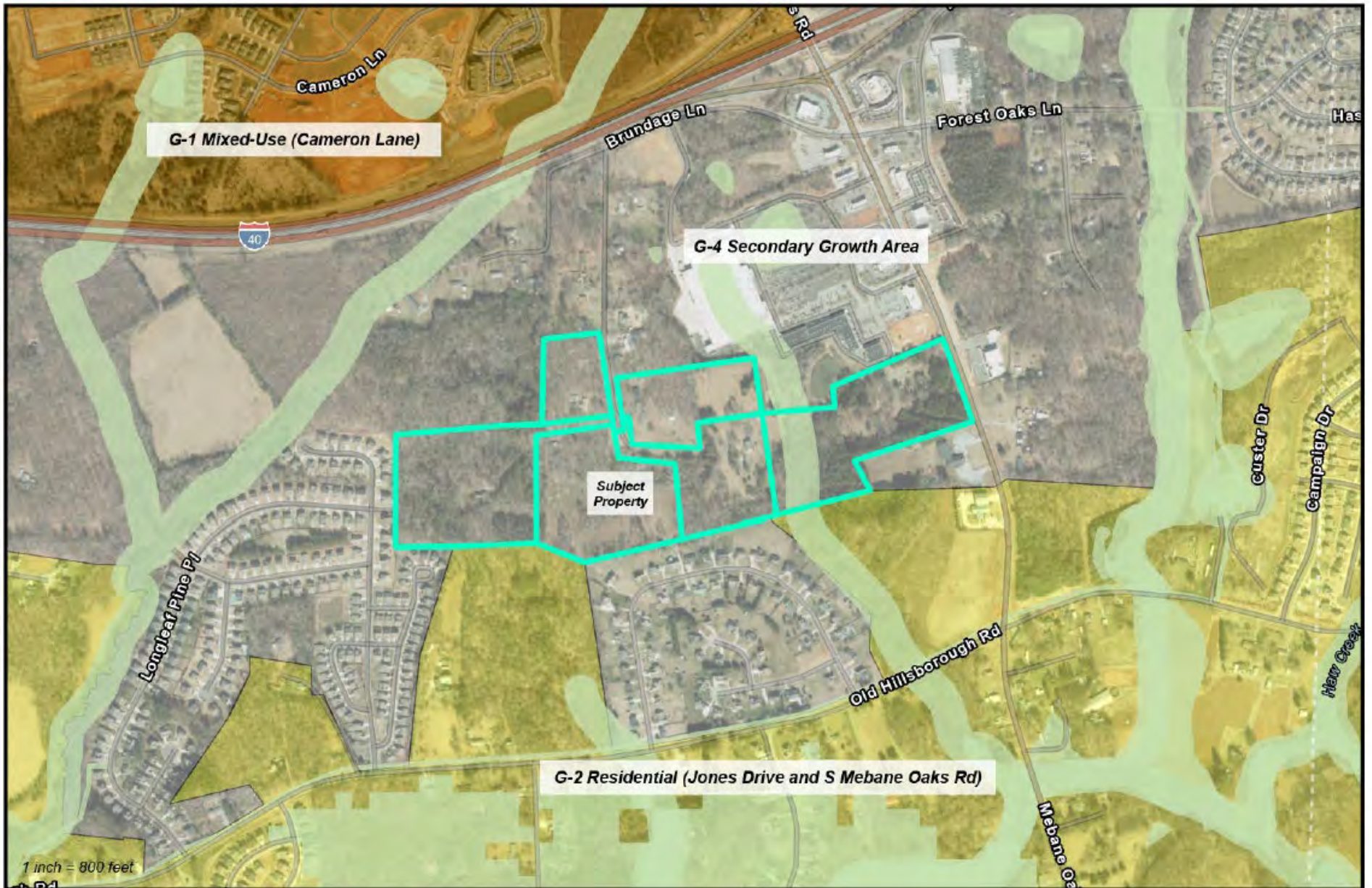
CONSISTENCY WITH *MEBANE BY DESIGN* STRATEGY

LAND USE GROWTH STRATEGY DESIGNATION(S) G-4 Secondary

OTHER LAND USE CONSIDERATIONS Mebane Oaks Road Small Area Plan

***MEBANE BY DESIGN* GOALS & OBJECTIVES SUPPORTED** Goal 1.4: Ensure that adequate community facilities are integrated into new development to reduce distances to parks, schools, and community centers.

***MEBANE BY DESIGN* GOALS & OBJECTIVES NOT SUPPORTED**



UTILITIES REPORT

AVAILABLE UTILITIES	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
PROPOSED UTILITY NEEDS	<p>Per the memorandum from Franz Holt of AWCK, the anticipated water use for the proposed development is 60,000 gallons per day. The permitted wastewater use is 83,500 gallons per day with the actual use when tributary is closer to 50,000 gallons per day. The development will connect to Mebane’s existing 12-inch water line on Mebane Oaks Road and extend a new 12-inch public water line to the existing networks on Broadwood Acres Road to the north and Longleaf Pine Place to the west with 8-inch public water lines elsewhere in public road rights-of-way. Water service to the proposed apartments will be through an 8-inch metered connection with backflow prevention installed at the meter and at each building. The project will also extend a 12-inch public sewer line from the Summit Church property through the site ending near the northern property line. Additionally, the developer will extend 8-inch public sewer lines in new road rights-of-way to serve the proposed single-family subdivision and 8-inch private sewer lines to serve the proposed apartments.</p> <p>The revised site plan, which now includes commercial space, is anticipated to use less than or equal to the amount of water and wastewater as originally reviewed.</p>
UTILITIES PROVIDED BY APPLICANT	Applicant has pledged to provide all on-site utilities, as described in AWCK’s Technical Memo.
MUNICIPAL CAPACITY TO ABSORB PROJECT	The City has adequate water & sewer supply to meet the domestic and fire flow demands of the project.
CONSISTENCY WITH MEBANE LONG RANGE UTILITY PLAN?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
ADEQUATE STORMWATER CONTROL?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
INNOVATIVE STORMWATER MANAGEMENT?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
TRANSPORTATION NETWORK STATUS	
CURRENT CONDITIONS	The subject property is located on the west side of Mebane Oaks Road and the primary entrance to the subdivision will be from there. The development will extend Broadwood Acres Road to connect with Mebane Oaks Road. It will also include roadway connections to the Arbor Creek Subdivision to the west and the Garrett Crossing shopping plaza to the north.

This section of Mebane Oaks Road had an average daily traffic volume of 26,000 trips in 2021. It has a combined safety score of 56. From 2018 to 2022, there were a total of 79 crashes in this section, but none with fatal or severe injuries. North of the site, the NCDOT is currently improving Mebane Oaks Road. South of the site, the NCDOT has recently installed a traffic signal at the intersection of Mebane Oaks and Old Hillsborough.

**TRAFFIC IMPACT ANALYSIS
REQUIRED?**

YES NO

**DESCRIPTION OF RECOMMENDED
IMPROVEMENTS**

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.

With the loss of dwelling units and the addition of commercial space, the applicant revised the TIA for the development. The updates to the TIA are subject to review and approval by the NCDOT. City staff have discussed the changes with the District Engineer and no significant changes to the provided recommendations are expected.

**CONSISTENCY WITH THE MEBANE
BICYCLE AND PEDESTRIAN
TRANSPORTATION PLAN?**

YES NO

MULTIMODAL IMPROVEMENTS PROVIDED BY APPLICANT?

YES NO

DESCRIPTION OF MULTIMODAL IMPROVEMENTS

The applicant is required to construct a sidewalk for the length of the property on Mebane Oaks Road and sidewalks will be provided throughout the development. Bike racks will also be provided in accordance with UDO requirements.

STAFF RECOMMENDATION

STAFF ZONING RECOMMENDATION

APPROVE DISAPPROVE

STAFF SPECIAL USE FINDING

CONSISTENT NOT CONSISTENT.....WITH *MEBANE BY DESIGN*

RATIONALE

The proposed development “Evolve at Mebane Oaks” is consistent with the guidance provided within *Mebane By Design*, the Mebane Comprehensive Land Development Plan. The project includes an extension of Broadwood Acres Road that is consistent with the Mebane Oaks Road Small Area Plan and it is in harmony with surrounding uses.



July 11, 2023

Mr. Aden Stoltzfus, P.E.
Stoltzfus Engineering Inc.
683 Gralin Street
Kernersville, NC 27284

Subject: Evolve at Mebane Oaks – Water and Sewer System Layout

Dear Mr. Stoltzfus:

Regarding the Preliminary Site Plans for Evolve at Mebane Oaks and in accordance with the UDO, this memo indicates that I have reviewed the preliminary water and sewer system layout and find it acceptable meeting City standards based on the following:

- A. Water system – The developer proposes to connect to Mebane’s existing 12-inch water line on Mebane Oaks Road and extending a new 12-inch public water line to existing Broadwood Acres Road to the north and Longleaf Pine Place to the west with 8-inch public water lines elsewhere in public road rights-of-way. Water service to the proposed apartments will be through an 8-inch metered connection with backflow prevention installed at the meter and at each building. The anticipated water use is approximately 60,000 gallons per day. The City has adequate water capacity available to meet the project’s domestic demand and fire flow requirements.
- B. Sanitary Sewer system – The developer proposes to extend a 12-inch public sewer line from the Summit Church property through the site ending near the northern property line (to allow for further future extension by the City when it chooses to eliminate the public Wal-Mart sewer pump station). Additionally, the developer will extend 8-inch public sewer lines in new road rights-of-way to serve the proposed single family lot subdivision and 8-inch private sewer lines to serve the proposed apartments. Permitted wastewater flows are approximately 83,500 gallons per day with actual use when tributary closer to 50,000 gpd). The City has adequate wastewater capacity available at the downstream Southeast Regional Pump Station, Arbor Creek Pump Station and at the WRRF to meet this demand.

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. While this exceeds the requirements of the Accumulated Paper Flow Policy staff is agreeable to this developer request due to the number of units in each building not fitting the policy and the timing at which the developer intends to construct these buildings (earlier tributary flow at a lesser amount than accumulated permitted paper flow at a higher amount over several years).

If there are any questions, please let me know.

Sincerely,

A handwritten signature in black ink that reads "Franz K. Holt".

Franz K. Holt, P.E. City Engineer
CC: Ashley Ownbey, Dev. Director and Kyle Smith, Utilities Director



Technical Memorandum

Date: July 11, 2023

To: Ashley Ownbey, Development Director

From: Franz Holt, P.E.

Subject: Evolve at Mebane Oaks – City Engineering Department review

City Engineering has reviewed Site Plans submitted for Evolve at Mebane Oaks dated July 7, 2023, prepared by Aden Stoltzfus, P.E. with Stoltzfus Engineering Inc. Our technical review comments are as follows:

A. General Summary

1. The 60.241-acre site is proposed to be developed as single-family (96 lots), multifamily apartments (320), and includes a dedication of land to the City of Mebane for future use.
2. On-site stormwater controls are proposed to meet standard treatment requirements and exceed standard storm water detention requirements.
3. City of Mebane public water and sewer lines are accessible for extension to the proposed single-family subdivision and apartments.
4. Street Access is with a public roadway connection to Mebane Oaks Road (signalized with turn lanes), a connection to Broadwood Acres Road and Longleaf Pine Place. Street stubs are proposed to adjoining properties. The roadway network is in conformance with the small area thoroughfare plan with the extension of Broadwood Acres Road to Mebane Oaks Road. Traffic calming is provided with a roundabout centrally located within the proposed development.
5. Sidewalks are proposed on one side of all public streets within the single-family subdivision. Broadwood Acres Road extension will have a sidewalk on each side of the road. A sidewalk will also be extended along the property frontage on Mebane Oaks Road.
6. NCDOT plan approvals, driveway permits, and encroachment agreements are required for the proposed improvements at Mebane Oaks Road (S.R. 1007).

B. Availability of City Water and Sewer

Regarding the Preliminary Site Plans for Evolve at Mebane Oaks and in accordance with the UDO, this memo indicates that I have reviewed the preliminary water and sewer system layout and find it acceptable and meets City standards based on the following:



1. Water system – The developer proposes to connect to Mebane’s existing 12-inch water line on Mebane Oaks Road and extending a new 12-inch public water line to existing Broadwood Acres Road to the north and Longleaf Pine Place to the west with 8-inch public water lines elsewhere in public road rights-of-way. Water service to the proposed apartments will be through an 8-inch metered water connection with backflow prevention installed at the meter and at each building. The anticipated water use is approximately 60,000 gallons per day. The City has adequate water capacity available to meet the project’s domestic demand and fire flow requirements.
2. Sanitary Sewer system – The developer proposes to extend a 12-inch public sewer line from the Summit Church property through the site ending near the northern property line (to allow for further future extension by the City when it chooses to eliminate the public Wal-Mart sewer pump station). Additionally, the developer will extend 8-inch public sewer lines in new road rights-of-way to serve the proposed single family lot subdivision and 8-inch private sewer lines to serve the proposed apartments. Permitted wastewater flows are approximately 83,500 gallons per day with actual use when tributary closer to 50,000 gpd). The City has adequate wastewater capacity available at the downstream Southeast Regional Pump Station, Arbor Creek Pump Station and at the WRRF to meet this demand.
3. 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. While this exceeds the requirements of the Accumulated Paper Flow Policy staff is agreeable to this developer request due to the number of units in each building not fitting the policy and the timing at which the developer intends to construct these buildings (earlier tributary flow at a lesser amount than accumulated permitted paper flow at a higher amount over several years).

C. Watershed Overlay District and Phase II Stormwater Requirements

1. UDO Watershed Overlay District requirements.

These requirements in the UDO include the Back-Creek Watershed and Graham-Mebane Lake. The project is tributary to the Little Haw Creek; a Class V watershed and the Watershed Overlay District



requirements do not apply to this project. This type of watershed classification (Class V) does not have density restrictions or built upon restrictions as required for the Graham Mebane Lake watershed.

2. Phase II Stormwater Post Construction Ordinance

Sec. 5.1 in the UDO provides standards for Storm Water Management and 5.1.F requires compliance with the Mebane Post Construction Runoff Ordinance (which is a stand-alone ordinance titled the Phase II Stormwater Post Construction Ordinance (SPCO)). The standards in the UDO are general standards as the Ordinance itself provides detailed standards. The SPCO does apply to this project as more than one acre is being disturbed. Built upon areas of more than 24% require engineered stormwater controls. As this project exceeds the 24% threshold, proposed engineered stormwater controls are provided on the site plans and include fenced wet ponds (4) with detention being provided for up to a 100 yr. design storm event where post construction stormwater runoff peak discharges are no more than predevelopment discharge rates for the designed storm event.

D. Storm Drainage System

The UDO provides requirements for storm drainage systems. The site plans include a storm drainage system layout that indicates certain pipe locations, inlets, and all being directed to the engineered stormwater control devices where the stormwater runoff is treated and detained before release to downstream properties. The main drainage way crossing will be designed to carry a 100-year storm event without over topping the roadway.

E. Street Access and TIA

1. A TIA was required for this project with turn lane and signal improvement beings identified at Mebane Oaks Road (S.R. 1007). Street Access is with a public roadway connection to Mebane Oaks Road, a connection to Broadwood Acres Road and Longleaf Pine Place. Street stubs are proposed to adjoining properties. The roadway network is in conformance with the small area thoroughfare plan with the extension of Broadwood Acres Road to Mebane Oaks Road. Traffic calming is provided with a roundabout centrally located within the proposed development.



2. Sidewalks are proposed on one side of all public streets within the single-family subdivision. Broadwood Acres Road extension will have a sidewalk on each side of the road. A sidewalk will also be extended along the property frontage on Mebane Oaks Road.
3. NCDOT plan approvals, driveway permits, and encroachment agreements are required by NCDOT for the proposed improvements at Mebane Oaks Road (S.R. 1007).
4. The internal public streets will meet City of Mebane standards 31' b-b curb and gutter with 26' travel lanes and 5' wide sidewalks. Broadwood Acres extension will have a minimum of 41' b-b curb and gutter to the roundabout from Mebane Oaks Road and will include a divided median to restrict access. The divided median also provides additional traffic calming and a boulevard effect with a grass median (maintained by the development) with sidewalks on both sides of the roadway.

F. Construction Plan Submittal

The UDO requires final site construction plans to be submitted for TRC review and approval.

The traffic impact analysis (TIA) materials for this project can be accessed and downloaded through the following link:

<https://cityofmebane.sharefile.com/d-sd542d54d6e8f4a289a912365fa7bf387>.



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

May 30, 2023

ALAMANCE COUNTY

Rynal Stephenson, PE
Ramey Kemp Associates
5808 Faringdon Place
Raleigh, NC 27609

Subject: Proposed Mebane Oaks Mixed Use Located on Broadwood Acres Road
(SR 2127), Mebane Oaks Road (SR 1007), and Longleaf Pine Place (Non-System).
Review of Traffic Impact Analysis (TIA) Dated April 20, 2023.

Dear Mr. Stephenson,

NCDOT staff has completed a collaborative review with the City of Mebane of the above subject. Based on the information provided we offer the following comments with regard to the State Road network.

General:

The proposed site is located west of Mebane Oaks Road and north of Old Hillsborough Road in Mebane. The proposed site consists of 96 single family homes, 320 apartment units, and 1 police station with 35 employees and is expected to generate approximately 2,797 new daily trips upon full build out in 2026. The site access is proposed via one (1) full movement driveway along Mebane Oaks Road, one (1) connection from Broadwood Acres Road, and one (1) connection via the Arbor Creek Development.

NCDOT Committed Improvements:

The intersection of Mebane Oaks Road and Old Hillsborough Road was improved to include exclusive left-turn lanes on all approaches and a southbound right-turn lane in addition to signalization. The improvements of this intersection were considered in this analysis.

NCDOT Transportation Project I-5711 includes improvements to the interchange of I-40 and Mebane Oaks Road. The project is planned for completion in 2023. The project will widen the existing bridge at I-40, creating a 7-lane roadway between interchange ramps. A fourth leg of the Mebane Oaks Road & Garrett Crossing intersection is scheduled for

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
DIVISION 7, DISTRICT 1
PO BOX 766
GRAHAM, NC 27253-0766

Telephone: (336) 570-6833
Fax: (336) 570-6873
Customer Service: 1-877-368-4968

Location:
115 EAST CRESCENT SQUARE DRIVE
GRAHAM, NC 27253

Website: www.ncdot.gov

construction as part of the approved Mebane Oaks Road Commercial development improvements. These improvements were considered in this analysis.

Findings and Requirements:

Based on the information provided, the developer will be required to construct the following road improvements to mitigate the anticipated impacts of site traffic.

Mebane Oaks Road Corridor

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

Mebane Oaks Road and Site Access 1:

- Construct Site Access 1 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 exclusive northbound left-turn lane with a minimum 100 feet of full width storage with appropriate transitions.
- Provide an exclusive southbound right-turn lane with a minimum 100 feet of storage with appropriate deceleration taper.
- Install a traffic signal.
- Provide an internal protected stem (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 ([Mebane Oaks Road Small Area Plan - Mebane, NC \(cityofmebanenc.gov\)](http://www.cityofmebanenc.gov)).

Multi-modal and Streetscape Enhancements:

Any locally stipulated multi-modal enhancements including but not limited to sidewalk, bike lanes, bus pull offs, lighting, landscaping etc. on State maintained routes are subject to NCDOT requirements and approval through the encroachment process.

General Requirements:

It is necessary to obtain an approved driveway permit and/or encroachment agreement(s) prior to performing work on the NCDOT right of way. As a condition of the permit, the permittee shall be responsible for design and construction of the above stipulated improvements in accordance with NCDOT requirements. An approved permit will be issued upon receipt of approved site plan, roadway and signal construction plans as needed, inspection fee, and any necessary performance and indemnity bonds.

The applicant shall dedicate any additional right of way necessary to accommodate the required road improvements or future improvements as stipulated.

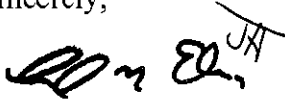
Intersection radii and geometry shall be designed to accommodate turning movements of the largest anticipated vehicle.

All pavement markings shall be long life thermoplastic. Pavement markers shall be installed if they previously existed on the roadway.

The permittee shall be responsible for the installation and relocation of any additional highway signs that may be necessary due to these improvements and shall comply with the requirements of the MUTCD.

Feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "C. N. Edwards Jr.", with a stylized flourish above the name.

C. N. Edwards Jr., PE
District Engineer

Cc: W.R. Archer, III, PE, Division Engineer
D.M. McPherson, Division Traffic Engineer
City of Mebane



Memorandum

To: Ashley Ownbey
Development Director
City of Mebane

Date: June 8, 2023

C. N. Edwards Jr., PE
District Engineer
NCDOT Highway Division 7 District 1

Project #: 39160.00, Task 18

From: Baohong Wan, PhD, PE

Re: Mebane Oaks Mixed Use Traffic Impact Analysis
Mebane, NC

A Traffic Impact Analysis (TIA) dated April 20, 2023, was prepared by Ramey Kemp Associates (RKA) for the proposed Mebane Oaks Mixed Use development in Mebane, North Carolina. Per request by the City of Mebane, VHB conducted an independent review of the Mebane Oaks Mixed Use TIA. This memo provides a list of critical findings, following by an in-depth summary of study process and analysis results of the TIA.

List of Mitigation Recommendations

The following items in **red font** should be considered in addition to mitigation measures identified within the Mebane Oaks Mixed Use TIA (in black font):

- › **Site Frontage along Mebane Oaks Road**
 - **Right-of-way (R/W) dedication and streetscape along site frontage of Mebane Oaks Road should be provided based on the City of Mebane *Comprehensive Transportation Plan* and *Bicycle and Pedestrian Transportation Plan* standards.**
 - **NCDOT requires sufficient R/W to accommodate required road improvements to mitigate traffic impacts attributable to the site based on the TIA. Additional R/W or infrastructure requirements are subject to local regulation and authority by the City of Mebane.**
- › **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 **with at least 175 feet of full width storage** and one right-turn lane as shown on the site plan.**
 - **Provide an internal protected stem (IPS) of at least 580 feet for the eastbound approach 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*.**
 - Provide an exclusive northbound left-turn lane with at least 100 feet of 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.
 - Install a traffic signal based on NCDOT and the City of Mebane's signal design standards.
- › **Mebane Oaks Road Corridor**
 - Coordinate with NCDOT to develop a coordination and timing plan for signals along Mebane Oaks Road.

VHB Engineering NC, P.C. (C-3075)

Engineers | Scientists | Planners | Designers

Venture I, 940 Main Campus Drive, Suite 500, Raleigh, North Carolina 27606

P 919.829.0328 F 919.833.0034 www.vhb.com

General Comments

Wilson Road Extension

- › The Wilson Road Extension was included in the Synchro analysis files and is shown in the TIA figures; however, the TIA report does not project traffic volumes for Wilson Road Extension. Based on site plan included for Tractor Supply, Wilson Road Extension will be made to the existing terminus to serve as a secondary access.

Trip Distribution

- › Part of site trips to and from Old Hillsborough Road will likely access the site via Sweet Gum Way rather than going through to Mebane Oaks Road via the Old Hillsborough Road intersection.

Synchro Capacity Analysis

- › The NBL movement at the I-40 WB/ I-85 SB Ramps intersection was operating with FYA protected-permitted phasing before a second turn lane was provided and phasing was altered to protected only.
- › The intersection of Old Hillsborough Road and Mebane Oaks Road was analyzed with a traffic signal with split phasing under the 2023 scenario, although the TIA stated that this intersection is under all-way stop control under the existing conditions.
- › The 2023 Existing analysis included some inconsistencies with U-turn movement and right-turn movement modeling that did not match field conditions.
- › The 2026 No-Build and 2026 Build scenarios analyze the intersection of Old Hillsborough Road and Mebane Oaks Road with a 200 second cycle length. Cycle lengths over 180 seconds are not normally recommended for TIA analysis, and the natural cycle length shown in both scenarios is significantly lower.
- › The Lost Time Adjust values at multiple intersections are not set according to the NCDOT guidance (Yellow + Red + LTA = 5 seconds).

[Issues with volume calculation and capacity analysis were noted during the TIA review process. Nevertheless, those revisions are not expected to materially change anticipated outcomes and required mitigation.](#)

Summary of TIA Assumptions and Results

Development Plan

The proposed Mebane Oaks Mixed Use development will consist of 96 single-family homes, 320 apartment units, and 1 police station with 35 employees. Site access will be provided via one (1) full movement driveway along Mebane Oaks Road, one (1) connection from Broadwood Acres Road, and one (1) connection via the Manorfield Development. The anticipated project build-out year is 2026.

Study Area and Analysis Scenarios

The TIA included capacity analyses during the weekday AM and PM peak hours under the following scenarios:

- › 2023 Existing Conditions
- › 2026 No-Build Conditions
- › 2026 Build Conditions

Through coordination with NCDOT and the City of Mebane, the following intersections were analyzed in the TIA:

- › Mebane Oaks Road and I-40 WB/ I-85 SB Ramps (signalized)
- › Mebane Oaks Road and I-40 EB/ I-85 NB Ramps (signalized)

- › Mebane Oaks Road and Brundage Lane/ Forest Oaks Lane (signalized)
- › Mebane Oaks Road and Walmart Driveway (signalized)
- › Mebane Oaks Road and Old Hillsborough Road (signalized)
- › Old Hillsborough Road and Sweet Gum Way (unsignalized)
- › Brundage Lane and Broadwood Acres Road (unsignalized)

Existing and No-Build Analysis Assumptions

2023 Existing analysis was conducted based on traffic counts collected in February 2023 during weekday AM (7 to 9 AM) and PM (4 to 6 PM) peak hours while area schools were in session.

The 2026 No-Build scenario included an annual growth rate of one percent (1%) between the existing year (2023) and the future analysis year (2026). In addition, site trips due to the following adjacent development were identified and included in the future year analyses:

- › Deep River
- › Tractor Supply
- › The Meadows
- › Summit Church
- › Meadowstone Townhomes
- › McKays Book Store

Transportation improvements associated with NCDOT TIP I-5711 (I-85/I-40 at Mebane Oaks Road interchange improvements and additional through lanes) and SM-5707B (traffic signal and turn lane improvements at Old Hillsborough Road/Mebane Oaks Road) were assumed in the future year (2026) analysis.

Trip Generation & Distribution

Trip generation potential was determined based on methodology outlined in the ITE *Trip Generation Manual, 11th Edition*. ITE Land Use Code (LUC) 210 (Single-Family Detached Housing), LUC 221 (Multifamily Housing (Mid-Rise)), and LUC 730 (Government Office Building) were used based on the NCDOT guidance. Site trips associated with the police station were calculated based on employee shifts. It is expected that 25 employees will work the day shift, and 10 employees will work the night shift; therefore, trips associated with the 10 night-shift employees were applied to the opposite peak hour. Based on the TIA, the proposed development is expected to generate 2,797 daily site trips with 247 site trips (78 entering, 169 exiting) occurring in the AM peak hour and 263 site trips (157 entering, 106 exiting) occurring in the PM peak hour.

Traffic assignment was conducted based on the following distribution:

- › 35% to/from the east via I-40 EB/ I-85 NB
- › 30% to/from the west via I-40 WB/ I-85 SB
- › 15% to/from the north via Mebane Oaks Road
- › 10% to/from the south via Mebane Oaks Road
- › 10% to/from the west via Old Hillsborough Road

Intersection Capacity Analysis Results

Capacity analyses in the TIA were conducted following the NCDOT Congestion Management Capacity Analysis Guidelines. The analysis results and mitigation determinations are summarized below for each individual intersection, while LOS and delay are reported and summarized for stop-controlled approaches at unsignalized intersections.

Mebane Oaks Road and I-40 WB/ I-85 SB Ramps (signalized)

ID	Intersection and Approach	2023 Existing		2026 No-Build		2026 Build		2026 Build with Improvements	
		AM	PM	AM	PM	AM	PM	AM	PM
1	Mebane Oaks Road and I-40 WB/ I-85 SB Ramps	C (20.3)	C (27.7)	C (23.5)	C (28.9)	C (24.9)	C (32.1)	C (25.0)	C (31.2)
	Westbound	D-46.5	D-46.5	D-51.3	D-51.0	D-50.4	E-55.0	D-50.3	D-49.9
	Northbound	B-13.9	B-18.2	B-15.1	B-15.7	B-17.6	B-19.3	B-17.1	B-17.6
	Southbound	B-15.4	C-24.5	B-18.9	C-26.5	C-20.3	C-28.2	C-21.0	C-31.4

The TIA indicated that with transportation improvements associated with NCDOT TIP I-5711, this intersection is expected to operate at LOS C during both peak hours under the 2026 conditions, with or without the proposed development. No mitigation was recommended within the TIA as the intersection is expected to operate acceptably with no delay or queueing issues with the addition of site traffic.

Mebane Oaks Road and I-40 EB/ I-85 NB Ramps (signalized)

ID	Intersection and Approach	2023 Existing		2026 No-Build		2026 Build		2026 Build with Improvements	
		AM	PM	AM	PM	AM	PM	AM	PM
2	Mebane Oaks Road and I-40 EB/ I-85 NB Ramps	C (27.8)	C (31.4)	C (26.7)	C (21.9)	C (27.0)	C (20.7)	C (23.4)	C (20.2)
	Eastbound	D-50.7	D-47.3	D-41.8	D-44.3	D-41.8	D-44.1	D-42.8	D-44.4
	Northbound	B-13.3	B-19.5	C-23.1	B-15.4	C-24.9	B-13.0	B-15.4	B-11.5
	Southbound	C-21.9	C-34.1	B-16.8	B-15.6	B-15.8	B-14.9	B-16.2	B-15.0

The TIA indicated that with transportation improvements associated with NCDOT TIP I-5711, this intersection is expected to operate at LOS C during both peak hours under the 2026 conditions, with or without the proposed development. No mitigation was recommended within the TIA as the intersection is expected to operate acceptably with no delay or queueing issues with the addition of site traffic.

Mebane Oaks Road and Brundage Lane/ Forest Oaks Lane (signalized)

ID	Intersection and Approach	2023 Existing		2026 No-Build		2026 Build		2026 Build with Improvements	
		AM	PM	AM	PM	AM	PM	AM	PM
3	Mebane Oaks Road and Brundage Lane/ Forest Oaks Lane	C (31.8)	C (30.3)	C (20.0)	B (19.1)	C (20.3)	C (20.4)	C (20.0)	B (20.0)
	Eastbound	E-68.3	E-67.6	D-52.6	D-49.2	D-53.3	D-49.2	D-53.5	D-49.2
	Westbound	F-80.9	F-82.5	D-50.6	D-47.1	D-50.2	D-48.1	D-50.8	D-48.1
	Northbound	B-16.6	B-17.3	B-14.4	B-14.1	B-15.0	B-17.3	B-15.6	B-16.4
	Southbound	C-20.5	C-22.7	A-7.7	B-10.8	A-9.1	B-11.9	A-7.7	B-11.6

The TIA indicated that with transportation improvements associated with NCDOT TIP I-5711, this intersection is expected to operate at LOS B or C during both peak hours under the 2026 conditions, with or without the proposed development. No mitigation was recommended within the TIA as the intersection is expected to operate acceptably with no delay or queueing issues with the addition of site traffic, although there is slight delay reduction under the Build with Improvements scenario, likely due to better traffic progression with signal timing re-optimization along Mebane Oaks Road.

Mebane Oaks Road and Walmart Drive (signalized)

ID	Intersection and Approach	2023 Existing		2026 No-Build		2026 Build		2026 Build with Improvements	
		AM	PM	AM	PM	AM	PM	AM	PM
4	Mebane Oaks Road and Walmart Driveway	A (9.6)	C (20.9)	B (13.8)	C (25.4)	B (13.2)	C (23.1)	A (8.7)	C (24.3)
	Eastbound	D-44.0	D-41.5	D-51.1	D-50.6	D-51.1	D-53.8	E-55.6	D-52.9
	Westbound	---	---	D-39.0	D-39.1	D-39.0	D-47.0	---	D-40.0
	Northbound	A-2.3	A-5.0	A-8.5	B-12.2	A-8.9	A-9.1	A-2.8	B-10.9
	Southbound	A-6.9	B-14.1	A-9.0	B-15.6	A-9.0	B-12.7	A-5.1	B-15.2

The TIA indicated that with transportation improvements associated with NCDOT TIP I-5711, this intersection is expected to operate at LOS B or C during both peak hours under the 2026 conditions, with or without the proposed development. No mitigation was recommended within the TIA as the intersection is expected to operate acceptably with no delay or queueing issues with the addition of site traffic, although there is slight delay changes under the Build with Improvements scenario, likely due to signal timing re-optimization along Mebane Oaks Road.

Mebane Oaks Road and Old Hillsborough Road (signalized)

ID	Intersection and Approach	2023 Existing		2026 No-Build		2026 Build		2026 Build with Improvements	
		AM	PM	AM	PM	AM	PM	AM	PM
5	Mebane Oaks Road and Old Hillsborough Road	F (211.3)	F (169.2)	C (22.6)	C (22.9)	C (23.9)	C (24.6)	C (24.4)	C (20.9)
	Eastbound	F-636.2	F-481.4	B-14.4	B-16.1	B-14.8	B-16.8	D-39.6	C-33.0
	Westbound	C-23.3	C-24.0	C-32.6	C-34.7	D-35.1	D-38.4	D-49.8	D-48.9
	Northbound	D-39.0	F-114.4	C-32.4	D-35.1	C-34.5	D-38.0	B-16.9	C-22.2
	Southbound	C-22.6	E-66.9	B-15.3	B-14.7	B-16.7	B-15.8	A-5.0	A-3.6

The TIA indicated that with transportation improvements associated with SM-5707B, this intersection is expected to operate at LOS C during both peak hours under the 2026 conditions, with or without the proposed development. The intersection is projected to operate at LOS F during both peak hours under the existing conditions, likely due to the use of split phasing along Old Hillsborough Road in the Synchro analysis. No mitigation was recommended within the TIA as the intersection is expected to operate acceptably with no delay or queueing issues with the addition of site traffic.

Old Hillsborough Road and Sweet Gum Way (unsignalized)

ID	Intersection and Approach	2023 Existing		2026 No-Build		2026 Build		2026 Build with Improvements	
		AM	PM	AM	PM	AM	PM	AM	PM
6	Old Hillsborough Road and Sweet Gum Way	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Southbound	B-12.2	B-13.7	B-13.6	C-15.5	B-13.9	C-15.9	B-13.9	C-15.9

The existing stop-controlled approach is expected to operate at LOS C or better during both peak hours under 2026 Build conditions. No mitigation was recommended within the TIA as the intersection is expected to operate acceptably with no delay or queueing issues with the addition of site traffic.

Although part of site trips to and from Old Hillsborough Road will likely access the site via Sweet Gum Way rather than going through to Mebane Oaks Road via the Old Hillsborough Road intersection, the recommendations will likely remain the same as a dedicated left-turn lane along eastbound Old Hillsborough Road is already present at this intersection.

Brundage Lane and Broadwood Acres Road (unsignalized)

ID	Intersection and Approach	2023 Existing		2026 No-Build		2026 Build		2026 Build with Improvements	
		AM	PM	AM	PM	AM	PM	AM	PM
7	Brundage Lane and Broadwood Acres Road	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Northbound	A-8.5	A-8.5	A-8.5	A-8.5	A-8.5	A-8.5	A-8.5	A-8.5

The existing stop-controlled approach is expected to operate at LOS A during both peak hours under 2026 Build conditions. No mitigation was recommended within the TIA as the intersection is expected to operate acceptably with no delay or queueing issues with the addition of site traffic.

Mebane Oaks Road and Site Drive #1 (future unsignalized)

ID	Intersection and Approach	2023 Existing		2026 No-Build		2026 Build		2026 Build with Improvements	
		AM	PM	AM	PM	AM	PM	AM	PM
8	Mebane Oaks Road and Site Drive #1	-	-	-	-	N/A	N/A	B (11.8)	A (7.4)
	Eastbound	---	---	---	---	D-31.3	E-39.0	D-53.9	D-54.7
	Northbound	---	---	---	---	---	---	A-3.1	A-2.1
	Southbound	---	---	---	---	---	---	A-4.1	A-4.8

The proposed driveway connection is expected to operate at LOS D during the AM peak hour and LOS E during the PM peak hour under 2026 Build conditions. The TIA recommended the following improvements with the construction of the site driveway along Mebane Oaks Road:

- › 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 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 the intersection. A traffic signal must be approved by NCDOT for installation.
- › Provide an internal protected stem (IPS) of at least 150 feet for the eastbound approach.

Signal warrant analysis indicates that a traffic signal is likely warranted at this intersection (meeting both Eight-Hour and Four-Hour Warrants, not meeting Peak Hour Warrant), and shifting Site Drive #1 to the south at the property boundary may be considered to achieve better intersection spacing. Nevertheless, signalization at this location is consistent with the City of Mebane’s long-term vision through Mebane Oaks Road Small Area Plan, and installation of a new traffic signal at the planned location has been approved by NCDOT during the preliminary TIA review process.

In addition to improvements associated with the new driveway connection, the TIA recommended to coordinate with NCDOT to develop a coordination and timing plan for the traffic signals along Mebane Oaks Road.



AGENDA ITEM #5E

Condemnation of 608 Giles Street

Meeting Date

August 7, 2023

Presenters

Lawson Brown, City Attorney

Cliff Ayscue, Chief Building Inspector

Public Hearing

Yes No

Photo of Property



Summary

The Inspections Department has determined that condemnation of the structure at the above location is necessary.

Background

The Inspections Department-Code Enforcement has determined by Order, dated January 12, 2022, that the premises located at the above address are unfit for human habitation, the continuation of the dwelling in its vacated and closed status would be inimical to the health, safety, morals and welfare of the City in that the dwelling will continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and deterioration of property values in the area and would render unavailable the property and the dwelling which would otherwise been available to the public for housing. The property owner has not performed any work on the dwelling in months, if not years. A prior hearing was held on July 17, 2020, at which time no one appeared. On August 7, 2020, Mr. Riley, one of the owners, advised that he is hiring an engineer to assess with a structural building plan to follow. As of this date, no submittals of such material have been submitted to the City for consideration. The City utility billings show no water or sewer service to the dwelling since 2018, when the city's current accounting system was implemented. Copies of photographs of the premises are attached. The repair, alteration and/or improvement of the premises, would cost an amount equal to or more than fifty percent (50%) of the present value of the building.

Financial Impact

The City may incur demolition and other costs in remedying the situation, which costs are generally recoverable from the property owner.

Recommendation

Staff recommends that the Council adopt an ordinance directing the Building Inspector to demolish the building and charge the costs of such demolition and clean up against the real property upon which costs were incurred as a lien as provided by law, which lien shall have the priority and be collected or foreclosed upon as provided for assessments as by law allowed.

Suggested Motion

I move that the Building Inspector as Code Enforcer 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.

Attachments

1. Notice of Hearing dated July 16, 2020
2. Notice of Hearing dated December 16, 2021
3. Letter notice Sonya Latta and Keith Riley (Keithriley@gmail.com) dated June 21, 2022
4. Photographs of premises
5. Ordinance of Condemnation



July 16, 2020

Sonya Latta
5025 Governor Martin Street
Efland NC 27243

To Whom its concern,

A complaint was received about the overall structural condition of the home located at 608 Giles St. The Inspection Department visited the site and found that the home has structural deficiencies throughout the building.

A residential building that fails to meet the requirements of the state and local codes can be declared unsafe under NC General Statute 160-426A and a notice posted on the exterior of the building stating "Every building that shall appear to the inspector to be especially dangerous to life because of its liability to fire or because of bad condition of walls, overloaded floors, defective construction, decay, unsafe wiring or heating system, inadequate means of egress, or other causes, shall be held to be unsafe, and the inspector shall affix a notice of the dangerous character of the structure to a conspicuous place on the exterior wall of the building."

This letter is to serve notice that under general statues 106A-426 of the North Carolina Law and Administration code, the building is found unsafe due to the overall structural condition of the structure and other deficiencies. The building will be posted as condemned with a copy of this letter to the exterior of the building.

Per NC General Statute 160A-426 this letter serves as written notice to you as the property owner(s) that this building has been condemned. A hearing will be held on August 4, 2020 at the Inspection Department Building located at 102 S Fifth Street at 1:00 PM. As prescribed under the NC General Statute 160A-430 you are entitled to due process in the form on an appeal. If it is you desire to appeal from this order to the City Council, you must give notice of appeal in writing to the Chief Inspector and to the City Clerk, at the address above, within 10 days of receiving this letter. NC General Statute 160A-430 states, "In the absence of an appeal, the order of the inspector shall be final."

Please feel free to contact us with questions you may have. We will be willing to work with you within the latitude of the applicable codes to address this issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Cliff Ayscue", enclosed within a large, hand-drawn oval.

Cliff Ayscue/Chief Building Inspector.



December 16, 2021

Sonya Latta
5025 Governor Martin Street
Efland NC 27243

To Whom its concern,

A complaint was received about the overall structural condition of the home located at 608 Giles St. The Inspection Department visited the site and found that the home has structural deficiencies throughout the building.

A residential building that fails to meet the requirements of the state and local codes can be declared unsafe under NC General Statute 160-426A and a notice posted on the exterior of the building stating "Every building that shall appear to the inspector to be especially dangerous to life because of its liability to fire or because of bad condition of walls, overloaded floors, defective construction, decay, unsafe wiring or heating system, inadequate means of egress, or other causes, shall be held to be unsafe, and the inspector shall affix a notice of the dangerous character of the structure to a conspicuous place on the exterior wall of the building."

This letter is to serve notice that under general statutes 106A-426 of the North Carolina Law and Administration code, the building is found unsafe due to the overall structural condition of the structure and other deficiencies. The building will be posted as condemned with a copy of this letter to the exterior of the building.

Per NC General Statute 160A-426 this letter serves as written notice to you as the property owner(s) that this building has been condemned. A hearing will be held on January 12, 2022 at the Inspection Department Building located at 102 S Fifth Street at 10:00 AM. As prescribed under the NC General Statute 160A-430 you are entitled to due process in the form on an appeal. If it is you desire to appeal from this order to the City Council, you must give notice of appeal in writing to the Chief Inspector and to the City Clerk, at the address above, within 10 days of receiving this letter. NC General Statute 160A-430 states, "In the absence of an appeal, the order of the inspector shall be final."

Please feel free to contact us with questions you may have. We will be willing to work with you within the latitude of the applicable codes to address this issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Cliff Ayscue", enclosed within a large, hand-drawn oval.

Cliff Ayscue/Chief Building Inspector.



From: [Cliff Ayscue](#)
To: [Rebecca Knight](#)
Subject: Fwd: 608 Giles Street Status - Structural Engineering Report
Date: Thursday, July 20, 2023 7:57:55 AM

Sent from my iPhone

Begin forwarded message:

From: "Cliff Ayscue" </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E68AE533E3DE4BDF8036A437C90E1FDA-CAYSCUE>
Date: May 24, 2022 at 12:00:00 PM EDT
Subject: **RE: 608 Giles Street Status - Structural Engineering Report**

Mr. Riley,

Just checking in on the status of this property.

Cliff

From: Cliff Ayscue
Sent: Thursday, March 24, 2022 3:26 PM
To: Keith Riley <keithriley@gmail.com>
Cc: Laura Crouch <lcrouch@cityofmebane.com>; sonya_latta@yahoo.com; Lawson Brown <lbrown@cityofmebane.com>
Subject: Re: 608 Giles Street Status - Structural Engineering Report

Mr. Riley,

Just checking in on the status of this property.

Cliff

Sent from my iPhone

On Feb 24, 2022, at 1:15 PM, Keith Riley <keithriley@gmail.com> wrote:

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

Good afternoon, Laura.

I hope all is well. I wanted to touch base with you regarding the status of the report for the Structural Engineering Assessment that was conducted. Due to inclement weather we had to reschedule the site visit for the property two (2) separate times. We have recently met with the Engineering firm and conducted the assessment of the property and have been promised a report. I inquired about the status of the report this morning and am currently waiting for an update, at which time I can schedule a call to review the findings with Mr. Ayscue to establish a plan forward. I am presuming this email for Mr. Ayscue is the correct one you provided to me during our previous meeting. I hope to have the updated report to share within one week adhering to the current availability of the Structural Engineer.

Please let me know if you have any questions that I might be able to readily answer at this time.

Regards,

Keith I. Riley

Licensed Realtor, The Real Estate Experts
1 Thomas Circle, Suite 700, Washington, DC 20005

240-835-0271

336-512-6462

<https://linktr.ee/KeithRiley>

keithiriley@gmail.com











**ORDINANCE FOR THE CONDEMNATION OF
608 Giles Street, MEBANE, NC**

WHEREAS, the City Building Inspector cited Sonya Latta the record owner of 608 Giles Street, Mebane, NC (herein the “Dwelling” or “Property”) on two separate occasions; and

WHEREAS, the Building Inspector ordered the property owner to repair and otherwise bring the Property in compliance with the Minimum Housing Standards; and

WHEREAS, the property owner, despite sufficient time to do so, has not brought the Property into compliance with the Standards; and

WHEREAS, the Property is vacated and closed, is deteriorated with no heat, boarded up as to the windows but not the entry doors, is inimical to the health, safety, morals and welfare of the City in that the dwelling will continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to unfit and deterioration of property value in the area and would render the property as a dwelling which would have otherwise been available for affordable housing.

NOW THEREFORE, BE IT RESOLVED that the City Council as to the Property and Dwelling located at 608 Giles Street, Mebane, NC orders that the dwelling shall be removed and demolished; and that all power and authority afforded by law, the Building Inspector or designee effectuate the purposes of Article 19, Part 6, of the NCGS 160A; and

THAT, the costs of the demolition and clean up be charged against the Property as a lien and collected in accordance with the laws authorizing the collection of assessments; and

THAT, the Inspector post the Property with a placard stating the following: “This building is unfit for human habitation; the use and occupancy of this building for human habitation is prohibited and unlawful”; and

THAT, the Building Inspector record a copy of this Ordinance in the Alamance County Registry.

THAT, provided however the Owner shall have ninety (90) days from August 7, 2023 to bring the property into compliance with the Minimum Housing Standards.

This the 7th day of August, 2023.

Ed Hooks, Mayor

ATTEST:

Stephanie W. Shaw, City Clerk

(SEAL)



AGENDA ITEM #6

Fund Balance Policy Revision

Meeting Date

August 7, 2023

Presenter

Chris Rollins, City Manager

Daphna Schwartz, Finance Director

Public Hearing

Yes No

Summary

The City Council has requested a revised Fund Balance Policy be presented for consideration.

Background

The City of Mebane's first Fund Balance Policy was adopted by the City Council over six years ago on March 6, 2017. A Fund Balance Policy provides guidelines that are intended to achieve the goals of using resources wisely while maintaining the safety and liquidity of the City's assets.

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.

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. The table below shows the minimum fund balance threshold according to the Annual Comprehensive Financial Report of each municipality.

Municipality	Fund Balance % of expenditures minimum
Holly Springs	20%
Knightdale	25%
Graham	30%
Burlington	33%
Hillsborough	33%
Carrboro	35%
Harrisburg	40%
Mebane	50%
Mount Holly	N/A
Hendersonville	N/A

The average, not including the City of Mebane, is approximately 31%. The City's current policy is 50% of operating expenditures and transfers, which equates to six months of expenditures. Reducing the policy to 33% drops the months of fund balance to four months.

Reducing the fund balance minimum will allow the City to remain financially stable and have more budgeting flexibility.

Financial Impact

There is no immediate financial impact.

Recommendation


Staff recommends the adoption of the revised Fund Balance Policy.

Suggested Motion

Motion to adopt the revised Fund Balance Policy.

Attachments

1. Fund Balance Policy (revised)

POLICY STATEMENT	
<p data-bbox="207 352 750 394">SUBJECT: Fund Balance Policy</p> 	PAGE 1 OF 3
	EFFECTIVE DATE: August 7, 2023
	SUPERSEDES: March 6, 2017, Policy
	PREPARED BY: Daphna Schwartz, Finance Director
	ADOPTED BY COUNCIL DATE: August 7, 2023

Fund Balance Policy

This Policy establishes a fund balance target for the General Fund and the Utility Fund. Fund balance and operating reserves are important to sustain financial stability in the event of emergencies, economic downturns, or other unforeseen circumstances. Fund balance is a major factor considered by bond rating agencies and lending institutions when evaluating the City’s creditworthiness.

General Fund

Fund balance is the accumulated difference between a fund’s assets and liabilities.

Based on GASB Statement 54, there may be up to five separate categories of fund balance based on the extent to which the City is bound to observe constraints imposed upon the use of the resources reported in the General Fund. An accounting distinction is made between the portions of governmental fund balance that is spendable and non-spendable. The total of the last three categories, which only include resources without a constraint on spending or for which the City itself imposes the constraint on funding, is termed unrestricted fund balance. The five categories are as follows:

Non-spendable fund balance – includes amounts that are not in a spendable form or are required to be maintained intact. Examples include inventory and prepaid items.

Restricted fund balance – includes amounts that can be spent only for the specific purposes stipulated by external resource providers either constitutionally or through enabling legislation. Examples include grants and debt proceeds. Committed fund balance – includes amounts that can be used only for specific purposes determined by a formal action of the City’s highest level of decision-making authority, which is the Board of Commissioners. Commitments

may be changed or lifted only by the Board of Commissioners taking the same formal action that imposed the commitment originally.

Assigned fund balance – comprises amounts intended to be used by the City for specific purposes. Intent can be expressed by the City Council by the approval of a budget appropriation. In governmental funds other than the general fund, assigned fund balance represents the amount that is not restricted or committed. This indicates that resources in other governmental funds are, at a minimum, intended to be used for the purpose of that fund. An example includes funds assigned by the City Council for specific capital projects.

Unassigned fund balance – is the residual classification of the general fund and includes all amounts not contained in other classifications. The City uses the term available fund balance when referring to unassigned fund balance. Available fund balance (or unassigned fund balance) is the amount that is available for appropriation for public purposes.

Utility Fund

Enterprise funds are used to account for utility operations. Enterprise funds are also known as proprietary funds and business-type funds. Enterprise funds have separate terminology for fund balance, termed net position in financial reports. The City most commonly uses the term fund balance for enterprise funds. The fund balance of all enterprise funds is designated as unrestricted fund balance (or unrestricted net position). Restricted fund balance has externally imposed limitations on use from creditors, grantors, laws/regulations, or constitutional provisions. Generally, enterprise funds are business-type funds that do not have those types of restrictions, and therefore, the fund balance is termed unrestricted. However, the fund balance of each enterprise fund is used for the operating purpose of the fund. Appropriations for non-operating purposes and transfers will be clearly indicated in the annual budget, and transfers will be subject to applicable statutory restrictions.

Objectives:

The City recognizes that it is essential to maintain an adequate unassigned fund balance to mitigate financial risk from unforeseen revenue fluctuations, unanticipated expenditures, and similar circumstances. The fund balance also provides cash flow liquidity for the City's operations. Additionally, it can be utilized for one-time expenditures with City Council approval.

Fund balance enhances short-term and long-term financial credit by helping to achieve the highest credit and bond ratings possible.

Fund balance promotes long-term financial stability by establishing clear and consistent guidelines.

Fund balance will provide funding flexibility during unanticipated emergencies and natural disasters.

Guidelines:

- The City will maintain reserves required by law, ordinance, and/or bond covenants.
- The North Carolina Local Government Commission prescribes that a minimum of at least eight (8) percent of annual budgeted expenditures be maintained for unassigned/unreserved fund balance. Higher levels may be set based on the current operating needs of the individual fund and future funding needs.
- The City's goal is to have an unrestricted fund balance for the General Fund and unrestricted net position in the Utility Fund of thirty-three percent (33%) of annual budgeted expenditures and transfers for each fund.
- All expenditures drawn from fund balance will require City Council approval unless previously authorized by the Council for expenditure within the City's annual budget.

Suppose the Annual Comprehensive Financial Report indicates the fund balance percentage fell below the threshold. In that case, the City Manager shall inform the City Council of this fact and, unless directed otherwise, shall prepare and submit a plan for expenditure reductions and/or revenue increases to restore fund balance to this level within three years. The City Council may take such action(s) necessary or expedient to restore the unrestricted fund balance to the levels set forth herein within three (3) years or within such time as the Council deems prudent under the circumstances.

Any fund balance in excess of the lower threshold limits set forth herein shall either be set aside for future capital improvements or for such purpose(s) as the City Council deems proper and prudent.

This Policy may be modified by action of the City Council.



AGENDA ITEM #7

Financing proposal for Rolling Stock

Meeting Date

August 7, 2023

Presenter

Daphna Schwartz, Finance Director

Public Hearing

Yes No

Summary

In response to a proposal request, the City has received bids for financing the purchase of rolling stock. Staff is making a recommendation based on these proposals, and the attached resolution approving the financing terms requires City Council approval.

Background

The Council approved the FY23-24 Budget Ordinance on June 5, which included debt financing for rolling stock of \$2,097,500. This amount includes the Fire Engine ordered in May 2023. The Finance Director requested proposals for installment financing to purchase rolling stock. Two institutions responded, as shown below. The rates presented are representative of the current rate environment, and the staff recommends approval. The financing will result in annual debt payments; no tax rate increase is expected.

Financial Impact

Proposals requested were for 5-year bank-qualified (BQ) terms with level principal payments. American National Bank & Trust Company offered the lowest rate with no additional fees and therefore is the recommended financing institution.

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

Debt payments would begin in February 2024, with one payment (\$262,817) occurring during the current FY23-24 budget. Due to declining interest payments, future payments will start at \$509,195 per fiscal year and become less each year. The final payment in FY28-29 will be 214,998.99. This debt will not cause a tax rate increase.

Recommendation

Staff recommends the adoption of the resolution approving the issuance and terms of the financing agreement.

Suggested Motion

Motion to adopt the resolution approving the issuance and financing agreement with American National Bank & Trust Company.

Attachments

1. Resolution approving financing terms.

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).

6. 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.

Motion by: _____

Second by: _____

Mayor: _____

ATTEST:

City Clerk



AGENDA ITEM #8

Resolution Supporting an Application to the Local Government Commission and Selection of a Lending Institution for Revenue Bonds for the Elevated Water Storage Tank

Meeting Date

August 7, 2023

Presenter

Chris Rollins, City Manager

Daphna Schwartz, Finance Director

Ted Cole, Senior VP Davenport & Company LLC

Bob Jessup, Sandford Holshouser

Public Hearing

Yes No

Summary

The City has solicited proposals to finance the elevated storage tank project for \$4,372,000. 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.

Background

The City of Mebane currently has a 300,000-gallon elevated storage tank located on Eleventh Street. While the current tank meets regulatory requirements, it is too small to equalize projected water demands and sustain fire flows. The water plant currently compensates for the lack of elevated storage capacity by taking advantage of surplus pumping capacity. The City of Mebane purchased property at 1500 S Third Street after preliminary siting. The ground elevation of the site is approximately 660-664 feet. Preliminary estimates suggest the new tank will be approximately 185 feet high to match the overflow elevation of the existing tank. The new tank will be fed from an existing 12-inch water main in the right of way of S Third Street.

On August 1, 2022, the City Council awarded Hazen & Sawyer the engineering contract for the project.

Financial Impact

The City has solicited proposals from over 50 National, Regional, and Local lending institutions to provide this financing. The three responses came from Capital One Public Funding, LLC, Truist Bank, and Webster Bank. A summary of rates are provided below:

Lender	Rate Lock	15-Year Option	20-Year Option
Capital One Public Financing, LLC	The rate is locked through closing on October 17, 2023, if the proposal is accepted by August 8, 2023.	4.42%	4.46%
Truist Bank ¹	The rate is locked through the closing of October 17, 2023.	A. 4.88% B. 4.97% C. 5.26%	A. 4.909% B. 5.02% C. 5.36%
Webster Bank	The interest rates quoted are valid through August 25, 2023, if accepted by August 8, 2023. The rates can be locked for a maximum of 30 days. For a mid-October closing, updated rates can be provided and locked in mid-September.	4.31%	4.55%

¹ Note, Truist provided interest rate options A, B, and C, which are identified by different par amount ranges. Option A rates are quoted for a par amount of up to \$7,025,000. Option B rates are quoted for a par amount of up to \$4,372,010, and Option C rates are quoted for a par amount of up to \$2,000,000.

Capital One Public Financing, LLC provided the lowest fixed interest rates that were able to be locked in through closing. The 20-year term provides the most flexibility because the yearly payments are lower, and the City can prepay the loan after 8/1/2033 at par. Annual debt payments will be, on average, \$348,195 per year for 20 years, starting in the fiscal year 2024-2025 and ending in the fiscal year 2043-2044. The interest rate on bonds is 4.46%.

The final issuance of the revenue bonds is subject to the LGC's approval and this Council's subsequent approval. Some of the financing proceeds may represent reimbursement to the City for prior expenditures on project costs, and the City may also use financing proceeds to pay financing costs.

Recommendation

Staff recommends the adoption of the resolution to include the application to the Local Government Commission and the financing through Capital One Public Financing, LLC.

Suggested Motion

Motion to adopt the attached 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.

Attachments

1. Resolution
2. Davenport Public Finance Report
3. Elevated Water Storage Tank renderings.



Resolution making a preliminary determination to issue City revenue bonds in an estimated amount of \$4,372,000 for the new water tank and supporting an application to the Local Government Commission

Introduction –

The City has committed to a plan to acquire and construct a new water storage tank. The City has made a tentative determination to issue revenue bonds to finance some of the City's project costs. Revenue bonds are not secured by the City's taxing power or any physical collateral, but instead by a pledge of the net operating revenues of the City's water and sewer system.

State law requires that the North Carolina Local Government Commission approve the City's issuance of the revenue bonds (the LGC is a division of the State Treasurer's office). Under the LGC's guidelines, this governing body must make certain findings of fact to support the City's application for the LGC's approval of the bonds.

THEREFORE, BE IT RESOLVED by the City Council of the City of Mebane, North Carolina, that the City makes a preliminary determination to finance a portion of the City's project costs through by issuing water and sewer revenue bonds in an amount estimated as approximately \$4,372,000.

The City has solicited proposals from banks and other financial institutions to provide the financing. City staff recommends, and the Council approves, a proposal from Capital One Public Funding, LLC. to provide 20-year financing for the project. The final details of the financing, and the financing documents, are subject to this Council's further approval at a later meeting.

The final issuance of the bonds is also subject to the LGC's approval. Some of the financing proceeds may represent reimbursement to the City for prior expenditures on project costs, and the City may also use additional financing proceeds to pay financing costs or project costs as necessary.

BE IT FURTHER RESOLVED that the City Council makes the following findings of fact:

1. The project is necessary and appropriate for the City under all the circumstances. The project will increase the storage capacity and efficiency of the City's water system to the benefit of the City, its residents and the system's customers.

2. The project is feasible. The City believes that the customer utility bills that will be necessary

to provide for bond payments will be reasonable under all the circumstances. The City has secured over \$2,500,000 in grants to pay additional project costs.

3. The City’s debt management procedures and policies are sound and in compliance with law, and the City is not in default under any of its debt service obligations.

4. The City will be able to market the bonds at reasonable rates of interest. The City will closely review proposed lending rates against market rates with guidance from the LGC and the City’s financial advisor. All amounts financed will reflect either approved contracts, professional estimates or previous actual expenditures.

BE IT FURTHER RESOLVED as follows:

(a) The Council directs the City Manager, the Finance Director and all other City officers and representatives to take all appropriate steps toward the completion of the financing, including completing an application to the LGC for its approval of the bonds.

(b) The City intends that the adoption of this resolution will be a declaration of the City’s official intent to reimburse preliminary project expenditures from bond proceeds. The City intends that funds that have been advanced for project costs, or which may be so advanced, from the City’s water and sewer utility funds, or any other City funds, may be reimbursed from the financing proceeds.

(c) The Council directs all City officers and employees to take all such further action as they may consider necessary or desirable in furtherance of the purposes of this resolution. The Council ratifies all prior actions of City officers and employees in this regard.

(d) This resolution takes effect immediately.

I certify as follows: that the foregoing resolution was properly adopted at a meeting of the City Council of the City of Mebane, North Carolina; that this meeting was properly called and held on August 7, 2023; that a quorum was present and acting throughout the meeting; and that this resolution has not been modified or amended, and remains in full effect as of today.

WITNESS my signature and the seal of the City of Mebane, North Carolina, this _____ day of _____, 2023.

[SEAL]

City Manager
City of Mebane, North Carolina

To City of Mebane, North Carolina
From Davenport & Company LLC
Date August 7, 2023
Subject 2023 Revenue Bond RFP Summary

Background

Davenport & Company LLC (“Davenport”), on behalf of the City of Mebane, NC (the “City”), distributed a Request for Proposals (“RFP”) to secure a commitment for a Direct Bank Loan evidenced by a Combined Utilities Revenue Bond to fund a new Elevated Water Tank and to pay related financing costs.

The RFP was distributed to over 50 National, Regional, and Local lending institutions. After the initial distribution, Davenport reached out to the potential bidders to assess their interest in the financing and address any questions they had.

As part of the RFP process, responding institutions were asked to provide Tax-Exempt interest rates with both 15-year and 20-year amortization terms. Based on discussion with City Staff / Bond Counsel, it was determined that the 20-year term was the preferred option.

RFP Responses

Through this process, the City was able to secure three responses to the RFP, including:

1. Capital One Public Funding, LLC (“Capital One”);
2. Truist Bank (“Truist”);
3. Webster Bank (“Webster”);

The following pages contain a summary of the key terms and conditions for the responses received.

August 7, 2023

Discussion Points

1. Interest Rate

A summary of the interest rates proposed by the three bidders is outlined in Table 1 below. All interest rates are fixed through final maturity, but only Capital One and Truist provided rates that could be locked in through closing. The Webster proposal would require a rate refresh 30 days prior to closing (i.e. mid-September).

Table 1: Summary of Interest Rates

A	B	C	D
Lender	Rate Lock	15-Year Option	20-Year Option
1 Capital One Public Funding, LLC	Rate is locked through a closing October 17, 2023 if proposal is accepted by August 8, 2023.	4.42%	4.46%
2 Truist Bank ¹	Rate is locked through a closing of October 17, 2023.	A.) 4.88% B.) 4.97% C.) 5.26%	A.) 4.909% B.) 5.02% C.) 5.36%
3 Webster Bank	The interest rates quoted are valid through August 25, 2023, if accepted by August 8, 2023. The rates can be locked for a maximum of 30 days. For a mid-October closing, updated rates can be provided and locked in mid-September.	4.31%	4.55%

¹ Note, Truist provided interest rate options A, B and C, which are identified by different par amount ranges. Option A rates are quoted for a par amount of up to \$7,025,000, Option B rates are quoted for a par amount of up to \$4,372,010, and Option C rates are quoted for a par amount of up to \$2,000,000.

The remainder of the memo will focus on the Capital One proposal, which provided the lowest fixed interest rates that were able to be locked in through closing.

August 7, 2023

2. Prepayment Provisions – Prepayment provisions offered by Capital One are shown in Table 2 below.

Table 2: Summary of Prepayment Provisions

Lender	Prepayment Provisions
Capital One	The loan will be prepayable in whole or in part on any date upon thirty (30) days prior written notice to the lender.
	<u>15-Year Term</u> : Prepayable after 8/1/2031 at par.
	<u>20-Year Term</u> : Prepayable after 8/1/2033 at par.
	Capital One will allow partial prepayment once per year from any source in an amount not exceeding \$1,000,000 to be applied in pro-rata or inverse order that can be made prior to the call dates listed above.

3. Estimated Debt Service

A summary comparison of the estimated debt service payments (Principal & Interest) for the Capital One 15-year and 20-year term options, and the current Feasibility Projections, is shown in Table 3 below.

Table 3: Estimated Annual Debt Service (All options assume a \$4,548,000 borrowing amount)

	A	B	C	D
	Lender	Capital One	Capital One	Current Feasibility Projections
	Financing Description	15-Year Option	20-Year Option	
4	Call Provisions	8-Year Par Call	10-Year Par Call	
5	Interest Rate	4.42%	4.46%	5.00%
7	Fiscal Year	Debt Service*	Debt Service*	Debt Service*
8	2025	\$ 420,306	\$ 348,339	\$ 365,477
9	2026	419,756	348,593	365,225
10	2027	420,303	348,613	364,800
11	2028	420,363	348,321	365,000
12	2029	419,938	347,717	364,800
13	2030	420,004	347,778	365,175
14	2031	420,517	348,460	365,100
15	2032	420,456	347,763	364,575
16	2033	419,820	348,665	364,575
17	2034	420,566	348,143	365,050
18	2035	419,670	348,197	364,975
19	2036	420,112	347,805	365,325
20	2037	419,846	347,945	365,075
21	2038	419,852	348,572	365,200
22	2039	420,083	347,686	364,675
23	2040	-	348,265	365,450
24	2041	-	348,264	364,500
25	2042	-	347,684	364,800
26	2043	-	348,478	365,275
27	2044	-	348,604	364,900
28	Total	\$ 6,301,592	\$ 6,963,894	\$ 7,299,952

* Preliminary and subject to change.

August 7, 2023

Recommendation

Based upon our review of the proposals, related analyses, and discussions with City Staff and Bond Counsel, Davenport recommends 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.

Next Steps

- | | |
|-----------------------------|--|
| August 7 th | City Council Meeting – City Council considers approval of winning lender and considers adopting a Preliminary Resolution. |
| October 2 nd | City Council Meeting – City Council considers adopting a Final Approving Resolution, considers adopting a Bond Order and considers adopting a Bond Resolution. |
| October 3 rd | LGC approves financing. |
| By October 17 th | Deadline to Close on Financing. |

August 7, 2023

Appendix

2023 Revenue Bond – Bid Summary

City of Mebane, North Carolina



August 7, 2023



Bank Loan RFP Overview

- An RFP for a Direct Bank Loan financing was distributed on June 28, 2023 to over 50 National, Regional and Local lending institutions to fund a new Elevated Water Tank and to pay related financing costs.
- After the initial distribution, Davenport reached out to the potential bidders to assess their interest in the financing and address any questions they had.
- Responding institutions were asked to provide proposals for a Combined Utilities Revenue Bond, Series 2023 (“2023 Revenue Bond”) in an amount of up to \$7,000,000 with either 15-year or 20-year terms, and the option of a one-year interest only period.
 - The current estimated project cost for the Elevated Water Tank is \$7,025,000. The City has been awarded \$2,652,990 of grant funding to be applied to the project, with the remaining \$4,372,010 to be funded through the 2023 Revenue Bond.
- The City received 3 proposals from the following banks:
 - Capital One Public Funding (“Capital One”)
 - Truist Bank (“Truist”)
 - Webster Bank (“Webster”)
- A summary of all proposals received is shown on the following page. Based upon our review of the interest rates received, the Capital One and Webster proposals provided the lowest fixed interest rate associated with each option. The remainder of this presentation will focus on these proposals.



Summary of Interest Rates

Bank Proposals

A	B	C	15-Year Option		20-Year Option	
			D	E	F	G
Lender	Rate Lock	Call Provisions	Option 1 No Interest Only	Option 2 One Year Interest Only	Option 1 No Interest Only	Option 2 One Year Interest Only
1 Capital One Public Funding, LLC	Rate is locked through a closing October 17, 2023 if proposal is accepted by August 8, 2023.	15-Year Term: Prepayable in whole or in part on any date after 8/1/31 at par 20-Year Term: Prepayable in whole or in part on any date after 8/1/33 at par	4.42%	4.43%	4.46%	4.47%
2 Truist Bank ¹	Rate is locked through a closing of October 17, 2023.	The Borrower will pay to the Lender prepayment compensation in connection with any prepayment of the Loan based on the Lender's standard break-funding terms for fixed rate loans.	A.) 4.88% B.) 4.97% C.) 5.26%	A.) 4.88% B.) 4.97% C.) 5.26%	A.) 4.909% B.) 5.02% C.) 5.36%	A.) 4.909% B.) 5.02% C.) 5.36%
3 Webster Bank	The interest rates quoted are valid through August 25, 2023, if accepted by August 8, 2023. The rates can be locked for a maximum of 30 days. For a mid-October closing, updated rates can be provided and locked in mid-September. The rates will be indexed to the 10-year US Treasury Constant Maturity as follows: 15 year: (3.86% + 1.60%) * .79 = 4.31% 20 year: (3.86% + 1.90%) * .79 = 4.55%	15-Year Term: Prepayable after Year 4 on any date in whole or in part with a 1% Penalty in years 5-6 and par thereafter. 20-Year Term: Prepayable after Year 5 on any date in whole or in part with a 1% Penalty in years 6-8 and par thereafter.	4.31%	4.31%	4.55%	4.55%

¹ Note, Truist provided interest rate options A, B and C, which are identified by different par amount ranges. Option A rates are quoted for a par amount of up to \$7,025,000, Option B rates are quoted for a par amount of up to \$4,372,010, and Option C rates are quoted for a par amount of up to \$2,000,000.

Summary of Bids

Capital One & Webster



A	B	C	D	E
Lender	Capital One Public Funding		Webster Bank	
Term	15-Year Term	20-Year Term	15-Year Term	20-Year Term
1 Interest Rates	No Interest Only: 4.42% One Year Interest Only: 4.43%	No Interest Only: 4.46% One Year Interest Only: 4.47%	No Interest Only: 4.31%* One Year Interest Only: 4.31%*	No Interest Only: 4.55%* One Year Interest Only: 4.55%*
2 Prepayment Language	<p>Prepayable in whole or in part on any date upon thirty (30) days prior written notice to the lender.</p> <p>15-Year Term: Prepayable after 8/1/31 at par.</p> <p>20-Year Term: Prepayable after 8/1/33 at par.</p> <p>COPF will allow partial prepayment once per year from any source in an amount not exceeding \$1,000,000 to be applied in pro-rata or inverse order.</p>		<p>15-Year Term: No call in years 1-4, then prepayable in whole or in part, on any date at 101% in years 5-6, then prepayable at par thereafter.</p> <p>20-Year Term: No call in years 1-5, then prepayable in whole or in part, on any date at 101% in years 6-8, then prepayable at par thereafter.</p> <p>Partial Prepayments will be applied inverse order.</p> <p>Webster Bank will allow a one time extraordinary redemption to be made with Grant Proceeds/state or federal appropriations, not to exceed \$3,500,000, within two years of closing, and can be made on a pro-rata basis.</p>	
3 Acceptance / Rate Expiration	August 8th / October 17th		The interest rates quoted are valid through August 25, 2023, if accepted by August 8, 2023. The rates can be locked for a maximum of 30 days. For a mid-October closing, updated rates can be provided and locked in mid-September.	
4 Bank Fees	None		None	
5 Escrow/Project Fund Requirements	Proceeds can be disbursed to the Bond Trustee at closing, and the City can direct funds however they choose.		Proceeds can be disbursed to the Bond Trustee at closing, and the City can direct funds however they choose.	
6 Credit Approval	Subject to final credit approval.		Preliminary approval subject to final documentation.	
7 Lender's Counsel	Pope Flynn (Matt Davis)		Gilmore & Bell (Janelle Jackson & Jason Schurke)	
8 Other Considerations	-Upon request, as soon as available, the Borrower shall send COPF a copy of its audited financial statements as of the end of the fiscal year.		-If the final par amount of the Revenue Bond falls below \$3,000,000, a change in interest rate would be triggered. Additionally, Webster Bank has the approved rate valid for up to a 10% increase in par amount. Anything over would need an extended approval.	

*Rates provided by Webster Bank are valid through a closing on August 25th, if accepted by August 8th. Updated interest rates would be provided no more than 30 days prior to closing.



Debt Service Comparison

Capital One & Webster

A	15-Year Options				20-Year Options				20-Year Term
	B	C	D	E	F	G	H	I	
Lender	Capital One Public Funding		Webster Bank		Capital One Public Funding		Webster Bank		Current Feasibility Projections
Financing Description	No Interest Only	One Year Interest Only	No Interest Only	One Year Interest Only	No Interest Only	One Year Interest Only	No Interest Only	One Year Interest Only	
Call Provisions	8-Year Par Call		Noncallable Years 1-4; 101% Years 5-6; Par thereafter.		10-Year Par Call		Noncallable Years 1-5; 101% Years 6-8; Par thereafter.		
Interest Rate	4.42%	4.43%	4.31%	4.31%	4.46%	4.47%	4.55%	4.55%	5.00%
Interest Rate Lock	7/26/2023	7/26/2023	Refer to Summary	Refer to Summary	7/26/2023	7/26/2023	Refer to Summary	Refer to Summary	
Sources of Funds									
Par Amount*	\$ 4,548,000	\$ 4,548,000	\$ 4,548,000	\$ 4,548,000	\$ 4,548,000	\$ 4,548,000	\$ 4,548,000	\$ 4,548,000	\$ 4,548,000
Grant Funding*	2,652,990	2,652,990	2,652,990	2,652,990	2,652,990	2,652,990	2,652,990	2,652,990	2,652,990
Total	\$ 7,200,990	\$ 7,200,990	\$ 7,200,990	\$ 7,200,990	\$ 7,200,990	\$ 7,200,990	\$ 7,200,990	\$ 7,200,990	\$ 7,200,990
Uses of Funds									
Project Fund*	\$ 7,025,000	\$ 7,025,000	\$ 7,025,000	\$ 7,025,000	\$ 7,025,000	\$ 7,025,000	\$ 7,025,000	\$ 7,025,000	\$ 7,025,000
Cost of Issuance*	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000
Bank Fees*	-	-	-	-	-	-	-	-	-
Additional Proceeds*	990	990	990	990	990	990	990	990	990
Total	\$ 7,200,990	\$ 7,200,990	\$ 7,200,990	\$ 7,200,990	\$ 7,200,990	\$ 7,200,990	\$ 7,200,990	\$ 7,200,990	\$ 7,200,990
Closing Date*	10/12/2023	10/12/2023	10/12/2023	10/12/2023	10/12/2023	10/12/2023	10/12/2023	10/12/2023	10/12/2023
First Interest Payment	8/1/2024	8/1/2024	8/1/2024	8/1/2024	8/1/2024	8/1/2024	8/1/2024	8/1/2024	8/1/2024
First Principal Payment	8/1/2024	8/1/2025	8/1/2024	8/1/2025	8/1/2024	8/1/2025	8/1/2024	8/1/2025	8/1/2025
Final Maturity	8/1/2038	8/1/2038	8/1/2038	8/1/2038	8/1/2043	8/1/2043	8/1/2043	8/1/2043	8/1/2043
Debt Service*									
Fiscal Year									
2025	\$ 420,306	\$ 262,479	\$ 416,813	\$ 255,369	\$ 348,339	\$ 264,849	\$ 350,701	\$ 269,589	\$ 365,477
2026	419,756	436,160	416,886	432,804	348,593	354,831	350,722	357,431	365,225
2027	420,303	436,285	416,628	433,136	348,613	355,724	350,693	357,264	364,800
2028	420,363	435,922	416,918	432,995	348,321	355,282	351,322	357,757	365,000
2029	419,938	436,049	416,734	432,380	347,717	355,504	350,609	357,885	364,800
2030	420,004	435,645	417,053	432,269	347,778	355,368	351,533	357,650	365,175
2031	420,517	435,688	416,856	432,619	348,460	354,875	351,070	358,028	365,100
2032	420,456	436,132	417,120	432,409	347,763	355,002	351,220	357,019	364,575
2033	419,820	435,956	416,824	432,617	348,665	354,727	350,961	357,600	364,575
2034	420,566	436,138	416,946	432,221	348,143	355,027	351,270	357,727	365,050
2035	419,670	435,655	417,442	432,201	348,197	354,880	351,123	357,398	364,975
2036	420,112	435,485	417,293	432,512	347,805	355,264	351,499	357,592	365,325
2037	419,846	435,585	416,497	433,113	347,945	355,156	351,374	357,285	365,075
2038	419,852	435,909	417,011	432,981	348,572	355,534	350,749	357,455	365,200
2039	420,083	435,436	416,792	432,116	347,686	355,376	350,600	357,079	364,675
2040	-	-	-	-	348,265	355,659	350,883	357,134	365,450
2041	-	-	-	-	348,264	355,360	350,574	357,575	364,500
2042	-	-	-	-	347,684	355,459	350,651	357,379	364,800
2043	-	-	-	-	348,478	354,931	351,069	357,524	365,275
2044	-	-	-	-	348,604	354,755	350,803	357,963	364,900
Total	\$ 6,301,592	\$ 6,364,523	\$ 6,253,813	\$ 6,311,740	\$ 6,963,894	\$ 7,013,564	\$ 7,019,425	\$ 7,062,332	\$ 7,299,952

* Preliminary and subject to change.



Recommendation and Next Steps

Recommendation

- To Be Discussed

Next Steps

Date	Task
July 31 st at 2:00pm	Conference Call to discuss bids and determine a recommended winning bidder
August 7 th at 6:00pm	City Council Meeting <ul style="list-style-type: none">▪ City Council considers approval of winning lender▪ City Council considers adopting a Preliminary Resolution
By August 18 th	Submit Joint Legislative Committee Letter
By August 29 th	Construction Bids in Hand
By September 5 th	Deadline to Submit LGC Application
October 2 nd at 6:00pm	City Council Meeting <ul style="list-style-type: none">▪ City Council considers adopting a Final Approving Resolution▪ City Council considers adopting a Bond Order and Bond Resolution
October 3 rd	LGC Considers approving the financing
By October 17 th	Close on Direct Bank Loan
December 7 th	Deadline to begin construction under EDA Grant terms

Municipal Advisor Disclosure



The enclosed information relates to an existing or potential municipal advisor engagement.

The U.S. Securities and Exchange Commission (the "SEC") has clarified that a broker, dealer or municipal securities dealer engaging in municipal advisory activities outside the scope of underwriting a particular issuance of municipal securities should be subject to municipal advisor registration. Davenport & Company LLC ("Davenport") has registered as a municipal advisor with the SEC. As a registered municipal advisor Davenport may provide advice to a municipal entity or obligated person. An obligated person is an entity other than a municipal entity, such as a not for profit corporation, that has commenced an application or negotiation with an entity to issue municipal securities on its behalf and for which it will provide support. If and when an issuer engages Davenport to provide financial advisory or consultant services with respect to the issuance of municipal securities, Davenport is obligated to evidence such a financial advisory relationship with a written agreement.

When acting as a registered municipal advisor Davenport is a fiduciary required by federal law to act in the best interest of a municipal entity without regard to its own financial or other interests. Davenport is not a fiduciary when it acts as a registered investment advisor, when advising an obligated person, or when acting as an underwriter, though it is required to deal fairly with such persons.

This material was prepared by public finance, or other non-research personnel of Davenport. This material was not produced by a research analyst, although it may refer to a Davenport research analyst or research report. Unless otherwise indicated, these views (if any) are the author's and may differ from those of the Davenport fixed income or research department or others in the firm. Davenport may perform or seek to perform financial advisory services for the issuers of the securities and instruments mentioned herein.

This material has been prepared for information purposes only and is not a solicitation of any offer to buy or sell any security/instrument or to participate in any trading strategy. Any such offer would be made only after a prospective participant had completed its own independent investigation of the securities, instruments or transactions and received all information it required to make its own investment decision, including, where applicable, a review of any offering circular or memorandum describing such security or instrument. That information would contain material information not contained herein and to which prospective participants are referred. This material is based on public information as of the specified date, and may be stale thereafter. We have no obligation to tell you when information herein may change. We make no representation or warranty with respect to the completeness of this material. Davenport has no obligation to continue to publish information on the securities/instruments mentioned herein. Recipients are required to comply with any legal or contractual restrictions on their purchase, holding, sale, exercise of rights or performance of obligations under any securities/instruments transaction.

The securities/instruments discussed in this material may not be suitable for all investors or issuers. Recipients should seek independent financial advice prior to making any investment decision based on this material. This material does not provide individually tailored investment advice or offer tax, regulatory, accounting or legal advice. Prior to entering into any proposed transaction, recipients should determine, in consultation with their own investment, legal, tax, regulatory and accounting advisors, the economic risks and merits, as well as the legal, tax, regulatory and accounting characteristics and consequences, of the transaction. You should consider this material as only a single factor in making an investment decision.

The value of and income from investments and the cost of borrowing may vary because of changes in interest rates, foreign exchange rates, default rates, prepayment rates, securities/instruments prices, market indexes, operational or financial conditions or companies or other factors. There may be time limitations on the exercise of options or other rights in securities/instruments transactions. Past performance is not necessarily a guide to future performance and estimates of future performance are based on assumptions that may not be realized. Actual events may differ from those assumed and changes to any assumptions may have a material impact on any projections or estimates. Other events not taken into account may occur and may significantly affect the projections or estimates. Certain assumptions may have been made for modeling purposes or to simplify the presentation and/or calculation of any projections or estimates, and Davenport does not represent that any such assumptions will reflect actual future events. Accordingly, there can be no assurance that estimated returns or projections will be realized or that actual returns or performance results will not materially differ from those estimated herein. This material may not be sold or redistributed without the prior written consent of Davenport.

Version 1.1.23 TS | MB | TC

August 7, 2023

The U.S. Securities and Exchange Commission (the “SEC”) has clarified that a broker, dealer or municipal securities dealer engaging in municipal advisory activities outside the scope of underwriting a particular issuance of municipal securities should be subject to municipal advisor registration. Davenport & Company LLC (“Davenport”) has registered as a municipal advisor with the SEC. As a registered municipal advisor Davenport may provide advice to a municipal entity or obligated person. An obligated person is an entity other than a municipal entity, such as a not for profit corporation, that has commenced an application or negotiation with an entity to issue municipal securities on its behalf and for which it will provide support. If and when an issuer engages Davenport to provide financial advisory or consultant services with respect to the issuance of municipal securities, Davenport is obligated to evidence such a financial advisory relationship with a written agreement.

When acting as a registered municipal advisor Davenport is a fiduciary required by federal law to act in the best interest of a municipal entity without regard to its own financial or other interests. Davenport is not a fiduciary when it acts as a registered investment advisor, when advising an obligated person, or when acting as an underwriter, though it is required to deal fairly with such persons.

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Mebane





Meb

STOP

MAPLE
LANE



AGENDA ITEM #9

Voluntary Annexation Agreement- 319 Tate Avenue

Meeting Date

August 7, 2023

Presenter

Lawson Brown, City Attorney

Public Hearing

Yes No

Summary

BEC Enterprises, Inc., owner of 319 Tate Avenue, has requested annexation into the City for the foregoing property and, by City policy have signed an annexation agreement and a petition for annexation.

Background

The individual property at 319 Tate Avenue is in the historic West End (where fewer than fifty percent of the immediate neighborhood have requested annexation) and is currently served by City sewer services and water services on certain streets. The individual property does not have access to City general fund services, being located outside the City's corporate limits. The owner desires to build a house on the individual property at that address and to avail the property of City water and sewer services. Per the City, Voluntary Annexation Policy, adopted June 6, 2022, (Section E, subsection 3; Section F, subsection 2) property owners desiring to avail themselves of utility service may apply for annexation which the City will consider on a case-by-case basis. 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.

Financial Impact

N/A

Recommendation

Staff recommends that the Council accept the petition but defer annexation provided that the owners of the property record the City's signed standard Annexation Agreement per the June 6, 2022, policy. Staff further recommends that City utility services be made available to the individual property.

Suggested Motion

I move that the City 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. I further move that the City allow access to the City utility services per the Voluntary Annexation Policy.

Attachments

1. Petition for Annexation and Annexation Agreement
2. Annexation Policy adopted by Council June 6, 2022

STATE OF NORTH CAROLINA
COUNTY OF Alamance

**PETITION FOR ANNEXATION OF PROPERTY TO
THE CITY OF MEBANE, NORTH CAROLINA**

PART 1. The undersigned, being all the owners of the real property described in this application (Attachment A, hereinto "the Property") respectfully requests the annexation of said property into the City of Mebane ("City"), North Carolina. The petitioners understand and agree that all utilities within the annexed area shall be installed according to the City Ordinances and Policies and any utilities that must be extended to the annexed area are the responsibility of the undersigned or successive property owners. The property to be annexed is:

- A. _____ **CONTIGUOUS AND/OR INFILL** to the present corporate limits of the City, North Carolina pursuant to N.C.G.S. §160A-31 et seq., or
- B. **NON-CONTIGUOUS** to the municipal limits of the City, North Carolina, not closer to the limits of any other municipality and is located within three (3) miles of the municipal limits of the City, North Carolina pursuant to N.C.G.S. § 160A-58.1 et seq.

The Property to be annexed is more particularly described in Attachment "A" and said Attachment "A" is expressly made a part hereof.

PART 2. This Petition for Annexation is made pursuant to an agreement with the City whereby the Petitioner(s) are being allowed to extend City water and/or sewer service to the described property.

PART 3. In consideration of said agreements, Petitioner(s) agree that this Petition for Annexation shall be irrevocable in perpetuity, notwithstanding that all or a portion of the described properties may be conveyed to third parties. Petitioner(s) agree that any such conveyances shall be made subject to the terms of the Annexation Agreement incorporated in the deed duly executed and recorded in the county in which the property is located.

PART 4. North Carolina General Statutes require petitioners of both contiguous and satellite annexations to file a signed statement declaring whether vested rights have been established in accordance with G.S. 160D-102 and 100(d) for properties subject to the petition. Do you declare vested rights for the property subject to this petition? YES _____ NO _____.

If yes, please submit proof that vested rights have been granted by governing board.

I HEREBY DECLARE that my failure to disclose the existence of a vested right terminates any vested right previously acquired for this property.

Signed this 1st day of August, 2023, by the owners of the property described in Attachment "A".

Brian Congdon
Owner

Owner

BEC Enterprises, Inc.
Owner

Owner

(Corporate Name)

BEC Enterprises, Inc

By: B. Congdon - President
President

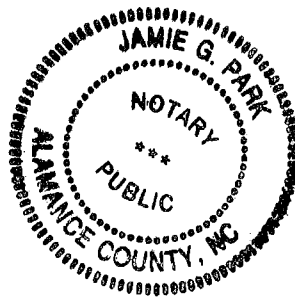
ATTEST: [Signature]
Secretary

(CORPORATE SEAL)

STATE OF NORTH CAROLINA
COUNTY OF Alamance

I, Jamie G. Park, a Notary Public of said County and State, hereby certify that Owner(s) Brian Congdon personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this the 1st day of August, 2023.



[Signature]
Notary Public

My Commission Expires: 9-26-24

STATE OF NORTH CAROLINA
COUNTY OF _____

I, _____, a Notary Public of said County and State, hereby certify that Owner(s) _____ personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this the _____ day of _____, 20____.

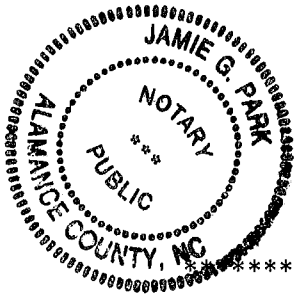
Notary Public

My Commission Expires: _____

STATE OF NORTH CAROLINA
COUNTY OF Alamance

I, Jamie G. Park, Notary Public of said County and State, do hereby certify that Brian Congdon personally came before me this day and acknowledged that he/she is the President of BEC Enterprises Inc., a _____ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he/she signed the foregoing instrument in its name on its behalf as its act.

Witness my hand and official stamp or seal, this the 1st day of August, 2023.



Jamie G. Park
Notary Public

My Commission Expires: 9-26-24

Received by the City Clerk of Mebane, North Carolina, this _____ day of _____, 20____.

SIGNATURE OF CITY CLERK:

THIS ANNEXATION AGREEMENT, made this 1st day of August, 2023, by and between BEC Enterprises, LLC, Property Owner(s), hereinafter referred to as "Owner(s)," and the CITY OF MEBANE, a municipal corporation of the State of North Carolina, hereinafter referred to as "City."

RECITALS:

- A. The Owner is seized of fee simple title to certain real property located outside the corporate limits of the City, identified on the attached Exhibit "A" which is incorporated by reference (herein the "Property").
- B. The Owner desires to have the City provide water and/or sewer service to the Property.
- C. The City is willing to provide water and/or sewer service to the Owner pursuant to City policies.

NOW, THEREFORE, the Owner, in consideration of the mutual covenants contained herein, hereby declares and agrees that the Property is and shall be held, transferred, sold and conveyed subject to covenants and agreements hereinafter set forth **which shall run with the land and be binding on future owners.**

- 1. The City shall provide water and/or sewer to the Owner under terms, conditions and restrictions of the North Carolina General Statutes and the City Ordinances and polices.
- 2. The Owner agrees and hereby covenants to annex the Property into the City at a time that shall be determined by the City Council of the City, pursuant to City Ordinances and policies.
- 3. The Owner agrees that, following a thirty (30) day notice from the City, the water and/or sewer service shall be terminated by the City if the Owner shall fail to perform the above covenants or agreements as they become due.
- 4. The Owner agrees and hereby covenants and agrees that the Property shall be annexed into the City at a time that shall be determined by the City Council. The Owner agrees that a valid petition for annexation has been executed and attached hereto as Exhibit "B" and that the said petition shall remain effective in perpetuity. All subsequent owners, by the acceptance of a deed to the Property described in the petition's Attachment "B", and for the consideration of being served water and/or sewer service the subsequent owner acknowledges this equitable servitude on the Property described in Attachment "A" and further hereby, by said acceptance, consent to and ratifies the Petition of Annexation given to the City upon execution of this Agreement.

5. This designation "Owner" as used herein, shall include the parties, heirs, successors and assigns and shall include singular, plural, masculine, feminine or neuter as required by the context.

IN WITNESS WHEREOF, the Owner has hereunto set his hand and seal or if a corporation or other legal entity has caused this instrument to be signed in its entity name by its duly authorized officers or managers and its seal to be hereunto affixed by authority of its governing group, (Board of Directors) and the City, pursuant to authority duly given, has caused this instrument to be executed on its behalf by its Mayor and to be attested by its City Clerk and its corporate seal hereto affixed, the day and year first above written.

BEC Enterprises, INC
Company Name

Brian Congdon (SEAL)
Owner

BY: Brian Congdon - President
President or Manager

Owner (SEAL)

ATTEST: Brian Congdon
Secretary

Owner (SEAL)

(CORPORATE SEAL)

CITY OF MEBANE

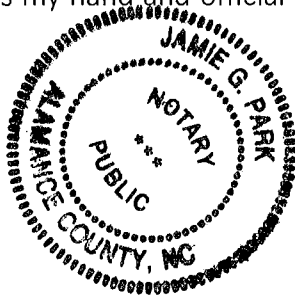
ATTEST: _____
City Clerk

By: _____
Assistant City Manager

STATE OF NORTH CAROLINA
COUNTY OF Alamance

I, Jamie G. Park, a Notary Public of said County or State, hereby certify that Owner(s) Brian Congdon personally appeared before me this day and acknowledged the execution of the foregoing instrument.

2023 Witness my hand and official stamp or seal, this the 10th day of August



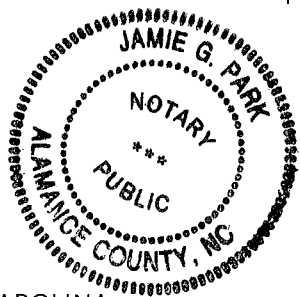
Jamie G. Park
Notary Public

My Commission Expires: 9-26-24

STATE OF NORTH CAROLINA
COUNTY OF Alamance

I, Jamie G. Park, a Notary Public of said County or State, hereby certify that Brian Congdon personally came before me this day that he/she is the President of BEC Enterprises, Inc a corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he/she signed the foregoing instrument in its name on its behalf as its act.

2023 Witness my hand and official stamp or seal, this the 1st day of August,



Jamie G. Park
Notary Public
My Commission Expires: 9-26-24

STATE OF NORTH CAROLINA
ALAMANCE COUNTY

I, _____, a Notary Public of said County and State, hereby certify that _____, Assistant Manager of the City of Mebane and _____, City Clerk personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

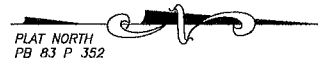
20____. Witness my hand and notarial seal this the _____ day of _____,

Notary Public
My Commission Expires: _____

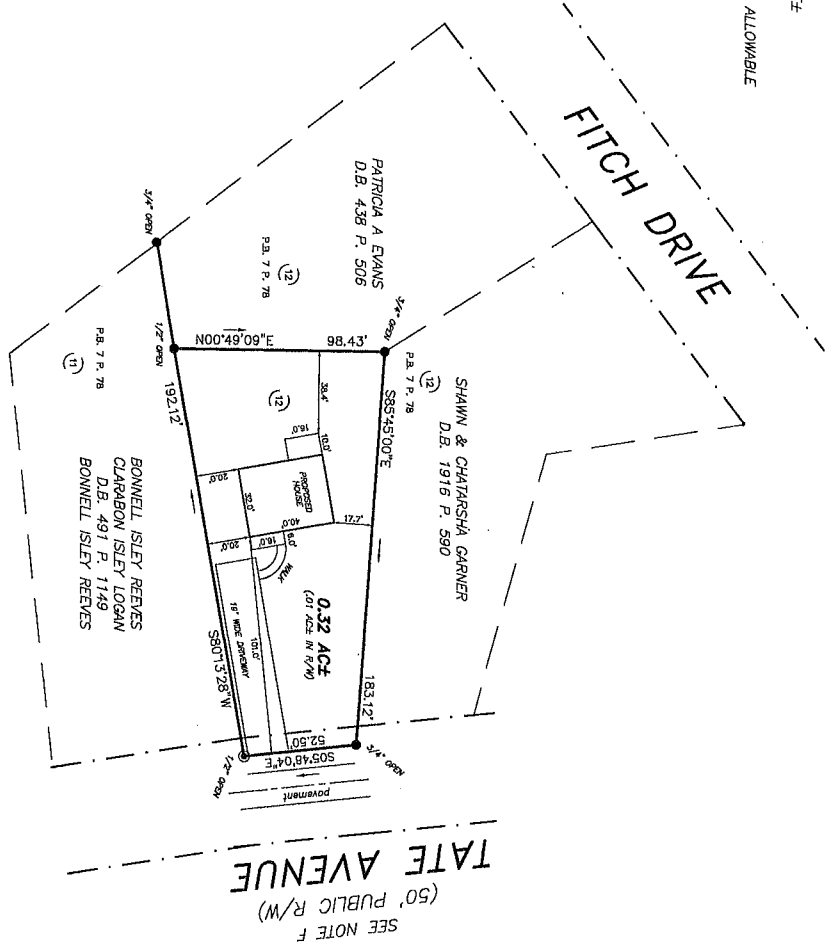
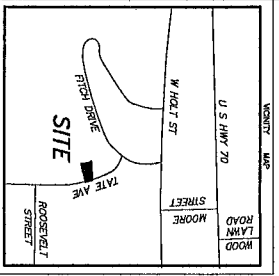
NEW HOME AREA: 1280 SQ.FT.
 FRONT PORCH: 96 SQ.FT.
 BACK PORCH: 180 SQ.FT.
 WALK: 80 SQ.FT.
 DRIVEWAY: 1730 SQ.FT.

NEW IMPERVIOUS SURFACE - 3,346 SQ.FT.±
 LOT AREA - 14,028 SQ.FT.±
 14,028 SQ.FT.± X .40 = 5,611 SQ.FT.
 5,611 SQ.FT.± TOTAL IMPERVIOUS AREA ALLOWABLE
 3,346 SQ.FT.± IMPERVIOUS AREA USED

SITE DATA
 PARCEL: 165250
 DEED REFERENCE: DB 4448 P 948
 PLAT REFERENCE: PB 83 P 352
 0.32 ACRES±



- NOTES:
- A) NO TITLE SEARCH WAS PERFORMED BY THIS FIRM DURING THE COURSE OF THIS SURVEY.
 - B) THE PROPERTY SHOWN HEREON IS SUBJECT TO ALL EASEMENTS OF RECORD AFFECTING SAME.
 - C) THIS FIRM MAKES NO GUARANTEE AS TO THE EXISTENCE OR LOCATION OF ANY UNDERGROUND UTILITIES OR IMPROVEMENTS ON OR ACROSS THIS PROPERTY. ANY UNDERGROUND UTILITIES OR IMPROVEMENTS SHOWN HEREON HAVE BEEN LOCATED BY MEANS OF AVAILABLE RECORD INFORMATION.
 - D) NO NORTH CAROLINA GEODETIC CONTROL MONUMENTS WERE FOUND WITHIN 2,000 FEET OF THIS PROPERTY.
 - E) NO INTERNAL INSPECTION OF THIS PROPERTY WAS MADE BY THIS FIRM DURING THE COURSE OF THIS SURVEY.
 - F) TATE AVENUE HAS A 50 FOOT RIGHT OF WAY AS PER DEED BOOK 1187 PAGE 116.



LEGEND
 Existing Iron Pipe ●
 New Iron Pipe ○

OWNER: BEC ENTERPRISES INC.
 4052 BOND WRIGHT ROAD
 BURLINGTON, NC 27215

PROPERTY AT: 319 TATE AVENUE
 MEBAHE, NC 27302

FINAL PLAT
SITE PLAN FOR
BEC ENTERPRISES, INC.

MELVILLE TOWNSHIP ALAMANCE COUNTY NORTH CAROLINA
 DATE 08/01/23 SCALE 1" = 40'
 SURVEY BY: JEFFREY H RUDD PLS-4009
 6222 RIDGEVILLE ROAD LEASBURG, NC 27291
 PHONE # (336) 264-6127 EMAIL: jeffrudd4009@yahoo.com

Certificate of Accuracy

I hereby certify that under my direction and supervision this plat was prepared and that the data shown hereon were obtained by methods and procedures that conform to the standards and practices of a professional land surveyor. I am a duly licensed professional land surveyor in the State of North Carolina, License No. L-4009.

Witness my hand and seal this 20th day of August, 2023.

Jeffrey H. Rudd
 Professional Land Surveyor L-4009

Being all of that certain tract or parcel of land lying and being in Alamance County, Melville Township, adjoining Tate Avenue, property of Patricia Evans, Shawn and Chararsha Gamer and others and being more particularly described as follows:

Beginning at an existing iron pin located in the western margin of Tate Avenue and the southeastern corner of property of Shawn and Chararsha Gamer (Deed Book 1916 PG 590); thence running with Tate Ave S 05 deg. 48' 04" E 52.50 ft. to a new iron pipe, a corner with property of Bonnell Isley Reeves, Clarabon Isley Logan (Deed Book 491 Page 1149); thence running with Reeves and Logan S 80 deg. 13' 28" W 192.12 ft. to an iron pipe, a corner with property of Patricia A. Evans (Deed Book 43 8 Page 506); thence running with said Evans N 00 deg. 49' 09" E 98.43 ft. to an iron pipe, a corner with property of Evans and Gamer; thence running with said Gamer S 85 deg. 45' 00" E 183.12 ft. to the point of beginning and being 0.32 acres, more or less, as shown on that survey entitled Final Plat Site Plan for BEC Enterprises, Inc. by Jeffrey H. Rudd dated August 1, 2023.



CITY of MEBANE

POLICY STATEMENT	
SUBJECT: Voluntary Annexation Policy	PAGE 1 OF 5
	EFFECTIVE: June 6, 2022
	SUPERSEDES: Previous Annexation Policies
	PREPARED BY: Chris Rollins, City Manager
	ADOPTED BY COUNCIL: DATE: June 6, 2022

BACKGROUND INFORMATION: The City regularly receives requests from developers and individual property owners requesting voluntary annexation into the City of Mebane corporate limits. This general policy addresses voluntary annexation only and the statutory authority is defined within North Carolina General Statutes 160A (Article 4 Corporate Limits and Article 4A, Extension of Corporate Limits).

GENERAL POLICY STATEMENT:

The intent of the policy is to provide a mechanism by which the City can plan and extend its corporate limits and municipal services provided to citizens residing within said corporate limits in an efficient and effective matter via voluntary annexation. This will allow long range planning via various other municipal mechanisms and policies to allow an orderly extension of City services. To the extent that this policy conflicts with any other related policies of the City, this policy shall be controlling as it supersedes existing policies. It also complies with statutory and judicial opinions for municipal service requirements.

Typically, voluntary annexation occurs when a party desires to obtain access to City general services and/or utility service(s). For the purpose of this policy, and per NC General Statutes related to voluntary annexation, it is assumed that the party is either requesting some level of the referenced City services and is submitting a voluntary annexation petition to obtain access to general fund services (for example – garbage collection, but not use of parks & recreation services) and/or utility service(s) as defined via the City Water and Wastewater System Extension and Connection Policies. Similar to the City Water and Wastewater System Extension and Connection Policies – General Policy Statement C – “The City Council has the right to approve or deny proposed

connection or extension to its water or wastewater system based on the City's best interest", this policy details further that the City Council has the right to accept or deny voluntary annexation and/or require property owners to enter into a written agreement with the City for voluntary annexation at such future date as the City Council determines that it is in the best interest of the City and the City can provide a majority of consistent city services to the property. The petition for annexation of property to the City is attached hereto as Exhibit A.

A. CONTIGUOUS AND/OR INFILL VOLUNTARY ANNEXATION WITH PROPERTY SUBDIVISION:

1. It is the intent of the City of Mebane to require voluntary annexation for contiguous and infill properties seeking the referenced City services. Contiguous is defined as sharing a common boundary composed of more than just a survey stake connection. Infill is defined as sharing a common boundary composed of two or more common boundaries.
2. City staff must determine that a majority of consistent city services can be provided.
3. Building permits can be issued once City Council votes to receive the annexation petition and other City requirements have been fulfilled.

B. CONTIGUOUS AND/OR INFILL VOLUNTARY ANNEXATION WITHOUT PROPERTY SUBDIVISION:

1. It is the intent of the City of Mebane to require voluntary annexation for contiguous and infill properties seeking the referenced City services. Contiguous is defined as sharing a common boundary composed of more than just a survey stake connection. Infill is defined as sharing a common boundary composed of two or more common boundaries.
2. City staff must determine that a majority of consistent city services can be provided.
3. Building permits can be issued once City Council votes to receive the annexation petition and other City requirements have been fulfilled.
4. If determined acceptable for voluntary annexation recording via County Register of Deeds Office, the presently recorded metes & bounds are acceptable to meet voluntary annexation petition requirements in lieu of updated surveys for same said properties (without property subdivision). Annexation plats are required to be submitted as dictated in North Carolina General Statute 47-30

C. NONCONTIGUOUS VOLUNTARY ANNEXATION WITH PROPERTY SUBDIVISION:

1. It is the intent of the City of Mebane to require voluntary annexation for noncontiguous properties that will be subdivided seeking the referenced city services. Noncontiguous is defined as not sharing a common boundary composed of more than just a survey stake

connection. Subdivision or subdivided is defined as a property that has been or will be subdivided into one or more properties consistent with the City's Unified Development Ordinance.

2. City staff must determine that a majority of consistent city services can be provided.
3. Building permits can be issued once City Council votes to receive the annexation petition and other City requirements have been fulfilled.

D. NONCONTIGUOUS VOLUNTARY ANNEXATION WITHOUT PROPERTY SUBDIVISION:

1. It is the intent of the City to require voluntary annexation for noncontiguous properties that will not be subdivided if a majority of consistent city services can be provided efficiently and effectively. Noncontiguous is defined as not sharing a common boundary composed of more than just a survey stake connection. Subdivision or subdivided is defined as a property that has been or will be subdivided into one or more properties consistent with the City's Unified Development Ordinance.
2. City staff must determine that a majority of consistent city services can be provided.
3. If determined a majority of consistent City services cannot be provided and the definitions of D(1) are met, the City Manager will recommend if any City services should be offered without immediate voluntary annexation and require the property owner(s) to enter into a written agreement with the City for annexation as such future date as the City Council determines that it is in the best interest of the City and the City can provide a majority of consistent city services to the property.
 - a. This written agreement will be required to be added as a property deed restriction to ensure it is binding for future action.
 - i. See Section F of this policy.
 - b. Building permits can be issued once City Council votes to receive the referenced written agreement regarding future voluntary annexation is recorded in general and included as a property deed restriction.
4. If determined acceptable for voluntary annexation recording via County Register of Deeds Office, the presently recorded metes and bounds are acceptable to meet voluntary annexation petition requirements in lieu of updated surveys for same said properties (without property subdivision). Annexation plats are required to be submitted as allowed in North Carolina General Statute 47-30

E. NON-CITY APPROVED/HISTORICALLY SUBDIVIED NEIGHBORHOODS VOLUNTARY ANNEXATION WITHOUT PROPERTY SUBDIVISION:

1. It is the intent of the City to only require voluntary annexation for existing neighborhoods not previously approved by the City or those where the neighborhood creation pre-dates their inclusion within the City jurisdiction when either the majority of the total properties located within the neighborhood or the majority of the residents within the neighborhood submit documented requests/interests in voluntary annexation. Majority is defined as 50% plus to ensure city services can be efficiently and effectively provided.
2. This section does not apply to throughfare (US/NC routes and major City collector routes) frontage properties/sites.
3. Properties within neighborhoods not meeting the majority definition for voluntary annexation and desiring connection to utility municipal service are referred to Section F of this policy.

F. REQUIREMENT OF PROPERTY OWNERS TO ENTER INTO A WRITTEN AGREEMENT WITH THE CITY FOR ANNEXATION AS SUCH FUTURE DATE AS THE CITY COUNCIL DETERMINES THAT IS IN THE BEST INTEREST OF THE CITY AND THE CITY CAN PROVIDE A MAJORITY OF CONSISTENT CITY SERVICES TO THE PROPERTY.

1. It is the intent of the City of Mebane to require property owners connecting to water and/or sewer connection services to request either immediate voluntary annexation or enter into a written agreement with the City for annexation as such future dates as the City Council determines that is in the best interest of the City.
2. The City Manager will make a recommendation to City Council to not require immediate voluntary annexation in situations where it is determined a majority of consistent City services cannot be provided to the property(s), neighborhood, and recommends immediate connection to City water and/or sewer after said written agreement is recorded (in general and as property deed restriction).
3. The written agreement with the City for annexation as such future date as the City Council determines shall be recorded in general and as a property deed restriction upon said and/or all property deeds to ensure it is binding for future action.
4. The property and customers will be charged outside City utility rates until annexed into the City corporate limits.
5. Building permits can be issued once the written agreement has been recorded in the Registry and as a property deed restriction and other City requirements have been fulfilled.

- a. Exhibit B attached to this policy provides a template for the written agreement. The City Attorney is authorized to adjust this template as it is recognized it will require updates and changes.

G. COMMUNITY DEVELOPMENT PROJECTS

1. Similar to the City Water and Wastewater System Extension and Connection Policies – General Policy Statement F (1) – regarding “Certain community development projects are exempt from assessment provisions”, this policy details further to the City Council the right to not require voluntary annexation related to certain community development projects.
2. The City Manager will provide a recommendation to City Council regarding community development project exemptions.



AGENDA ITEM #10

Resolution Supporting the Creation of the Eastern Piedmont NC HOME Consortium

Meeting Date

August 7, 2023

Presenters

Ashley Ownbey, Development Director

Public Hearing

Yes No

Summary

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.

Background

The HOME Investment Partnerships Program (HOME) provides formula grants to states and localities 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.

By becoming a member of the new HOME consortium, the City will allow activities to take place within its jurisdiction and contribute to the demographics and funding calculations of the consortium. The City of Burlington is the grantee and lead entity of the consortium. All five counties have agreed to participate. The PTRC is now collecting resolutions from municipalities within the counties.

Financial Impact

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.

Recommendation

Staff recommends the City Council support joining the Eastern Piedmont NC Home Consortium.

Suggested Motion

Motion to authorize the City of Mebane to enter into an agreement to join the Eastern Piedmont NC HOME Consortium.

Attachments

1. Resolution Supporting the Creation of the Eastern Piedmont NC HOME Consortium

**NORTH CAROLINA
CITY OF MEBANE**

**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.

Ed Hooks, Mayor

ATTEST:

City Clerk



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/@cityofmebane1881/streams>.

Members Present:

Edward Tulauskas, Chair
Judy Taylor, Vice Chair
William Chapman
Keith Hoover
Kurt Pearson
David Scott
Colin Cannell

Members Absent:

Susan Semonite
Gale Pettiford

City Staff Present:

Ashley Ownbey, Development Director
Rachel Gaffney, City Planner
Kirk Montgomery, IT Director

1. Call to Order

At 6:33 p.m. Chair Tulauskas called the meeting to order.

2. Introduction of newly appointed Planning Board member Mr. Colin Cannell

3. Planning Board Member Elections

William Chapman made a motion to re-elect the current officers Judy Taylor as vice chair and Ed Tulauskas as chair. Kurt Pearson seconded the motion, which passed unanimously.

4. Approval of June 12, 2023, Meeting Minutes

Kurt Pearson made a motion to approve the meeting minutes. David Scott seconded the motion, which passed unanimously.

5. City Council Actions Update

Ashley Ownbey informed the Board that the general rezoning of St. Lukes Church Road was unanimously approved by the Mebane City Council.

6. Request to rezone a +/- 15,246 square foot parcel located at 600 E. Brown Street (GPIN 9825342675), from R-12 to B-3 (CD) by Terry Hedgspeth.

Terry Hedgspeth is requesting approval to rezone a +/- 15,246 square foot lot located at 600 E. Brown Street (GPIN 9825342675) from R-12 to B-3(CD) to allow for a small retail store. The property is in the Mebane City limits in Orange County and within the General Watershed Area Overlay District. City water and sewer are already provided to the site. Currently the site is a vacant storefront, and the surrounding uses include single-family residential and a church. According to the



City of Mebane's Comprehensive Land Development Plan, *Mebane by Design*, the property is in the secondary growth area, which supports both residential and commercial uses. The property has historically been used for commercial purposes, with the last known occupancy by a bait and tackle store dating back to the 1970s. The applicant is requesting conditions that include no expansion to existing structures, no new structures, and three striped parking stalls instead of the required five stalls required by the Mebane UDO. The applicant has also proposed a restriction of uses.

The site-specific plan and staff report are provided in the meeting agenda packet available [here](#).

Ashley Ownbey provided a more detailed overview and PowerPoint presentation of the request.

Terry Hedgspeth, owner and applicant for 600 East Brown Street, presented that she was interested in operating an antique or vintage thrift store from the location.

Judy Taylor asked if the applicant would be open regular business hours or by appointment. Terry Hedgspeth replied that she would be open limited hours during the week. Judy Taylor asked Terry Hedgspeth to confirm there would be no additional outdoor lighting. Terry Hedgspeth responded that she would only add lighting over the doorway. Judy Taylor then asked if there would be anything stored outside of the building. Terry Hedgspeth replied that everything would be stored inside the building with no outside storage.

Colin Cannell questioned if the building had always had a storefront or if it was once a home. David Scott responded that as far as he knew it always had a storefront.

Chair Tulauskas opened the floor for public comment.

Valery Cohen, 603 E. Brown Street, presented that her first concern was about traffic in the area with the property being located a house down from the intersection of N. Ninth Street and E. Brown Street. She provided a police report of accidents with two in 2021, three in 2022, and most recently one on June 23, 2023. Valery Cohen shared that another concern was vehicles exiting the parking lot. She stated that there was a hill and curve that limits the visibility. Her second concern was the noise of the patrons going in and out of their vehicles and dogs from neighbors barking at the patrons. She stated that when the building was being used previously for yard sales, there were outdoor drop-offs accepted at any time, which also contributed to noise at odd hours.

Kurt Pearson asked how staff felt about putting the B-3 (CD) zoning in the middle of residential zoning. Ashley Ownbey stated that staff considered the historical use of the property for commercial purposes and that the applicant was not proposing any changes to the existing structures. Kurt Pearson asked about the intended use of the property. Ashley Ownbey replied that it would be a



small retail shop with antiques or thrift items. Kurt Pearson commented that he views the rezoning as spot zoning and did not view the request to be in harmony with the surrounding zoning.

David Scott asked the applicant to clarify that she was not intending to operate a yard sale or flea market type business where people drop off items. Terry Hedgspeth replied that when she first purchased the property, she used it for yard sales without the intention for people to drop off items outdoors. She said that as a formal business the antiques and thrift items would be inside the building.

David Scott made a motion to approve the request as follows:

Motion to approve the B-3(CD) zoning as presented.

*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 and commercial in nature (Mebane CLP, p.66).*

William Chapman seconded the motion, which passed with a 6-1 vote. Kurt Pearson did not vote in favor of the request, over his previously expressed concerns.

7. Request to rezone six (6) properties (GPINs 9824020553, 9814921385, 9814920726, 9814824291, 9814727217, & 9814823848), totaling +/- 60.2 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) to allow for a Planned Unit Development featuring 96 single-family residences and 320 apartments by Mebane Housing, LLC and Evolve Mebane Oaks, LLC.

Mebane Housing, LLC and Evolve Mebane Oaks, LLC is requesting to rezone six (6) properties (GPINs 9824020553, 9814921385, 9814920726, 9814824291, 9814727217, & 9814823848), totaling +/- 60.2 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) to allow for a Planned Unit Development featuring 96 single-family residences and 320 apartments. The property is in Alamance County in Mebane's Extra-Territorial Jurisdiction (ETJ) and requires a petition for annexation before connecting to City utilities. The current use of the property is single-family residential, and the surrounding uses include large retail stores, restaurants, other commercial uses, church, fire station, and single-family residential. According to the City of Mebane's Comprehensive Land Development Plan, *Mebane by Design*, the property is in the secondary growth area, which supports both residential and commercial uses. The applicant proposes the following conditions as part of the conditional rezoning request:



Requested Conditions

- The UDO requires a maximum building height of multi-family dwellings in the R-8 zoning district of 50 feet, and the applicant is requesting a maximum height of 60 feet.
- The UDO requires public recreation at a rate of 1,250 square feet per dwelling unit with the multi-family private recreation of 750 square feet per dwelling unit and private open space of 1,000 per dwelling unit. The proposed development would require 11.83 acres of public recreation, 5.51 acres of private recreation, and 7.34 acres of open space. The applicant proposed providing 1.77 acres of private recreation and 7.08 acres of open space. As a condition of the zoned district, they also proposed a 7.43-acre lot be dedicated to the City for future development in lieu of the remaining required public recreation space, private recreation space, and open space.
- The applicant proposes the condition that sewer flow for multi-family buildings 1 and 2 be allocated in 2024 and sewer flow for buildings 3 and 4 be allocated in 2025. This request exceeds requirements of the City's Accumulated Paper Flow Policy, but staff agrees to the request due to the number of units in each building not fitting the policy and the timing of when the buildings would be constructed.

The Technical Review Committee (TRC) reviewed the site plan six times and the applicant revised the plan to reflect the comments.

The site-specific plan and staff report are provided in the meeting agenda packet available [here](#).

Rachel Gaffney provided a more detailed overview and PowerPoint presentation of the request.

Amanda Hodierne, spoke on behalf of the applicants, stating that although there are two LLCs listed with the request, they are the same developer and builder team who purchased the properties about a year ago. The properties along Mebane Oaks Road were purchased in November of 2021 and the interior properties were purchased in April of 2022. She provided that although the project was considered by the Planning Board in 2020, the project before them now has new developers for the project. She introduced the team of Frank Forde and John McDonald from Evolve, Aden Stoltzfus as Civil Engineer, and Chase Smith as Traffic Engineer.

The applicant report is provided in the meeting agenda packet available [here](#).

Amanda Hodierne continued to provide a more detailed overview and PowerPoint presentation of the request.



Aden Stoltzfus, with Stoltzfus Engineering, explained that the Finished Floor Elevation of the apartments would be at or sit below Mebane Oaks Road due to the slope of the property. He explained that the apartments were placed on the east side of the development to allow closer access to Mebane Oaks Road and the retail businesses along it. Aden Stoltzfus also provided that on the west side, the single-family homes would be standard R-8-zoned lot sizes overseen by a Homeowners Association (HOA) for maintaining the common areas. He said that a neighborhood meeting had been held and concerns with traffic going onto Longleaf Pine Place were addressed by providing a stop condition before entering the Arbor Creek Subdivision. He also stated that the project was phased in a way to start at Mebane Oaks Road and work back to the single-family portion that connects to Longleaf Pine Place to reduce traffic flow.

Chase Smith, from Ramey Kemp Associates, reviewed the process for initiating the traffic impact analysis. He indicated his firm collected information from the City and NCDOT regarding current and future developments including NCDOT projects in the area. Mr. Smith stated that the traffic report showed some necessary improvements such as the addition of a traffic light and turn lanes on Mebane Oaks Road.

Amanda Hodierne provided an overview of the architecture for the apartments and single-family homes. She stated that one of the concerns brought up in the neighborhood meeting was the lack of a recreation area for the single-family homes, which has since been updated to include a playground.

Judy Taylor asked if the traffic analysis had also looked at the impact to Old Hillsborough Road as well as access to the elementary school. Chase Smith responded that the City and NCDOT did not require the traffic study to go farther west on Old Hillsborough Road and determined that for the school, most of the traffic would be centered around Mebane Oaks Road with the traffic light. Judy Taylor commented that she saw more people going through the connected neighborhoods out to Old Hillsborough since Mebane Oaks was very congested during peak hours of the day. She also mentioned that another light on Mebane Oaks would almost put a signal at every quarter of a mile, and that the number of lights should be looked at in further discussions.

Amanda Hodierne commented that Chase Smith explained the traffic analysis process included the City and NCDOT, so it was not just the developers looking at the area. She said that together they determine the study area and consider current and future developments and consider the recommended improvements, including the traffic signal and signal synchronization.

Judy Taylor also voiced her concern about the lack of open space provided. She said that the development was required to provide 11.83 acres of public recreation space, 5.51 acres of private recreation space, and 7.34 acres of open space, but was only providing 1.77 acres of private



recreation and asking to use the 7.43 acres dedicated to the City to meet the remainder of the requirements.

Amanda Hodiernie replied that the plan was the best way to harmonize and meet the City's goals and objectives. She stated that the multi-family community had an amenity package that was more condensed. She provided that the amenity package included a courtyard pool area, two dog-parks, and grilling stations. She also said that with only 96 single-family homes, HOA funds would best support a smaller community gathering space. Amanda Hodiernie indicated that the dedicated lot would have been just undeveloped open space, leading to a dedication of the land to the City for a better use for the community as a whole.

Judy Taylor commented that it was her concern that there was not enough recreation space for the children in the single-family area and that a police station, if developed, would take away the open green space. She provided that the open space requirement was part of the Comprehensive Plan to provide large spaces for recreation. Amanda Hodiernie replied that she understood the concern but noted land dedication to the City is for future development including, but not limited to a police station, meaning it might be utilized for public recreation by the City.

Ashley Ownbey clarified that the applicant was providing 1.77 acres for private recreation and 7.08 acres of private open space.

Chair Tulauskas asked to talk about the variances and why the development could not adhere to the ordinance. Amana Hodiernie replied that the first variance regarding building height for the apartments was asked early on. She stated that with the final project style selected, they no longer require the variance since the buildings would fit within the fifty-foot height requirement. The variance was left in the request for a cushion. She explained that the roofs of the buildings would be flat but would require a parapet wall to screen HVAC equipment possibly exceeding fifty feet with the varying roofline.

Aden Stoltzfus provided that the initial designs were looking at A-frame roofs, which was later changed to flat roofs. He stated that the architect said the buildings with the parapet walls would be within fifty feet. Mr. Stoltzfus then asked Ashley Ownbey if the parapet would count as the roof line. Ms. Ownbey responded she would have to look at exact wording of the ordinance and requested condition.

David Scott asked if there would be elevators in the apartment buildings. Amanda Hodiernie responded that all buildings would all have elevators.

Frank Forde, with Evolve, said that the development was a great transition from busy Mebane Oaks Road back to the other residential developments. He said that although Mebane Oaks was



congested now due to construction, that eventually it looked like it would be a beautiful road that would run more smoothly. He also mentioned that he understood the traffic concerns between the developments, but that there were several points to slow down traffic, deterring people from cutting through the development to get to Old Hillsborough Road.

Judy Taylor commented that her concern on Old Hillsborough was for the intersection at NC 119, which gets very congested with school traffic. Frank Forde replied that Chase Smith may provide additional information but he did know that NCDOT was planning to adjust the signal timing of all the lights including at the intersection of Old Hillsborough Road and Mebane Oaks Road. Judy Taylor asked if the traffic study included the intersection of Old Hillsborough Road and NC 119. Frank Forde replied that they were not required to do include that intersection in the traffic study.

Chair Tulauskas opened the floor for public comment.

Louise Bryan, 1301 Yellow Wood Drive, asked the applicants what the price point of the apartments were, who would maintain the entrance from the development into the adjoining neighborhood, what recourses existed if new development was not maintained, how the traffic would be mitigated to maintain the 25-mph speed limit with the new development, information on Mebane Housing, LLC, who the developer was, would changes be allowed after construction of the development started, and if connection to water and sewer would bring more construction to Longleaf Pine Place. She also commented that there were no public parks located on the south side of Mebane.

Ashley Abashian, 975 Sugar Tree Drive, expressed concern with the density of the development and commented that a regular R-12 zoned single-family home development would alleviate some of the density concerns.

Ray Oliver, 909 Sugar Tree Drive, who is also president of the HOA in the Arbor Creek neighborhood, shared concerns that the single-family homes in phase four would be under a separate developer and the rezoning of the property would allow the new developer to add more multi-family. He also stated that the single-family area would be more likely to use Arbor Creek's amenities than walking up to the development common area near the main boulevard.

Brenda Buchannon, 1143 Dartmouth Drive, spoke of traffic concerns mostly on Old Hillsborough Road.

David Scott asked if the NCDOT funded improvements continued to Old Hillsborough Road. Ashley Ownbey replied that NCDOT did not have funded improvements on Mebane Oaks Road to Old Hillsborough Road. David Scott also asked if the improvements went down to the proposed site. Ashley Ownbey replied that they only go down to the area of Duke Medical and Modwash.



Preethi White, 965 Sweet Gum Way, shared concerns with additional traffic and City amenities with development and schools south of the interstate.

Charles Stancati, 1034 Longleaf Pine Place, described concerns with additional traffic through the neighborhoods.

Susan Huey, 3914 Longmeadow Drive, spoke of school capacity concerns, lack of open green space, more development, water resources, and traffic.

Stan Kesler, 912 Palm Court, indicated concerns about Summit Church traffic on the corner of Old Hillsborough Road, the lack of recreational space, and density.

Don Windsor, 4253 Old Hillsborough Road, spoke of concerns with traffic and more development along Old Hillsborough Road. He asked about the current population of Mebane. Ashley Ownbey replied that it was at or above 20,000 residents. She stated the North Carolina Census Bureau reported close to 18,000 residents in 2020. Considering residential permit data, the population is now expected to be closer to 20,000.

Brian Dixon, 3905 Longmeadow Drive, shared concerns with development in the proposed location and the ability of current infrastructure to support the development.

Tom Boney Jr., Alamance News, asked the origin of dedicating the 7.43-acre lot to the City, if it was voluntarily provided or if the City asked for it.

Ashley Ownbey responded on behalf of staff to items mentioned during the public comment period, beginning with the first applicant's question of who would maintain the connection between Arbor Creek and the new development. She replied both streets would be City-maintained. Judy Taylor commented that she understood that the resident was more concerned with any signs or landscaping maintenance, which was outlined in the plans as being HOA maintained.

Ashley Ownbey replied to the question of changes to the plan, reviewing that with the rezoning being site-specific, only minor changes could be approved by staff. She stated that any major changes to the street network, number of homes, open space, or more would have to go back through the Planning Board and City Council for approval. Ashley Ownbey also provided in response to comments on amenities, that the developer was providing a playground for the single-family section and other amenities for the multi-family section.

Ashley Ownbey addressed the concern with the scoping process for the traffic analysis by reviewing that the City partners with NCDOT who are the experts and help determine which intersections are too far out of the scope of a traffic study. She said that the City and the State had to be careful about



the burden of improvements placed on developments and that the developer was already making significant improvements around the immediate area of their development. Ashley Ownbey also stated that regarding the school capacity comments, the school systems are invited to participate in the Technical Review Committee and are aware of incoming developments.

Ashley Ownbey clarified the concern of people not being notified, with the fact that only those located within 300 feet of the property being rezoned receive notification letters. She then clarified again that the developer was providing 1.77 acres of private recreation and is required to provide just over 5-acres, 7.08 acres of open space and is required to provide 7.34 acres of open space and is required to provide more than 11 acres of public recreation but is proposing dedication of a 7.43-acre lot. She said that, in response to Mr. Boney's question, the original plans brought to the Planning Board in November of 2020 were recommended by the Board for the denial partially due to the proposed density. She said the City received a resubmittal after the Planning Board meeting with the plans showing decreased density and the dedicated land as an undeveloped park. Ashley Ownbey then said that when the development changed hands, that she was not part of the conversations at that time about the City potentially locating a police station on that lot. Tom Boney Jr. asked if the police station was not originally intended for Mebane Oaks Road. Ashley Ownbey replied that she could not respond to that question since she was not in those original meetings and said that the developer might be able to answer the question.

Frank Forde responded that Evolve had taken over the project from the previous developer who had already proposed to dedicate that land to the City. Evolve did not want to remove the dedication when taking over the project. He also clarified again that the land could be used as a public park, but it was up to the City. Frank Forde answered the comments about changing development after plans have gone through review by saying that the plans presented were what would be followed. He next addressed the concerns of the traffic study by again saying that the study was within the rules laid out by the City and NCDOT, with the NCDOT determining what happens on Mebane Oaks Road. He addressed the density concern by stating that they could have fit about 129 single-family homes on the property but were proposing 96 single-family homes.

Amanda Hodierne replied to comments about why the development was not all single-family homes by saying the portion where the apartments were located was currently zoned commercial not residential. Kurt Pearson commented that what was said earlier was "that B-2 allows for some density", but what the public commented on was that some density was not 500 plus units. Amanda Hodierne replied that she was just making the point of having single-family along Mebane Oaks Road was too much of a jump in harmony. Kurt Pearson responded that the applicant was making a jump to think with the current B-2 zoning the City's support of an intense use means 500 plus units.

Amanda Hodierne then addressed the comments that the R-8 zoning was taken into consideration by looking at the adjoining neighbors who were R-12 with a Special Use Permit that allowed for



7,700 square foot lots. Evolve is proposing to develop 96 lots with a standard 8,000 square foot lot without a Special Use Permit. Amanda Hodiernie clarified that the development would be held to the buffers required. She clarified that they would keep as much existing vegetation as possible and would replace what was required for the buffers.

Amanda Hodiernie clarified the open space again by saying that the open space requirement was 7.34 acres, and they were providing 7.08 which was less than one acre difference. She said the development is required to provide 5.01 acres of private recreation space and is proposing 1.77 acres. She clarified that the amenities for the apartments were condensed and not taking up as much acreage. Ms. Hodiernie stated that the 7.43 acres proposed to be dedicated to the City was initially proposed as a City park per the previous developer. The dedication now allows the City more flexibility to decide what goes on the lot. Judy Taylor commented that even with the land dedication, there were still 8 acres missing from the required recreation space. Amanda Hodiernie replied that they were applying for a waiver of those 8 acres and said she was just providing context as to why the development did not meet the 11.83-acre requirement.

Judy Taylor asked if Amanda Hodiernie could speak about the price points of the apartments in response to a question presented by the public. Amanda Hodiernie replied that although it was not a factor of the rezoning case, she could present that the apartments would be at market rate and not low-income. She mentioned that the rental rate in Mebane was currently around 96%, and the price rates could change within the two years before the apartments were completed.

Tom Boney, Jr. asked if the applicant could provide a more detailed price point for the apartments and single-family homes even though it was not a requirement to provide for the rezoning. Frank Forde answered that he could not provide exact rates since the development would not be done until 2024, but provided that the apartments would be at market price not low-income. He said the apartments might be anywhere between \$1,500-\$1,600 and \$2,200-\$2,400. He said for the single-family they would still be around market price possibly using \$200 per square foot for 2,200-2,400 square foot homes, which would be built in 2026 or later.

Amanda Hodiernie responded to another comment about construction traffic into the adjoining property. She said that the connection was in phase four being last built with the intention that construction traffic would not be able to cut through existing neighborhoods.

Kurt Pearson commented he was concerned about the ratio of apartments to single-family homes being too high and questioned staff's response to an email he had sent for data. He said a study should be done on the ratio of apartments to single-family homes in a city of Mebane's size. Kurt Pearson commented that it was inappropriate to move forward with adding more apartments without a study being done. He said that the Board and Council needed to know that there wouldn't be too high of a ratio that would be unhealthy for the City. His first argument was the fact that the



Planning Board had the authority to decide how they wanted Mebane to grow. He made the point that he understood the hardship of the developer going through the TRC review process six times, but that the Committee was looking at the technicalities of the plan whereas the Planning Board was looking at if the development worked or fit. He said that waivers should not be necessary since the Mebane UDO had reasonable minimum requirements. Kurt Pearson expressed concern about an additional 320 apartment units being provided without the City completing a study of the share of multi-family in Mebane. He reported on his own research of current apartment units available or coming available in Mebane. He found that 119 South had 18 units available, Deerfield Crossing 3 units, Spring Forest 10 units, Alexandre Pointe 8 units, Fieldstone 7 units, Stoneybrook 35 units, Keystone 40 units, Carden Place 27 units, Arrowhead 2 units, McPherson (Mebane Downs) 1 unit, Elmwood 1 unit, and Ashbury 11 units. He also found available apartments in Graham, which added to available apartments in Mebane totaled 235 available units.

Ashley Ownbey responded that research was provided prior to the meeting with the updated census data added to the previous information shared at the October City Council meeting. She said she had gone over the information when the Kingsdown development was considered with data showing the current share of apartments at 33 percent and ten years in the future down to 30 percent with projects approved. Kurt Pearson asked if the 33 percent included Evolve. Ashley Ownbey replied that the current rate was 68 percent single-family and 32 percent multi-family. She stated that adding the approved single-family and multi-family projects, the rate was 70 percent and 30 percent including Evolve. Kurt Pearson commented that he thought 30 percent was still too many apartments. Ashley Ownbey pointed out that Staff had provided the Board with current occupancy rates prior to the meeting showing a total of 111 units available at a 96 percent occupancy rate.

Ashley Ownbey provided a response to Kurt Pearson's comment about the TRC only reviewing for technicalities. She stated that staff also review all of Mebane's long-range plans when reviewing the projects and ensure goals from the Comprehensive Plan are considered. She also stated that updates to the Comprehensive Plan would occur soon, and a housing study could be a component of those updates. Kurt Pearson replied that he did not see the development being harmonious with R-12 and R-20 zoned properties abutting it.

Colin Cannell asked the developers if the cut through to the Arbor Creek Subdivision was critical to the development. Amanda Hodierne replied that it was required by the City for connectivity. Colin Cannell also commented that as a citizen, he had observed that the City did not typically buy land due to high costs but was looking for land to support a police station for administrative services. He said that the City was looking at several properties, but most were deemed too expensive for the City. He said he was concerned that since there was land dedicated to the City on the site plan, the City Council would feel compelled to approve the rezoning based on that alone. Kurt Pearson replied that would be inappropriate, and the City Council would never consider approval just for dedicated land.



David Scott asked the developer why the front portion already zoned for commercial was proposed instead for multi-family residential. He mentioned that he had developed some of the first apartments in Mebane on Deerfield Trace and was not against apartments. He also commented that Mebane needs more retail and Mebane Oaks already had retail along it. Frank Forde responded that the initial developer had plans to leave the front portion as commercial, but his company did not deal with commercial properties which was why the apartments were considered. He also commented that the styling of the apartments created connectivity with the surrounding retail.

Frank Forde also responded to Kurt Pearson's comments, reporting that looking online at single-family homes available in Mebane, there were about 500 listings from four websites. He said the number of units currently available for apartments does not constitute whether apartments are needed in Mebane. Kurt Pearson responded that the question was not if the apartments would be filled, but whether the City wanted the apartments filled.

Amanda Hodierno addressed David Scott's question about the commercial component by saying within the last two years of planning, there was a shift for more housing over small space retail. She also stated that the developer does rely on the information provided in Mebane's long-range plans to determine the need for different types of housing. She also commented that as Ashley Ownbey said, the housing aspect could be considered in the Comprehensive Plan updates for developers to better understand what the City desires. Kurt Pearson replied that Mebane could say they had good diversity in housing but thought there was an over-diversity in apartments.

Kurt Pearson made a motion to deny the R-8(CD) zoning request for the proposed Evolve at Mebane Oaks as follows:

Motion to deny the R-8(CD) zoning as presented due to the lack of:

- a) Harmony with the surrounding zoning or land use; and,*
- b) Concerns expressed earlier about the number of apartments in Mebane.*

After making the motion, Mr. Pearson stated "if you go against my motion then what you're telling the Council is you are for the project."

Judy Taylor seconded the motion, with a 5-2 vote in support of recommending denial. Colin Cannell and David Scott opposed the denial.

Chairman Tulauskas noted that the request will go to City Council on August 7 at 6 p.m.

8. New Business

Ashley Ownbey alerted the Planning Board that they would be receiving emails from staff to set up and activate City email accounts. She said Staff would be resetting all passwords and would be sending out new instructions and procedures.



Ashley Ownbey also stated that the Board would receive an email about updating the Planning Board Rules and Procedures. She said that it was last updated in 1999. Review and discussion will occur at a future meeting.

9. Adjournment

Chairman Tulauskas adjourned the meeting at approximately 9:24 p.m.

DRAFT