



Council Meeting Agenda  
October 2, 2023  
6:00PM

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1. Call to Order..... Mayor Ed Hooks
2. Invocation .....Rev. Jeff Smith, Mebane Presbyterian Church
3. Public Comments .....Mayor
4. Approval of Minutes- September 5, 2023, Regular Meeting .....Mayor
5. **Public Hearing-**  
Conditional Rezoning- Deep River Partners- Mebane Oaks Road and  
Old Hillsborough Road R-20 and B-2 to R-8 (CD) and  
B-2 (CD) for a development consisting of five commercial  
parcels and 90 townhomes..... Ashely Ownbey, Development Director
6. Informational Item- Mebane Community Fund ..... Greg Payne
7. FY 2023-24 Street Repair Contract.....Mark Reich, AWCK, Inc.  
Chuck Smith, Public Works Director
8. Revenue Bonds for Elevated Water Tank ..... Daphna Schwartz, Finance Director
  - i. Bond Order- Series Resolution
  - ii. Capital Project Ordinance Amendment
9. Resolution of Intent for Street Closings-  
Portions of Jackson Street and Short Street..... Lawson Brown, City Attorney
10. Informational Item- US 70 Corridor Plan Study ..... Ms. Ownbey  
Nishith Trivedi, Orange County Transportation Planning Manager
11. Code of Ordinance Amendment-  
Deletion of Inconsistent Code Provision-  
Section 34-134 Riding on Sidewalks Prohibited ..... Mr. Brown
12. 2004 Plat Revision- Removal of No Build Line from  
Creekside Subdivision Plat ..... Mr. Brown
13. Bicycle and Pedestrian Advisory Commission (BPAC) Appointment ..... Ms. Ownbey
14. Adjournment .....Mayor



The Mebane City Council met for its regular monthly meeting at 6:00 p.m., Monday, September 5, 2023 in the Council Chambers of the Glendel Stephenson Municipal Building located at 106 E. Washington Street.

Councilmembers Present:

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

Also Present:

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

Mayor Hooks called the meeting to order. Reverend Kate Harper of Cross Roads Presbyterian Church gave the invocation.

Mayor Hooks publicly recognized Dr. Jesse T. Alston in honor of a Proclamation that was issued last November in recognition of Dr. Alston's twenty-five years as Pastor of Kimes Chapel Missionary Church in Mebane. Mayor Hooks read the Proclamation aloud. Many of Dr. Alston's family members, friends and parishioners were in attendance to witness the recognition. Dr. Alston received a standing ovation from everyone in attendance.

Mayor Hooks recognized the Finance Director Daphna Schwartz and her staff in the Finance Department as the City was once again awarded the Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association. The certificate is the highest form of recognition in the area of governmental accounting and financial reporting.

During the Public Comment Period, Barb McKinley, 110 Dogwood Drive, Mebane, strongly expressed her opposition to the City joining membership with the Government Alliance on Race & Equity (GARE).

Chris McKinley, 110 Dogwood Drive, Mebane, strongly expressed his deep objection to the City joining membership with GARE. He also stated that he is concerned as to the direction the Racial Equity Advisory Committee (REAC) has taken with respect to engagement, conversation, and debate.

Carolyn Burns, 600 Bunker Drive, Mebane, strongly expressed her opposition to the City joining membership with GARE.

Ed Priola, 747 S. Eighth Street, Mebane, strongly expressed his opposition to the City joining membership with GARE.

Omega Wilson, 206 Moore Street, Mebane, extended his appreciation for Dr. Alston and his family for all the work they have done in the community. He also shared comments in support of the City joining membership with GARE.

Brenda Buchanan, 1143 Dartmouth Drive, spoke in support of the City joining membership with GARE.

Nathalie Volkheimer, 509 Terrell Road, Hillsborough, spoke in support of and encouraged the Council to join membership with GARE.

Concluding the Public Comment Period was Tomeka Ward-Satterfield, REAC member, who spoke on behalf of the REAC members. She began by giving a brief overview of the establishment of the REAC and the goal set before them: to research, identify and address racial disparities in all areas of local government. She stated that the Council voted to form REAC because they recognized that there were some gaps in areas the City needed to improve in to make adequate efforts towards achieving racial equity. She continued by sharing that joining GARE would give Mebane access to more resources and fulfill the mission and work towards the Council's stated goals. She

said that the REAC invited Dr DeMarco to the July Council meeting not to be an expert on GARE but to provide general information about the organization and some of her personal experience with GARE through her work with other municipalities. Before her presentation react discussed GARE through REAC’s monthly meetings in which several Council Members were present since at least April of this year. She said the REAC members were shocked at the line of questioning Dr DeMarco faced. She said had they known the depths of some of the questions, they would have made additional efforts to have the questions answered in advance or attempt to have a GARE employee present. Nevertheless, the Council is now in possession of those answers. She gave a couple highlights of the GARE organization. She stated that the Council could cancel the membership at any time if they felt it was not a good fit. She stated that while a handful of community members have voiced concerns with GARE, no alternatives have been offered which she feels indicates that the problem is not with the GARE organization but with racial equity which proves further work is needed in this area. She concluded her comments by strongly recommended membership with GARE.

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

- a. Approval of Minutes- August 7, 2023- Regular Meeting
- b. Final Plat- Bowman Place, Ph. S-3
- c. Final Plat- Crow Industrial
- d. Final Plat Reapproval- Cameron Lane Right-of-Way Dedication
- e. Carry Forward Budget Ordinance Amendment

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

**Item e.**

BE IT ORDAINED by the Council of the City of Mebane that the Budget Ordinance for the Fiscal Year beginning July 1 2023 as duly adopted on June 5, 2023, is hereby amended as follows:

**ARTICLE I**

| APPROPRIATIONS                       | Current Budget | Change    | Revised Budget |
|--------------------------------------|----------------|-----------|----------------|
| Utility Fund - Utilities Maintenance | \$ 6,359,116   | \$ 22,500 | \$ 6,381,616   |
| Utility Fund - WRRF                  | \$ 2,651,173   | \$ 15,000 | \$ 2,666,173   |
| General Fund - Public Works          | \$ 3,605,767   | \$ 57,000 | \$ 3,662,767   |
| General Fund - Recreation & Parks    | \$ 3,234,329   | \$ 2,000  | \$ 3,236,329   |

**ARTICLE II**

| REVENUES                                 | Current Budget | Change    | Revised Budget |
|--|----------------|-----------|----------------|
| Utility Fund - Appropriated Fund Balance | \$ 2,700,295   | \$ 37,500 | \$ 2,737,795   |
| General Fund - Appropriated Fund Balance | \$ 3,782,616   | \$ 59,000 | \$ 3,841,616   |

A Public Hearing was held on a request from Hawfields Presbyterian Church, Inc. to adopt an ordinance to extend the corporate limits. Mr. Brown presented the request. He stated that this is a voluntary contiguous annexation of +/- 22.04 acres. At last month’s meeting, the Council accepted the annexation petition and the certificate of sufficiency. He explained, as noted at last month’s meeting, the annexation property does not include the main sanctuary building but does include the church’s childcare facility and the ballfields. No one from the public spoke concerning the request. Mr. Ewing made a motion, seconded by Mr. Bradley, to close the public hearing. The motion carried unanimously. Mr. Bradley questioned if the City could establish a policy, for certain cases like this one, to require annexation of entire properties with contiguous buildings. He cited jurisdictional issues for police. Mr. Brown said he could certainly investigate the matter for potential future cases such as this one. Mr. Bradley made a motion, seconded by Mr. Ewing, to adopt the ordinance to extend the corporate limits to include the +/- 22.04 acres. The motion carried unanimously.

Mr. Rollins opened a discussion regarding the previously discussed GARE membership. He shared that at the July Council meeting, Dr. Allison DeMarco made a presentation on GARE at the request of the REAC and their wish to join GARE. He said at the end of that meeting Council had questions they advised that I answered. He stated that he worked with Ms. Hunter, the staff liaison to the REAC, and they got the answers to those questions which were shared with Council.

Mr. White stated Dr. DeMarco is present tonight and he thanked her for coming. He said there has been some question about the questions he asked her several months ago during her presentation of GARE and he wanted to state to her personally that if there were anything about his questions either in their content or their tone which were inappropriate, he wanted to issue a public apology as that was not his intention in any way. He added that he holds the REAC in very high regard and he appreciates each of the members and the work they have done. He stated that he feels the Council and the REAC are headed down the right path. He also stated that he feels racism is a real issue that we need to be dealing with. It is something that he has been learning and needs to continue to learn about in himself and he wants to help our city learn more about. He concluded his comments, stating that he has some concerns with GARE and were not really reflected in the public comments shared earlier but are more from the perspective that he thinks joining a public organization regardless of where it may fit on the Spectrum on a topic like this can lead to unnecessary polarization that he does not think is helpful.

Mr. Ewing thanked the REAC for their persistence in this matter. He referenced his job and how when he is fixing a vehicle or aircraft, he needs all the right tools to be successful. He feels the GARE membership would work in the same manner as an opportunity to make Mebane a better place. He said as previously stated, the membership could be cancelled at any time and the funding has already been set aside for the REAC.

Mr. Bradley said he received a lot of correspondence about this issue. He also shared that he had done extensive research about GARE and found out that GARE and the International City Managers Association are partnered on a project called Governing for Equity- Implementing an Equity Lens in Local Governments. He shared examples of systemic racism, sharing that he was surprised at how broad the topic can be. He said his position is not the GARE organization itself but purchasing a membership into an organization accomplishes nothing. After further comments, Mr. Bradley stated that his vote to not join GARE is because no plan seems to be in place. He added that if a toolkit is what is needed, there are several organizations that lead with racial equity in mind.

Ms. Burkholder said based on conversation at a past REAC meeting, she feels it is not fair to necessarily say that the REAC has made a recommendation without subsequent action coming behind it. She said that she thinks this organization was selected due to the comfort that some of the REAC members had with the specific group. She added that funding has been set aside in the annual budget to accommodate recommendations of the City's advisory boards. Ms. Burkholder stated that she appreciates the REAC members and is thankful to have each of them in the Mebane community. She said she has no issue with joining GARE but also does not oppose looking at other similar organizations.

Ms. Hadley said she sees joining GARE as an opportunity to move forward, making progress from the retreat held earlier this year. She felt that Council/REAC retreat was a success. She feels the membership would be a good resource as a toolkit.

There was some discussion regarding other organizations that the City has memberships with.

Mayor Hooks shared comments regarding the importance of respect and communication.

Mr. Ewing made a motion, seconded by Ms. Burkholder, to support the City's membership into GARE. The motion passed with a 3-2 vote. Mr. Ewing, Ms. Burkholder and Ms. Hadley- ayes. Mr. Bradley and Mr. White- nays.

Mr. Rollins presented a request on behalf of the REAC on their recommendation to have Council remove Daniel Valesquez from the committee as he has been unable to meet the established committee attendance requirements. Mr. Bradley made a motion, seconded by Mr. Ewing to remove Mr. Valesquez as recommended. The motion carried unanimously.

Mr Brown presented a request on behalf of Sonya D. Spirles, owner of 450 Fitch Drive, to be annexed into the City for the foregoing property and, by City policy, has signed an annexation



agreement and a petition for annexation. 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.

Mr. White made a motion, seconded by Ms. Hadley, that the City accept the petition for annexation and the Annexation Agreement for the property at 450 Fitch Drive 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. The motion carried unanimously.

Mr. Smith presented a request for approval of a contingent award to the low bidder, Landmark Structures from Fort Worth, Texas in the amount of \$7,577,000.00 pending LGC approval. Mr. Smith explained that The City of Mebane currently has a 300,000-gallon elevated storage tank located on Eleventh Street. While the current tank currently 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 1420 S. Third Street after preliminary siting. The ground elevation of the site is approximately 660-664 feet. The new tank will be approximately 190 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. The Utilities Department solicited formal bids for the construction of a new one-million-gallon elevated storage tank on August 4, 2023. Invitations to bid were sent out to known vendors, posted on the City's website, and advertised in the local papers on August 10, 2023. Bids were received for the construction of a new one-million-gallon elevated storage tank on August 29, 2023, at 3:00 PM. Three bids were received, and the low bidder was Landmark Structures from Fort Worth, Texas in the amount of \$7,577,000.00. The City received grants in the amount of \$2,652,990.00 for assistance with the construction of the elevated storage tank. The project construction budget including engineering, administration, construction, and contingency is \$8,300,000.00. The City will be financing the balance of the project subject to Local Government Commission (LGC) approval. The revenue bond issuance fees will be added to the revenue bond upon closing. Mr. Bradley made a motion, seconded by Ms. Burkholder, to approve the contingent award to the low bidder, Landmark Structures from Fort Worth, Texas in the amount of \$7,577,000.00 pending LGC approval. The motion carried unanimously.

Mr. Smith presented a request for approval to award Alley Williams Carmen & King, Inc. the engineering services for the West Ten Water Connector in the amount of \$135,000 and approving the Capital Project Ordinance and Reimbursement Resolution. Mr. Smith explained that the Buckhorn Business Center is located between West Ten and Buckhorn Road and is one of the higher elevation areas within the City of Mebane. Buckhorn Business Center is currently under construction and due to its high elevation is in need of additional fire flows to protect this industrial park. Along with creating an arterial loop improving water quality, models predict a significant increase in fire flows with the addition of the West Ten Road Water Connector. The West Ten Water Connector will be an approximately 3,300 LF 12" ductile iron water main that will connect and existing 12" ductile iron water main at the intersection of Bowman and Rock Quarry Road to a 12" ductile iron water main that is proposed for construction by others at the Buckhorn Business Center and West Ten Road. Funding was approved for the engineering services for the West Ten Road Water Connector as part of the FY 23-24 budget. On July 31, 2023, 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:

- Field Surveying, Preliminary Engineering, Final Design Drawings and Easements.
- Completion of Bid Documents (including Specifications and Final Design Drawings for the project).
- Bidding and Recommendation of Contract Award.
- Construction Observation and Administration.
- Construction Closeout

Alley Williams Carmen & King, Inc. was the only firm that submitted their statement of qualifications by the August 18, 2023, due date.

Funding was approved as part of the FY 23-24 budget. The engineering fee is less than what was estimated for the budget amount. However, the estimated cost of the project is \$1,709,375 and it will span over more than one fiscal year. Therefore, a Capital Project Ordinance and Reimbursement Resolution are presented for approval. The Reimbursement Resolution is necessary if debt proceeds are acquired for the project in the future.

Mr. Bradley made a motion, seconded by Mr. Ewing, to award Alley Williams Carmen & King, Inc. the engineering services for the West Ten Water Connector in the amount of \$135,000. The motion carried unanimously.

Mr. Ewing made a motion, seconded by Ms. Burkholder to approve the Capital Project Ordinance and Reimbursement Resolution. The motion carried unanimously.

**Capital Project Ordinance for the City of Mebane  
West Ten Road Water Connector Project**

**BE IT ORDAINED** by the Governing Board of the City of Mebane, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

**Section 1:** The project authorized is the design and construction of a water connector to be financed by the debt proceeds.

**Section 2:** The officers of this City are hereby directed to proceed with the capital project within the terms of the budget contained herein.

**Section 3:** The following amounts are hereby appropriated for the project:

| Appropriation                    | Project Budget |
|----------------------------------|----------------|
| Engineering & Surveying Services | \$ 135,000     |

**Section 4:** The following revenues are anticipated to be available to complete the project:

| Revenue                                | Project Budget |
|--|----------------|
| Utility Fund Appropriated Fund Balance | \$ 135,000     |

**Section 5:** The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the General Statutes of North Carolina.

**Section 6:** Funds may be advanced from the Utility Fund for the purpose of making payments as due.

**Section 7:** The Finance Officer is hereby directed to report, on a quarterly basis, on the financial status of each project element in Section 3.

**Section 8:** The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this Board.

**Section 9:** Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board and to the Budget Officer and Finance Officer for direction in carrying out this project.

## Reimbursement Resolution for the West Ten Road Water Connector Project --

authorizing the City of Mebane to reimburse itself for early Project expenditures from later financing proceeds

### *Introduction --*

The City intends to undertake a Project (as described below), use its own funds to pay initial Project costs, and then reimburse itself from financing proceeds for these early expenditures. The Manager and the Finance Director have advised the Council that it should adopt this resolution to document the City's plans for reimbursement, so as to comply with certain federal tax rules relating to reimbursement from financing proceeds.

**BE IT RESOLVED** by the City Council of the City of Mebane, North Carolina, as follows:

1. The Project is the West Ten Road Water Connector Project.
2. The City intends to advance funds for initial Project costs, and then reimburse itself from financing proceeds. The expected primary type of financing for the Project (which is subject to change) is an installment purchase agreement. The expected maximum amount of financing expected for the Project (including allowances for reserves and financing costs) is approximately \$1,709,375.
3. Funds for the early Project expenditures may come from the City's Utility Fund, or any other appropriate City fund.
4. The City intends for the adoption of this resolution to be a declaration of its official intent to reimburse itself from financing proceeds for Project cost expenditures.

Mr. Holt presented a request for approval to award a contract to the low bidder, McQueen Construction Inc., in the amount of \$1,204,945.20 for the construction of the Greenway Project and approval to adopt a capital project ordinance appropriating \$1,274,946 covering construction and related engineering construction services associated with the Greenway Project and amending the current FY 23-24 budget for the same. Mr. Holt gave a background overview of the Holt Street Greenway Project. The Greenway Project is a 10' paved multi-use path and boardwalk extending from Corregidor Drive to S. Third Street (approximately 4,285' long).

After considerable discussion among staff and Council, Ms. Burkholder made a motion, seconded by Mr. White to approve awarding the contract to the low bidder, McQueen Construction Inc., in the amount of \$1,204,945.20 for the construction of the Greenway Project. The motion carried unanimously. Mr. Ewing made a motion, seconded by Ms. Burkholder, to adopt a capital project ordinance appropriating \$1,274,946 covering construction and related engineering construction services associated with the Greenway Project and amending the current FY 23-24 budget for the same. The motion carried unanimously.

### **Capital Project Ordinance for the City of Mebane Holt Street Greenway Project**

**BE IT ORDAINED** by the Governing Board of the City of Mebane, North Carolina that, pursuant to Section

13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

**Section 1:** The project authorized is the construction of a greenway to be financed by appropriated fund balance.

**Section 2:** The officers of this City are hereby directed to proceed with the capital project within the terms of the budget contained herein.

**Section 3:** The following amounts are hereby appropriated for the project:

**Section 4:** The following revenues are anticipated to be available to complete the project:

**Section 5:** The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the General Statutes of North Carolina.

**Section 6:** Funds may be advanced from the General Fund for the purpose of making payments as due.

**Section 7:** The Finance Officer is hereby directed to report, on a quarterly basis, on the financial status of each project element in Section 3.

**Section 8:** The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this Board.

**Section 9:** Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board and to the Budget Officer and Finance Officer for direction in carrying out this project.

BE IT ORDAINED by the Council of the City of Mebane that the Budget Ordinance for the Fiscal Year beginning July 1 2023 as duly adopted on June 5, 2023, is hereby amended as follows:

ARTICLE I

| APPROPRIATIONS                  | Current Budget | Change       | Revised Budget |
|---------------------------------|----------------|--------------|----------------|
| General Fund - Non-Departmental | \$ 4,310,684   | \$ 1,274,946 | \$ 5,585,630   |

ARTICLE II

| REVENUES                                 | Current Budget | Change       | Revised Budget |
|--|----------------|--------------|----------------|
| General Fund - Appropriated Fund Balance | \$ 3,782,616   | \$ 1,274,946 | \$ 5,057,562   |

This the 5th day of September, 2023,

Mr. Holt presented a request for approval to award a contract to the low bidder, Hollins Construction Services, Inc., in the amount of \$597,169 for the construction of the Lebanon Road Sidewalk and Trail Connector Project and approval to amend the current FY 23-24 Budget Ordinance by appropriating \$222,169 in General Fund balance. Mr. Holt explained that the Connector Project includes 465 feet of 5' concrete sidewalk and 776 feet of 8' grit trail along and just off Lebanon Road from Lake Michael Drive to the Retreat at Lake Michael's multi-use path. In addition, curb and gutter on 5-inches of black base asphalt, guard rail, safety railing, storm drain piping & inlet structures, and headwall/retaining wall construction is needed to complete the work. The City received three (3) bids for the Lebanon Rd. Sidewalk & Trail Connector project (Connector Project) ranging from \$652,835 to \$1,235,169. The low bidder is Hollins Construction Services Inc. of Wake Forest, NC. As allowed, the project engineer met with the contractor to review items that may be modified which resulted in lowering the bid to \$597,169.

Mr. Rollins shared that Impact Alamance has agreed to give the City a grant towards this project in the amount of \$100,00.00. This news was shared with the City after the Council packets were sent out.

Ms. Burkholder made a motion, seconded by Mr. Ewing, to approve awarding the contract to the low bidder, Hollins Construction Services, Inc., in the amount of \$597,169 for the construction of the Connector Project. The motion carried unanimously.

Mr. Ewing made a motion, seconded by Ms. Hadley, to amend the current FY 23-24 Budget Ordinance by appropriating \$222,169 in the General Fund balance. The motion carried unanimously.

Ms. Burkholder commended the staff for the great work done on these paths.

BE IT ORDAINED by the Council of the City of Mebane that the Budget Ordinance for the Fiscal Year beginning July 1 2023 as duly adopted on June 5, 2023, is hereby amended as follows:

ARTICLE I

| APPROPRIATIONS                    | Current Budget | Change     | Revised Budget |
|-----------------------------------|----------------|------------|----------------|
| General Fund - Recreation & Parks | \$ 3,234,329   | \$ 222,169 | \$ 3,456,498   |

ARTICLE II

| REVENUES                                 | Current Budget | Change     | Revised Budget |
|--|----------------|------------|----------------|
| General Fund - Appropriated Fund Balance | \$ 3,782,616   | \$ 222,169 | \$ 4,004,785   |

Ms. Schwartz presented a request for adoption of a Resolution for the Application of seeking State funding assistance through the Clean Water State Revolving Fund (CWSRF) for the WRRF expansion to 4.0 MGD. She explained that the City is currently renovating the Water Resource Recovery Facility (WRRF) and has contracted with McGill Associates, P.A. to render professional services in connection with the WRRF expansion to 4.0 MGD. The renovation project should be completed in the coming months, which will clear the way for the expansion project to begin. Construction bids for the expansion are expected to come in early 2024. The proposed expansion to 4.0 MGD is estimated to cost approximately \$63 million. The City has received an American Rescue Plan – Earmark grant from the North Carolina Department of Environmental Quality for \$11,925,000. The City plans to cash fund \$5,183,000. Therefore, the City seeks other revenue streams to fill the \$45,892,000 funding gap. City staff has spoken with the State regarding seeking assistance through the CWSRF to help fund the expansion project. This funding source is typically at low rates (approximately half of market interest rates) for a 20-year payback period. There is a 2.0% loan closing fee. This opportunity is worthwhile to pursue. Staff recommends that the Council approve the needed steps to apply for funding assistance through the Clean Water State Revolving Fund (CWSRF) for a proposed 1.5 MGD expansion of the WRRF from 2.5 MGD to 4.0 MGD. The resolution which will allow the City to make an Application this fall round (the application deadline is October 2, 2023). Due to the amount of funding assistance needed for the project, any funding shortfall is automatically considered in the subsequent funding cycle in the Spring of 2024 (if initially awarded). Typical loans are a maximum of \$35 million with a 20-year payback period. The City of Mebane will be competing with other municipalities for this funding.

Mr. Bradley made a motion, seconded by Ms. Hadley to adopt the Resolution as presented, requesting Clean Water State Revolving Fund assistance to fund the proposed 1.5 MGD WRRF expansion project, taking the design capacity 4.0 MGD. The motion carried unanimously.

**RESOLUTION BY GOVERNING BODY OF APPLICANT**

WHEREAS, The City of Mebane has need for and intends to construct a project to expand the wastewater treatment capacity of its Water Resource Recovery Facility, and

WHEREAS, The City of Mebane intends to request State loan and/or grant assistance for the project,

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

That City of Mebane, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Mebane to make a scheduled repayment of the loan, to withhold from the City of Mebane any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

If applying for a regional project, that the **Applicant** will partner and work with other units of local government or utilities in conducting the project, including N/A.

That Chris Rollins, City Manager, the **Authorized Representative** and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

That the **Authorized Representative**, 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 in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, ordinances, and funding conditions applicable to the project and to Federal and State grants and loans pertaining thereto.

Ms. Ownbey presented an informational item regarding transit opportunities. She stated that City staff received inquiries from local transit groups about expanding local and regional services in Mebane. Expansion of transit services would better connect Mebane to neighbors to the east and west and provide more transportation options for Mebane residents traveling locally and regionally. Consideration of new routes and services involves a public process most likely led by the respective transportation agency in partnership with the City of Mebane. She stated that the purpose of this informational item is to alert the Mebane City Council and the public of potential public engagement processes in the near future. No financial impacts are being considered during this stage of research, planning, and engagement. No action was taken.

Mayor Hooks shared several announcements regarding upcoming events.

There being no further business, the meeting adjourned at 7:48 p.m.

ATTEST:

\_\_\_\_\_  
Stephanie W. Shaw, City Clerk

\_\_\_\_\_  
Ed Hooks, Mayor



# AGENDA ITEM #5

RZ 23-06

Conditional Rezoning – Deep River

### Presenter

Ashley Ownbey  
Development Director

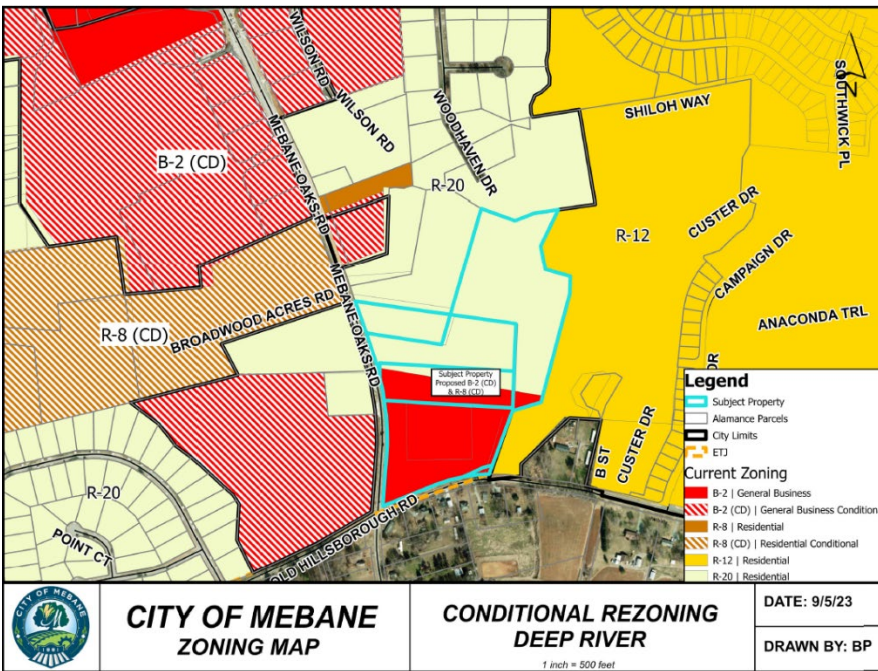
### Applicant

Deep River Partners  
804 Green Valley Road, Suite 202  
Greensboro, NC 27408

### Public Hearing

Yes  No

### Zoning Map



### Property

Unaddressed  
1462 Mebane Oaks Road  
1446 Mebane Oaks Road  
1470 Mebane Oaks Road

Alamance County GPINs:  
9824112921, 9824123324,  
9824120532, and 9824124332

### Proposed Zoning

R-8 (CD) and B-2 (CD)

### Current Zoning

R-20 and B-2

### Size

+/- 27.16 acres

### Surrounding Zoning

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

### Surrounding Land Uses

Residential, Church, Fire  
Station, Vacant, Commercial

### Utilities

Yes

### Floodplain

Yes

### Watershed

No

### City Limits

No

**Application Brief**

*See Planning Project Report for more details.*

| <b>Recommendations</b>                                  |  |
|---|--|
| 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 “Deep River” is consistent with the guidance provided within <i>Mebane By Design</i> , the Mebane Comprehensive Land Development Plan.                  |
| Planning Board:   | At their September 18 meeting, the Planning Board voted 6-2 to recommend approval of the rezoning request.   |
| <b>Zoning &amp; Land Use Report</b>                     |  |
| 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  |
| <b>Utilities Report</b>                                 |  |
| 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  |
| <b>Transportation Report</b>                            |  |
| Traffic Impact Analysis Required (Yes/No):              | Yes  |
| Multi-Modal Improvements (Yes/No):                      | Yes  |
| Consistency with Bike/Ped Transportation Plan (Yes/No): | Yes  |



**Summary**

Deep River Partners is requesting approval to rezone four properties totaling +/- 27.16 acres located along Mebane Oaks Road and Old Hillsborough Road. (GPINs: 9824112921, 9824123324, 9824120532, and 9824124332), from R-20 and B-2 to R-8 (CD) and B-2 (CD) for a development consisting of five commercial parcels and 90 townhomes. The properties are in Alamance County in the Mebane Extraterritorial Jurisdiction (ETJ). The applicant must petition for annexation before connecting to City water and sewer. The applicant has a contract to purchase the properties.

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

- A 5’ wide sidewalk will be constructed on Mebane Oaks Road and a 10’ wide multi-use path along the property’s frontage on Old Hillsborough Road.
- All internal roads within the development will include 5’ wide sidewalks. The public streets will include sidewalks on both sides. Sidewalk is proposed on one side of the private streets.
- The development will include a private playground area, picnic area, dog park, exercise area, and walking trail.

| Proposed Conditions of Zoning District   | Mebane UDO Requirements  |
|--|--|
| <p>The applicant proposes a minimum 30’ separation between individual townhome buildings, with no side yards for end units. Townhome buildings with side frontages on Wilson Road will be set back at least 20’ from the Wilson Road right-of-way.</p>   | <p>Section 4-7 (F) of the Mebane UDO requires a minimum of 15’ of open space between individual townhome buildings and a 15’ side yard for end units.</p>  |
| <p>The applicant proposes an alternative landscaping plan to include:</p> <ul style="list-style-type: none"> <li>• 20’ landscape buffer with increased vegetation between the proposed townhomes and adjoining R-20 zoning.</li> <li>• 30’ landscape buffer with increased vegetation between the proposed commercial and the existing single-family home.</li> <li>• 8’ streetscape along the commercial side of Wilson Road and a 15’ average streetscape along the residential side of Wilson Road.</li> <li>• 10’ streetscape along Old Hillsborough Road</li> </ul> | <p>Table 6-4-1 requires a minimum of 40’ Type B landscape buffer between townhomes and single-family residences on larger lots and requires a 100’ Type B landscape buffer between retail uses and single-family residences on larger lots.</p> <p>Table 6-4-3 requires a 15’ streetscape between retail and residential uses on Wilson Road. A minimum 20’ streetscape is required on Old Hillsborough Road, with a 75’ streetscape required for areas across from single-family homes.</p> |

|  |  |
|--|--|
| <ul style="list-style-type: none"> <li>• Mebane Oaks Road streetscape with increased spacing between trees, with trees spaced every 40’.</li> </ul>  | <p>Section 6-4-D requires streetscape buffers to include one canopy tree every 40’ and one understory ornamental tree every 20’, on average.</p>   |
| <p>The applicant proposes to provide 1.06 acres of common, private recreation space and requests individual townhome backyards be considered as private recreation, increasing the overall total to 2.07 acres.</p>  | <p>Section 6-8.2 of the Mebane UDO requires residential developments with dwelling units not intended for sale to provide private recreation area. This development is required to provide 90,000 square feet or 2.07 acres.</p>                           |
| <p>The applicant requests to provide a payment in lieu of the required public recreation area in the amount of \$135,328. The payment in lieu is to fund off-site improvements for the emerging multi-use path network in the area, covering the cost of installing an off-site intersection crosswalk with pedestrian signal heads at Mebane Oaks Road and Old Hillsborough Road and contributing to a future multi-use path connecting to the Meadows subdivision.</p> | <p>Pursuant to Section 6-8 of the Mebane UDO, the applicant must provide 2.58 acres of public recreation space. The applicant may request the Mebane City Council consider a payment in lieu.</p>  |
| <p>Driveway access to individual, commercial lots will be from Wilson Road. Cross-access will be provided between neighboring commercial lots.</p>   | <p>These are not requirements of the Mebane UDO. The NCDOT permits driveway access on Mebane Oaks Road. Interconnectivity between properties is encouraged in the Comprehensive Land Development Plan.</p>   |
| <p>The applicant proposes a restriction of uses for the commercial lots.</p>   | <p>Table 4-1-1, “Table of Permitted Uses,” of the Mebane UDO, allows for several uses by right and with special use permit in the B-2 Zoning District. Most of the uses are related to business, professional, or personal services and retail trades.</p> |

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

Mebane Oaks Road and Site Access #1

- Construct the full movement access, directly aligned with the existing northern fire station driveway, with one ingress lane and two egress lanes under stop control.
- Provide a minimum 100' internal protected stem.

- Provide an exclusive left-turn lane on Mebane Oaks Road with 100 feet of storage and appropriate transitions.

#### Old Hillsborough Road and Site Access #2

- Construct the full movement access with one ingress lane and two egress lanes under stop control.
- Provide a minimum 100' internal protected stem.
- Provide an exclusive left-turn lane on Old Hillsborough Road with 100 feet of storage and appropriate transitions.

---

#### Financial Impact

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

---

#### Suggested Motion

1. Motion to approve the R-8 (CD) and B-2 (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 properties within the City's G-4, Secondary Growth Area and G-2, Jones Drive and South Mebane Oaks Road Residential Growth Area and proposes a mix of residential and light commercial uses (Mebane CLP, p. 78).
  - Encourages a variety of uses in growth strategy areas to promote a village concept that supports compact and walkable environments, consistent with Growth Management Goal 1.1 (Mebane CLP, p. 17 & 82)
  - Allows for commercial development to be pedestrian-friendly, supporting walking between different land uses, consistent with Growth Management Goal 1.6 (Mebane CLP, p. 17 & 84)
  - Improves safety and pedestrian access across major streets such as Mebane Oaks Road, consistent with Public Facilities and Infrastructure Goal 2.1 (Mebane CLP, p. 17 & 84)

#### OR

3. Motion to **deny** the R-8 (CD) and B-2 (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 – 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

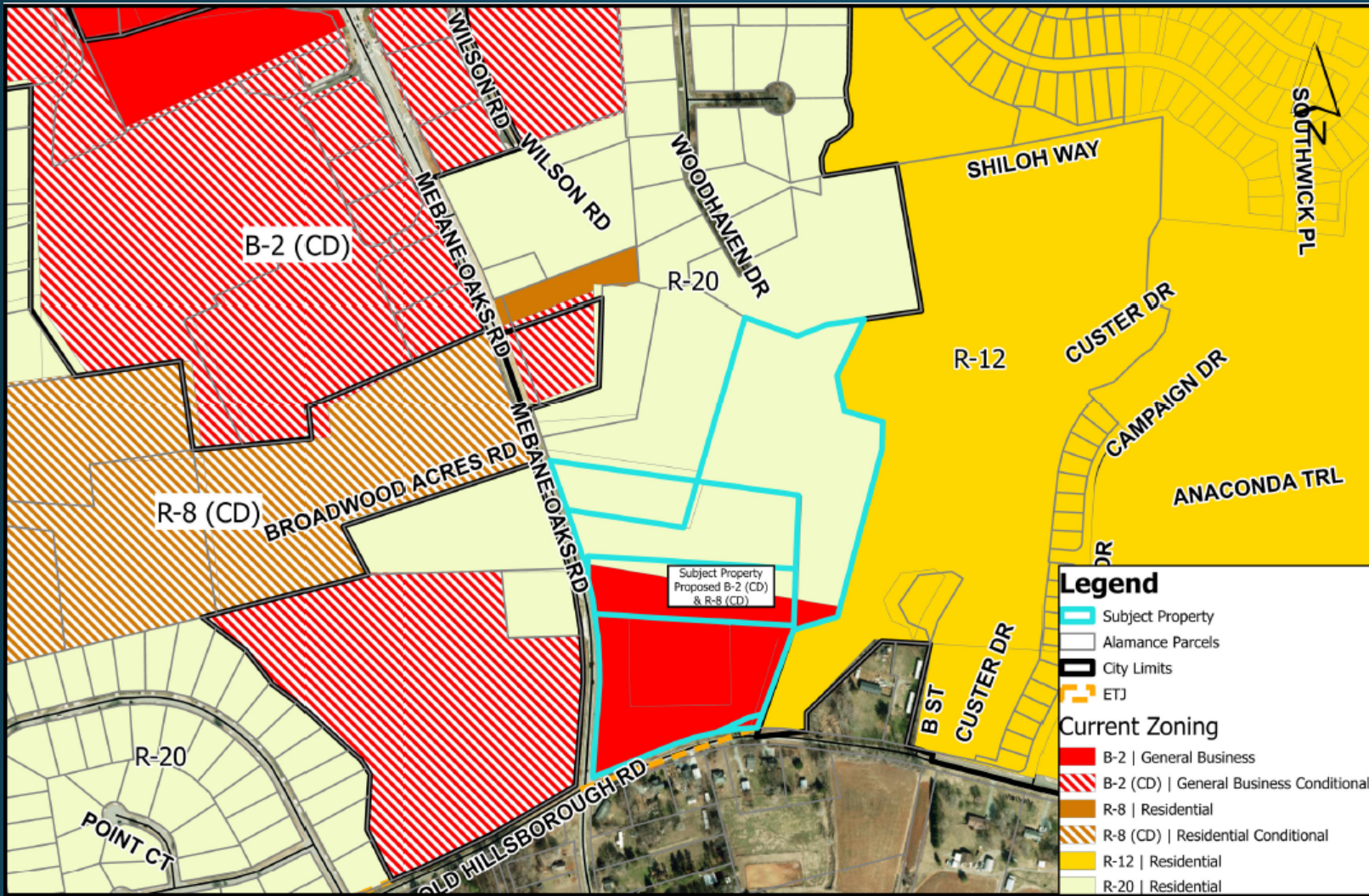


Ashley Ownbey, Development Director

Rezoning Request: R-20 and B-2 to R-8 (CD) and B-2 (CD)

by Deep River Partners





**Legend**

- Subject Property
- Alamance Parcels
- City Limits
- ETJ

**Current Zoning**

- B-2 | General Business
- B-2 (CD) | General Business Conditional
- R-8 | Residential
- R-8 (CD) | Residential Conditional
- R-12 | Residential
- R-20 | Residential

# Deep River

## Conditional Rezoning Request

- Request by Deep River Partners
- +/- 27.16 Acres
- Existing zoning: R-20 and B-2
- Requested zoning: R-8 (CD) and B-2 (CD)



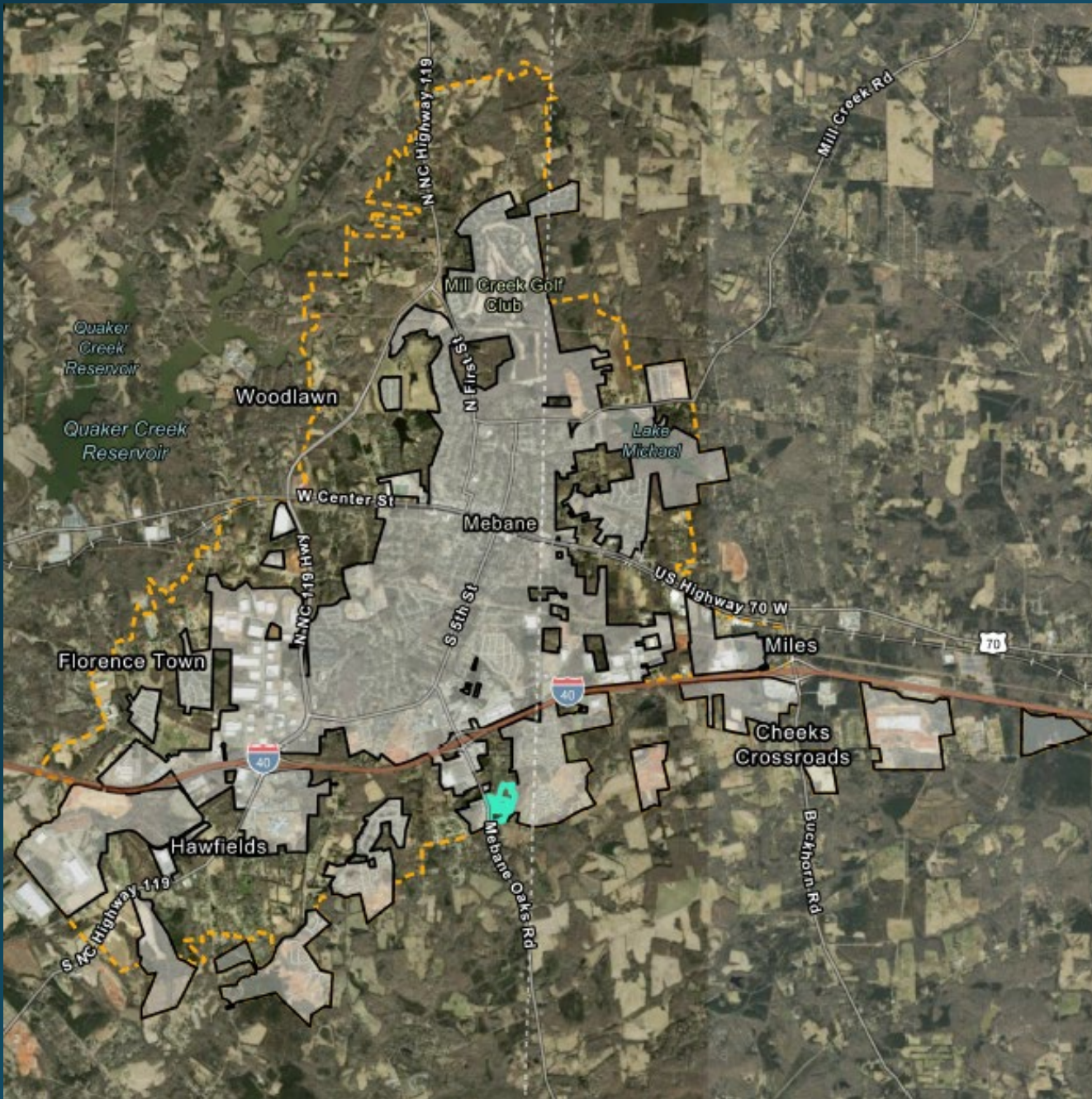
**CITY OF MEBANE**  
ZONING MAP

**CONDITIONAL REZONING**  
**DEEP RIVER**  
1 inch = 500 feet

DATE: 9/5/23  
DRAWN BY: BP







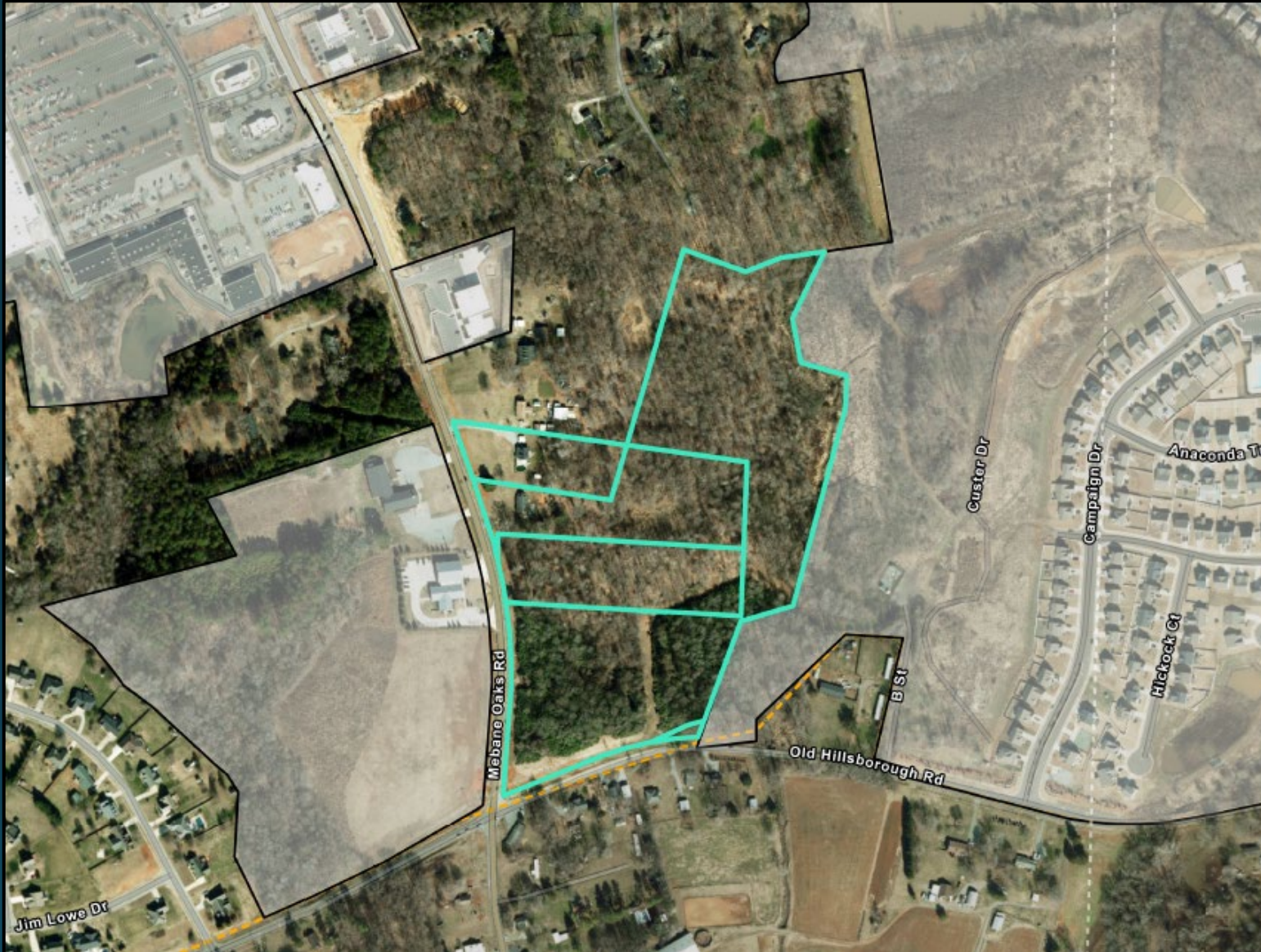
# Deep River

## Conditional Rezoning Request

- Alamance County, Mebane ETJ
- Petition for annexation is required before connection to City water and sewer







# Deep River

## Conditional Rezoning

- Single-Family Residential, Forested, Vacant
- Surrounding uses include:
  - Mebane Fire Station 3
  - Churches
  - Commercial
  - Single-family residential
  - The Meadows Subdivision







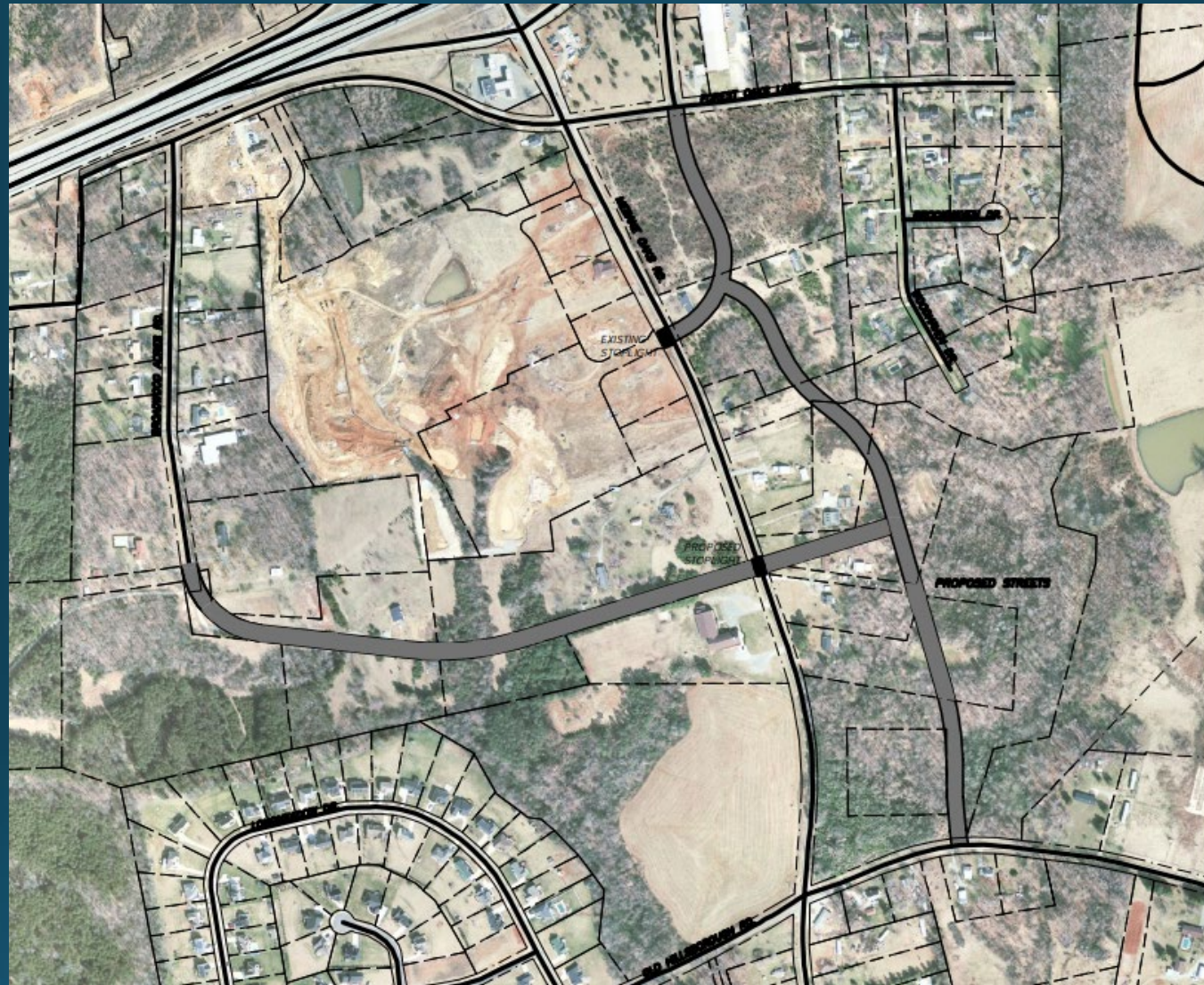
# Deep River

Conditional Rezoning Request

- *Mebane By Design*: G-4 Secondary Growth Area and G-2 Jones Drive and South Mebane Oaks Residential Growth Area







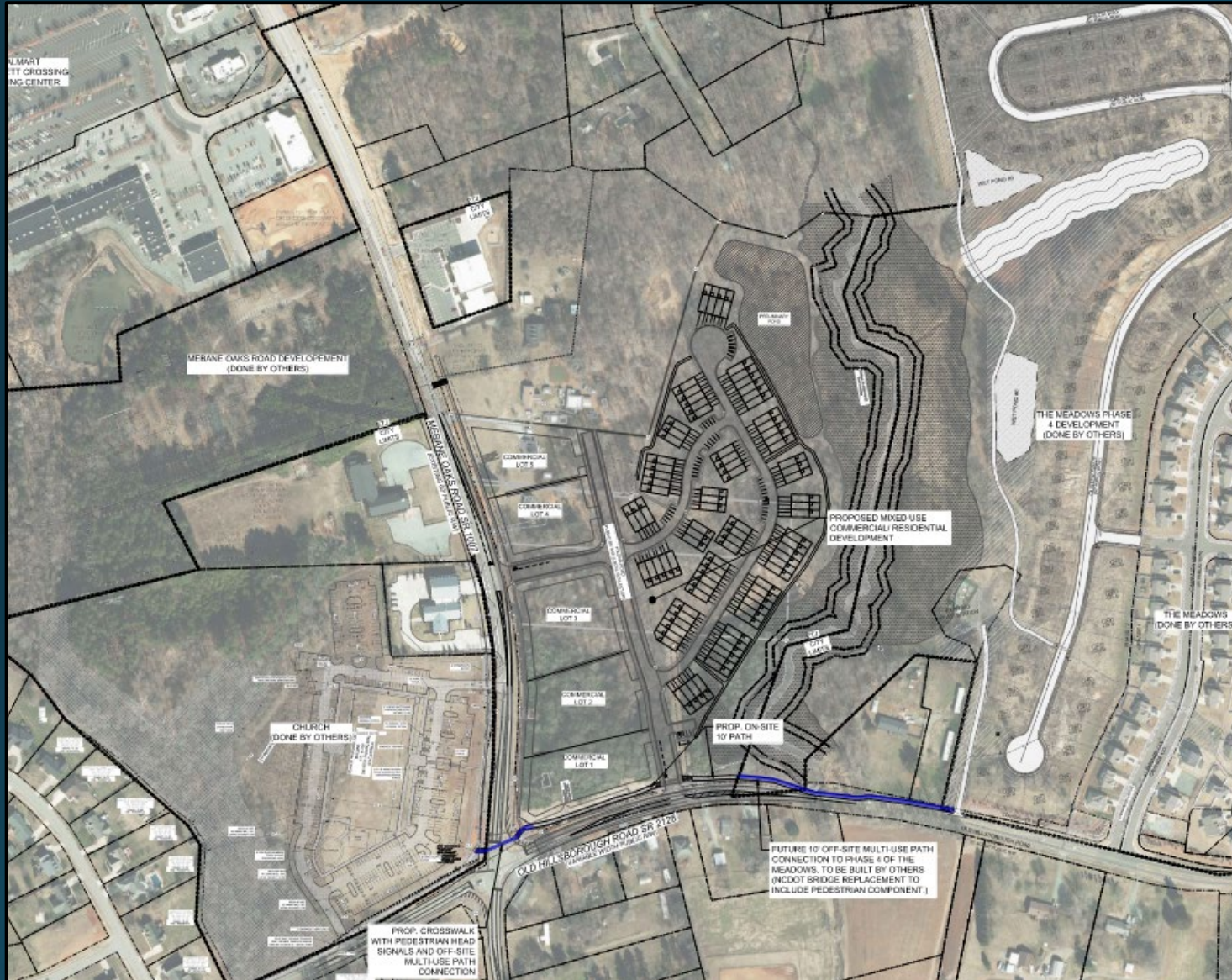
# Deep River

Conditional Rezoning Request

- Mebane Oaks Road Small Area Plan, 2007







# Deep River

## Conditional Zoning Request

- R-8 (CD) and B-2 (CD) zoning requested to allow for a development of five commercial parcels and 90 townhomes
- 5' wide sidewalk along Mebane Oaks Road and a 10' multi-use path along Old Hillsborough Road.
- Public and private streets
- Private playground area, picnic area, dog park, exercise area, and walking trail for townhome community



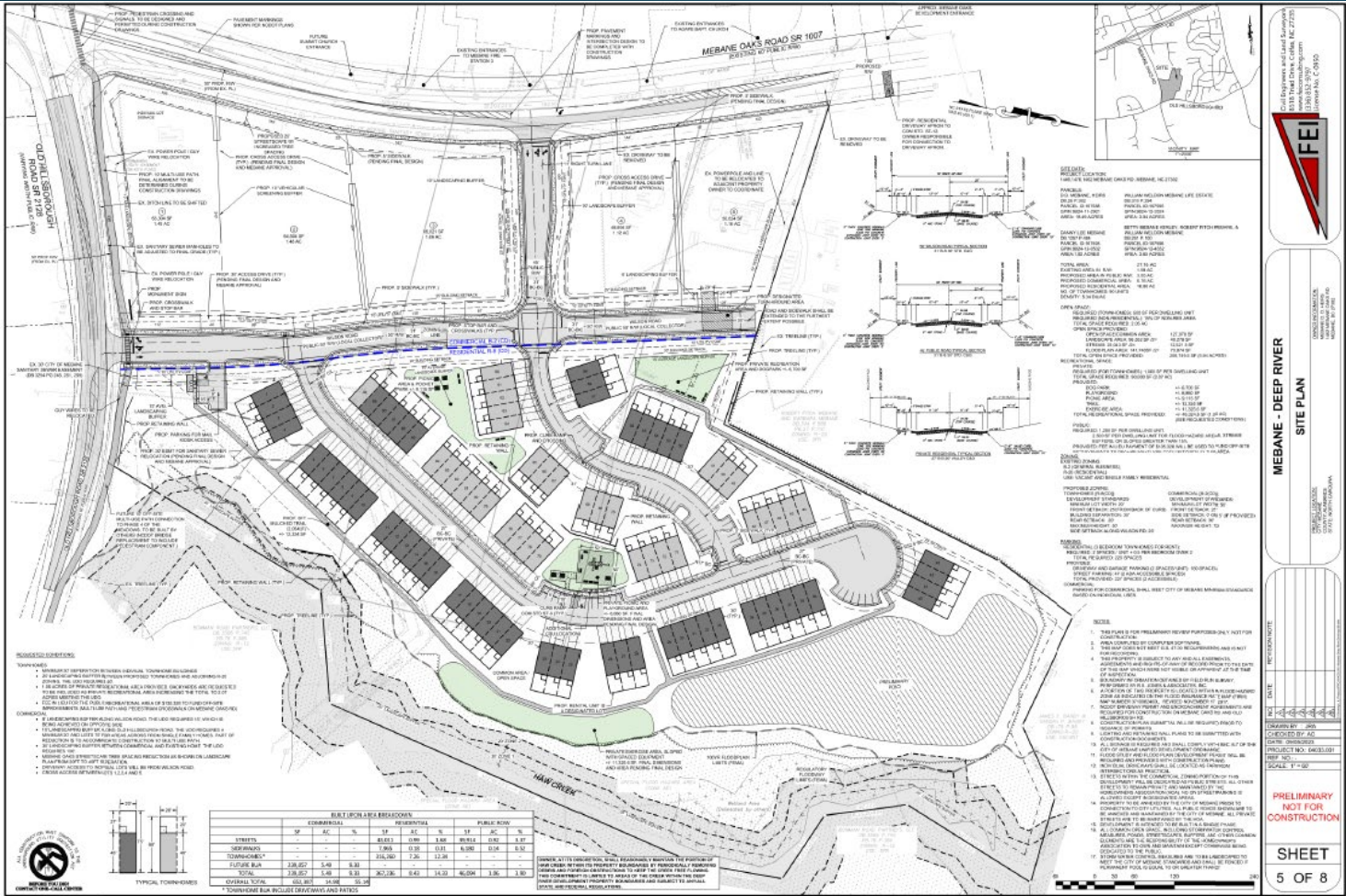


# Deep River

## Conditional Zoning Request

### Conditions Requested:

- Minimum 30' building separation between townhome buildings, with no side yards.
- Alternative landscaping plan
- +/- 1.06 acres of common private recreation
  - Request to consider townhome backyards to reach required 2.07 acres
- Payment in lieu of public recreation area to be used for off-site pedestrian improvements.
- Commercial lots developed with:
  - Driveway access from Wilson Road
  - Cross-access between lots
  - Restriction of uses





# Deep River

## Conditional Zoning Request

### Multi-modal Improvements

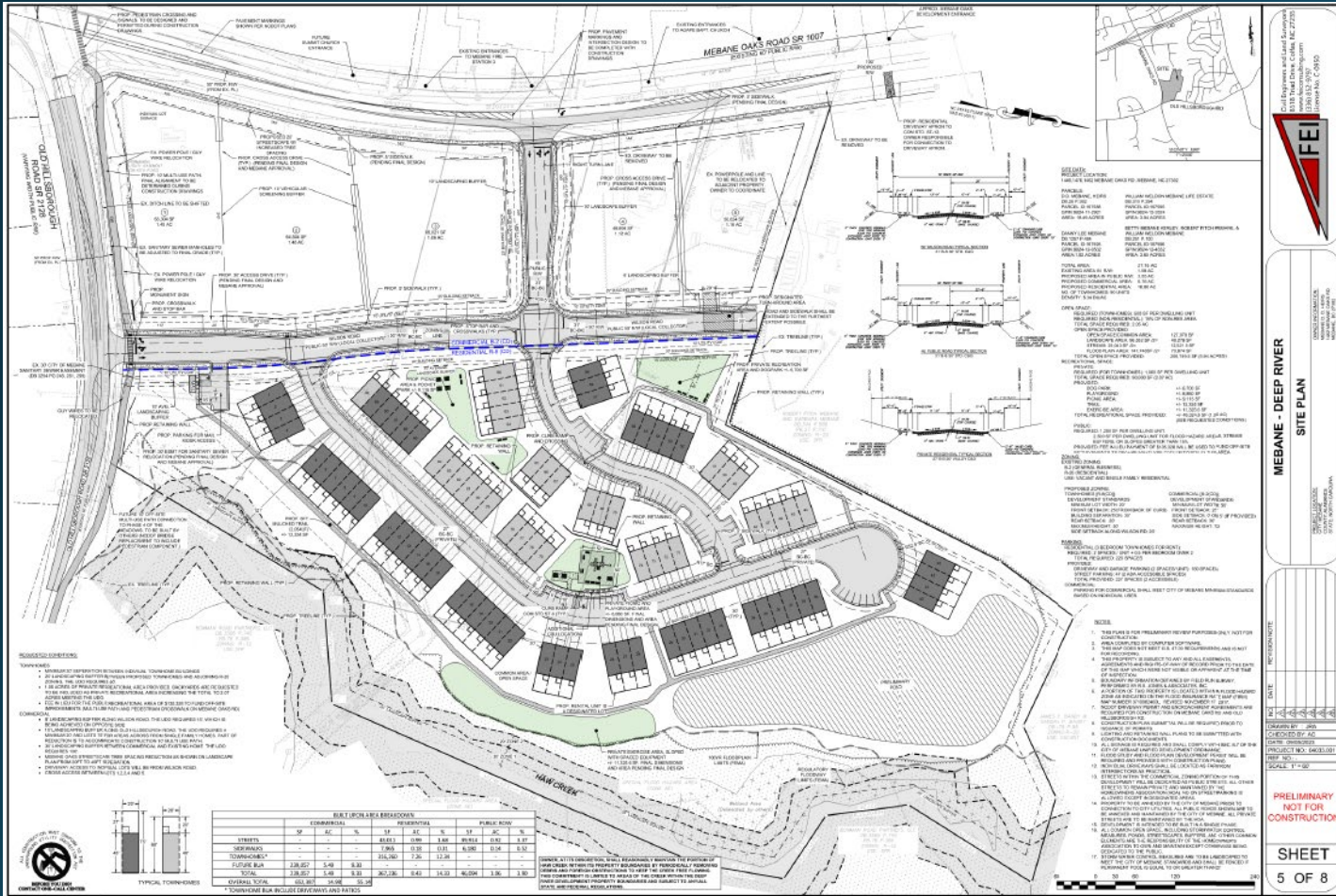
- 5' sidewalk along Mebane Oaks Road and 10' multi-use path along Old Hillsborough Road
- Internal sidewalk

### Mebane Oaks Road (Site Access #1)

- Construct the full movement access, directly aligned with the existing northern fire station driveway, with one ingress lane and two egress lanes under stop control.
- Provide a minimum 100' internal protected stem.
- Provide an exclusive left-turn lane on Mebane Oaks Road with 100 feet of storage and appropriate transitions.

### Old Hillsborough Road (Site Access #2)

- Construct the full movement access with one ingress lane and two egress lanes under stop control.
- Provide a minimum 100' internal protected stem.
- Provide an exclusive left-turn lane on Old Hillsborough Road with 100 feet of storage and appropriate transitions.





# Applicant Presentation



# Mebane Oaks at Old Hillsborough Road Project

City of Mebane City Council

October 2, 2023

Michael S. Fox  
Tuggle Duggins P.A.

400 Bellemeade Street, Suite 800  
Greensboro, NC 27401



# The Project



Promotes a High-Quality Mixed-Use Development



Five Commercial Lots with Frontage on Mebane Oaks Road



Complimented by a Moderate Density Residential Community Behind



Pedestrian Friendly



---

# Neighborhood Input

- Deep River representatives have had extensive conversations with neighbors.
  - Met individually with particular neighbors
  - Held a neighborhood meeting on August 30th
  - As a result, Deep River has committed to addressing the concerns raised by neighbors.
-



**DEEP RIVER**  
PARTNERS

## ABOUT OUR COMPANY

- Founded in 1985.
- Long term presence with property ownership throughout Triad
- Consistently develop high quality projects in the Triad and throughout Southeast
- Experienced commercial developers with extensive client and contact base
- Previous residential development in Alamance County

# Representative Commercial Development





# Representative Residential Development







# Development & Design Considerations

- 
- Thoughtful Placement of Proposed Commercial Development
  - Encourages Walkability & Access to Neighborhood-Scale Retail & Commercial Businesses
  - Provides Access from Wilson Road to Old Hillsborough Road Consistent with the Mebane Oaks Road Small Area Plan
  - Increase Pedestrian & Traffic Safety
  - Multi-Use Trail Connection
  - Accommodate Housing for the Workforce & Young Families
  - Private Recreation Amenities Including a Playground, Dog Park, Picnic Shelter, & Exercise Area
  - Assistance with Flood Prevention, Stream Preservation & Wildlife Management
-



# Illustrative Townhomes



# Architectural Commitments

- 
- Facade elevations feature 25% or more stone or brick
  - Slab on grade construction
  - Single car garages on all units
  - 30-year architectural shingles
  - Projected Eaves (side, back & front)
  - Minimum 1,400 square feet
  - Where Vinyl Siding is used, there will be elevation differentiation and variety of textures and muted colors.
-



THANK YOU  
QUESTIONS?



## APPLICATION FOR A ZONING AMENDMENT

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

Name of Applicant: Deep River Partners

Address of Applicant: 804 Green Valley Road, Suite 202 Greensboro, NC 27408

Address and brief description of property to be rezoned: 1446, 1462, & 1470 Mebane Oaks Rd.

Alamance County Pins: 167593, 167595, 167596 and 167588

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

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

Yes \_\_\_ Explain: \_\_\_\_\_ No X

Type of re-zoning requested: B-2 (Conditional) and R-8 (Conditional)

Sketch attached: Yes X No \_\_\_\_\_

Reason for the requested re-zoning: \_\_\_\_\_

To develop a mixed-use commercial and residential development.

Signed: 

Date: SEP 12, 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 2<sup>nd</sup> 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 1<sup>st</sup> Monday of each month at 6:00 p.m.



# Alamance County



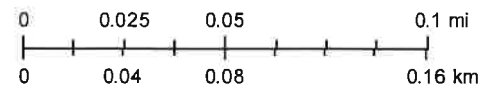
October 5, 2022

1:3,000

## Address Points

- Address
- Tax Address
- Preliminary Address

- ⊙ PERMIT APPROVED
- ⊙ PERMIT RENEWED
- ⊙ UNDER CONSTRUCTION



## Heavy Industrial Development Applicants

- ⊙ APPLIED FOR PERMIT

Alamance County GIS  
Alamance County Tax Department

## **DEEP RIVER PROJECT**

### **List of Voluntary Use Exclusions - B-2 Zoning**

Batting Cages (outdoor)

Batting Cages (indoor)

Billiard Parlor, Pool Hall

Fortune Tellers, Astrologers

Golf Course, Miniature

Golf Driving Range

Cemetery, Columbarium or Mausoleum (Princ. Use)

Crematorium

Advertising, Outdoor Services

Automobile Rental or Leasing

Laundromat, Coin Operated

Funeral Home, Crematorium

Tattoo Parlor & Body Piercing

Taxi Terminal

Carnivals and Fairs

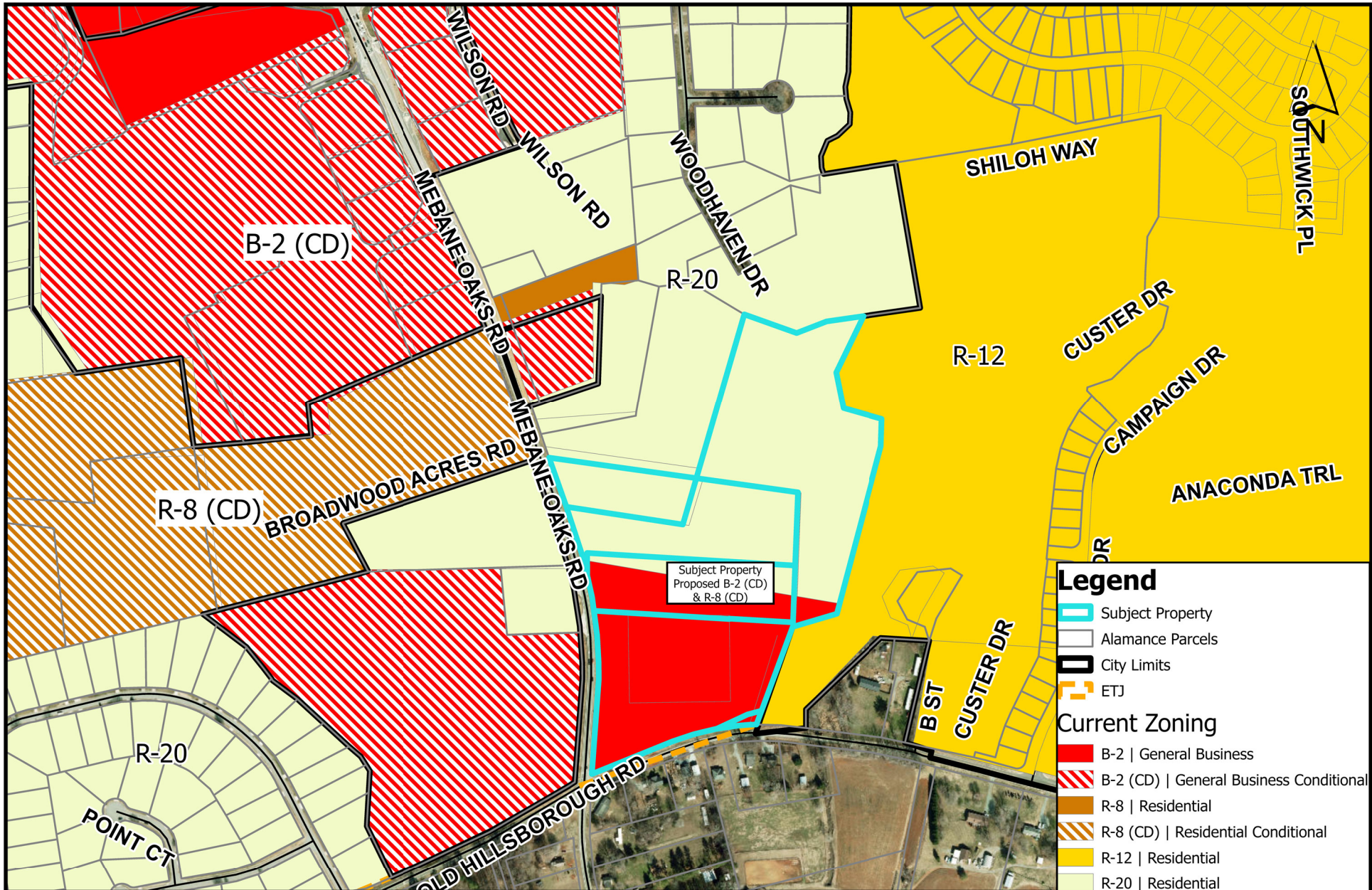
Temporary Debris Storage and Reduction Sites

Outside Storage

Pawnshop (but allow secondhand like Plato's closet)

RV Sales





**Legend**

- Subject Property
- Alamance Parcels
- City Limits
- ETJ

**Current Zoning**

- B-2 | General Business
- B-2 (CD) | General Business Conditional
- R-8 | Residential
- R-8 (CD) | Residential Conditional
- R-12 | Residential
- R-20 | Residential



**CITY OF MEBANE  
ZONING MAP**

**CONDITIONAL REZONING  
DEEP RIVER**

DATE: 9/5/23

DRAWN BY: BP

1 inch = 500 feet

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# PLANNING PROJECT REPORT

|                |   |
|----------------|---|
| DATE           | 09/08/2023  |
| PROJECT NUMBER | RZ 23-06  |
| PROJECT NAME   | Deep River  |
| APPLICANT      | Deep River Partners<br>804 Green Valley Rd, Suite 202<br>Greensboro, NC 27408 |

## CONTENTS

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

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## ZONING REPORT

|                          |  |
|--------------------------|--|
| <b>EXISTING ZONE</b>     | R-20, Residential and B-2, General Business                                  |
| <b>REQUESTED ACTION</b>  | R-8 (CD), Residential Conditional and B-2 (CD), General Business Conditional |
| <b>CONDITIONAL ZONE?</b> | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO          |
| <b>CURRENT LAND USE</b>  | Single-Family Residential, Forested, Vacant                                  |
| <b>PARCEL SIZE</b>       | +/- 27.16 acres  |

|  |   |   |
|--|---|---|
|  | D.D. Mebane Heirs<br>Unaddressed<br>GPIN:9824112921 | William Weldon Mebane Life Estate<br>1462 Mebane Oaks Road<br>Mebane, NC 27302<br>GPIN:9824123324 |
|--|---|---|

### PROPERTY OWNERS

|   |   |
|---|---|
| Betty Mebane Kerley, Robert Fitch<br>Mebane, & William Weldon Mebane<br>1470 Mebane Oaks Road<br>GPIN: 9824124332 | Danny Lee Mebane<br>1446 Mebane Oaks Road<br>Mebane, NC 27302<br>GPIN: 9824120532 |
|---|---|

|                          |   |
|--------------------------|---|
| <b>LEGAL DESCRIPTION</b> | Request to rezone four properties totaling +/- 27.16 acres located along Mebane Oaks Road and Old Hillsborough Road from R-20 and B-2 to R-8 (CD) and B-2 (CD) for a development consisting of five commercial parcels and 90 townhomes by Deep River Partners. |
|--------------------------|---|

|                                    |  |
|------------------------------------|--|
| <b>AREA ZONING &amp; DISTRICTS</b> | Properties to the west, across Mebane Oaks Road, are zoned R-20 and B-2 (CD). Adjoining properties to the north are zoned R-20 and to the east R-12. Properties to the south are located in Alamance County's planning jurisdiction and are not zoned. |
|------------------------------------|--|

|                     |   |
|---------------------|---|
| <b>SITE HISTORY</b> | Two of the four properties currently have single-family residences, which were built in the 1940s and 1960s. The remaining properties are forested and undeveloped. The largest property includes a stream, wetlands, and FEMA designated floodplain. |
|---------------------|---|

### STAFF ANALYSIS

|                               |   |
|-------------------------------|---|
| <b>CITY LIMITS?</b>           | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| <b>PROPOSED USE BY-RIGHT?</b> | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| <b>SPECIAL USE?</b>           | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| <b>EXISTING UTILITIES?</b>    | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |

|  |   |
|--|---|
| <b>POTENTIAL IMPACT OF PROPOSED ZONE</b> | The proposed R-8 (CD) zoning district introduces a higher residential density than surrounding residential uses. However, the environmental features of the property provide additional buffering to single-family uses to the east and south of the proposed townhomes. The proposed B-2 (CD) zoning district is consistent with commercial uses along Mebane Oaks Road. |
|--|---|





---

## LAND USE REPORT

|   |  |
|---|--|
| <b>EXISTING LAND USE</b>                        | Single-Family Residential, Forested, Vacant  |
| <b>PROPOSED LAND USE &amp; REQUESTED ACTION</b> | The applicant is requesting to rezone four properties totaling +/- 27.16 acres located along Mebane Oaks Road and Old Hillsborough Road from R-20 and B-2 to R-8 (CD) and B-2 (CD) for a development consisting of five commercial parcels and 90 townhomes by Deep River Partners.  |
| <b>PROPOSED ZONING</b>                          | R-8 (CD), Residential Conditional District<br>B-2 (CD), General Business Conditional District  |
| <b>PARCEL SIZE</b>                              | +/- 27.16 acres  |
| <b>AREA LAND USE</b>                            | <p>The subject properties are located at the intersection of Mebane Oaks Road and Old Hillsborough Road. The properties to the west include Mebane Fire Station 3, Agape Baptist Church, and the Summit Church, which is under construction. Evolve at Mebane Oaks, a Planned Unit Development, was recently approved on a site northwest of this proposed development. The properties to the north consist of single-family dwellings and retail uses. Properties to the south include a pet grooming business and single-family homes. To the east is The Meadows subdivision. Site work for the fourth phase of The Meadows, which adjoins this property, is ongoing.</p> |
| <b>ONSITE AMENITIES &amp; DEDICATIONS</b>       | <p>The applicant proposes a 5' sidewalk on Mebane Oaks Road and a 10' multi-use path along Old Hillsborough Road. All internal roads within the development will include 5' wide sidewalks. Sidewalk will be provided on both sides of all public streets and on one side of the private streets. The development will include a private playground area, picnic area, dog park, exercise area, and walking trail.</p>   |
| <b>CONDITIONAL ZONE?</b>                        | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO<br><p>The applicant has proposed a minimum 30' separation between individual townhome buildings, with no side yards for end units. Additionally, the applicant proposes townhome buildings with side frontages on Wilson Road to be set back at least 20' from the Wilson Road right-of-way. The Unified Development Ordinance (UDO) requires a minimum 15' of open space between individual townhome buildings and a 15' side yard for end units.</p>   |
| <b>DESCRIPTION OF PROPOSED CONDITIONS</b>       | <p>The applicant proposes an alternative landscaping plan including reduced buffers between adjacent residential zoning to the north and reduced streetscape buffers, particularly along Old Hillsborough Road.</p> <ul style="list-style-type: none"><li>• The applicant proposes a 20' landscape buffer with increased vegetation between proposed townhomes and adjoining R-20 zoning. The UDO requires a 40' Type B landscape buffer between townhomes and single-family residences on larger lots.</li><li>• The applicant proposes a 30' landscape buffer with increased vegetation between commercial and existing single-family homes.</li></ul>                     |

- 
- The UDO requires a 100' Type B landscape buffer between retail uses and single-family residences on larger lots.
- The applicant proposes an 8' streetscape along the commercial side of Wilson Road and 15' average streetscape along the residential side of Wilson Road. The UDO requires a 15' streetscape between retail and residential uses on Wilson Road.
  - The applicant proposes a 10' streetscape along Old Hillsborough Road. The UDO would require a minimum 20' streetscape on Old Hillsborough Road with a 75' streetscape required for areas across from single-family homes.
  - The applicant proposes a streetscape along Mebane Oaks Road with increased spacing between trees, with trees spaced every 40'. The UDO requires streetscape buffers to include one canopy tree every 40' and one understory ornamental tree every 20', on average.

As a condition of the zone district, the applicant proposes to provide 1.06 acres of common, private recreation space and requests individual townhome backyards be considered as private recreation, increasing the overall total to 2.07 acres. The UDO requires 90,000 square feet or 2.07 acres of private recreation for residential units not intended for sale.

The applicant requests to provide a payment in lieu of the required public recreation area in the amount of \$135,328. The payment in lieu is to fund off-site improvements for the emerging multi-use path network in the area, covering the cost of installing an off-site intersection crosswalk with pedestrian signal heads at Mebane Oaks Road and Old Hillsborough Road and contributing to a future multi-use path connecting to the Meadows subdivision. The UDO requires this development to provide 2.58 acres of public recreation space.

Development of the commercial parcels are proposed with the following conditions:

- Driveway access will be from Wilson Road.
  - Cross-access will be provided between neighboring commercial lots.
  - Certain uses, as described in the applicant's rezoning application, will be prohibited from the B-2 (CD) Zoning District.
-

| CONSISTENCY WITH <i>MEBANE BY DESIGN</i> STRATEGY               |   |
|---|---|
| LAND USE GROWTH STRATEGY DESIGNATION(S)                         | G-4, Secondary Growth Area<br>G-2, Jones Drive and South Mebane Oaks Road Residential Growth Area   |
| OTHER LAND USE CONSIDERATIONS                                   | Mebane Oaks Road Small Area Plan  |
| <i>MEBANE BY DESIGN</i> GOALS & OBJECTIVES SUPPORTED            | <p><b>Goal 1.1:</b> Encourage a variety of uses in growth strategy areas and in the downtown, promote/encourage a village concept that supports compact and walkable environments.</p> <p><b>Goal 1.6:</b> Require that commercial development be pedestrian-friendly, supporting walking between differing land uses while also reducing parking requirements.</p> <p><b>Goal 2.1:</b> Improve safety and confidence of pedestrian access across major streets, including I-40/85, US-70, NC-119, Mebane-Oaks Road and other highly traveled roadways.</p> |
| <i>MEBANE BY DESIGN</i> GOALS & OBJECTIVES <u>NOT</u> SUPPORTED |   |



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## UTILITIES REPORT

|   |   |
|---|---|
| <b>AVAILABLE UTILITIES</b>                              | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO   |
| <b>PROPOSED UTILITY NEEDS</b>                           | Per the memorandum from Franz Holt of AWCK, the anticipated water use is approximately 26,300 gallons per day (3,800 gallons per day for the commercial component and 22,500 gallons per day for the townhomes). The developer will connect to an existing 12-inch water line in Old Hillsborough Road and extend a new 8-inch public water line along Wilson Road. The developer will extend an 8-inch private sewer line to serve the townhome community. Wastewater flows will be permitted at 26,300 gallons per day. The City has adequate wastewater capacity available at the downstream Southeast Regional Pump Station and at the WRRF to meet this demand.                                      |
| <b>UTILITIES PROVIDED BY APPLICANT</b>                  | Applicant has pledged to provide all on-site utilities, as described in AWCK's Technical Memo.  |
| <b>MUNICIPAL CAPACITY TO ABSORB PROJECT</b>             | The City has adequate water & sewer supply to meet the domestic and fire flow demands of the project.   |
| <b>CONSISTENCY WITH MEBANE LONG RANGE UTILITY PLAN?</b> | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO   |
| <b>ADEQUATE STORMWATER CONTROL?</b>                     | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO   |
| <b>INNOVATIVE STORMWATER MANAGEMENT?</b>                | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO   |
| <b>TRANSPORTATION NETWORK STATUS</b>                    |   |
| <b>CURRENT CONDITIONS</b>                               | <p>The subject property is situated on the corner of Mebane Oaks Road and Old Hillsborough Road. The site plan features driveway connections to Mebane Oaks Road and Old Hillsborough Road. Both roads are maintained by the NCDOT.</p> <p>In 2022, this section of Mebane Oaks Road recorded an annual average daily traffic volume of 27,000 vehicles while Old Hillsborough Road recorded 4,900. From 2018-2022, there have been 12 reported crashes in this section of Mebane Oaks Road and 7 reported crashes at the intersection of Mebane Oaks Road and Old Hillsborough Road. The NCDOT has recently installed a traffic signal at the intersection of Mebane Oaks Road and Old Hillsborough.</p> |
| <b>TRAFFIC IMPACT ANALYSIS REQUIRED?</b>                | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO   |
| <b>DESCRIPTION OF RECOMMENDED IMPROVEMENTS</b>          | The developer is required to make the following improvements:   |





September 12, 2023

Mr. Andrew Christ, P.E.  
FEI Civil Engineers and Land Surveyors  
8518 Triad Drive  
Colfax, NC 27235

Subject: Mebane Deep River Development – Water and Sewer Layout

Dear Mr. Christ:

Regarding the Preliminary Site Utility Plans for Mebane Deep River Development and in accordance with the UDO, this letter 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 connecting to Mebane’s existing 12-inch water line in Old Hillsborough Road right-of-way and extending a new 8-inch public water line along proposed Wilson Road (Extension). Commercial water service taps are 2-inch domestic and 4-inch fire to each commercial lot (5). The proposed the proposed rental townhomes will be served through two 6-inch master meters with backflow prevention looped with 6-inch private water lines along the private roadways. Each building will have a domestic water service with backflow prevention. A water model will be completed at the construction drawing phase to determine if a second public connection is needed to Mebane’s existing 12-inch water line in Mebane Oaks Road right-of-way. The anticipated water use is approximately 26,300 gallons per day (3,800 gallons per day for commercial at 38,000 square feet x 100 gallons per day per 1,000 square feet and 22,500 gallons per day for the townhomes calculated at 240 gallons per day per unit based on permitted sewer use for 3- bedroom units). Proposed internal fire hydrants will be provided at appropriate locations. Existing fire hydrants along Old Hillsborough Road and Mebane Oaks Road may provide additional perimeter protection. 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 connect the five (5) commercial lots with 6-inch sewer services at manholes in Mebane Oaks Road right-of-way. Additionally, the developer will extend 8-inch private sewer lines along the private roadways. Each building will have a sewer service. Wastewater flows will be permitted at 26,300 gallons per day. The City has adequate wastewater capacity available at the downstream Southeast Regional Pump Station and at the WRRF to meet this demand. A portion of the City’s existing 12-inch sewer outfall will be relocated to accommodate the sewer layout.

Public extensions and relocations will become a part of the City’s water distribution and sewer collection system when completed in accordance with City of Mebane requirements.

If there are any questions, please let me know.

Sincerely,

Franz K. Holt, P.E. City Engineer

CC: Ashley Ownbey, Dev. Director and Kyle Smith, Utilities Director



Technical Memorandum

Date: September 12, 2023

To: Ashley Ownbey, Development Director

From: Franz Holt, P.E.

Subject: Mebane Deep River Development - City Engineering Department review

City Engineering has reviewed Site Plans submitted for Mebane Deep River Development dated August 23, 2023, prepared by Andrew Christ, P.E. with FEI Civil Engineers and Land Surveyors. Our technical review comments are as follows:

A. General Summary

1. The 27.16-acre site is proposed to be developed as 5 commercial lots and 90 residential townhome units for rent.
2. On-site stormwater controls are proposed to meet standard treatment requirements and exceed standard storm water detention requirements.
3. The City of Mebane (city) public water and sewer lines are accessible for extension within the development.
4. Street Access is made with a public roadway connection to Mebane Oaks Road SR 1007 (with turn lanes) and a public roadway connection to Old Hillsborough Road SR 2128 (with turn lanes). The internal streets include an extension of Wilson Street (a proposed city street) complying with Mebane's approved small area thoroughfare plan. However, gaps remain in the area plan and will be completed with additional future private development. The residential development will be served by private streets 27'- back-to-back curb and gutter. The proposed city public streets will be 31' back-to-back curb and gutter.
5. Sidewalks are proposed on both sides of all proposed city public streets and one side of the private street network. A city-maintained sidewalk will also be extended along the property frontage on Mebane Oaks Road. A city maintained multi-use path will be extended along the Old Hillsborough Road frontage. A NCDOT maintained pedestrian crosswalk with signal heads will be installed at the intersection of Old Hillsborough Road and Mebane Oaks Road and credited against the recreation fee collected by the city. Additionally, the balance of the recreation fees will be collected by the city to be used for extension of the multi-use path to the Meadows Subdivision.





6. NCDOT plan approvals, driveway permits, and encroachment agreements are required for the proposed improvements along Mebane Oaks Road and Old Hillsborough Road.

B. Availability of City Water and Sewer

Regarding the Preliminary Site Utility Plans for Mebane Deep River Development 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 connecting to Mebane’s existing 12-inch water line in Old Hillsborough Road right-of-way and extending a new 8-inch public water line along proposed Wilson Road (Extension). Commercial water service taps are 2-inch domestic and 4-inch fire to each commercial lot (5). The proposed the proposed rental townhomes will be served through two 6-inch master meters with backflow prevention looped with 6-inch private water lines along the private roadways. Each building will have a domestic water service with backflow prevention. A water model will be completed at the construction drawing phase to determine if a second public connection is needed to Mebane’s existing 12-inch water line in Mebane Oaks Road right-of-way. The anticipated water use is approximately 26,300 gallons per day (3,800 gallons per day for commercial at 38,000 square feet x 100 gallons per day per 1,000 square feet and 22,500 gallons per day for the townhomes calculated at 240 gallons per day per unit based on permitted sewer use for 3- bedroom units). Proposed internal fire hydrants will be provided at appropriate locations. Existing fire hydrants along Old Hillsborough Road and Mebane Oaks Road may provide additional perimeter protection. 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 connect the five (5) commercial lots with 6-inch sewer services at manholes in Mebane Oaks Road right-of-way. Additionally, the developer will extend 8-inch private sewer lines along the private roadways. Each building will have a sewer service. Wastewater flows will be permitted at 26,300 gallons per day. The city has adequate wastewater capacity available at the downstream Southeast Regional Pump Station and at the WRRF to meet this demand. A portion of the city’s existing 12-inch sewer outfall will be relocated to accommodate the sewer layout.



#### D. 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 a fenced wet pond 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.

#### E. 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. However, there is a bypass storm drain piping system to direct off-site runoff through the site.

#### F. Traffic Impact Analysis

1. A TIA was required for this project with NCDOT issuing their approval letter with concurrence by the City of Mebane's Traffic Engineer and Mebane staff.



2. Left turn lane improvement with appropriate storage and transitions will be required at the Mebane Oaks Road and Old Hillsborough Road connections.
3. Two egress lanes are being required to the Old Hillsborough Road and Mebane Oaks Road connections with one ingress lane at each roadway connection.

G. Construction Plan Submittal

The UDO requires final site construction plans to be submitted for TRC review and approval. A flood study will also be required to be submitted with the construction plans.



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## AGENDA ITEM #6

### Informational Item- Mebane Community Fund

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#### Meeting Date

October 2, 2023

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#### Presenter

Greg Payne

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#### Public Hearing

Yes  No

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#### Summary

This is to announce the creation of the Mebane Community Fund, to be housed at the Alamance Community Foundation. This new fund will pool private donations from individuals and businesses and be used to make grants that improve the quality of life and amenities in Mebane.

The fund is intended to be used for physical, tangible improvements that are visible to the public – located outdoors or in a public building. Examples include public art, improvements to our parks and recreation areas, improvements to trails and greenways, downtown improvements, or for new facilities like a permanent farmers market structure.

Governments and non-profit organizations will be eligible to apply for grants. A Mebane Advisory Board will be established to review grant proposals and make recommendations to the board of the Alamance Community Foundation, which will make the final decision.

An initial deposit of \$25,000 is required to open a new fund at the Alamance Community Foundation, and this amount has been raised. The next step will be to obtain multi-year pledges from Mebane individuals and businesses to increase the size of the fund.

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#### Background

It appears that this is the first charitable fund dedicated to making community improvements in Mebane. In my experience with economic & community development, it is clear to me that making quality of life investments is crucial to maintaining an attractive community where families want to live, and businesses want to be. The private sector should be involved with this, as well as government.

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#### Financial Impact

N/A

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#### Attachments

1. Mebane Community Fund one-page information sheet



Announcing the  
**Mebane Community Fund**  
managed by the  
Alamance Community Foundation

There is currently no charitable fund dedicated to community improvements in Mebane.

The new **Mebane Community Fund** will gather private sector investments from individuals and businesses, to create a pool of funds for making grants that improve the quality of life & amenities for Mebane and its residents.

**What will funds be used for?**

Physical, tangible improvements visible to the public – outdoors or in a public building

Examples:

- Public art
- Improvements to parks & recreation areas
  - Improvements to trails & greenways
  - Making the downtown more attractive
- Amenities for new facilities like a permanent farmers' market structure

**Who will be eligible to receive a grant?**

Governments and non-profit organizations

**Who will make grant decisions?**

A Mebane Advisory Board will be created to make recommendations on grant requests, with the final decision made by the Alamance Community Foundation's board.

**What is the amount required to establish the Mebane Community Fund?**

An initial amount of \$25,000 has been raised to start the fund at the ACF.

The next step will be for individuals and businesses to make pledges for donations to grow the fund to \$100,000, then \$250,000 and beyond.

**What is the Alamance Community Foundation?**

The Alamance Community Foundation was established in 1991 as Alamance County's partner in philanthropy. The Foundation manages over 100 charitable funds whose balances are commingled in a diverse investment portfolio (totaling over \$20M) which is managed by Trust Company of the South. The ACF provides close oversight of investment performance, professional guidance on gifting and grantmaking, due diligence and research on grant recipients, and community leadership in philanthropy.

**Questions?**

Greg Payne, Mebane resident  
919.563.5815 or [gpayne@mebtel.net](mailto:gpayne@mebtel.net)

Gavin Stevens, Executive Director of the ACF  
336.790.6627 or [gavin@alamancecommunityfoundation.org](mailto:gavin@alamancecommunityfoundation.org)



## AGENDA ITEM #7

### Change Order for 2023-24 Street Repair and Resurfacing

#### Presenter

Mark Reich, AWCK, Inc.  
Chuck Smith, Public Works Director

#### Public Hearing

Yes  No

#### Summary

Staff is proposing to extend the Turner Asphalt GC, LLC contract by change order in the amount of \$725,000.00 to repair, resurface and crack seal 2.84 miles of City Street and patch and resurface 2,380 sy of pavement at the Public Works Department.

#### Background

Council awarded a contract to Turner Asphalt GC, LLC for \$725,000 in October of 2022 to repair and resurface 3.9 miles of City Streets and patch and resurface 2,380 sy of parking lot at Public Works Dept. The contract included a provision to extend the contract up to 100% of the contract amount, which included \$675,000 for street resurfacing and repair and \$50,000 to patch and resurface a portion of the Public Works Department parking lot.

The change order work consists of patching/repairing and resurfacing 2.26 miles of City Streets, crack sealing 0.58 miles of City Streets, mill and resurface Recreation Museum parking lot, crack seal City Hall and Inspection Department parking lots and patching and resurfacing 2,380 sy of Public Works Department parking lot. Total Change Order amount is \$725,000.

The 2023-24 street repair and resurfacing list was developed from the 2020 Pavement Condition Survey completed by LaBella (copy attached).

#### Proposed Street Resurfacing List FY 2023-24

| Street Name               | From                      | To             |
|---------------------------|---------------------------|----------------|
| Forestwood Dr. (1)        | N. Carr St.               | Dead End       |
| Great Smokey Mountain Dr. | Everglades Dr.            | Mt. Rainer Dr. |
| E. Ashland Dr.            | N. Ninth St.              | Overland Dr.   |
| Mt. Rainer Dr.            | Great Smokey Mountain Dr. | Everglades Dr. |
| St. Andrews Dr.           | Great Smokey Mountain Dr. | Bay Hill Ct.   |
| Harbour Town Ct.          | St. Andrews Dr.           | Cul-De-Sac     |
| Buckingham Dr.            | Eighth St.                | Dead End       |
| Everglades Dr.            | Mt. Rainer Dr.            | Cul-De-Sac     |
| S. Second St.             | Austin St.                | Roosevelt St.  |
| W. Mckinley St.           | S. Third St.              | S. Fourth St.  |
| Sawgrass Ct.              | St. Andrews Dr.           | Cul-De-Sac     |

| Street Name  | From           | To                |
|--|----------------|-------------------|
| Welsford Ct.   | New Castle Rd. | Cul-De-Sac        |
| N. Wilba Rd.   | Crawford St.   | Vine St.          |
| S. Fourth St.  | Roosevelt St.  | Pavement Change   |
| Cornwallis Dr. (1)   | N. Carr St.    | Dead End          |
| S. First St.   | Lee St.        | Mckinley St.      |
| Madison St.  | Holt St.       | Jackson St.       |
| McPherson Dr.  | Fifth St.      | Eighth St.        |
| Roosevelt St.  | Giles St.      | NCDOT maintenance |
| (1) Street Name consists of 2 sections on Priority Listing |                |                   |

**Proposed Street Patching and Crack Sealed List FY 2023-24**

| Street Name       | From         | To              |
|-------------------|--------------|-----------------|
| W. Mckinley St.   | Giles St.    | Dead End        |
| Deerfield Trace   | NC 119       | Millstead Dr.   |
| Gregory Poole Ln. | Maple Ln.    | Pavement Change |
| W. Brown St.      | N. Third St. | N. Fourth St.   |
| E. Graham St.     | S. Fifth St. | S. Sixth St.    |
| W. Clay St.       | N. Third St. | N. Fourth St.   |

**Proposed Street Crack Sealing List FY 2023-24**

| Street Name     | From                      | To               |
|-----------------|---------------------------|------------------|
| St. Andrews Dr. | Winged Foot Ct.           | Clubhouse Drive  |
| S. Fourth       | Jackson St.               | Lee St.          |
| Drake Ln.       | N. Fifth St.              | Beaver Creek Dr. |
| Edwards Ct.     | N. Third St.              | Cul-De-Sac       |
| Lowes Blvd.     | Compass Dr.               | Dead End         |
| Big Bend Dr.    | Great Smokey Mountain Dr. | Redwood Ct.      |
| Redwood Ct.     | Big Bend Dr.              | Cul-De-Sac       |

**Financial Impact**

There is \$675,000 in the current budget to complete the proposed street repairs and resurfacing (Section 1) and \$50,000.00 in current budget for Pavement Repairs at PW Dept. (Section 2).

**Recommendation**

Staff recommends that Council approve a change order with Turner Asphalt GC, LLC in the amount of \$725,000.00 (Section 1 amount of \$675,000.00 and Section 2 amount of \$50,000.00) for the 2023-24 Street Repair and Resurfacing Contract.

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### **Suggested Motion**

Motion to approve a change order to Turner Asphalt GC, LLC contract in the amount of \$725,000.00 for the 2023-24 Street Repair and Resurfacing Contract.

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### **Attachments**

1. Letter of Contract Extension
2. Improvements Exhibit map
3. City Wide Street PCR Rating Listing





September 25, 2023

City of Mebane  
106 East Washington Street  
Mebane, NC 27302

Subject: 2022-2023 Street Repair Contract  
Contract Extension, Change Order No. 2  
AWCK Project No. 22068

Honorable Mayor and City Council:

Last October, Council awarded a contract to Turner Asphalt GC, LLC of Raleigh, NC \$725,000, which included \$675,000 for street resurfacing and \$50,000 to patch and resurface a portion of the Public Works Department parking lot. The contract included a provision that would allow Council to extend the contract 100%, should Council desire to do so.

Staff recommends that the Council extend the Contract with Turner Asphalt GC, LLC in the amount of \$725,000 to resurface 1.68 miles of 20 street sections, patching 0.58 miles of 6 street sections, resurfacing the Recreation Museum Parking lot, crack sealing 0.58 miles of 7 street sections, City Hall and Inspection Department parking lots. In addition, we recommend patching and resurface 2,380 sy of the Public Works Department Parking Lot.

We appreciate the opportunity to be of service to the City of Mebane and we look forward to working with the City and Contractor during the construction phase of this project. Should you have any questions, please feel free to contact us.

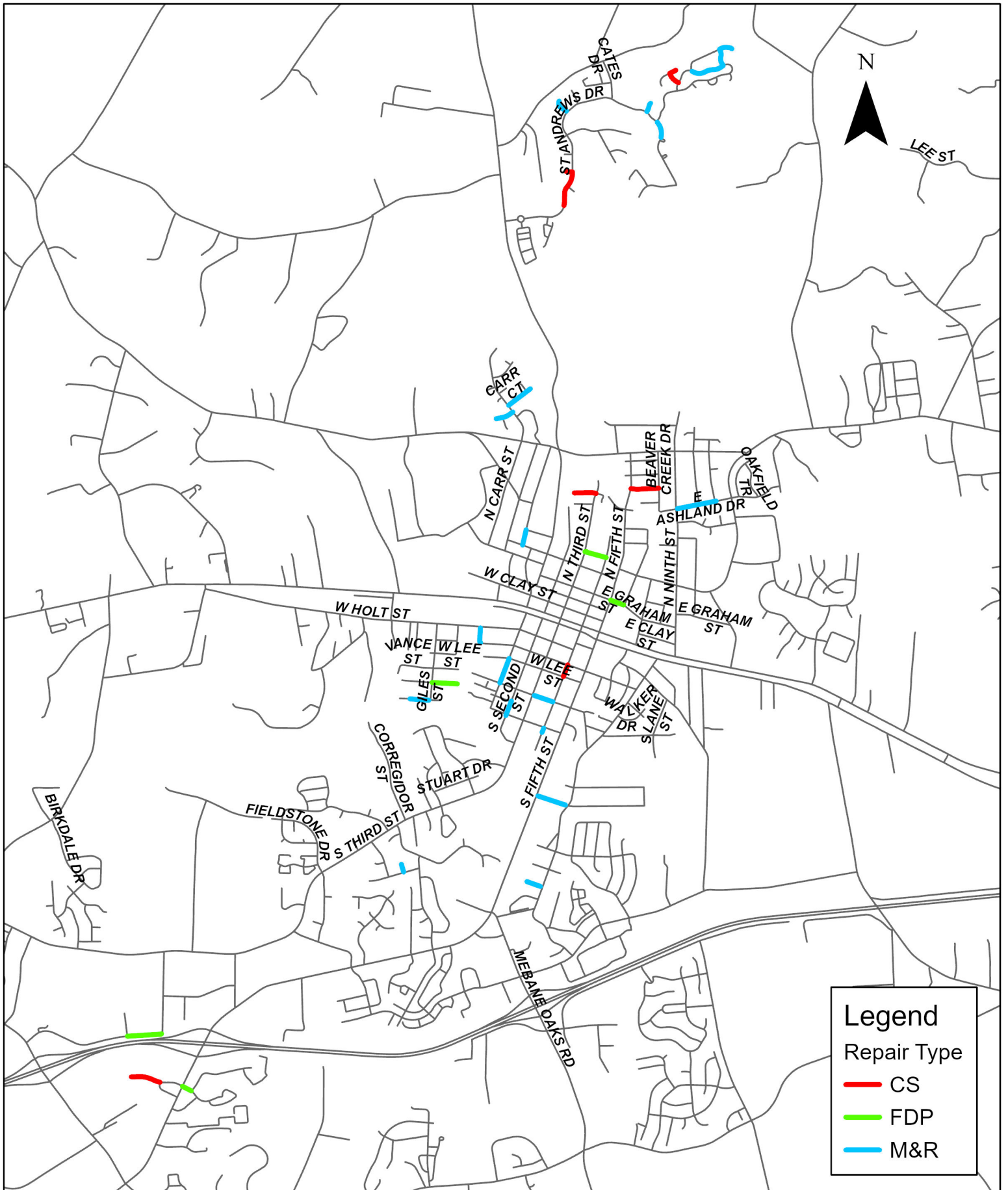
Sincerely,

A handwritten signature in blue ink, appearing to read 'Mark D. Reich', is written over a light blue circular stamp.

Mark D. Reich, PE

encl.

cc: Chris Rollins, City Manager  
Preston Mitchell, Assistant City Manager  
Charles Smith, Public Works Director



**CITY OF MEBANE**

ALAMANCE COUNTY, NORTH CAROLINA

PROPOSED FY 23-24 STREET IMPROVEMENTS

**OVERALL MAP**

CITY OF MEBANE, N.C.

Date: 9/21/2023

File Location: T:\2021\21095\GIS

Drawn By: TJN

Checked By: MDR

SCALE: 1 in = 3000 ft

Page: 1 of 26

**LABELLA ASSOCIATES 2020 PCR STREET LIST**

| PCR | Street Name      | From                      | To                    | Length (LF) | Act-1 | Act-2 |
|-----|------------------|---------------------------|-----------------------|-------------|-------|-------|
| 73  | FORESTWOOD DR    | N CARR ST                 | DEAD END              | 435         | FDP   |       |
| 74  | GREAT SMOKEY MTN | EVERGLADES DR             | MT RANIER DR          | 832         | FDP   |       |
| 77  | E ASHLAND DR     | N NINTH ST                | N OAKLAND DR          | 578         | FDP   |       |
| 77  | BUCKINGHAM DR    | S EIGHTH ST               | DEAD END              | 398         | FDP   |       |
| 77  | EVERGLADES DR    | MT RANIER                 | CUL DE SAC            | 316         | FDP   |       |
| 77  | HARBOR TOWN CT   | ST ANDREWS DR             | CUL DE SAC            | 366         | FDP   |       |
| 77  | W MCKINLEY ST    | END PVMT                  | GILES ST              | 417         | FDP   |       |
| 77  | W MCKINLEY ST    | S 4TH ST                  | S THIRD ST            | 545         | FDP   |       |
| 77  | MT RANIER DR     | GREAT SMOKEY MTN DR       | EVERGLADES DR         | 414         | FDP   |       |
| 77  | S SECOND ST      | AUSTIN PECK TR            | W ROOSEVELT ST        | 318         | FDP   |       |
| 77  | ST. ANDREWS DR   | BAYHILL CT                | GREAT SMOKEY MTN DR   | 443         | FDP   |       |
| 78  | GENE SARAZEN DR  | BEGIN BULB OUT            | END BULB OUT          | 32          | CS    |       |
| 78  | GENE SARAZEN DR  | WALTER HAGEN DR           | BEGIN BULB OUT        | 70          | CS    |       |
| 78  | SAWGRASS CT      | ST ANDREWS DR             | CUL DE SAC            | 237         | CS    |       |
| 78  | WELSFORD PL      | NEWCASTLE RD              | CUL DE SAC            | 209         | FDP   |       |
| 78  | N WILBA RD       | W CRAWFORD ST             | VINE ST               | 380         | FDP   |       |
| 79  | FIRESTONE DR     | BIRKDALE CIR              | BIRKDALE CIR          | 589         | FDP   |       |
| 79  | FOURTH ST        | JACKSON ST                | LEE ST                | 305         | FDP   |       |
| 79  | FOURTH ST        | W ROOSEVELT ST            | CHG WIDTH             | 182         | FDP   |       |
| 79  | ST ANDREWS DR    | WINGED FOOT CT            | MERION CT             | 419         | FDP   |       |
| 80  | BEAVER CREEK DR  | ESTABAN CT                | DRAKE LN              | 341         | FDP   |       |
| 80  | CORNWALLIS DR    | CORNWALLIS CT             | DEAD END              | 100         | FDP   |       |
| 80  | DEERFIELD TC     | S NC 199 HWY              | SPRING FOREST DR      | 250         | FDP   |       |
| 80  | S FIRST ST       | LEE ST                    | MCKINLEY ST           | 634         |       |       |
| 80  | LONDON LN        | NEW CASTLE RD             | EMERSON DR            | 301         | FDP   |       |
| 82  | MADISON ST       | W HOLT ST                 | W JACKSON ST          | 376         |       |       |
| 82  | MCPHERSON DR     | S FIFTH ST                | S EIGHTH ST           | 795         | FDP   |       |
| 83  | W BROWN ST       | N FOURTH ST               | N THIRD ST            | 533         | FDP   |       |
| 83  | CYPRESS PT       | PEBBLE BEACH DR           | MURFIELD CT           | 583         | FDP   |       |
| 83  | DRAKE LN         | N FIFTH ST                | BEAVER CREEK DR       | 673         | FDP   |       |
| 83  | EDWARD CT        | N THIRD ST                | CUL DE SAC            | 528         | FDP   |       |
| 83  | E GRAHAM ST      | N FIFTH ST                | N SIXTH ST            | 355         | FDP   |       |
| 83  | IRON DR          | PLATUNUM CT & TITANIUM CT | COPPER CL             | 469         | FDP   |       |
| 83  | W JACKSON ST     | CLEVELAND ST              | GILES ST              | 509         | FDP   |       |
| 83  | KIT LN           | N FIFTH ST                | BEAVER CREEK DR       | 662         | FDP   |       |
| 83  | LOWES BL         | COMPASS DR                | DEAD END              | 658         | FDP   |       |
| 83  | NEWBERRY DR      | REDBERRY CT               | DEAD END              | 432         | FDP   |       |
| 83  | OVERLAND TR      | E STAGECOACH RD           | LARMIE CT & LARMIE DR | 688         | FDP   |       |
| 83  | ROOSEVELT ST     | GILES ST                  | END PVMT              | 756         | FDP   |       |
| 83  | RUFFIN ST        | N FIRST ST                | N WILBA DR            | 215         | FDP   |       |
| 83  | TORREY PINES CT  | BETHPAGE DR               | DIANA DR              | 294         | FDP   |       |
| 84  | BIG BEND DR      | GREAT SMOKEY MTN DR       | REDWOOD CT            | 317         | FDP   |       |
| 84  | CORNWALLIS DR    | N CARR ST                 | CORNWALLIS CT         | 562         | FDP   |       |
| 84  | CRAWFORD ST      | N WILBA RD                | N WILBA RD            | 219         | FDP   |       |
| 84  | EMERSON DR       | LONDON LN                 | WINDHAM CT            | 784         | FDP   |       |
| 84  | HAYWARDS LN      | SUTTON PL                 | COLLINGTON DR         | 619         | FDP   |       |
| 84  | NINTH ST         | FOREST ST                 | OAKWOOD ST            | 520         | FDP   |       |
| 84  | N SEVENTH ST     | JOBE ST                   | BROWN ST              | 551         | FDP   |       |
| 84  | STONEWALL DR     | BEAUREGARD LN             | FAIR OAKS CT          | 774         | FDP   |       |
| 84  | WASHINGTON ST    | FIRST ST                  | SECOND ST             | 405         | FDP   |       |
| 85  | AVALON DR        | FAIRWAY DR                | EAGLES WAY            | 282         | FDP   |       |
| 85  | BEAVER CREEK DR  | DRAKE LN                  | ESTABAN CT            | 338         | FDP   |       |
| 85  | CASTLE PINES DR  | AUGUSTA DR                | OLYMPIC DR            | 323         | FDP   |       |
| 85  | MCKINELY ST      | EIGHTH ST                 | DEAD END              | 427         |       |       |
| 85  | PINK DOGWOOD LN  | FIVE PINE CT              | GREEN PASTURE RD      | 326         | FDP   |       |
| 85  | SUGAR TREE DR    | SCOTCH PINE WAY           | LONGLEAD PINE PL      | 254         | FDP   |       |
| 86  | AUSTIN ST        | SECOND ST                 | FIRST ST              | 412         | FDP   |       |
| 86  | BETHPAGE DR      | AUGUSTA DR                | TORRY PINES CT        | 337         | FDP   |       |
| 86  | BIRKDALE CIR     | BIRKDALE CIR              | FIRESTONE             | 1516        | FDP   |       |
| 86  | CASTLE PINES DR  | OLYMPIC DR                | CUL DE SAC            | 210         | FDP   |       |
| 86  | CLAY ST          | CLAY & FOURTH             | THIRD                 | 550         | FDP   |       |
| 86  | COPPER CR        | SILVER DR                 | IRON DR               | 679         | FDP   |       |

|    |                  |                        |                     |      |     |  |
|----|------------------|------------------------|---------------------|------|-----|--|
| 86 | COPPER CR        | COPPERSTONE VILLAGE DR | IRON DR             | 635  | FDP |  |
| 86 | EDINBOROUGH DR   | LONDON LN              | LONDON LN           | 1999 | FDP |  |
| 86 | GRAHAM ST        | FOURTH ST              | FIFTH ST            | 424  | FDP |  |
| 86 | HUCKLEBERRY LO   | BRIARWOOD DR           | SUNLAND             | 185  | FDP |  |
| 86 | LAKE MICHAEL     | VILLAGE LAKE DR        | OAKFIELD TR         | 463  | FDP |  |
| 86 | LEE ST           | SECOND ST              | FIRST ST            | 410  | FDP |  |
| 86 | OLYMPIC DR       | CASTLE PINES DR        | SOUTHWIND CT        | 347  | FDP |  |
| 86 | PICKETT LN       | STUART DR              | HILL LN             | 577  | FDP |  |
| 86 | REDWOOD CT       | BIG BEND DR            | CUL DE SAC          | 167  | FDP |  |
| 86 | SCOTCH PINE WAY  | SUGAR TREE DR          | CUL DE SAC          | 694  | FDP |  |
| 86 | SHENANDOAH WAY   | GREAT SMOKEY MTN DR    | GREAT SMOKEY MTN DR | 410  | FDP |  |
| 86 | STONEWALL DR     | THIRD ST               | STUART DR           | 387  | FDP |  |
| 86 | STONEWALL DR     | STUART DR              | BEAURGARD LN        | 383  | FDP |  |
| 88 | CRAWFORD ST      | N WILBA RD             | N CHARLES ST        | 386  |     |  |
| 88 | S EIGHTH ST      | E FOREST ST            | OAKWOOD ST          | 341  |     |  |
| 88 | GREAT SMOKEY MTN | GREAT SMOKEY MTN DR    | BIG BEND DR         | 203  |     |  |
| 88 | GREGORY POOLE LN | MAPLE LN               | CATERPILAR CT       | 932  | FDP |  |

| AWCK Recommendations |  | No. of Streets | Length (mi) |
|----------------------|--|----------------|-------------|
|                      | Equals Streets to be Resurfaced                          | 20             | 1.68        |
|                      | Equals Streets to be Crack Sealed Only                   | 7              | 0.58        |
|                      | Equals Streets to be Full Depth Patched and Crack Sealed | 6              | 0.58        |
|                      | Equals Streets completed in FY 22-23                     | 3              | 0.13        |





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## AGENDA ITEM #8

### Revenue Bonds for Elevated Water Tank- Bond Order and Series Resolution and Capital Project Ordinance Amendment

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#### Meeting Date

October 2, 2023

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#### Presenter

Daphna Schwartz, Finance Director

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#### Public Hearing

Yes  No

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#### Summary

Once approved, the attached Bond Order and Series Resolution authorizes the issuance of City water and sewer revenue bonds, including bonds of up to \$6,000,000 for the elevated water tank project.

---

#### Background

The Mebane City Council, by resolution adopted on August 7, 2023, has stated its proposal to issue revenue bonds to provide funds to carry out a plan to construct an elevated water tank and to pay related costs.

The City has applied to the North Carolina Local Government Commission for its approval of the revenue bonds, and the Commission has accepted the City's application. Once approved, the attached Bond Order and Series Resolution will formally authorize the issuance of City revenue bonds for the elevated water tank project, approve substantially final financing documents and other financing details, and authorize City staff to complete the bond closing.

The City Council established a capital project ordinance for the elevated water tank at the August 1, 2022 meeting. Since then, the project budget has increased, so an amendment to the ordinance is necessary.

---

#### Financial Impact

Annual debt payments will be approximately \$348,195 for 20 years beginning in fiscal year 2024-2025. The interest rate is 4.46%.

---

#### Recommendation

Staff recommend adopting the resolution and approval of the capital project ordinance amendment.

---

#### Suggested Motion

Motion to approve the Bond Order and Series Resolution for revenue bonds and the Elevated Water Tank Capital Ordinance Amendment in the forms presented.

---

#### Attachments

1. Resolution
2. Second Supplemental Trust Agreement
3. Elevated Water Tank Capital Project Ordinance Amendment





## **Bond Order and Series Resolution authorizing the issuance of up to \$6,000,000 in City water and sewer revenue bonds for the elevated water tank project**

### *Introduction --*

The Mebane City Council, by resolution adopted on August 7, 2023, has stated its proposal to issue revenue bonds to provide funds to carry out a plan (the "Project") to build a new 1-million gallon elevated water tank and to pay related 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 utility system.

The City has applied to the North Carolina Local Government Commission for its approval of the revenue bonds, and the LGC has accepted the City's application. The Council now desires to adopt a bond order to authorize formally the issuance of these revenue bonds for the water tank project, and to approve substantially final financing documents and other details of the financing.

### **BE IT ORDERED by the City Council of the City of Mebane, North Carolina, as follows:**

1. There are hereby ordered to be issued, pursuant to the North Carolina Local Government Revenue Bond Act, City revenue bonds (the "2023 Bonds") in an amount not to exceed \$6,000,000 to pay capital costs of water and sewer system improvements, and in particular costs of the planned water tank referenced above, together with related financing and other necessary or incidental costs.

2. The 2023 Bonds will be special obligations of the City, secured by a pledge of the net receipts of the City's water and sewer system. The principal of, and interest and any premium on, the 2023 Bonds shall be payable solely from the sources pledged to the payment. Neither the faith and credit nor the taxing power of the City or any other

governmental entity shall be pledged for the payment of the principal of, or interest or any premium on, the 2023 Bonds, and no owner of the 2023 Bonds shall have the right to compel the exercise of the taxing power of any governmental entity in connection with any default on the 2023 Bonds.

3. The City will issue the 2023 Bonds as “Additional Bonds” as provided in the City’s existing Master Trust Agreement (the “Master Agreement”) for combined utilities revenue bonds dated September 1, 2021. The Master Agreement sets the overall legal framework for all City revenue bonds, including the City’s prior revenue bonds, the 2023 Bonds and any future revenue bonds.

**BE IT FURTHER RESOLVED by the Council as follows:**

**A. *Sale of Bonds***—Capital One Public Funding, LLC (the “Lender”) has submitted a proposal to purchase the proposed 2023 Bonds. City staff recommends that the Council accept the proposal, and the Council accepts the proposal. The City asks the LGC to sell the Bonds to the Lender at a private sale, substantially in accordance with this resolution and the Lender’s financing proposal dated July 26, 2023.

**B. *Approval of Second Supplemental Agreement; Direction To Execute Agreement*** – The City will issue the 2023 Bonds to the Lender pursuant to a Second Supplemental Trust Agreement (the “Supplemental Agreement”) in substantially the form of the draft dated September 25, 2023 presented to this meeting. The Supplemental Agreement sets the terms specifically applicable to the 2023 Bonds, including the interest rate and the payment and prepayment provisions. The Supplemental Agreement will be dated, for identification purposes, as of October 1, 2023.

The Council authorizes the Mayor and the City Manager, or either of them, to execute and deliver the Supplemental Agreement in its final form. The Supplemental Agreement in its final form must be in substantially the form presented, with such changes as the Mayor or the City Manager may approve. The execution and delivery by an authorized City officer will be conclusive evidence of that officer’s approval of any changes.

The Supplemental Agreement in its final form, however, must be consistent with the financing plan described in this resolution and must provide (a) for the principal



amount of the 2023 Bonds not to exceed \$6,000,000, (b) for an annual interest rate not to exceed 4.46% (in the absence of a default or a change in tax status, substantially as described in the draft Supplemental Agreement), and (c) for a financing term not to extend beyond December 31, 2043.

**C. *Officers To Complete Closing***—The Council authorizes the City Manager, the Finance Director and all other City officers and employees to take all proper steps to complete the financing in cooperation with the Lender and in accordance with this resolution.

The Council authorizes the City Manager to hold executed copies of all financing documents authorized or permitted by this resolution in escrow on the City's behalf until the conditions for their delivery have been completed to that officer's satisfaction, and then to release the executed copies of the documents for delivery to the appropriate persons or organizations.

Without limiting the generality of the foregoing, the Board specifically authorizes the City Manager to (a) to approve and enter into additional agreements to carry out the financing contemplated by this resolution, including agreements for the custody of Bond proceeds and agreements for appropriate professional services, and (b) to approve changes to any documents previously signed by City officers or employees, provided that the changes do not conflict with this resolution or substantially alter the intent from that expressed in the form originally signed. The City Manager's authorization of the release of any document for delivery will constitute conclusive evidence of that officer's approval of any changes.

In addition, the Council authorizes the City Manager and the Finance Director to take all appropriate steps for the efficient and convenient carrying out of the City's on-going responsibilities with respect to the financing. This authorization includes, without limitation, contracting with third parties for reports and calculations that may be required under this resolution or otherwise with respect to the Master Agreement or the Supplemental Agreement.

**D. *Resolutions as to Tax Matters***—The City will not take or omit to take any action the taking or omission of which will cause the 2023 Bonds to be "arbitrage bonds,"

within the meaning of Section 148 of the “Code” (as defined below), or “private activity bonds” within the meaning of Code Section 141, or otherwise cause interest on the 2023 Bonds to be includable in gross income for federal income tax purposes. Without limiting the generality of the foregoing, the City will comply with any Code provision that may require the City at any time to pay to the United States any part of the earnings derived from the investment of the financing proceeds. In this resolution, “Code” means the United States Internal Revenue Code of 1986, as amended, and includes applicable Treasury regulations.

**E. Additional Provisions** -- The Council authorizes all City officers and employees to take all 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 to this end. Upon the absence, unavailability or refusal to act of the City Manager, the Mayor or the Finance Director, any other of those officers may assume any responsibility or carry out any function assigned in this resolution. In addition, the Mayor Pro Tem, and Deputy or Assistant City Manager or any Deputy or Assistant City Clerk may in any event assume any responsibility or carry out any function assigned in this resolution to the Mayor, the City Manager or the Clerk, respectively. All other Council proceedings, or parts thereof, in conflict with this resolution are repealed, to the extent of the conflict. This resolution takes effect immediately.

This the 2nd day of October 2023.

Motion by: \_\_\_\_\_

Second by: \_\_\_\_\_

Mayor: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

City Clerk

# **Second Supplemental Trust Agreement**

**dated as of October 1, 2023**

**by and between the**

**City of Mebane, North Carolina**

**and**

**U.S. Bank Trust Company, National  
Association, as Trustee**

**Relating to the issuance of**

**[\$6,000,000]**

**Combined Utilities Revenue Bonds  
Series 2023**





























































































**Capital Project Ordinance for the City of Mebane  
Elevated Water Tank Project Amendment One**

**BE IT ORDAINED** by the Governing Board of the City of Mebane, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

**Section 1:** The project authorized is the design and construction of an elevated water tank to be financed by the debt and grant proceeds.

**Section 2:** The officers of this City are hereby directed to proceed with the capital project within the terms of the budget contained herein.

**Section 3:** The following amounts are hereby appropriated for the project:

| <b>Appropriation</b>              | <b>Project Budget</b> |
|-----------------------------------|-----------------------|
| Administrative and legal expenses | \$ 170,360            |
| Architectural & engineering fees  | \$ 524,000            |
| Construction                      | \$ 7,577,000          |
| Contingency                       | \$ 153,640            |
| <b>Total Expenses</b>             | <b>\$ 8,425,000</b>   |

**Section 4:** The following revenues are anticipated to be available to complete the project:

| <b>Revenue</b>  | <b>Project Budget</b> |
|---|-----------------------|
| Economic Development Administration (EDA) Grant             | \$ 2,502,990          |
| State Capital and Infrastructure Fund (SCIF) Directed Grant | \$ 150,000            |
| Debt Proceeds   | \$ 5,772,010          |
|   | <b>\$ 8,425,000</b>   |

**Section 5:** The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the General Statutes of North Carolina.

**Section 6:** Funds may be advanced from the Utility Fund for the purpose of making payments as due.

**Section 7:** The Finance Officer is hereby directed to report, on a quarterly basis, on the financial status of each project element in Section 3.

**Section 8:** The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this Board.



**Section 9:** Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board and to the Budget Officer and Finance Officer for direction in carrying out this project.

I certify as follows: that the foregoing capital project ordinance 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 October 2, 2023; that a quorum was present and acting throughout this meeting; and that this resolution has not been modified or amended and remains in full effect as of today.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_\_.

[SEAL]

\_\_\_\_\_  
City Clerk  
City of Mebane, North Carolina



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## AGENDA ITEM #9

Resolution of Intent for Street Closing- Portions of Jackson Street and Short Street

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### Meeting Date

October 2, 2023

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### Presenter

Lawson Brown, City Attorney

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### Public Hearing

Yes  No

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### Summary

The City staff are requesting the closure of portions of Jackson Street and Short Street.

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### Background

The City, as applicant, is the owner of land contiguous to portions of Jackson Street and Short Street, which were previously platted but unopened streets, shown on a plat recorded in Plat Book, 83, Page 237 of the Alamance Registry shown as sixty feet (60') in width.

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### Financial Impact

The City will pay the required newspaper publication costs, estimated at \$1,400.00.

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### Recommendation

Staff recommends the adoption of the Resolution of Intent declaring the City's intention to close the portions of Jackson Street and Short Street and to set a date of public hearing for November 6, 2023.

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### Suggested Motion

I move to that the City adopt the presented Resolution of Intent to close the portions of Jackson Street and Short Street as shown on the plat and set a date of public hearing for November 6, 2023.

---

### Attachments

1. Street Closing Order
2. Plat



NORTH CAROLINA  
ALAMANCE COUNTY

**RESOLUTION OF INTENT BY THE CITY COUNCIL  
OF THE CITY OF MEBANE, NORTH CAROLINA  
PURSUANT TO N.C.G.S. §160A-299 TO PERMANENTLY CLOSE  
PORTIONS OF JACKSON STREET AND SHORT STREET**

WHEREAS, the City Council of the City of Mebane, North Carolina has been recently requested to permanently close portions of Jackson Street and Short Street; and

WHEREAS, the City Council of the City of Mebane, North Carolina hereby declares its intent to permanently close portions of Jackson Street and Short Street; and a public hearing on said matter is to be held on November 6, 2023, at 6:00 p.m. in the council chambers of the Glendel Stephenson Municipal Building, 106 E. Washington Street, Mebane, NC 27302;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mebane as follows:

**Section 1.** The City Council of the City of Mebane, North Carolina, pursuant to N.C.G.S. §160A-299, does hereby declare its intent to permanently close portions of Jackson Street and Short Street, the right of way for which is more particularly described as follows:

A certain tract or parcel of land in Melville Township, Alamance County, North Carolina adjoining the lands of the unopened right of way of Jackson Street, the unopened right of way of Short Street, Willard Rogers and wife Evelyn A. Rogers parcel ID number 165064, Elizabeth Foust Heirs parcel ID number 165070, the City of Mebane property parcel ID numbers 165218, 165069, 165075, 165076, and 165077, and being more particularly described as follows:

BEGINNING at an iron stake found in the northern margin of the unopened 60 foot right of way of Short Street, said iron stake found being a corner between Willard Rogers and wife Evelyn A. Rogers parcel ID number 165064 and the City of Mebane property parcel ID number 165069 and running thence with said northern margin of the unopened 60 foot right of way of Short Street S 86° 38' 27" E 150.00 feet to an iron stake found at the intersection of the northern margin of the unopened 60 foot right of way of Short Street and the western margin of the unopened 60 foot right of way of Jackson Street being the southeastern most corner of the City of Mebane property parcel ID number 165069; running thence with the western margin of the unopened 60 foot right of way of Jackson Street N 03° 18' 39" E 375.15 feet to an iron stake found said iron stake found being a corner between Elizabeth Foust Heirs parcel ID number 165070 and the City of Mebane property parcel ID number 165069; running thence perpendicular across the unopened 60 foot right of way of Jackson Street S 86° 41' 21" E 60.00 feet to an iron stake set in the eastern margin of the unopened 60 foot right of way of Jackson Street in the line of the City of Mebane property parcel ID number 165077; running thence with said eastern margin of the unopened 60 foot right of way of Jackson Street the following three(3) calls: S 03° 18' 39" W 171.38 feet to an iron stake



**SURVEYOR'S CERTIFICATE**

I, GARY R. PARRISH, certify that this plat was drawn under my direction from an actual survey made under my supervision, deed description recorded in book SEE, page REF'S; that the boundaries not surveyed are clearly indicated as drawn from information found in deed book SEE, page REF'S; that the ratio of precision or positional accuracy as calculated is 1: 10,000; that this map was prepared in accordance with N.C.G.S. 47-30 as amended; that the global positioning system (GPS) observations were performed to the geospatial positioning accuracy standards for geodetic networks at the 0.05" (15mm) accuracy classification (95% confidence) using rtk network and traditional traverse, that this survey is of an existing parcel or parcels of land and does not create a new street or change an existing (open) street. [G.S. 47-30 f(11) c1] Witness my original signature, registration number and seal this \_\_\_\_\_ day of \_\_\_\_\_, A.D., \_\_\_\_\_.



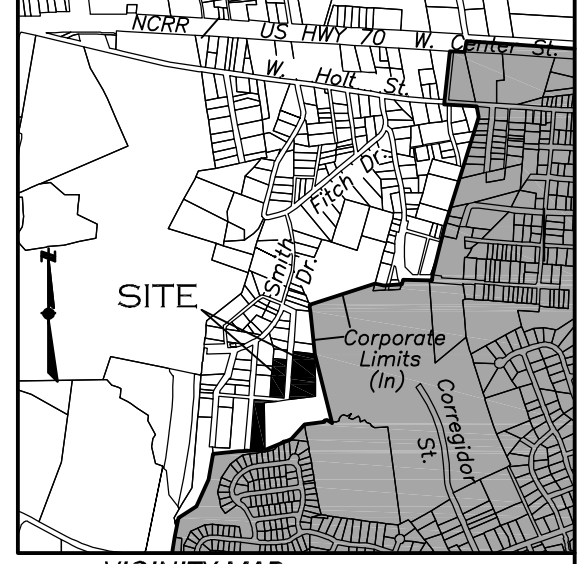
**Planning Director Certification**

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 \_\_\_\_\_

**GENERAL NOTES**

- 1) All distances are horizontal ground distances unless otherwise noted.
- 2) Iron stakes at all corners unless otherwise noted.
- 3) This plat is subject to any facts that may be disclosed by a full and accurate title search.
- 4) This survey may not show all of the setbacks or ordinances as set forth by any zoning department or any other governing bodies for the subject property.
- 5) There were no horizontal geodetic monuments found within 2000' of subject property.
- 6) The location and/or existence of cemeteries, utility service lines and underground utilities on the property surveyed are unknown and are not shown as a part of this boundary survey.
- 7) The property shown hereon is subject to all easements of record affecting same.



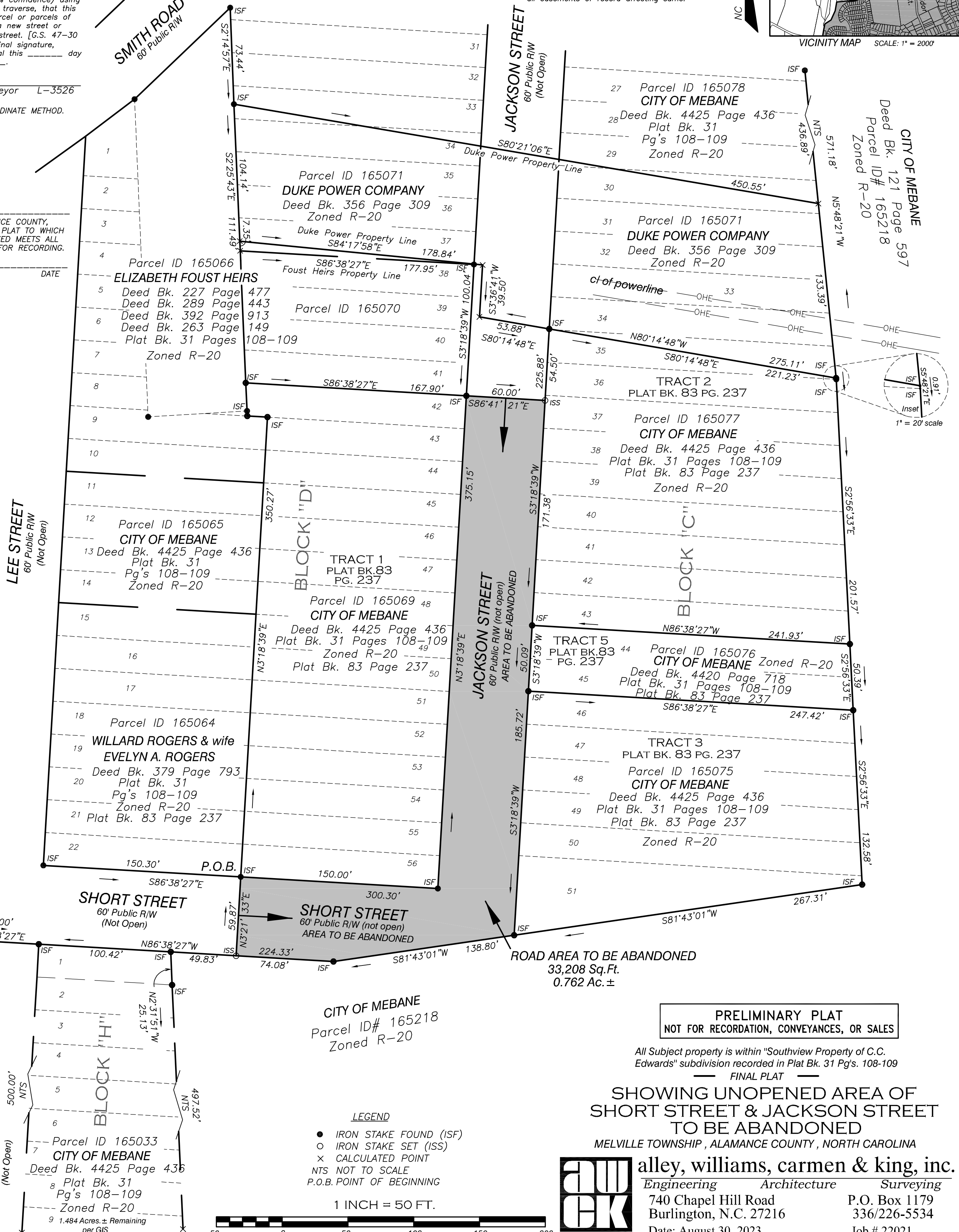
Professional Land Surveyor L-3526

AREAS COMPUTED BY COORDINATE METHOD.

STATE OF NORTH CAROLINA  
COUNTY OF ALAMANCE

I, \_\_\_\_\_ REVIEW OFFICER OF ALAMANCE COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER \_\_\_\_\_ DATE \_\_\_\_\_



CITY OF MEBANE  
Parcel ID# 165218  
Zoned R-20

**PRELIMINARY PLAT**  
NOT FOR RECORDATION, CONVEYANCES, OR SALES

All Subject property is within "Southview Property of C.C. Edwards" subdivision recorded in Plat Bk. 31 Pg's. 108-109  
FINAL PLAT

**SHOWING UNOPENED AREA OF  
SHORT STREET & JACKSON STREET  
TO BE ABANDONED**  
MELVILLE TOWNSHIP, ALAMANCE COUNTY, NORTH CAROLINA



**alley, williams, carmen & king, inc.**  
Engineering Architecture Surveying  
740 Chapel Hill Road P.O. Box 1179  
Burlington, N.C. 27216 336/226-5534  
Date: August 30, 2023 Job # 22021  
Firm License #F-0203

- LEGEND**
- IRON STAKE FOUND (ISF)
  - IRON STAKE SET (ISS)
  - × CALCULATED POINT
  - NTS NOT TO SCALE
  - P.O.B. POINT OF BEGINNING

1 INCH = 50 FT.



LEE STREET  
60' Public R/W  
(Not Open)

Parcel ID 165033  
CITY OF MEBANE  
Deed Bk. 4425 Page 436  
Plat Bk. 31  
Pg's 108-109  
Zoned R-20

1.484 Acres ± Remaining  
per GIS



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## INFORMATIONAL ITEM #10

### US-70 Multimodal Corridor Study

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#### Meeting Date

October 2, 2023

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#### Presenter

Ashley Ownbey, Development Director

Nishith Trivedi, Orange County Transportation Planning Manager

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#### Public Hearing

Yes  No

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#### Summary

The US-70 regional corridor continues to experience significant residential and employment growth -- the population of Mebane has doubled in the last decade and Mebane, Orange County and Hillsborough have already approved several thousand new residential units that will have an impact on the corridor, scheduled for completion in the next few years. In addition, low-income and minority populations are concentrated along various segments of the corridor, especially between Hillsborough and Mebane. The US 70 Multimodal Corridor Study will create a much-needed transportation plan for a fast growth corridor, and ensure a unified, coherent process for the two counties, two municipalities and two MPOs that have planning authority in the area. VHB is the consultant for the US-70 Multimodal Corridor Study.

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#### Background

The study area for the US 70 Multimodal Corridor Study spans from the NC 119 Bypass in Alamance County to US 751 in Orange County. The process is facilitated by consultants from VHB and a Core Technical Team (CTT) that includes one staff member from Mebane, Hillsborough, Orange County, DCHC MPO, BGMPO, and NCDOT Division 7. The CTT has met regularly throughout the duration of the study. The study includes an analysis of existing conditions, public engagement with outreach to environmental justice communities, development of performance standards and implementation strategies, and drafting of a final plan. Orange County staff is providing an update on the progress of the study.

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#### Financial Impact

DCHC MPO is funding the study. The study's budget is \$200,000.

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#### Recommendation

This item is presented as information.

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#### Attachments

1. US 70 Multimodal Corridor Study Presentation Slides



**ORANGE COUNTY**  
NORTH CAROLINA

# **US 70 Multimodal Corridor Plan**

Mebane



# US 70 Study Overview

- In-depth review of US 70 Corridor
  - NC 119 in Mebane to Orange/Durham County line (NC 751)
  - US 70 Business from NC 86 (Churton Street) to US 70
- Develop long-term vision for:
  - US 70 roadway itself
  - Surrounding communities and natural areas
- Focus is on preserving/enhancing:
  - Safety
  - Multi-modal options (access & connectivity)
  - Environmental features
  - Economic opportunities
- Project Study Team
  - City of Mebane & Town of Hillsborough
  - BGMPO & DCHC MPO
  - Alamance and Orange Counties
  - NCDOT
  - Consultant Team (VHB and Rose & Associates)





# US 70 Study Background

- US 70 Corridor
  - ~19 miles: US 70 (minor arterial)
    - 3 miles: US 70 Bus (major collector/other arterial)
  - Links Durham, Hillsborough & Mebane
    - I-85 and I-40 handle bulk of traffic
    - Alternate route during I-85 incidents
  - Crucial northern access via NC 86 & NC 57
- Land Use Context
  - Significant natural & cultural constraints
  - Rural/Suburban/Urban: Varies by segment
  - Economic potential



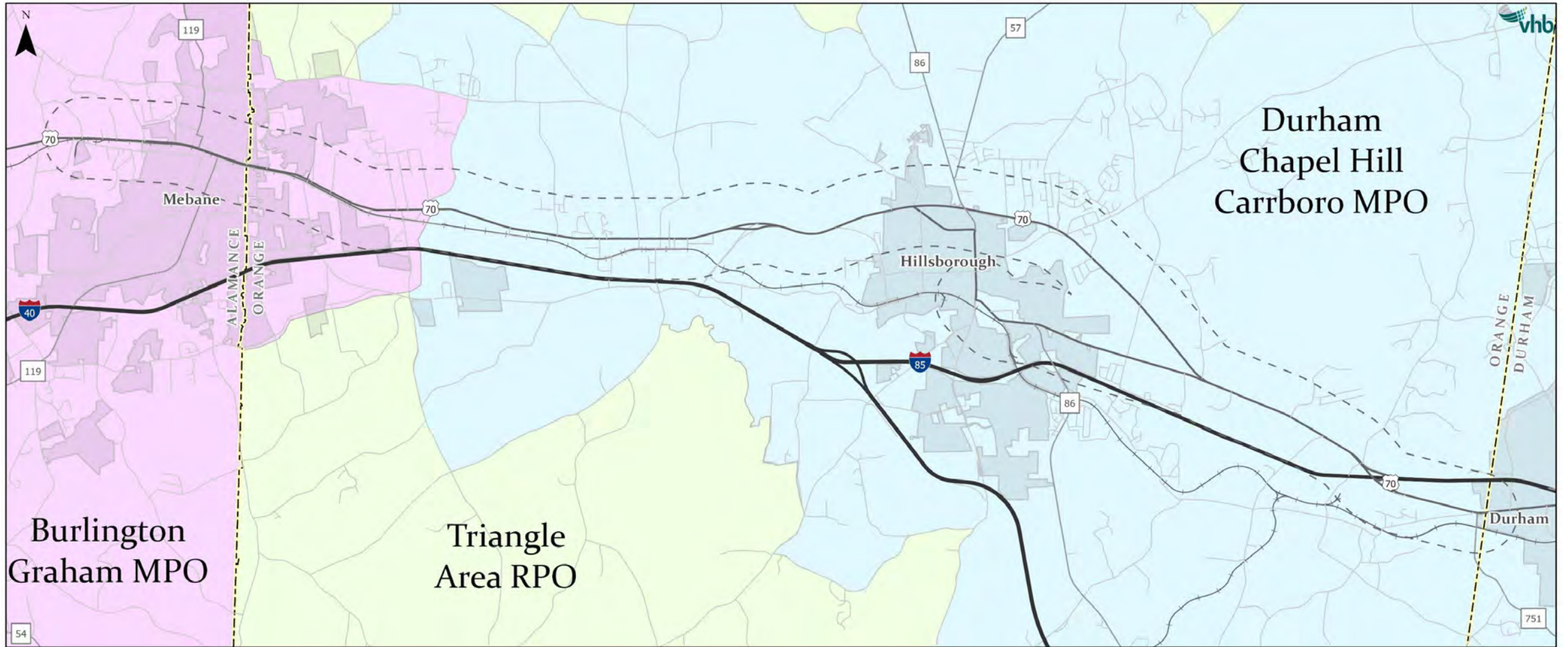


# US 70 Study Background

- Roadway Characteristics
  - Primarily 2-lane with 4' paved shoulders
  - 120' ROW (RR constraints in Mebane)
  - 13 traffic signals
  - Primarily 45-mph speed limit
  - Rolling terrain & curvature in segments; limited passing
  - No bicycle facilities; limited pedestrian facilities
- Need better multi-modal access & functionality
  - **Safety!**
  - Transit options and access
  - Preserve & enhance environment
  - Provide economic opportunities
  - Balance desired improvements with long-term maintenance
    - Municipal/County/State



# Corridor Location & Planning Jurisdictions



## Legend

- US 70 Corridor Study Buffer
- County Boundary
- Municipal Boundary
- Railroad Track
- Burlington Graham MPO
- Durham Chapel Hill Carrboro MPO
- Triangle Area RPO



# Corridor Segments



## Legend

- |   |   |  |  |
|---|---|--|--|
| <span style="color: yellow;">—</span> Segment A | <span style="color: magenta;">—</span> Segment D    | <span style="border: 1px dashed black; padding: 2px;"> </span> US 70 Corridor Study Buffer | <span style="color: black;">—</span> Railroad Track  |
| <span style="color: purple;">—</span> Segment B | <span style="color: blue;">—</span> Segment E       | <span style="border: 1px dashed yellow; padding: 2px;"> </span> County Boundary            | <span style="background-color: grey; width: 15px; height: 10px; display: inline-block;"></span> Municipal Boundary |
| <span style="color: teal;">—</span> Segment C   | <span style="color: lightgreen;">—</span> Segment F |  |  |

Segment A - US 70 from NC 119 to Mace Road

Segment B - US 70 from Mace Road to Lloyds Dairy Road

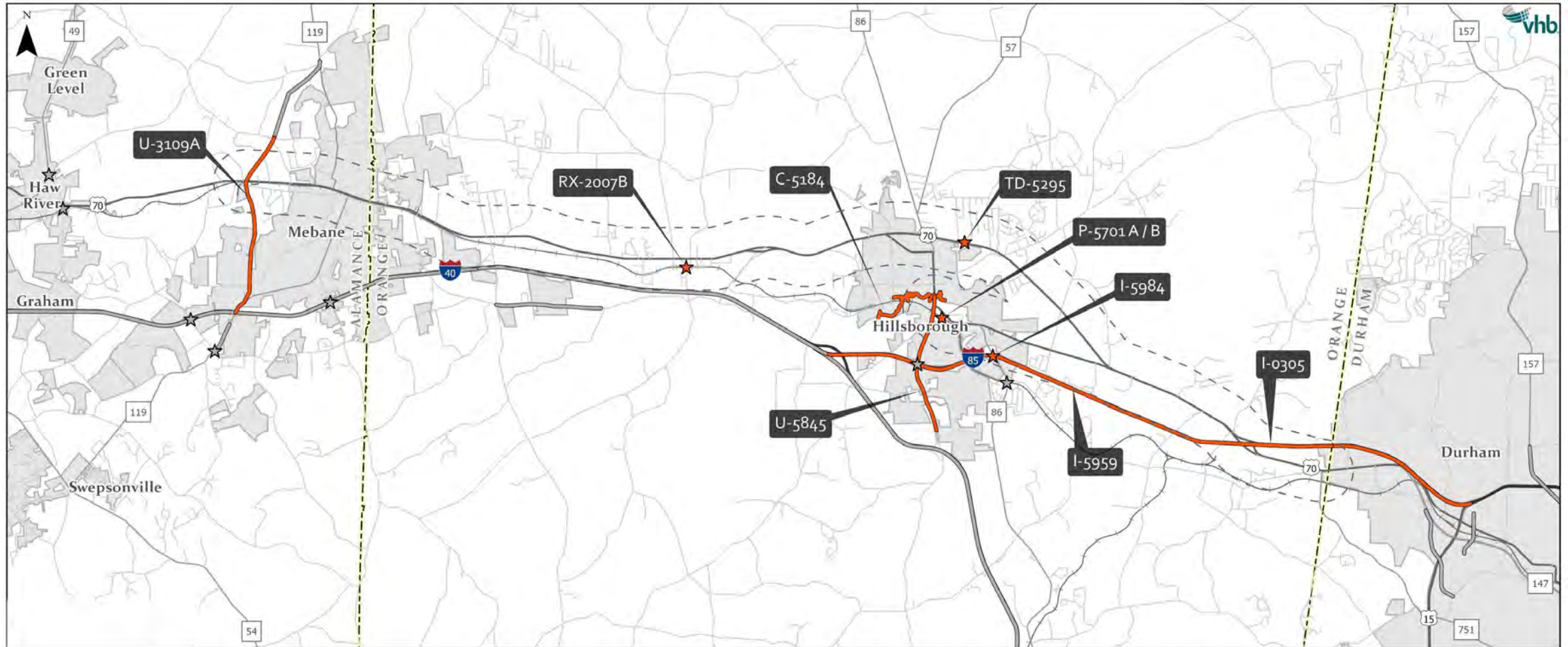
Segment C - US 70 from Lloyds Dairy Road to east of NC 86 (Churton Street)

Segment D - US 70 from east of NC 86 (Churton Street) to US 70 Business

Segment E - US 70 from US 70 Business to the Orange / Durham County Line

Segment F - US 70 Business from NC 86 (Churton Street) to US 70

# Current 2020-2029 NCDOT STIP Projects



- Legend**
- US 70 Corridor Study Buffer
  - Municipal Boundary
  - ★ STIP Points within Project Area
  - STIP Lines within Project Area
  - County Boundary
  - Railroad Track
  - ★ Other STIP Projects
  - Other STIP Projects



# Project Website

- General project information
- [www.us70west.com](http://www.us70west.com)
- Interactive map/comment opportunity
- Public Meeting details

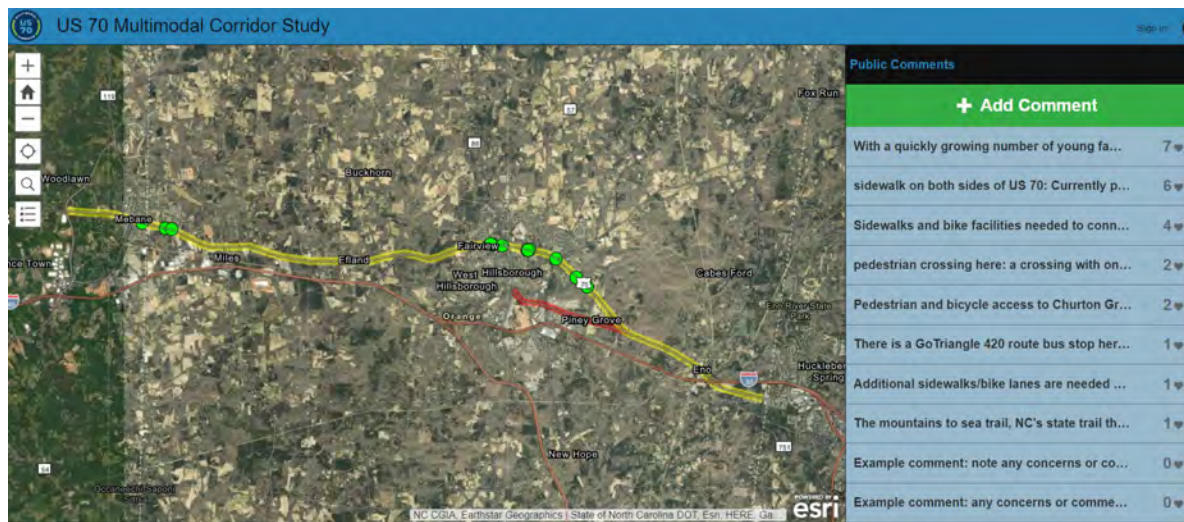


## Welcome to the US 70 Multimodal Corridor Study

The Durham Chapel Hill Carrboro Metropolitan Planning Organization (DCMCO-MPO) is conducting a study of **U.S. 70 West, from NC 119 in Mebane to U.S. 751 in Orange County**. The Corridor Study ("the Study") will provide recommendations for future development of the transportation corridor.

A corridor study for a transportation corridor defines policies and actions that will guide how a corridor should be maintained or changed. This is a process that is community-led and relies on significant community involvement. This website will serve as the announcement board for events pertaining to the study and various activities the study will be undertaking.

The US 70 West Corridor has experienced and will continue to experience an explosion of residential and employment growth. Planning transportation use of the corridor moving forward will be integral to maintaining the community vision and character of the area, while celebrating growth and development.






# Project Newsletter

Learn more at [www.us70west.com](http://www.us70west.com)

NEWSLETTER | FEBRUARY 2023 1



## US 70 Multimodal Corridor Study

The Durham Chapel Hill Carrboro Metropolitan Planning Organization (DCHC-MPO) is conducting a study of U.S. 70 West, from NC 119 in Mebane to U.S. 751 in Orange County. The Study will provide recommendations for future development of the transportation corridor with specific focus on multimodal facilities.

A corridor study for a transportation corridor defines policies and actions that will guide how a corridor should be maintained or changed. This is a process that is community-led and relies on significant community involvement. The project website ([www.us70west.com](http://www.us70west.com)) is a convenient resource for tracking the progress of the study, providing feedback, and checking the schedule and location of outreach activities.

Planning for the transportation use of the corridor moving forward is integral to maintaining the community vision and character of the area, while supporting growth and development.


### Corridor Study Status

The study is expected to take approximately fifteen months, culminating with a published report in Fall 2023. The study team has analyzed the existing corridor with respect to traffic speeds and volumes, crashes, pedestrian and bicycle travel, transit service, and the character and condition of the roadway itself. Initial findings related to existing conditions will be available at the first round of community meetings. The team understands that the corridor is made up of many unique segments that will require tailored recommendations, and we need your input to help identify and prioritize both problems and potential solutions.

Learn more at [www.us70west.com](http://www.us70west.com)

NEWSLETTER | FEBRUARY 2023 2

## Project Schedule



| 2022                   | 2023 |                                       |     |     |     |     |                            |     |     |                  |     |     |     |                            |     |  |  |
|------------------------|------|---------------------------------------|-----|-----|-----|-----|----------------------------|-----|-----|------------------|-----|-----|-----|----------------------------|-----|--|--|
| JUL                    | AUG  | SEP                                   | OCT | NOV | DEC | JAN | FEB                        | MAR | APR | MAY              | JUN | JUL | AUG | SEP                        | OCT |  |  |
| JULY 2022              |      | AUGUST 2022-JANUARY 2023              |     |     |     |     | MARCH-APRIL 2023           |     |     | JUNE-JULY 2023   |     |     |     | FEBRUARY 2023-OCTOBER 2023 |     |  |  |
| Kick-off               |      | Existing Conditions & Market Analysis |     |     |     |     | Community Events           |     |     | Community Events |     |     |     | Plan Preparation           |     |  |  |
| JANUARY-FEBRUARY 2023  |      |                                       |     |     |     |     | FEBRUARY 2023-OCTOBER 2023 |     |     |                  |     |     |     |                            |     |  |  |
| Stakeholder Interviews |      |                                       |     |     |     |     | Plan Preparation           |     |     |                  |     |     |     |                            |     |  |  |

### Community Meetings Round #1

- ★ **MARCH 7 | 5:00 - 7:00 PM**  
Passmore Center  
103 Meadowlands Dr  
Hillsborough, NC 27278
- ★ **MARCH 9 | 5:00 - 7:00 PM**  
Mebane Arts and Community Center  
633 Corregidor Street  
Mebane, NC 27302
- ★ **MARCH 14 | 5:00 - 7:00 PM**  
Town Hall Annex  
105 E Corbin Street  
Hillsborough, NC 27278

### Your Input is Needed!

Please visit the project website ([www.us70west.com](http://www.us70west.com)) to sign up for project updates. The website includes an online map to virtually provide your comments and concerns regarding the U.S. 70 West Corridor. We would like to hear where you might also like to see improvements including bicycle and pedestrian connections, and enhancements to local and regional bus service and facilities.


The meeting will be an open house informational meeting with a short presentation at 5:00 and 6:00 PM. There will also be an opportunity for interactive activities to express your thoughts as well as speak directly with study team members.

### Other Ways to Get Involved

Visit the project website to sign-up for email updates ([www.us70west.com](http://www.us70west.com)), provide more comments, and review project materials.

### PROJECT CONTACT

**Nishith Trivedi**  
Project Manager, Orange County Public Transportation  
(919) 245-2007  
[ntrivedi@orangecountync.gov](mailto:ntrivedi@orangecountync.gov)



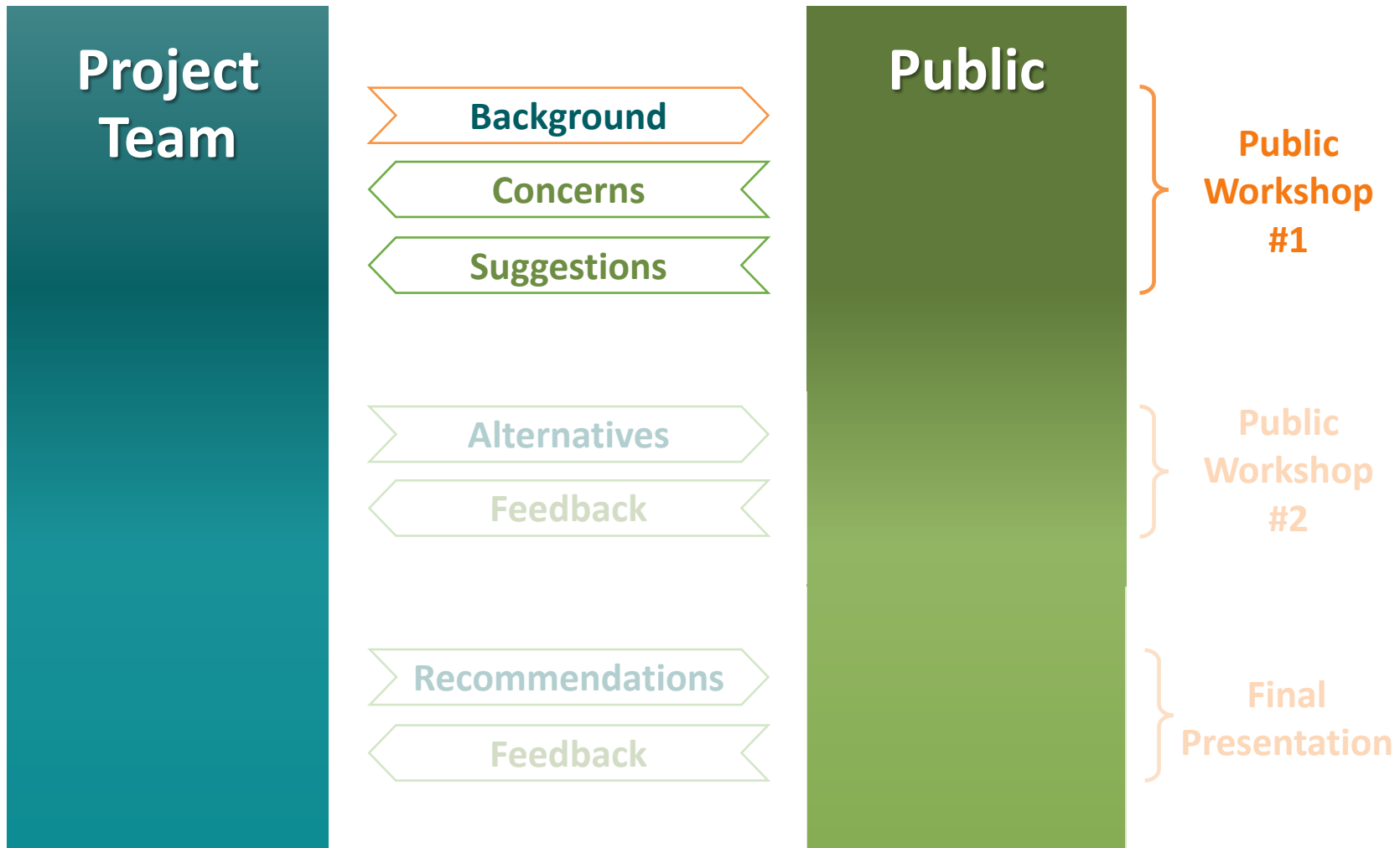


# Community Meetings Round #1

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**Town Hall Annex**  
105 E Corbin Street, Hillsborough, NC 27278



# Public Participation – Round 1



# Workshop Format

- Technical presentation at 5pm and 6pm
- Information boards with team members to have 1:1 discussions
- Interactive Activities
  - Sticker activity for problem identification
  - Bead voting activity to identify local priorities for improvements



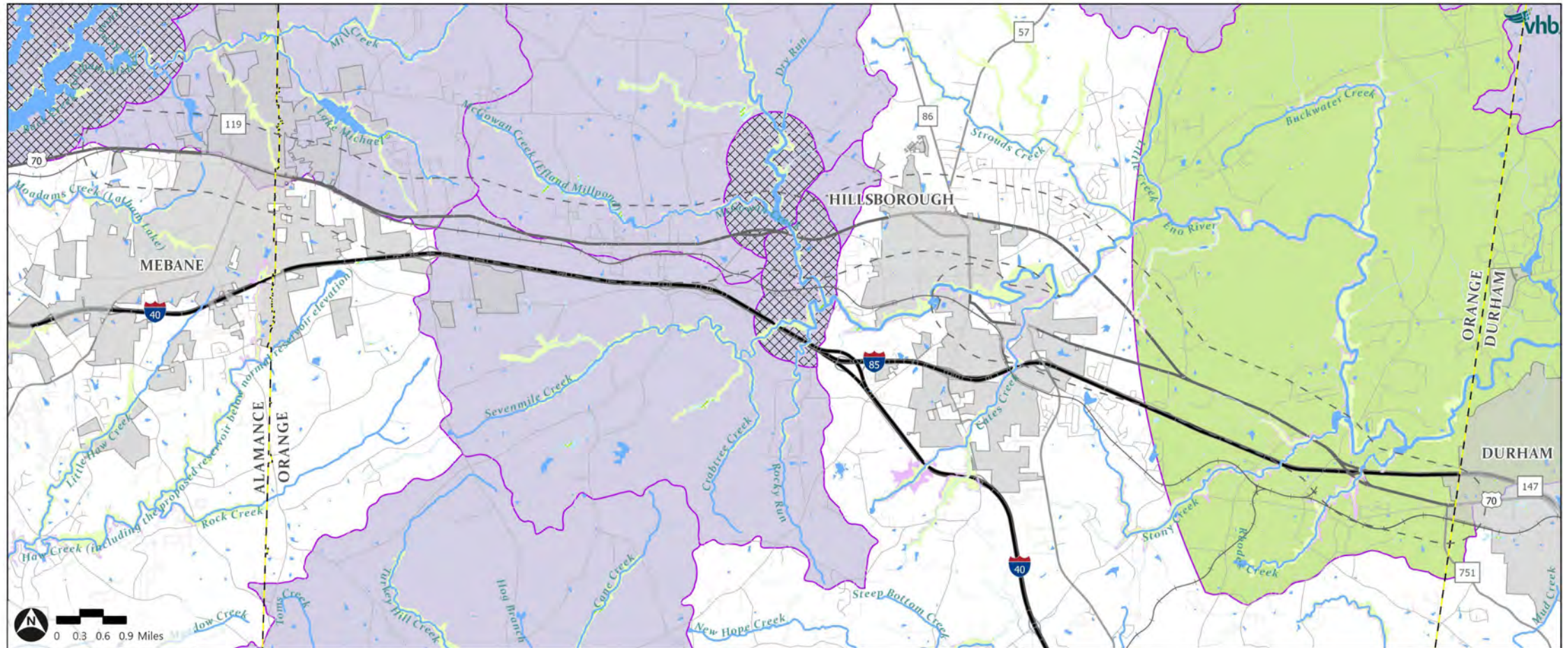




# Environmental Context

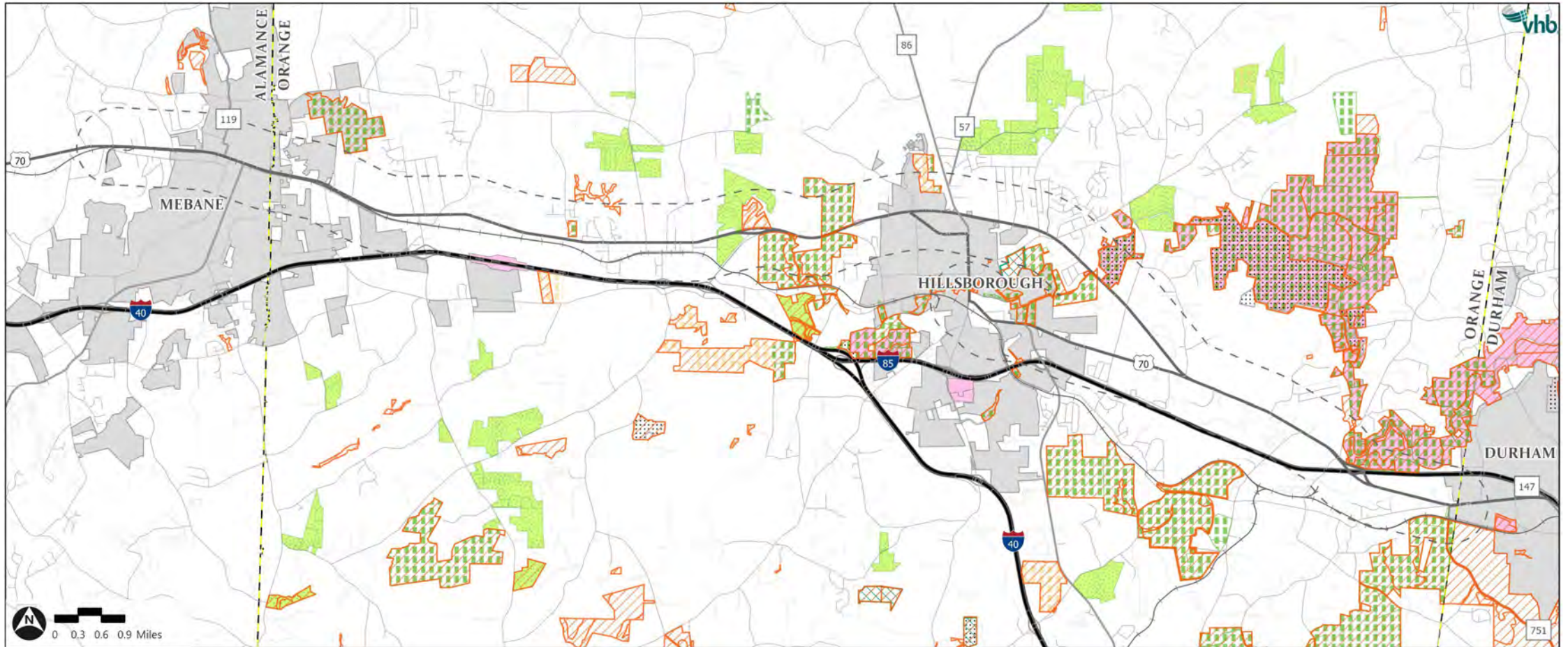


# Water Quality, Sources, & Watersheds





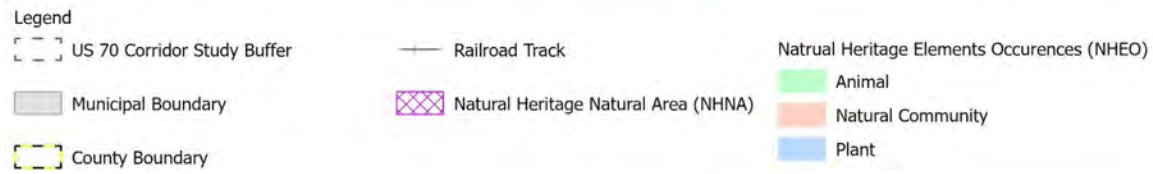
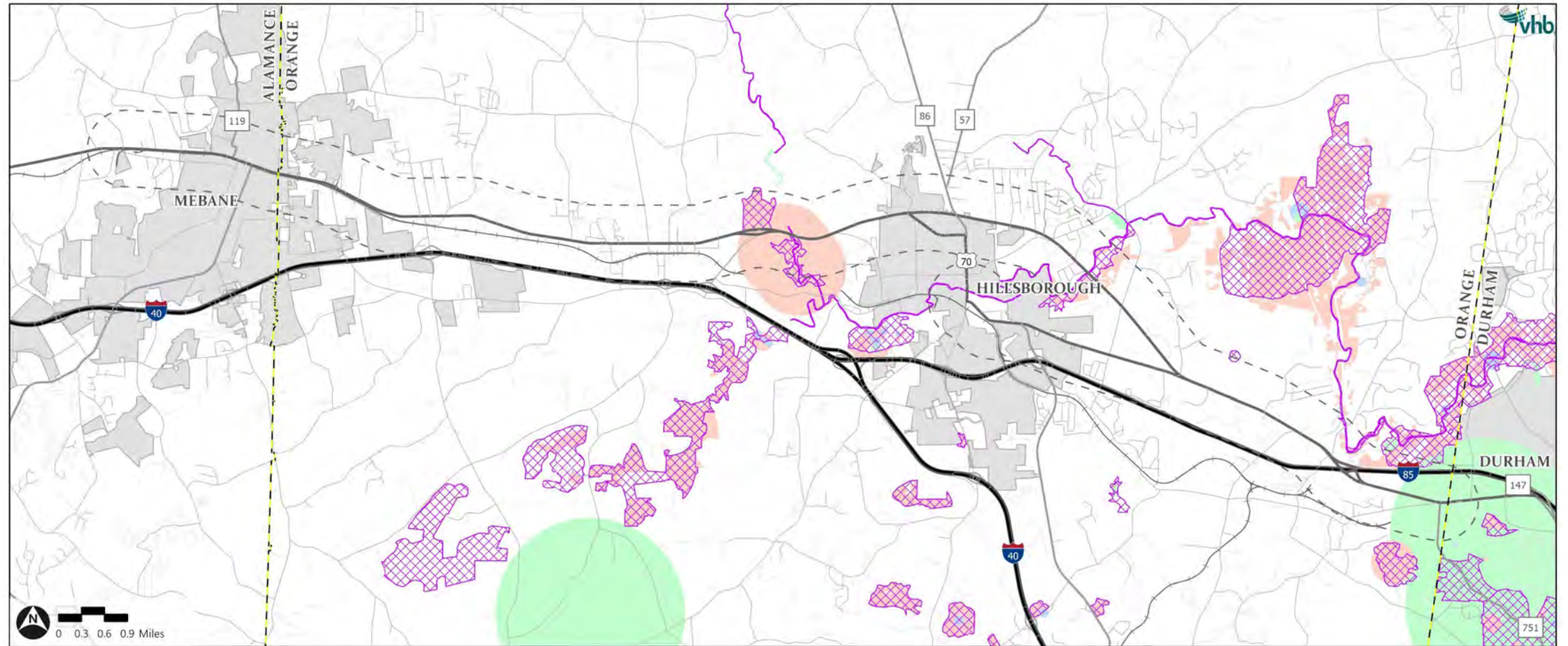
# Natural Features



- Legend
- |                             |                                  |                                  |                      |
|-----------------------------|----------------------------------|----------------------------------|----------------------|
| US 70 Corridor Study Buffer | Railroad Track                   | Conservation Tax Credit Property | Parks and Open Space |
| County Boundary             | Managed Area                     | VAD                              | Orange County Park   |
| Municipal Boundary          | Land Trust Conservation Property | State Owned Land                 | Other Open Space     |

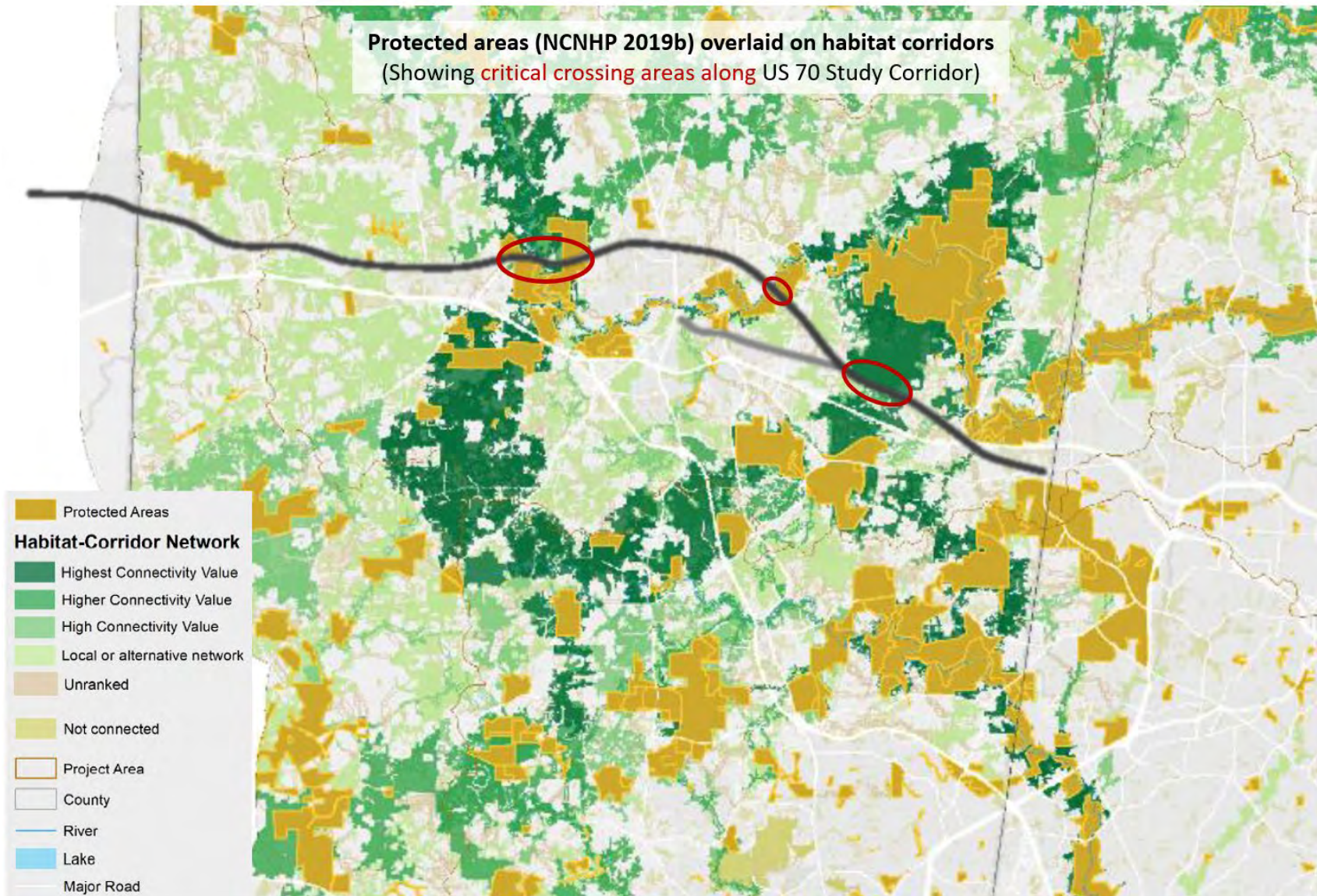


# Wildlife Resources





# Major Wildlife Corridors & Critical US 70 Crossing Areas



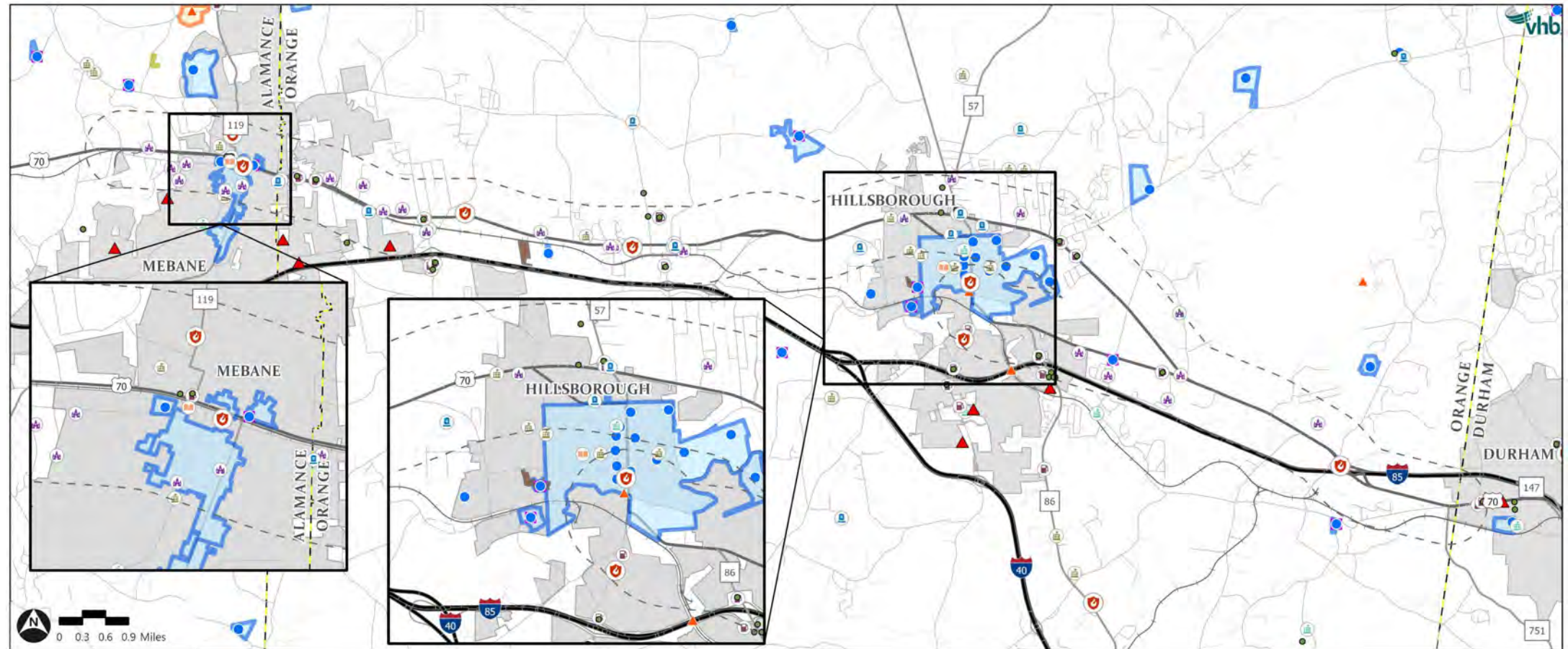
Adapted from *A Landscape Plan for Wildlife Habitat Connectivity*, 2019



**US 70 Multimodal Corridor Study**



# Places of Interest



Legend

- |                             |                |                          |                           |                                      |                          |
|-----------------------------|----------------|--------------------------|---------------------------|--------------------------------------|--------------------------|
| US 70 Corridor Study Buffer | Airport        | Fire Station             | Hazardous Waste Site      | Brownfield Boundary                  | <b>Historic District</b> |
| County Boundary             | Cemetery       | Gas Station              | Places of Worship         | <b>Historic Points</b>               | NR                       |
| Municipal Boundary          | Public Library | Underground Storage Tank | Public School             | National Register individual listing | SLDOE                    |
| Railroad Track              |                | Private School           | Determined Eligible - DOE | NR and Local Landmark                | DOE                      |

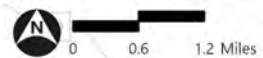




# Transportation



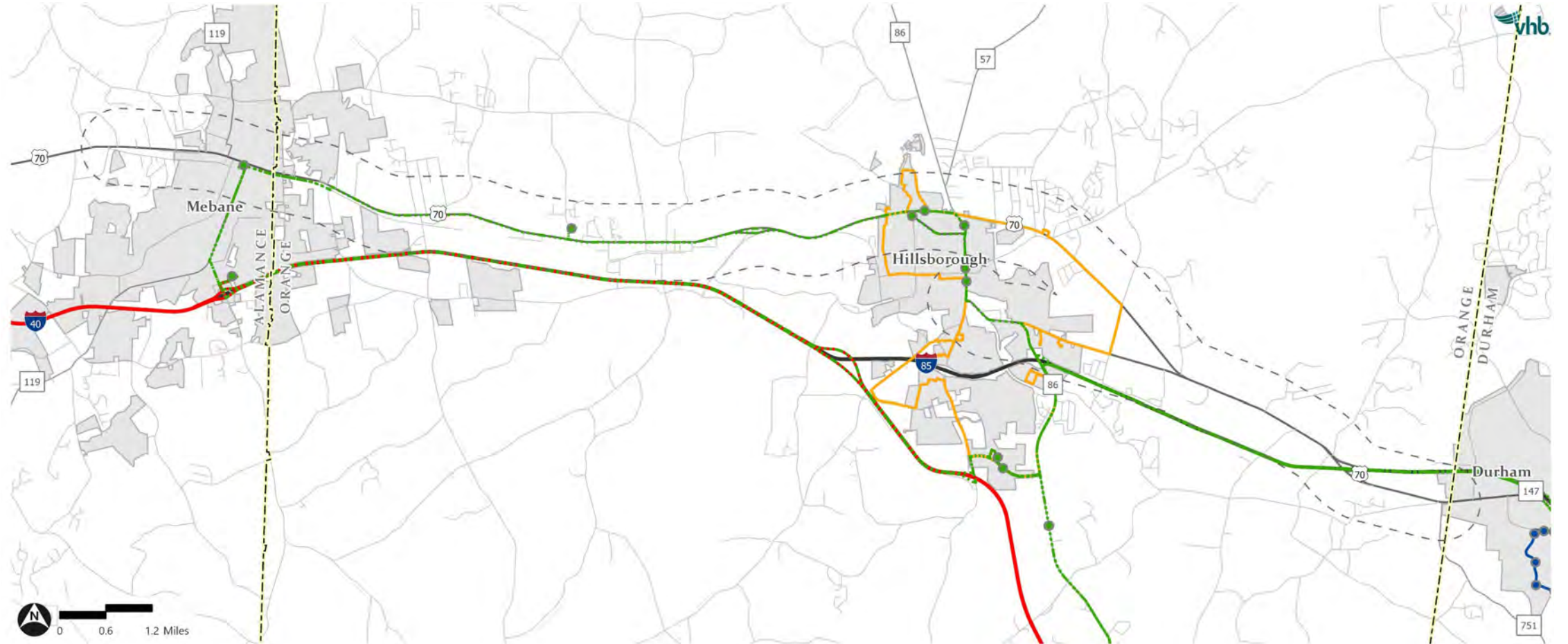
# Existing Pedestrian & Bicycle Networks



- Legend**
- US 70 Corridor Study Buffer
  - Municipal Boundary
  - County Boundary
  - Railroad Track
  - Existing Shared Use Path
  - Existing Sidewalk
  - Existing Bike Lane
  - NC Bike Route System
  - County
  - Urban

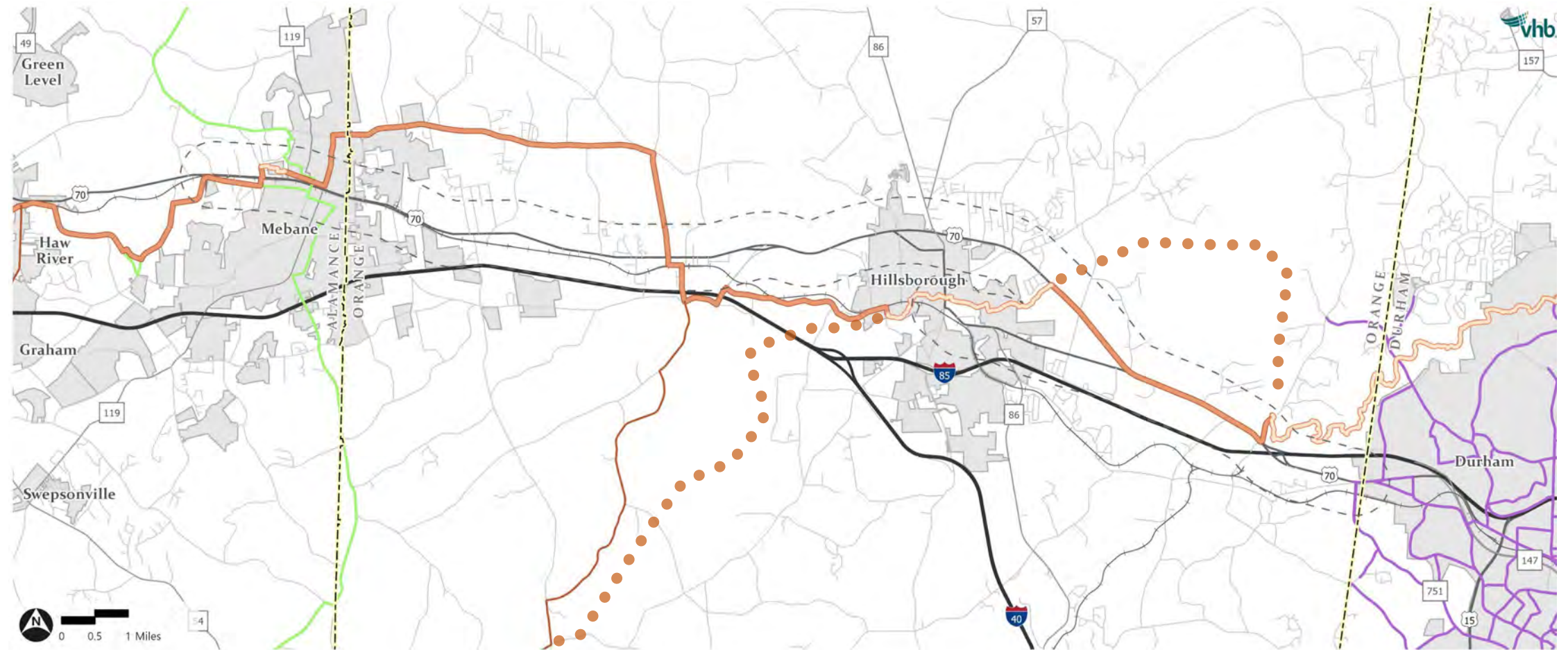


# Existing Transit Routes





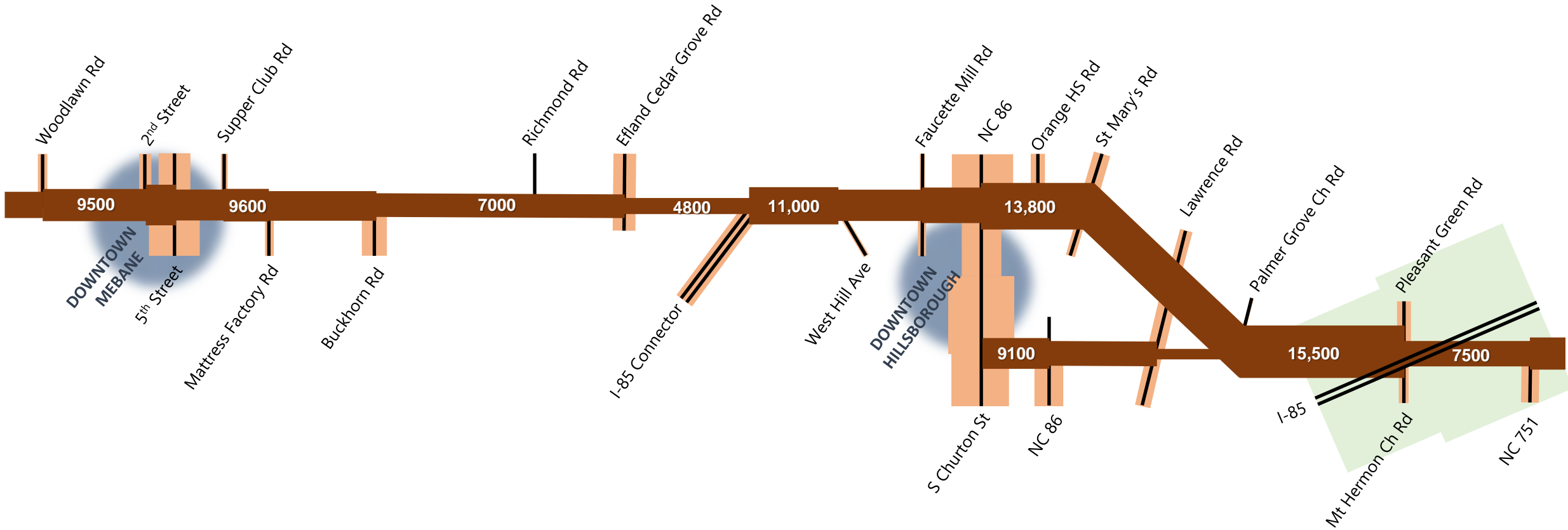
# Regional Hiking & Biking Routes



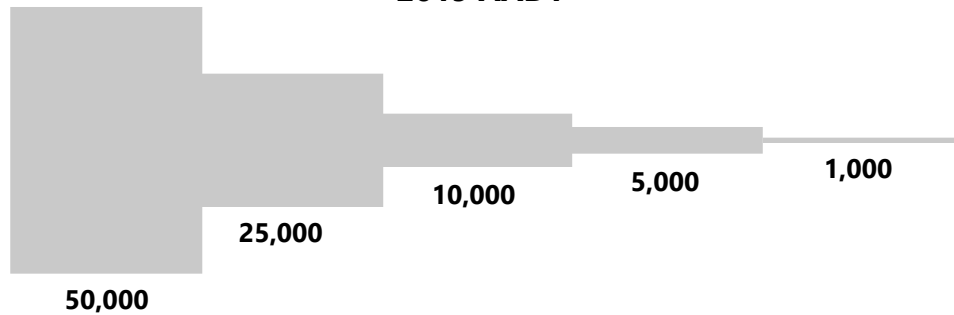
- Legend
- US 70 Corridor Study Buffer
  - Municipal Boundary
  - County Boundary
  - Railroad Track
  - Mountains to Sea Trail
  - Roads
  - Trails
  - Alternate Routes
  - NC Bike Route System
  - County
  - Urban



# Relative 2019 Traffic Volumes in Study Area

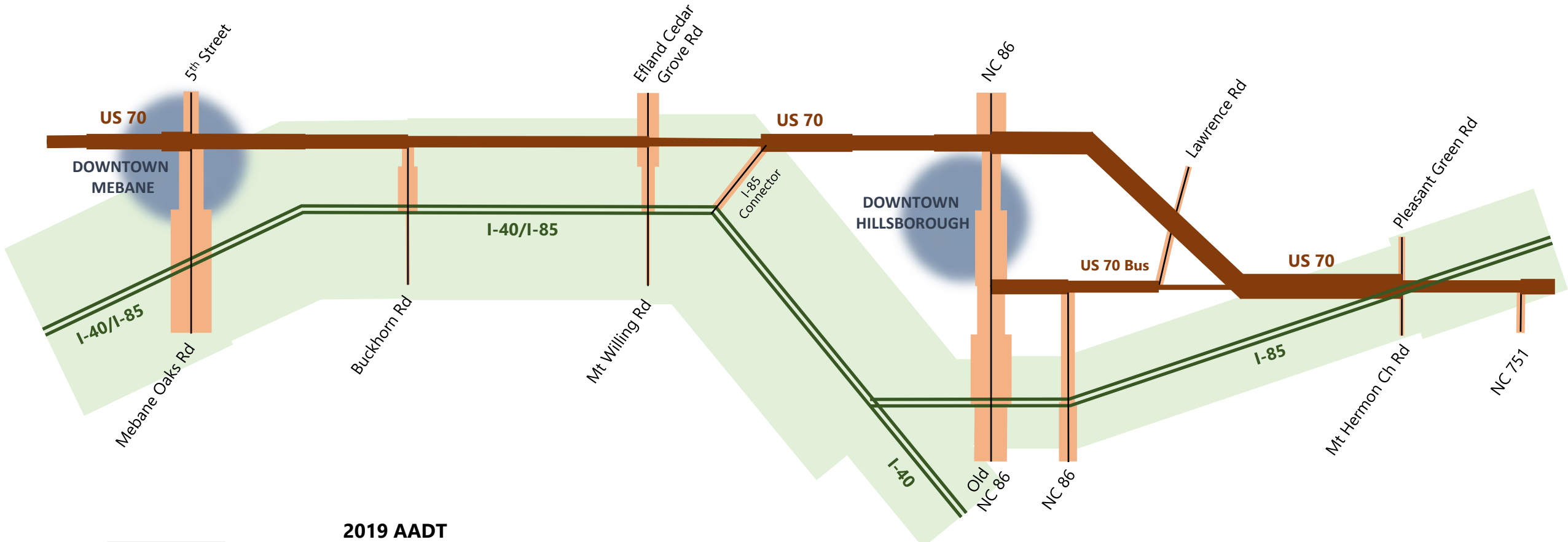


2019 AADT

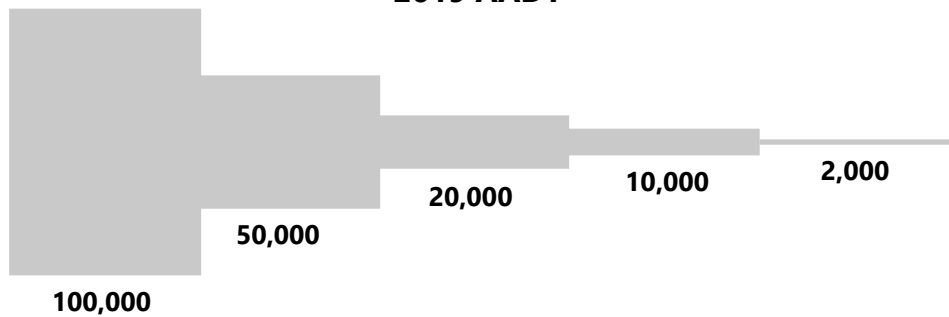


- Study Corridor
- Major Intersecting Roads
- Interstates

# Relative 2019 Traffic Volumes in Study Area



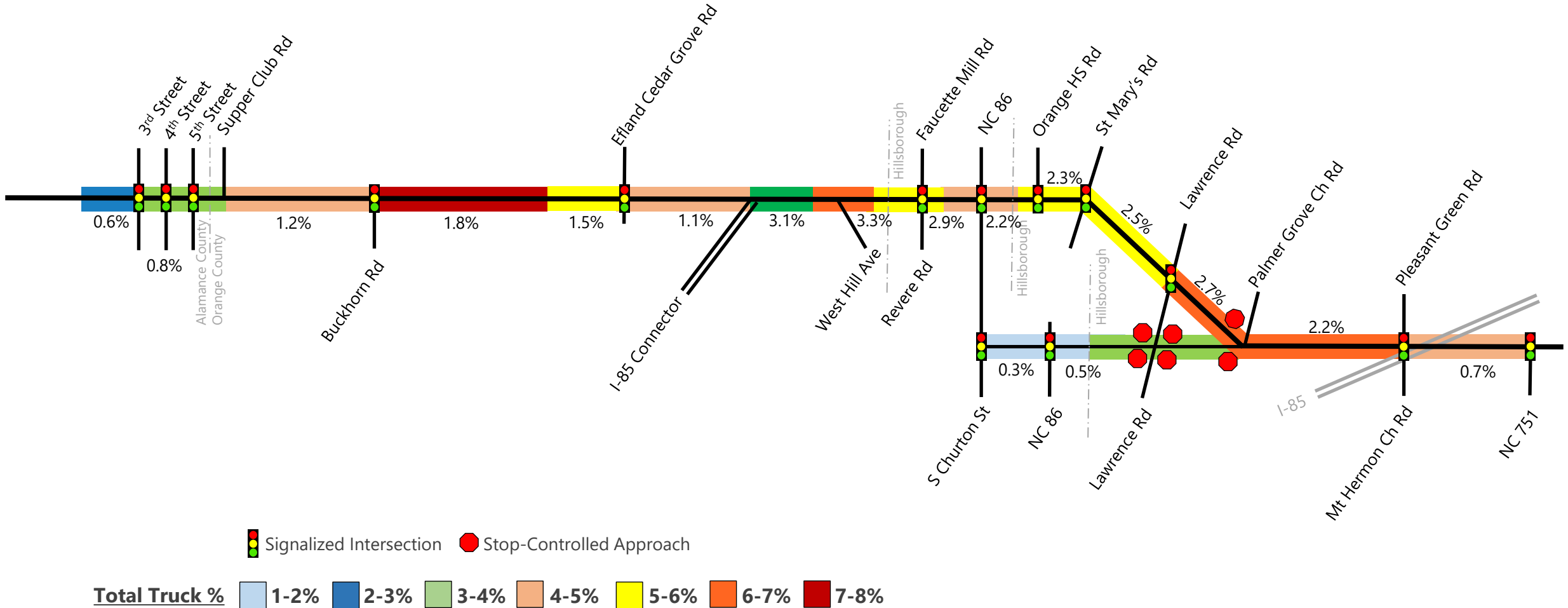
2019 AADT



- Study Corridor
- Major Intersecting Roads
- Interstates

# Total Truck Percentages

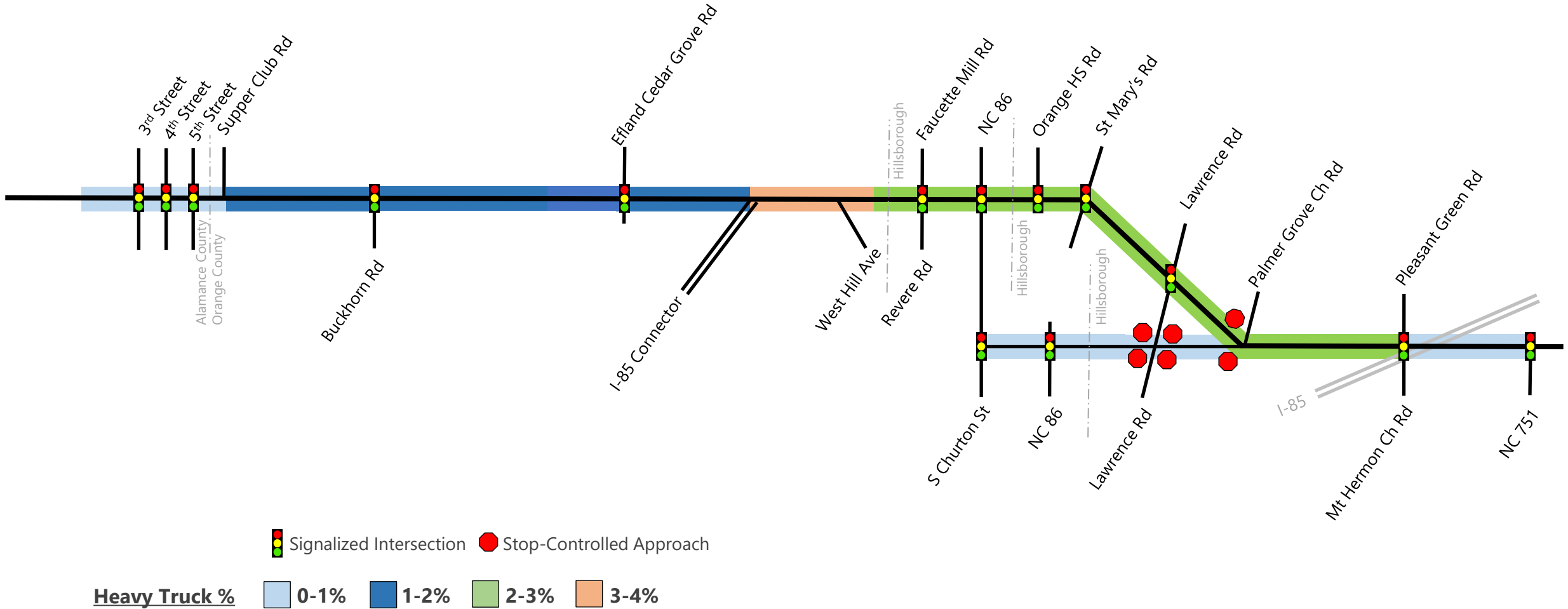
Estimated from 2019 Location-Based Services



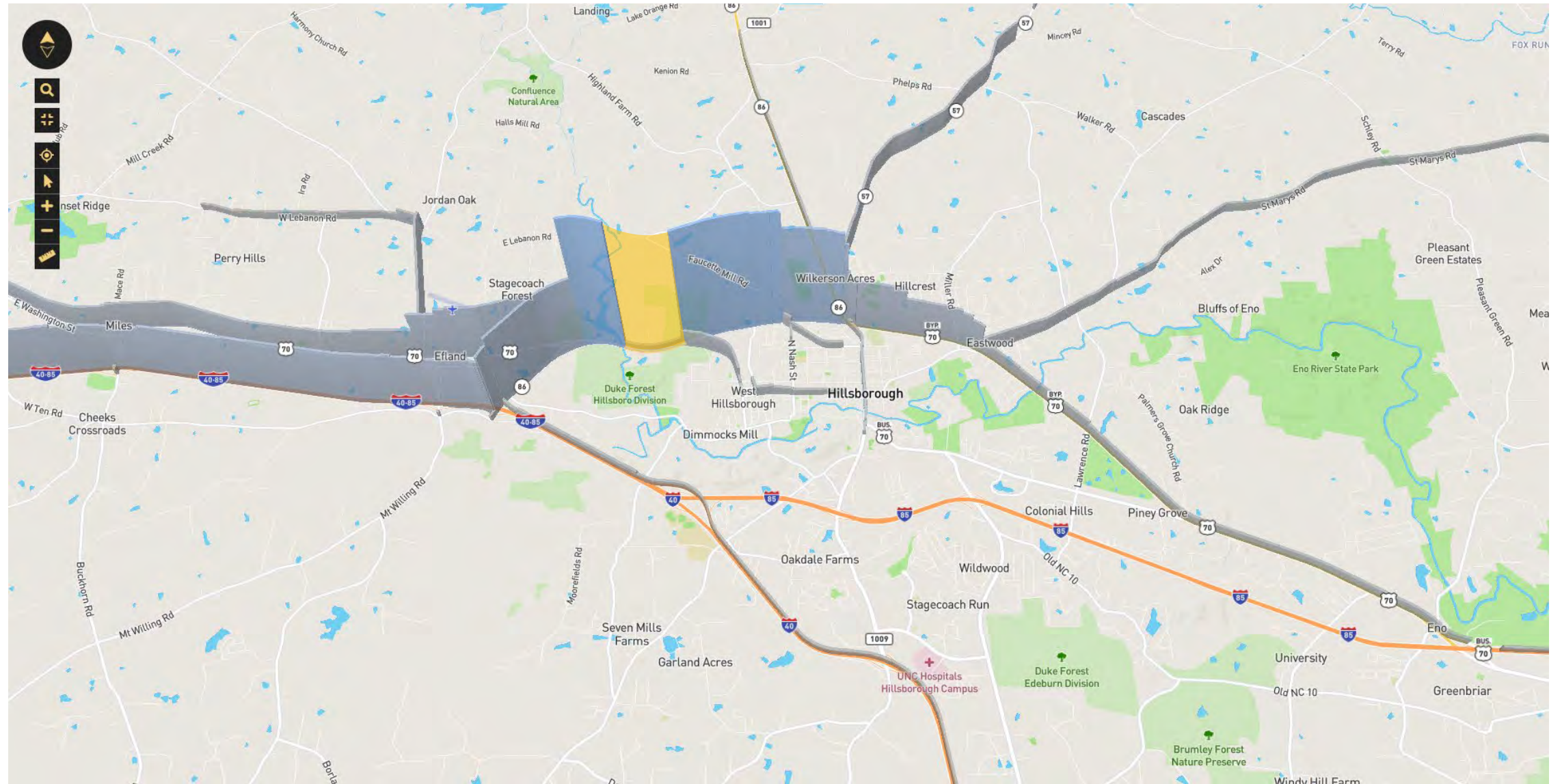
X.X% - Heavy Truck %

# Heavy Truck Percentages

Estimated from 2019 Location-Based Services

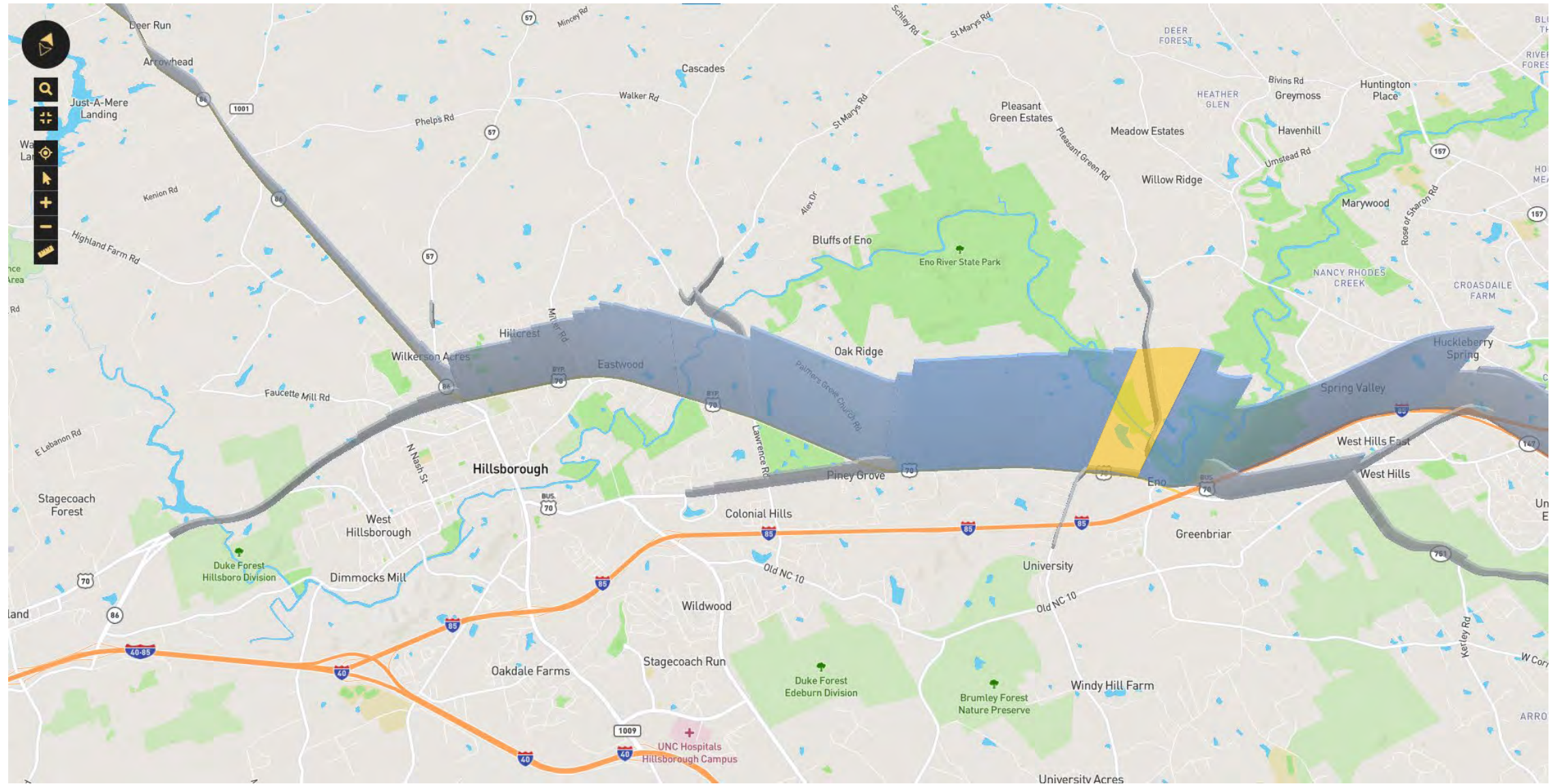


# Distribution of US 70 trips for point west of West Hill St (2019 StreetLight LBS Data)

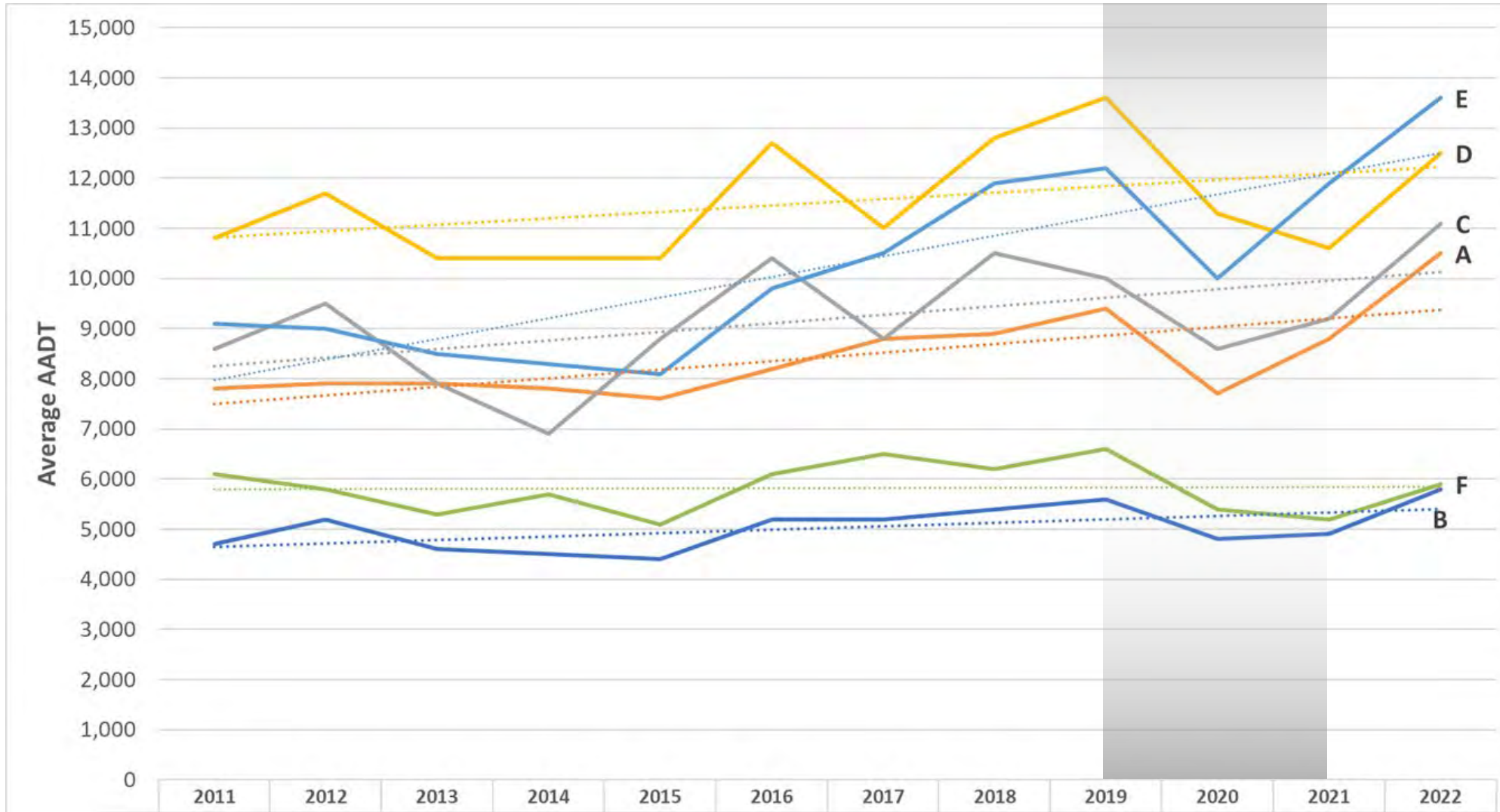




# Distribution of US 70 trips for point west of Pleasant Green Rd (2019 StreetLight LBS Data)

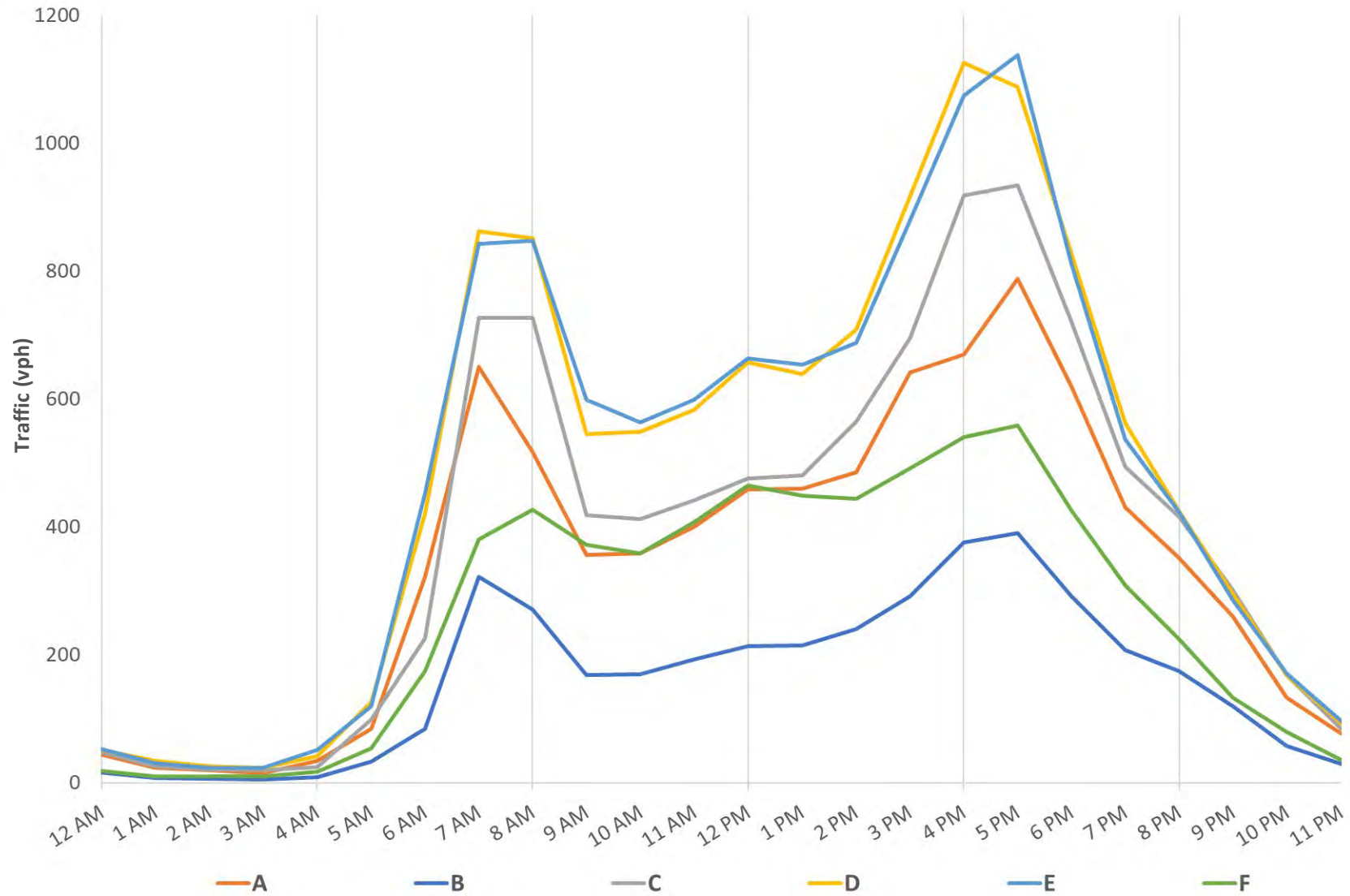


# Historic Traffic Volume Trends by Study Segment

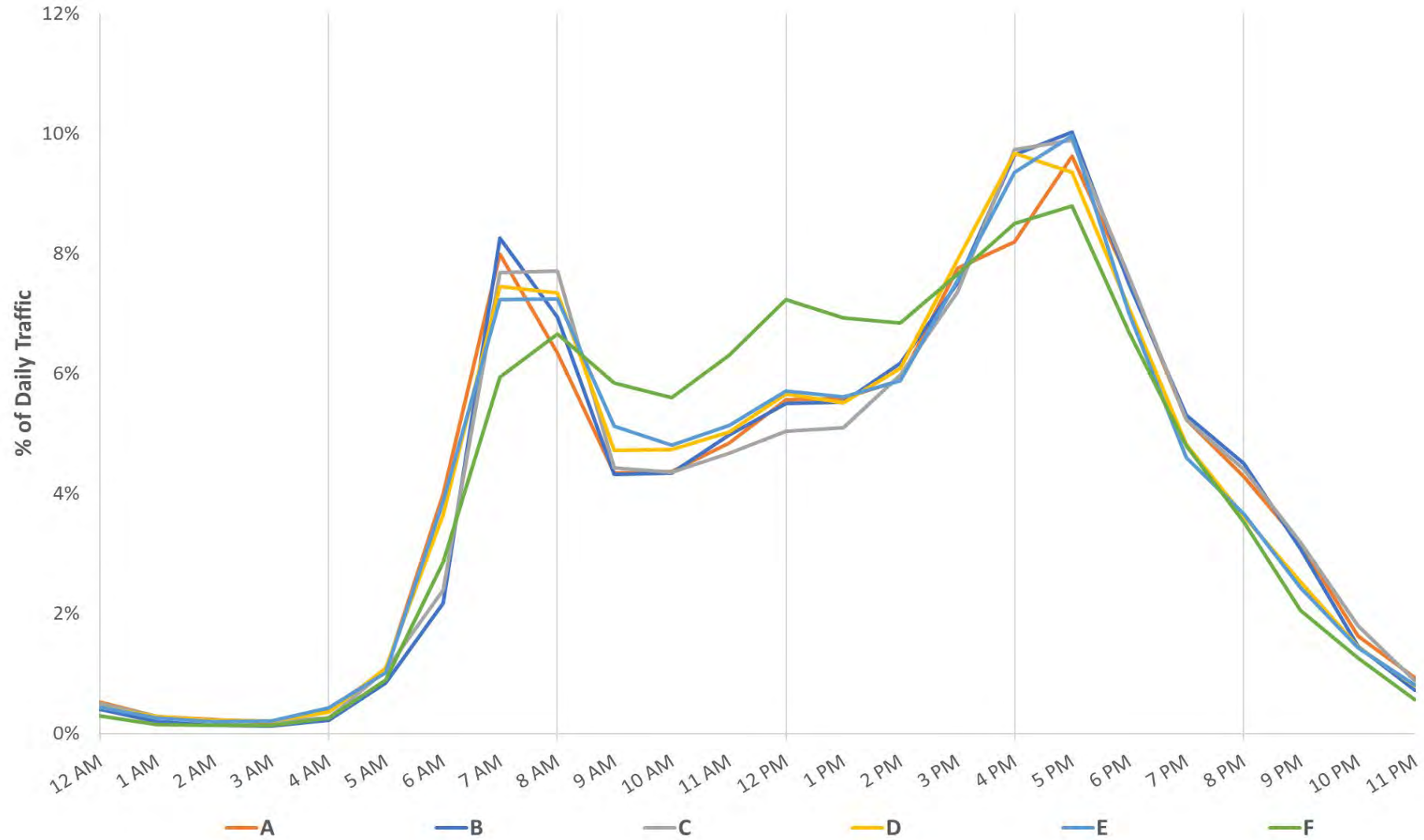




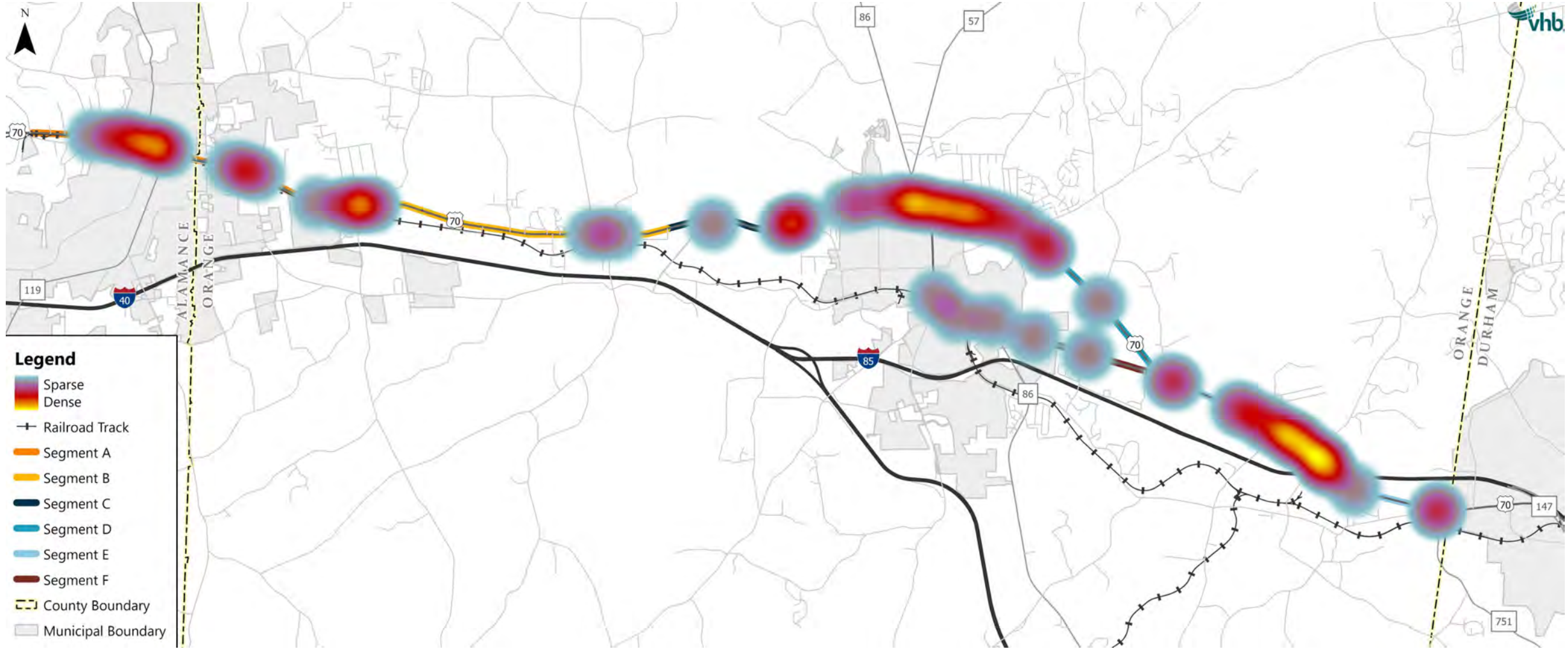
# Hourly Traffic Volume by Time-of-Day (by Segment)



# % of Daily Traffic by Time-of-Day (by Segment)

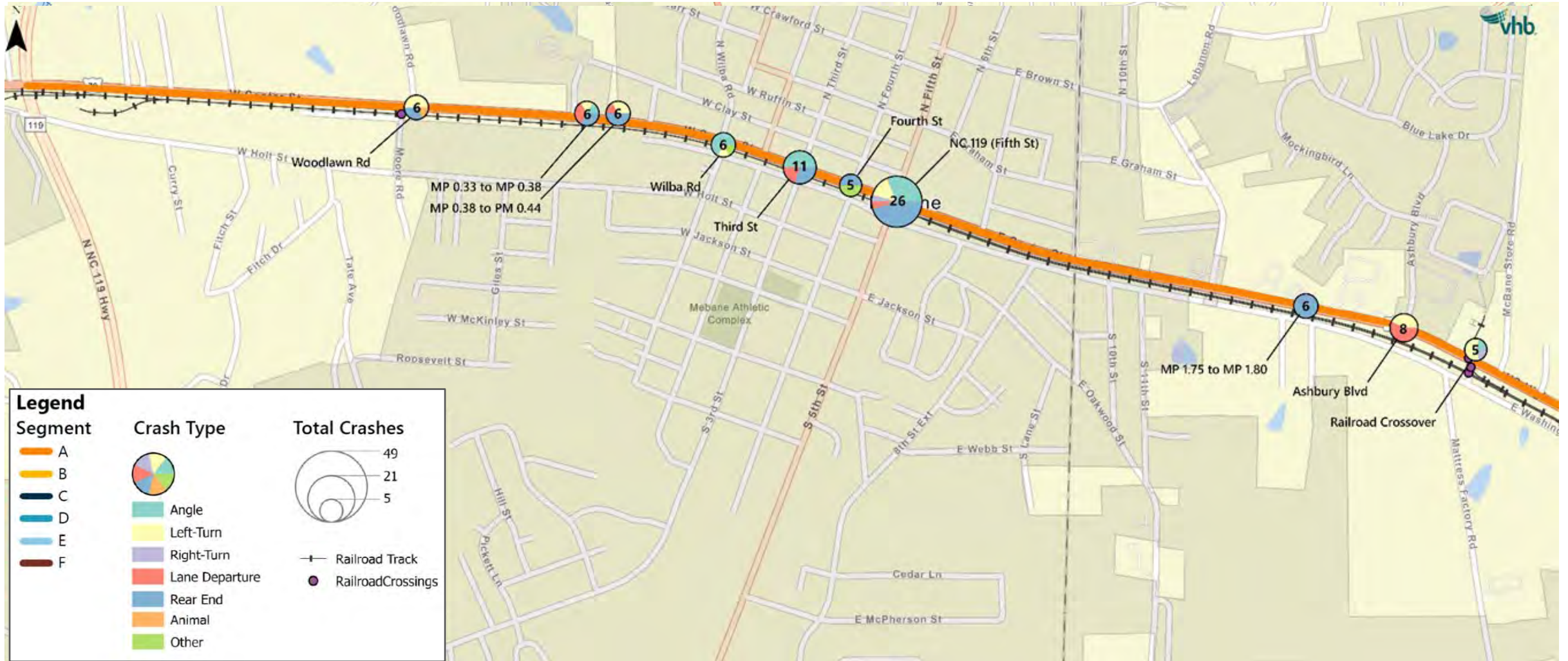


# Crash Density

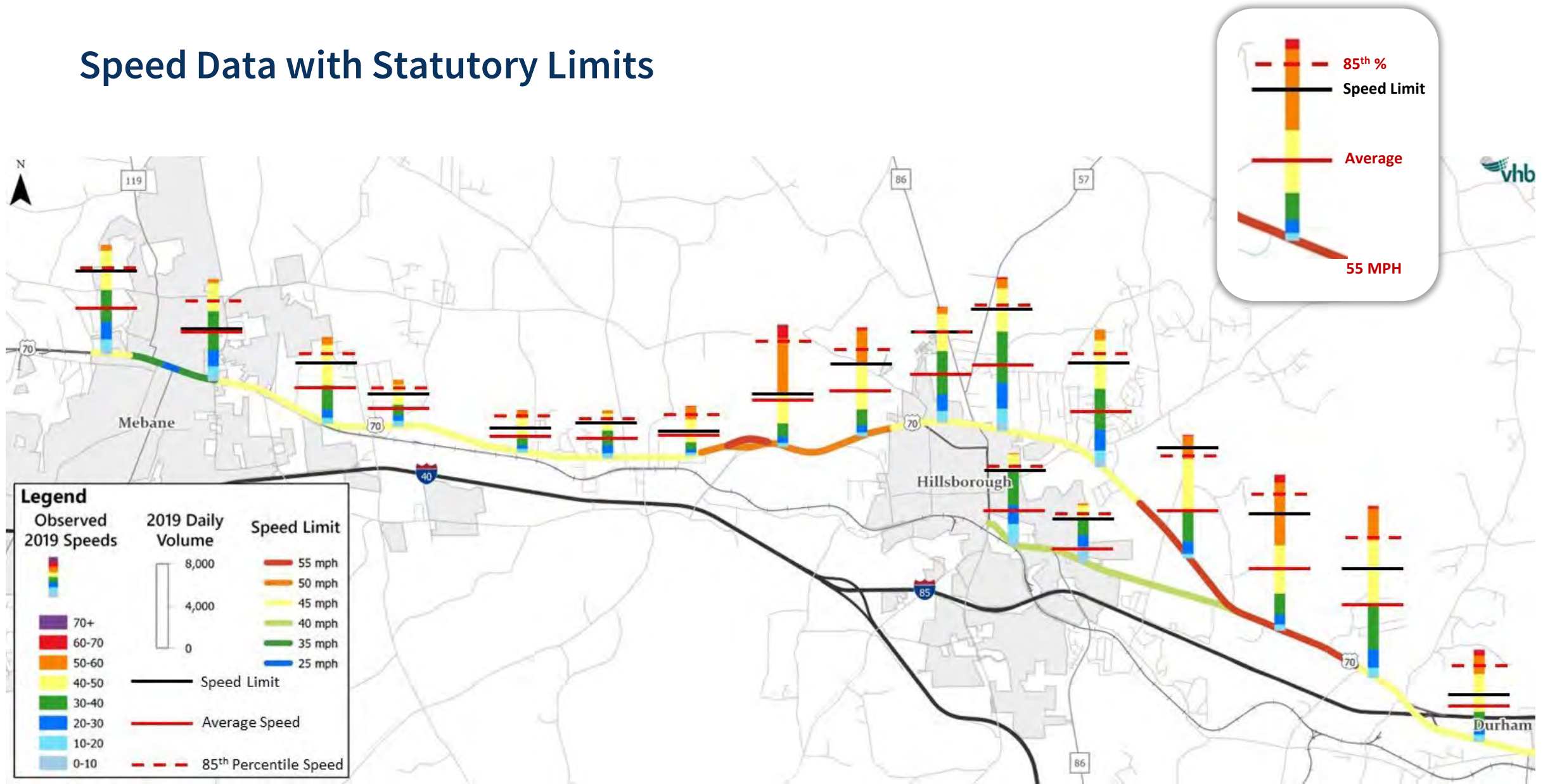




# Detailed Crash Totals by Type & Location

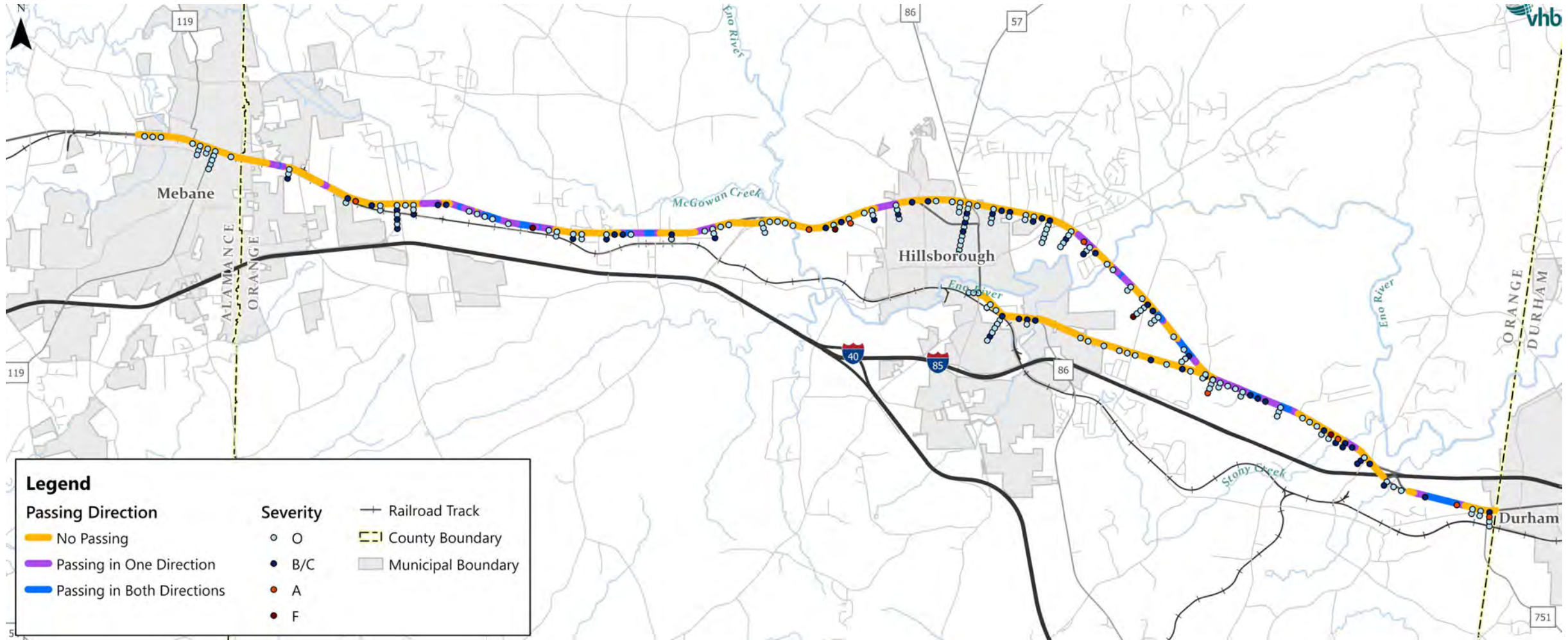


# Speed Data with Statutory Limits

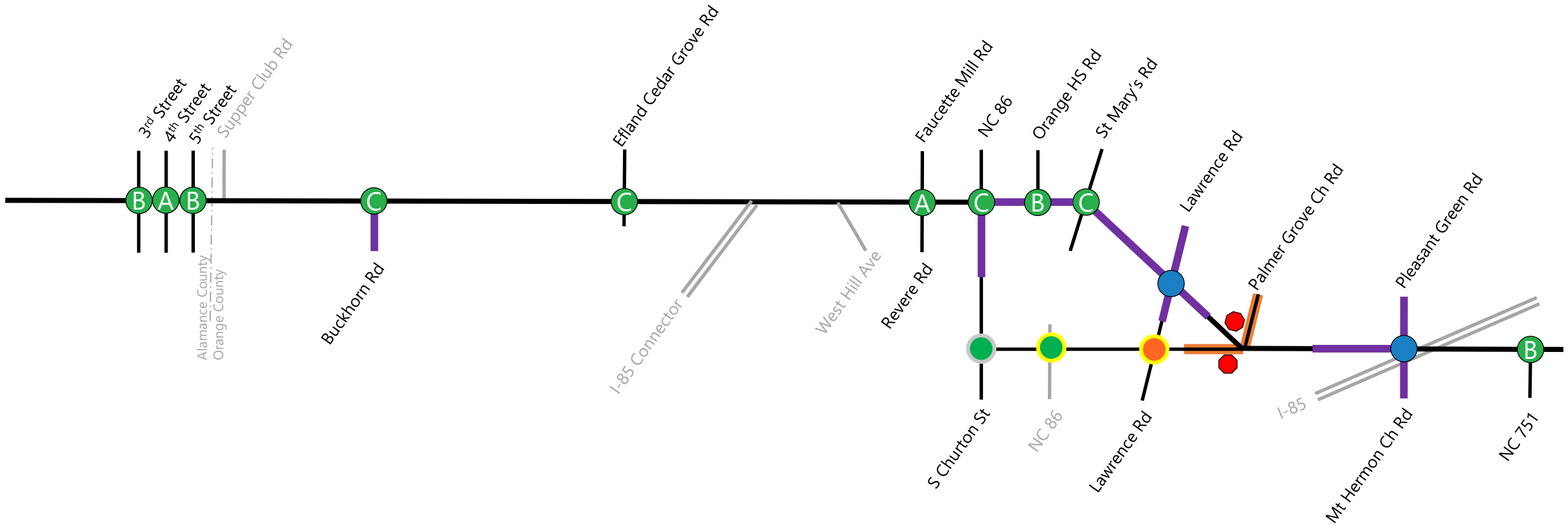




# Run-Off Road Crashes with Severities & Passing Zones



# Intersection Level-of-Service (LOS)

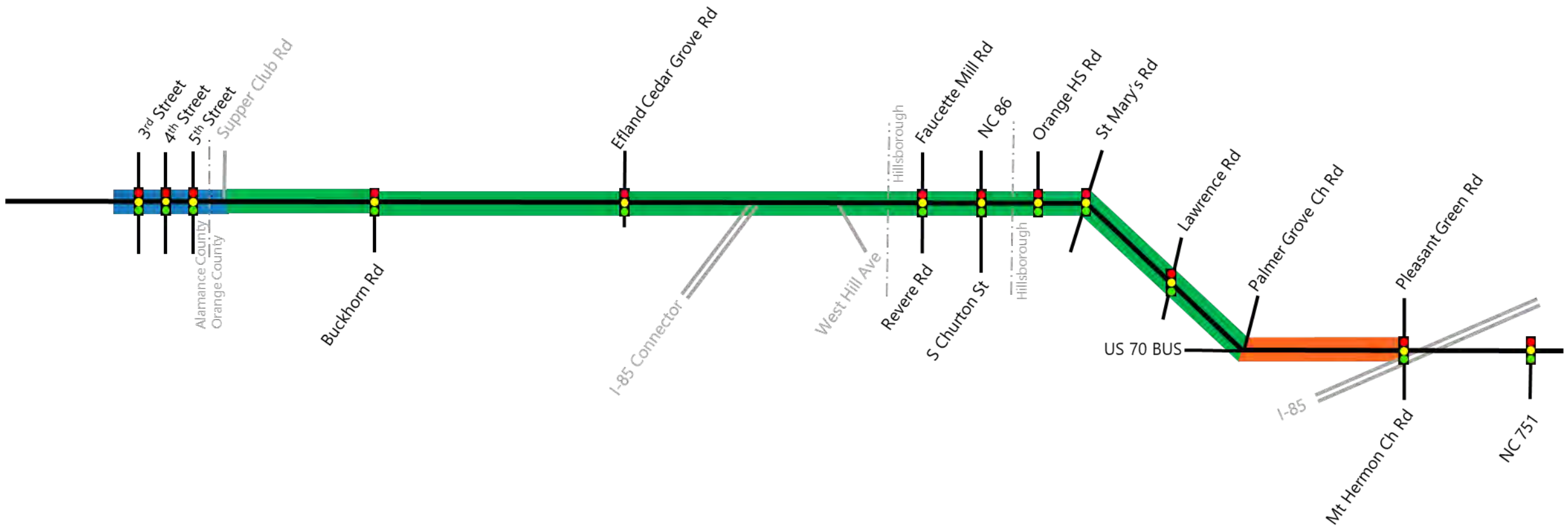


- Signalized Intersection    ● Stop-Controlled Approach  
**LOS\***    ● **A-C**    ● **D**    ● **E-F**    — Potential Queuing Problems  
 \* Worst case from AM and PM peaks  
○ From Lawrence Road Development TIA    ○ From NC 86 Connector Study

QUALITY OF TRAFFIC FLOW DECREASES →

| Considered an acceptable LOS  |   |   |  | Considered an unacceptable LOS   |  |
|---|---|---|--|--|--|
| LOS A   | LOS B   | LOS C   | LOS D  | LOS E  | LOS F  |
| <ul style="list-style-type: none"> <li>Light traffic</li> <li>Free flow speeds</li> </ul> | <ul style="list-style-type: none"> <li>Slightly increased traffic levels</li> <li>Still free flow speeds</li> </ul> | <ul style="list-style-type: none"> <li>Approaching moderate congestion levels</li> <li>Speeds near free flow</li> </ul> | <ul style="list-style-type: none"> <li>Speeds reduced</li> <li>Lane changes restricted due to traffic</li> </ul> | <ul style="list-style-type: none"> <li>Congestion</li> <li>Irregular traffic flow</li> </ul> | <ul style="list-style-type: none"> <li>Road at capacity</li> <li>Gridlock with frequent stops</li> </ul> |

# Level-of-Service (LOS) by Corridor Segment



 Signalized Intersection

**LOS\***  A-C  D  E-F

\* Worst case from AM and PM peaks

QUALITY OF TRAFFIC FLOW DECREASES →

| Considered an acceptable LOS  |   |   |  | Considered an unacceptable LOS   |  |
|---|---|---|--|--|--|
| LOS A   | LOS B   | LOS C   | LOS D  | LOS E  | LOS F  |
| <ul style="list-style-type: none"> <li>Light traffic</li> <li>Free flow speeds</li> </ul> | <ul style="list-style-type: none"> <li>Slightly increased traffic levels</li> <li>Still free flow speeds</li> </ul> | <ul style="list-style-type: none"> <li>Approaching moderate congestion levels</li> <li>Speeds near free flow</li> </ul> | <ul style="list-style-type: none"> <li>Speeds reduced</li> <li>Lane changes restricted due to traffic</li> </ul> | <ul style="list-style-type: none"> <li>Congestion</li> <li>Irregular traffic flow</li> </ul> | <ul style="list-style-type: none"> <li>Road at capacity</li> <li>Gridlock with frequent stops</li> </ul> |

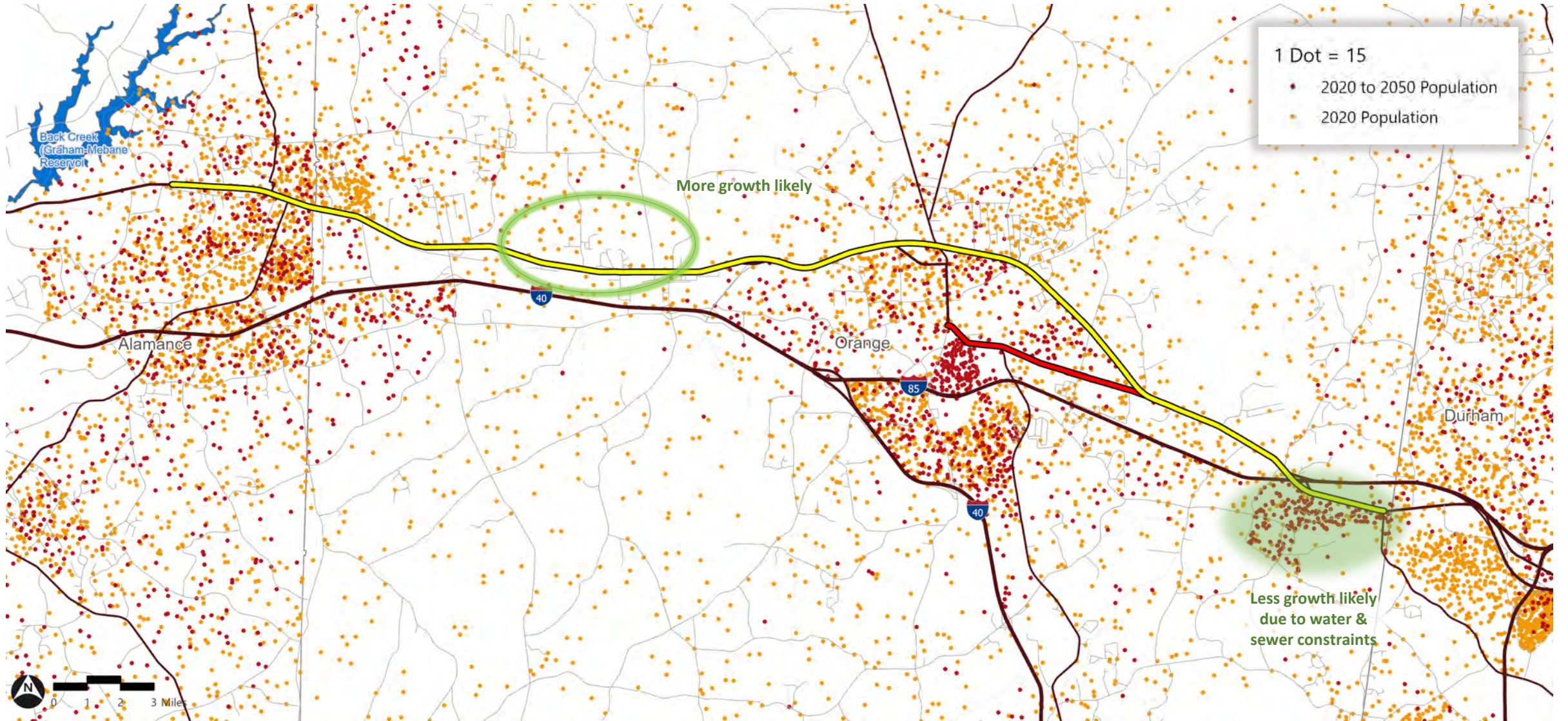




**Growth**

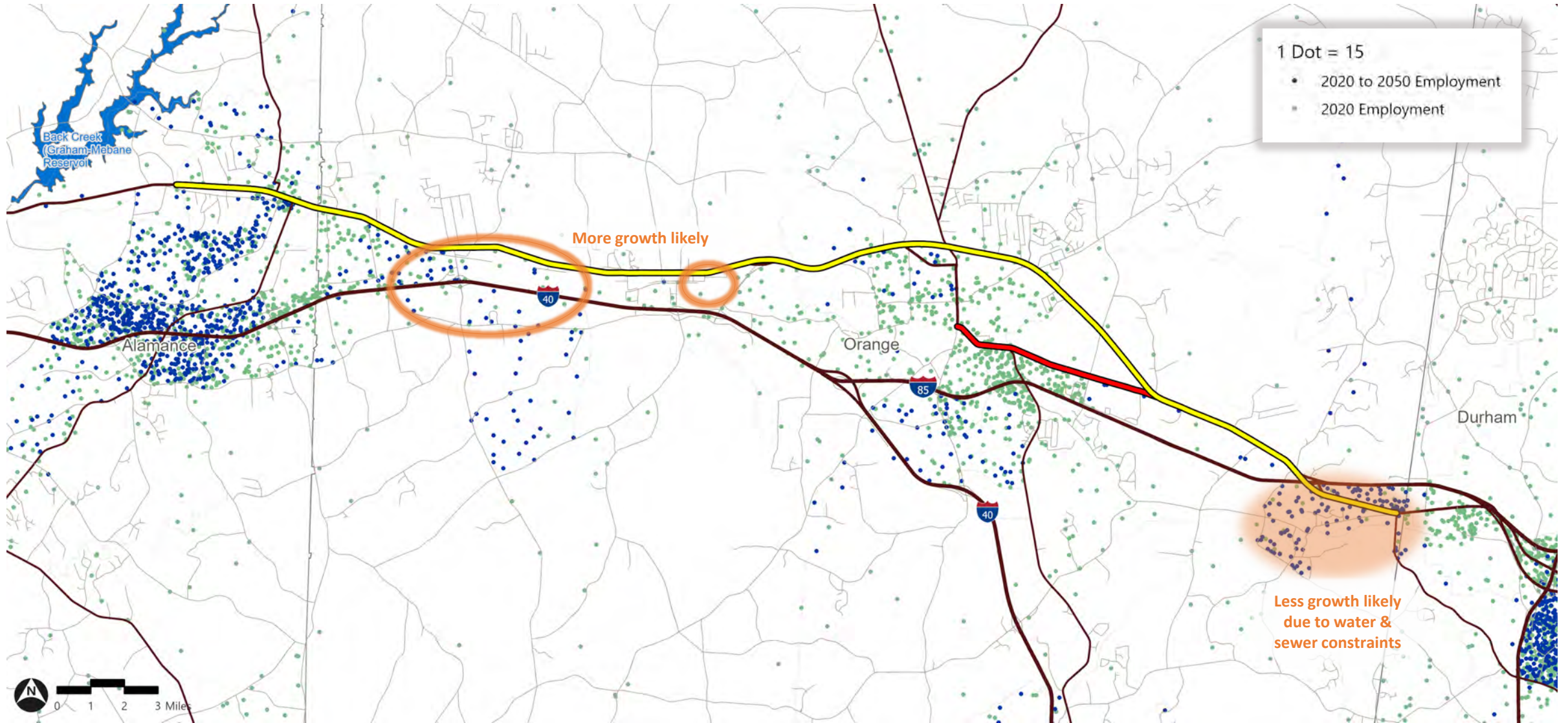


# Population Growth, 2020 to 2050





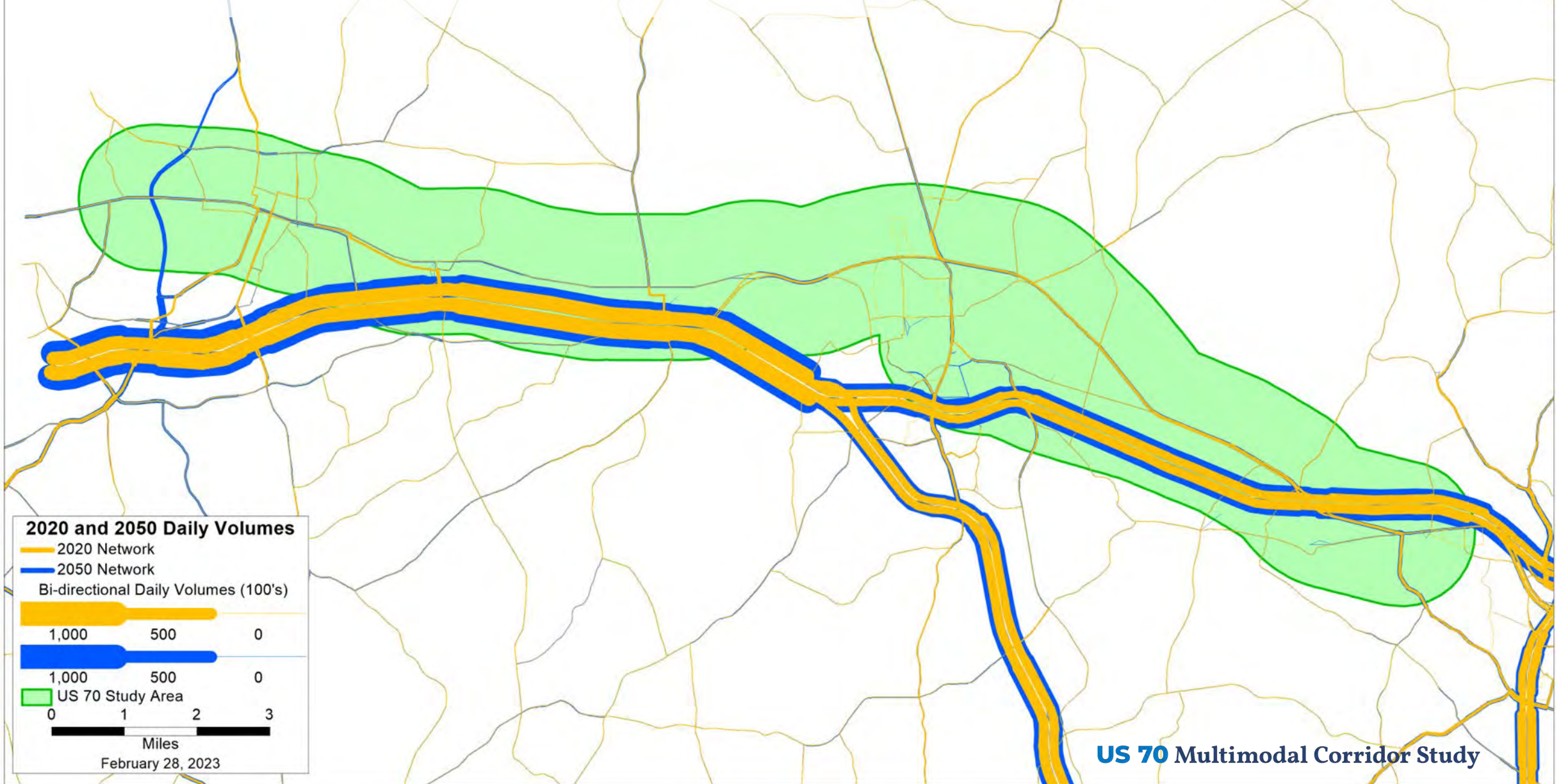
# Employment Growth, 2020 to 2050





# Estimated Daily Traffic Volumes, 2020 vs 2050

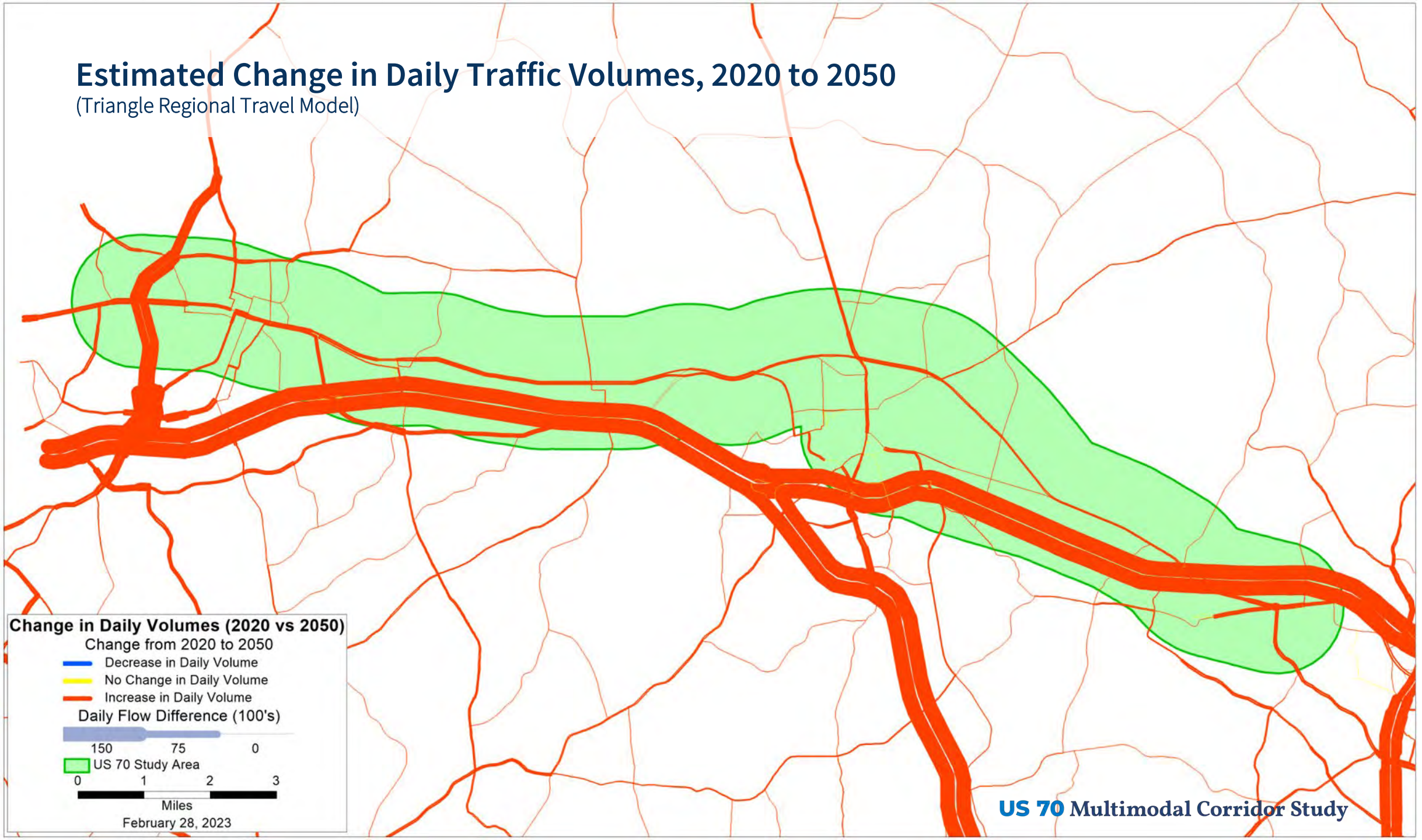
(Triangle Regional Travel Model)





# Estimated Change in Daily Traffic Volumes, 2020 to 2050

(Triangle Regional Travel Model)



## Change in Daily Volumes (2020 vs 2050)

Change from 2020 to 2050

- Decrease in Daily Volume
- No Change in Daily Volume
- Increase in Daily Volume

Daily Flow Difference (100's)



US 70 Study Area



Miles

February 28, 2023

**US 70 Multimodal Corridor Study**





# Next Steps



# Findings to Date

- ✓ Traffic has returned to pre-COVID levels
  - Higher speeds
  - More trucks
- ✓ High crash rates & speeds in some locations
- ✓ Need pedestrian & bicycle improvements
  - *Safety – Health – Economy – Transit*
- ✓ Anticipate moderate, localized traffic growth
- ✓ Rail ROW constrains parts of western corridor
- ✓ I-85 improvements critical to US 70 traffic
- ✓ Full access needed at I-85 Connector
- ✓ NC 86 & NC 57 access via US 70 is important

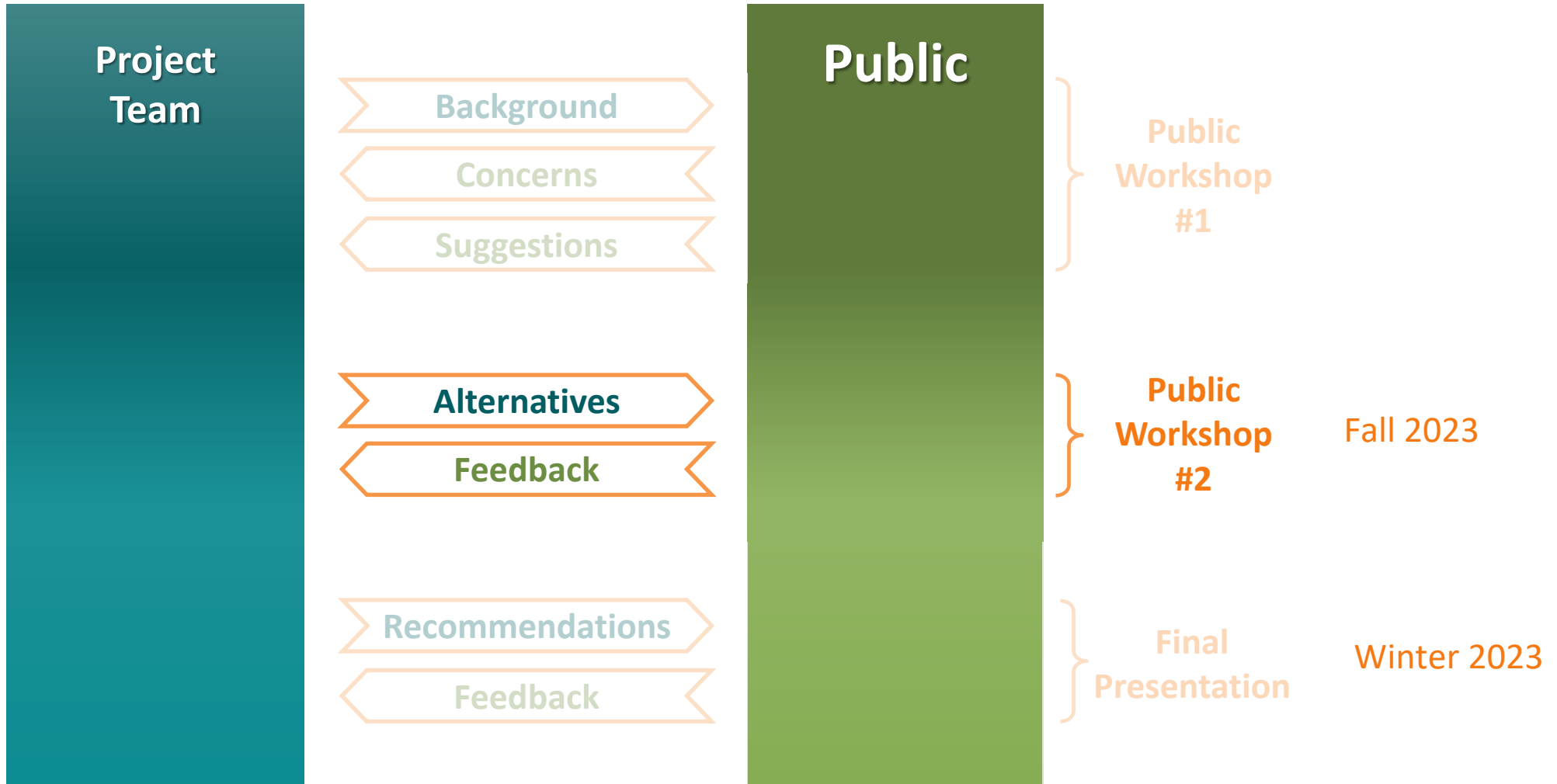


# Develop & Test Solutions

- ✓ Safety
- ✓ Walk & bike connections
  - Crossing/along US 70
- ✓ Intersection operations
  - RR interactions
- ✓ Transit service
- ✓ Roadway cross-sections
- ✓ Environmental protection
- ✓ Supportive land uses & policies
- ✓ Project priorities & phasing



# Public Participation – Round 2







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## AGENDA ITEM #11

### Ordinance Amendment- Deletion of Inconsistent Code Provision- Section 34- 134- Riding

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#### Meeting Date

October 2, 2023

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#### Presenter

Lawson Brown, City Attorney

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#### Public Hearing

Yes  No

---

#### Summary

Ordinance Section 34-134 from 2002 is inconsistent with Section 34-94 as amended in August of 2019.

---

#### Background

The Mebane Code of Ordinances was adopted in 2002. Section 34-94 was amended in 2019 to allow the riding of bicycles on sidewalks with limitations. Section 34-134 which prohibited the same was not deleted at that time. Staff desires to delete the latter referenced Section so that Section 34-94 is controlling, as intended.

---

#### Financial Impact

None

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#### Recommendation

Staff recommends the deletion of Section 34-134.

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#### Suggested Motion

I move that Section 34-134 of the Mebane Code of Ordinances be deleted in its entirety.

---

#### Attachments

1. Mebane Code of Ordinances- Section 34-94
2. Mebane Code of Ordinances- Section 34-134

---

**Sec. 34-94. Riding on sidewalks, or without hands on handlebars, prohibited.**

No person shall ride a bicycle or motorcycle on any street without having his hands upon the handlebars, nor shall any person ride a bicycle upon any sidewalk or walkway within the B-1 Central Business District as shown on the City of Mebane's official zoning map, or where prohibited by sign or traffic-control device. No person shall park a bicycle upon a street or upon a sidewalk except in a rack to support the bicycle, or in such manner as to afford the least obstruction to pedestrian traffic.

Every person lawfully operating a bicycle upon a public sidewalk shall:

- (1) Operate it in a careful and prudent manner:
- (2) Yield the right-of-way when approaching a pedestrian; and
- (3) Give an audible signal before overtaking and passing any person.

(Code 1952, ch. F, art. VI, § 14; Ord. No. OA-19-03 , 8-5-2019)

Cross reference(s)—Streets, sidewalks and other public places, ch. 28.

---

**Sec. 34-134. Riding on sidewalks prohibited.**

It shall be unlawful for any person to ride a bicycle on any sidewalk in the city.

(Code 1952, ch. D, art. IV, § 5)

Cross reference(s)—Streets, sidewalks and other public places, ch. 28.



## AGENDA ITEM #12

### 2004 Plat Revision- Removal of No Build Line from the Creekside Subdivision Plat

#### Meeting Date

October 2, 2023

#### Presenter

Lawson Brown, City Attorney

#### Public Hearing

Yes  No

#### Summary

The plat for the Creekside Subdivision was approved by the Council in 2004 with a “no-build” line on the seven lots at the depth of two hundred eighty feet (280’), which the lot owners desire to eliminate.

#### Background

The plat for the Creekside Subdivision was approved by the Council in 2004. The plat was prepared by R.S. Jones & Associates, Inc., Land Surveyors, was dated June 22, 2004, and recorded in the Alamance County Registry in Plat Book 69, Page 136. The seven-lot plat, as approved and recorded, showed a “No Build” line on each lot at the depth of two hundred eighty feet (280’). Kevin L. Jackson, the owner of Lot 7, has applied for a building permit for an accessory structure to be located beyond the No Build Line. City staff in reviewing his request brought the No Build Line issue to Mr. Jackson’s attention. Staff research on the appearance of the No Build Line has not shown the reason for the No Build Line. Because the City Council approved the plat in 2004, staff recommended that the removal of the No Build Line be approved by the Council. In lieu of the expense of a current survey of the seven-lot subdivision and approval of a new plat, staff recommended a recordable agreement signed by all seven lot owners, agreeing to the same. A copy of the Agreement is attached as an Exhibit to this Item. Assuming that the Council agrees to the removal of the No Build Line, then the parties will record the Agreement along with a certified copy of Council’s action, in the Registry.

The removal of the no-build line will increase the options of where property owners can place accessory structures in their rear yards. The following setback rules apply to accessory structures:

- Structures less than 144 square feet must be set back at least three feet from the rear property line.
- Structures greater than 144 square feet must be set back at least ten feet from the rear property line.
- Detached, accessory dwelling units (ADUs) greater than 600 square feet must comply with principal setback requirements, which includes a 25’ rear setback.
- Permanent swimming pools must comply with principal setback requirements, which includes a 25’ rear setback.

#### Financial Impact

None.

#### Recommendation

Staff recommends that the Council approve the removal of the No Build Line by Resolution.

#### Suggested Motion

In view of the agreement of the seven lot owners to remove the No Build Line, I hereby move to approve the removal of the No Build Line from the plat of the Creekside Subdivision, prepared by R.S. Jones & Associates, Inc., Land Surveyors, dated June 22, 2004, as recorded in the Alamance County Registry in Plat Book 69, page 136, and to evidence this City Council action by Resolution, copy of which should be recorded in the Alamance County Registry along with the lot owners’ agreement to the same.

#### Attachments

1. Plat of the Creekside Subdivision
2. Removal of Building Line Restriction, signed by the seven lot owners of the Creekside Subdivision





This document prepared by: E. Lawson Brown, Jr.,  
without title examination based upon the information  
provided by the parties.

NORTH CAROLINA

ALAMANCE COUNTY

**REMOVAL OF BUILDING  
LINE RESTRICTION**

THIS REMOVAL OF BUILDING LINE RESTRICTION is made this the \_\_\_ day of  
September, 2023, by and between MICHAELA M. HAUGABOOK, BENITA PATRICIA  
MADARATI, KANEP INVESTMENT GROUP, LLC, CATHERINE T. CORNETT, GLENN  
CORNETT, JOSEPH SOLOMON HOLT, RHONDA DENISE HOLT, RUSSELL L.  
HUNTER, SONYA R. HUNTER, CHRISTOPHER LAMONT LONG, VALENCIA NICOLE  
LONG and KEVIN L. JACKSON.

**RECITALS:**

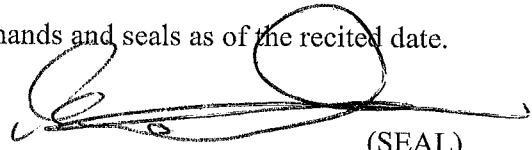
- A. The plat of the Subdivision known as Creekside Subdivision (“Subdivision”), as surveyed by R. S. Jones & Associates, Inc., Land Surveyors, dated June 22, 2004, and recorded in the Alamance County Registry (“Registry”) in Plat Book 69, Page 136 (“Plat”), shows the following: “280’ No-Build Line” with the notation “No structures or improvements behind no-build line” (“No Build Restriction”).
- B. The parties executing this document are all the owners of the seven (7) lots shown on the Plat and desire to eliminate the No Build Line Restriction.
- C. The Plat was approved by the City of Mebane and the parties to this document agree to petition the City to remove the No Build Restriction, independent of this document.
- D. **Michaela M. Haugabook and Benita Patricia Madarati** are the owners of Lot 1 of the Subdivision, having acquired title to the same by Deed recorded in the Registry in Book 2959, Page 661;

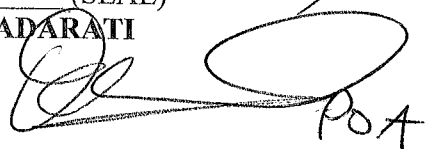
- E. **Kanep Investment Group, LLC** is the owner of Lot 2 of the Subdivision having acquired the same by Deed recorded in the Registry in Book 4322, Page 463.
- F. **Catherine T. Cornett and Glenn Cornett** are the owners of Lot 3 of the Subdivision, having acquired the same by Deed recorded in the Registry in Book 2989, Page 934.
- G. **Joseph Solomon Holt and Rhonda Denise Holt** are the owners of Lot 4 of the Subdivision having acquired the same by Deed recorded in the Registry in Book 4222, Page 438.
- H. **Russell L. Hunter and Sonya R. Hunter** are the owners of Lot 5 of the Subdivision, having acquired the same by Deed recorded in the Registry in Book 3640, Page 16.
- I. **Christopher Lamont Long and Valencia Nicole Long** are the owners of Lot 6 of the Subdivision, having acquired the same by Deed recorded in the Registry in Book 2939, Page 652.
- J. **Kevin L. Jackson** is the owner of Lot 7 of the Subdivision, having acquired the same by Deed recorded in the Registry in Book 4023, Page 23.

NOW, THEREFORE, IN CONSIDERATION OF THE RECITALS HEREIN, Ten Dollars (\$10.00) and other valuable consideration, the parties hereto agree as follows:

- 1. All parties hereto agree that the No Build Line as shown on the Plat of the Subdivision is hereby eliminated as a restriction.
- 2. The parties agree that the one or more of them will petition the City of Mebane to approve the removal of the No Build Line by appropriate municipal action.
- 3. This removal shall be binding on the parties hereto, their heirs, successors and assigns.
- 4. Except as to the elimination of the No Build Line Restriction, all matters shown on the Plat, including but not limited to the 50' Drainage Easement, the existing 20' Sanitary Sewer Easement and the 20' Drainage Easement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have set their hands and seals as of the recited date.


  
(SEAL)  
**MICHAELA M. HAUGABOOK**

**BENITA PATRICIA MADARATI** BY  
(SEAL)  
**BENITA PATRICIA MADARATI**  
 POA

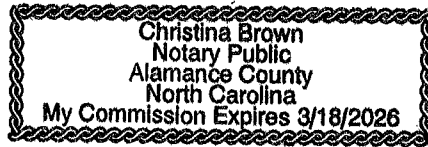
NORTH CAROLINA  
ALAMANCE COUNTY

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: **MICHAELA M. HAUGABOOK and BENITA PATRICIA MADARATI**

Dated: 9/20/23

  
Notary Public  
**CHRISTINA BROWN**  
Printed Name of Notary Public

My Commission Expires:  
3-18-26





IN WITNESS WHEREOF, the parties have set their hands and seals as of the recited date.

KANEP INVESTMENT GROUP, LLC

By: [Signature] (SEAL)  
David Melikian Manager

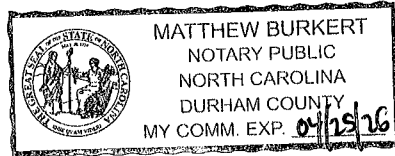
NORTH CAROLINA  
~~ALAMANCE COUNTY~~  
Durham

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: David Melikian, Manager of Kanep Investment Group, LLC

Dated: 9/20/23

[Signature]  
Notary Public  
Matthew Burkert  
Printed Name of Notary Public

My Commission Expires:  
04/29/26



IN WITNESS WHEREOF, the parties have set their hands and seals as of the recited date.

Catherine T. Cornett (SEAL)  
CATHERINE T. CORNETT

Glenn Cornett (SEAL)  
GLENN CORNETT

NORTH CAROLINA  
ALAMANCE COUNTY

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: **CATHERINE T. CORNETT and GLENN CORNETT**

Dated: 9/20/23

My Commission Expires:  
3-18-26

Christina Brown  
Notary Public  
**CHRISTINA BROWN**  
Printed Name of Notary Public



IN WITNESS WHEREOF, the parties have set their hands and seals as of the recited date.

**DARRYL L CANADY**  
Notary Public, North Carolina  
Alamance County  
My Commission Expires  
July 23, 2028

*Joseph Solomon Holt* (SEAL)  
**JOSHUA SOLOMON HOLT**  
*Joseph*  
*Rhonda Denise Holt* (SEAL)  
**RHONDA DENISE HOLT**

NORTH CAROLINA  
ALAMANCE COUNTY

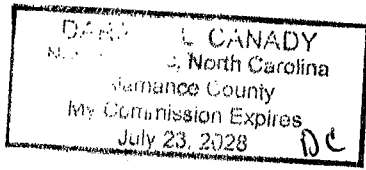
I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: **JOSHUA SOLOMON HOLT and RHONDA DENISE HOLT**

Dated: 9-21-23

My Commission Expires:  
7-23-28

*Darryl L Canady*  
Notary Public  
Darryl L Canady  
Printed Name of Notary Public

IN WITNESS WHEREOF, the parties have set their hands and seals as of the recited date.



*[Signature]* (SEAL)  
RUSSELL L. HUNTER  
*[Signature]* (SEAL)  
SONYA R. HUNTER

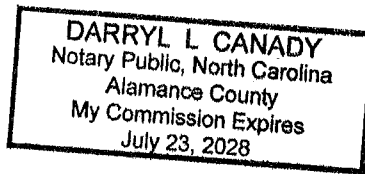
NORTH CAROLINA  
ALAMANCE COUNTY

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: **RUSSELL L. HUNTER and SONYA R. HUNTER**

Dated: 9-21-23

*[Signature]*  
Notary Public  
Darryl L Canady  
Printed Name of Notary Public

My Commission Expires:  
7-23-28





IN WITNESS WHEREOF, the parties have set their hands and seals as of the recited date.

Christopher Lamont Long (SEAL)  
CHRISTOPHER LAMONT LONG

Valencia Nicole Long (SEAL)  
VALENCIA NICOLE LONG

NORTH CAROLINA  
ALAMANCE COUNTY

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: **CHRISTOPHER LAMONT LONG and VALENCIA NICOLE LONG**

Dated: 9/21/23

My Commission Expires:  
7/23/28

Darryl L Canady  
Notary Public  
Darryl L Canady  
Printed Name of Notary Public



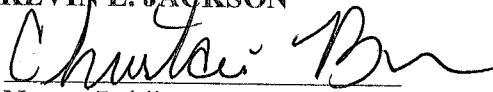
IN WITNESS WHEREOF, the parties have set their hands and seals as of the recited date.

  
\_\_\_\_\_  
KEVIN L. JACKSON (SEAL)

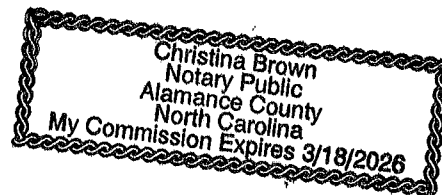
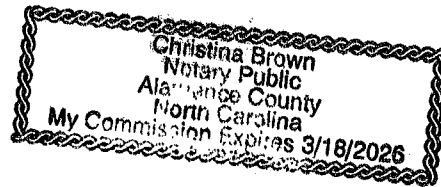
NORTH CAROLINA  
ALAMANCE COUNTY

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: KEVIN L. JACKSON

Dated: 9/20/23

  
\_\_\_\_\_  
Notary Public  
CHRISTINA BROWN  
Printed Name of Notary Public

My Commission Expires:  
3-18-26





## AGENDA ITEM #13

### Bicycle and Pedestrian Advisory Commission (BPAC) Appointment

#### Presenter

Ashley Ownbey, Development Director

#### Public Hearing

Yes  No

#### Summary

Per Article 25 of the City of Mebane Code of Ordinances, the City Council has the authority to appoint up to seven (7) community members to its Bicycle and Pedestrian Advisory Commission (BPAC). The BPAC should include one member of each of the City's two extraterritorial jurisdictions (ETJs) in its neighboring counties whenever possible; representation from a resident of each County is ensured with a dedicated position. There is currently one vacant seat on the BPAC, reserved for an individual living in the Mebane City Limits. The term for this seat expires in January 2025.

#### Background

The City Council adopted the *City of Mebane Bicycle and Pedestrian Transportation Plan* in January 2015. The first recommendation for implementing this Plan is the creation of a Bicycle and Pedestrian Advisory Commission (page 7-1), which advises City Council on all matters regarding pedestrian and bicycle needs within the City of Mebane. Commission members "...should be chosen based on representation of key partner groups and community leaders who value biking, walking, and greenways facilities. Members should expect to contribute time, expertise, and resources towards accomplishing the tasks that lie ahead."

At its September 11, 2017, meeting, the City Council adopted a City ordinance (Article 25) that granted them the authority to appoint this Commission. There is a need to fill one vacant City seat on the BPAC. The member shall serve the existing term, which expires in 2025.

#### Financial Impact

N/A.

Commission members serve without monetary compensation. Members shall be reimbursed for travel to professional meetings, conferences and workshops, with such reimbursement being made in compliance with budgeted amounts under the general policies of the City.

#### Recommendation

Staff has no recommendation regarding the three qualified individuals who applied for the position: Alexander Leaman, Jennifer Nunez, and Jackson Szeto.

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**Suggested Motion**

Motion to appoint \_\_\_\_\_ to serve on the City of Mebane Bicycle and Pedestrian Advisory Commission and provide guidance to the Mebane City Council on the implementation of the *Bicycle and Pedestrian Transportation Plan* and related matters.

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**Attachments**

1. City of Mebane Code of Ordinances, Article 25 – [click here](#).
2. Applications
3. Map of Applicant Addresses





**Mebane Recreation & Parks  
Department**

106 E. Washington St.  
Mebane, NC 27302

919-563-3629  
info@cityofmebane.com  
www.cityofmebanenc.gov

**Registration/Payment Receipt 59724695**

08/18/2023 03:45 PM

**Account Information**

Alexander Leaman  
516 North Second Street  
Mebane, NC 27302

| Item  | Amount Paid   |
|---|---------------|
| Alexander Leaman for Bicycle & Pedestrian Advisory Commission Application BPAC Fall 2023 (BPAC Fall 2023) | \$0.00        |
| EXPIRATION DATE: N/A  |               |
| <b>Total Payment</b>  | <b>\$0.00</b> |

**Prompt(s)**

**Do you live inside the Mebane City Limits? (Alexander Leaman)** Yes

**Do you live in Alamance or Orange County? (Alexander Leaman)** Alamance

**Are you currently serving on a board or commission of the City of Mebane? (Alexander Leaman)** No

**If you are serving on a board or commission, please list which one(s) (Alexander Leaman)** n/a

**Why do you wish to serve the City in this capacity? (Alexander Leaman)** To assist the city in creating a safe and enjoyable community.

**Please list the address of your employer (Alexander Leaman)** 1014 Corporate Park Dr, Mebane, NC 27302

**Please list your job title and duties at your current job (Alexander Leaman)** Heat Press Operator

**Please list the name of your employer (Alexander Leaman)** Sports Endeavors

**Please list your educational background. Include the name of all schools attended: (Alexander Leaman)** B.A. English James Madison University, Harrisonburg VA

**Please list the names of all civic organizations in which you currently hold membership:** n/a

**Activity Notes**

**Bicycle & Pedestrian Advisory Commission Application BPAC Fall 2023**

Thank you for your interest in an appointment to the City of Mebane’s Advisory Boards and Commissions. Individuals selected for appointment will be notified within 5 working days from the City Council meeting at which they have been appointed. If you have any questions, please email Rachel Gaffney at [rgaffney@cityofmebane.com](mailto:rgaffney@cityofmebane.com).



**Mebane Recreation & Parks  
Department**

106 E. Washington St.  
Mebane, NC 27302

919-563-3629  
info@cityofmebane.com  
www.cityofmebanenc.gov

**Registration/Payment Receipt 59884340**

08/21/2023 07:43 PM

**Account Information**

Jennifer Nunez (She/her)  
600 S FIFTH ST  
MEBANE, NC 27302

| Item  | Amount Paid   |
|---|---------------|
| Jennifer Nunez (She/her) for Bicycle & Pedestrian Advisory Commission Application BPAC Fall 2023 (BPAC Fall 2023) | \$0.00        |
| <b>EXPIRATION DATE: N/A</b>   |               |
| <b>Total Payment</b>  | <b>\$0.00</b> |

**Prompt(s)**

**Do you live inside the Mebane City Limits? (Jennifer Nunez (She/her))** Yes

**Do you live in Alamance or Orange County? (Jennifer Nunez (She/her))** Alamance

**Are you currently serving on a board or commission of the City of Mebane? (Jennifer Nunez (She/her))** No

**If you are serving on a board or commission, please list which one(s) (Jennifer Nunez (She/her))** NA

**Why do you wish to serve the City in this capacity? (Jennifer Nunez (She/her))** I walk and bike around Mebane almost daily, would love to contribute to this project.

**Please list the address of your employer (Jennifer Nunez (She/her))** Alamance County Health Department 319 N Graham Hopedale Rd B, Burlington, NC 27217

**Please list your job title and duties at your current job (Jennifer Nunez (She/her))** TB Coordinator, manage both latent and active TB cases in the county as a medical doctor; keep track of county TB data, educate patient and public on latent and active TB

**Please list the name of your employer (Jennifer Nunez (She/her))** Alamance County Health Department

**Please list your educational background. Include the name of all schools attended: (Jennifer Nunez (She/her))** Peddie School in Hightstown NJ for High School Barnard College, NYC Cornell University for both a medical (MD) degree and a PhD in neuroscience Northwestern Memorial Hospital and Duke University Hospital for residency training

**Please list the names of all civic organizations in which you currently hold membership:**  
None

**Activity Notes**

**Bicycle & Pedestrian Advisory Commission Application BPAC Fall 2023**

Thank you for your interest in an appointment to the City of Mebane’s Advisory Boards and Commissions. Individuals selected for appointment will be notified within 5 working days from the City Council meeting at which they have been appointed. If you have any questions, please email Rachel Gaffney at [rgaffney@cityofmebane.com](mailto:rgaffney@cityofmebane.com).





**Mebane Recreation & Parks  
Department**

106 E. Washington St.  
Mebane, NC 27302

919-563-3629  
info@cityofmebane.com  
www.cityofmebanenc.gov

**Registration/Payment Receipt 59668964**

08/17/2023 12:36 PM

**Account Information**

Tekcave LLC  
Jackson Szeto  
1501 Iron Dr  
Mebane, NC 27302

| Item   | Amount Paid   |
|--|---------------|
| Jackson Szeto for Bicycle & Pedestrian Advisory Commission Application BPAC Fall 2023 (BPAC Fall 2023) | \$0.00        |
| <b>EXPIRATION DATE: N/A</b>  |               |
| <b>Total Payment</b>   | <b>\$0.00</b> |

**Prompt(s)**

**Do you live inside the Mebane City Limits? (Jackson Szeto)** Yes

**Do you live in Alamance or Orange County? (Jackson Szeto)** Alamance

**Are you currently serving on a board or commission of the City of Mebane? (Jackson Szeto)** No

**If you are serving on a board or commission, please list which one(s) (Jackson Szeto)** I do not currently serve on any board or commission

**Why do you wish to serve the City in this capacity? (Jackson Szeto)** I have a strong interest in promoting local commuting by personal transportation vehicles both analog and electric. I believe Mebane has a great infrastructure local residents can take advantage of and improve upon to make commuting locally without traditional automobiles easier and safer. Limiting automobile traffic is a great way to reduce carbon footprint but also increase pedestrian and cycling safety. Overall, I wish to replace my local commute to strictly in forms of personal electric vehicles such as e-bikes, onewheels, and electric unicycles.

**Please list the address of your employer (Jackson Szeto)** 6300 Edgelake Dr, Sarasota, FL 34240

**Please list your job title and duties at your current job (Jackson Szeto)** Product Sales Specialist. My responsibilities include Audio Visual equipment design for Healthcare facilities.

**Please list the name of your employer (Jackson Szeto)** CAE Healthcare

**Please list your educational background. Include the name of all schools attended: (Jackson Szeto)** Bachelor of Media Studies Master in Education for instructional design UNCG NCSU

**Please list the names of all civic organizations in which you currently hold membership:**  
I do not currently hold memberships of any civic organizations.

**Activity Notes**

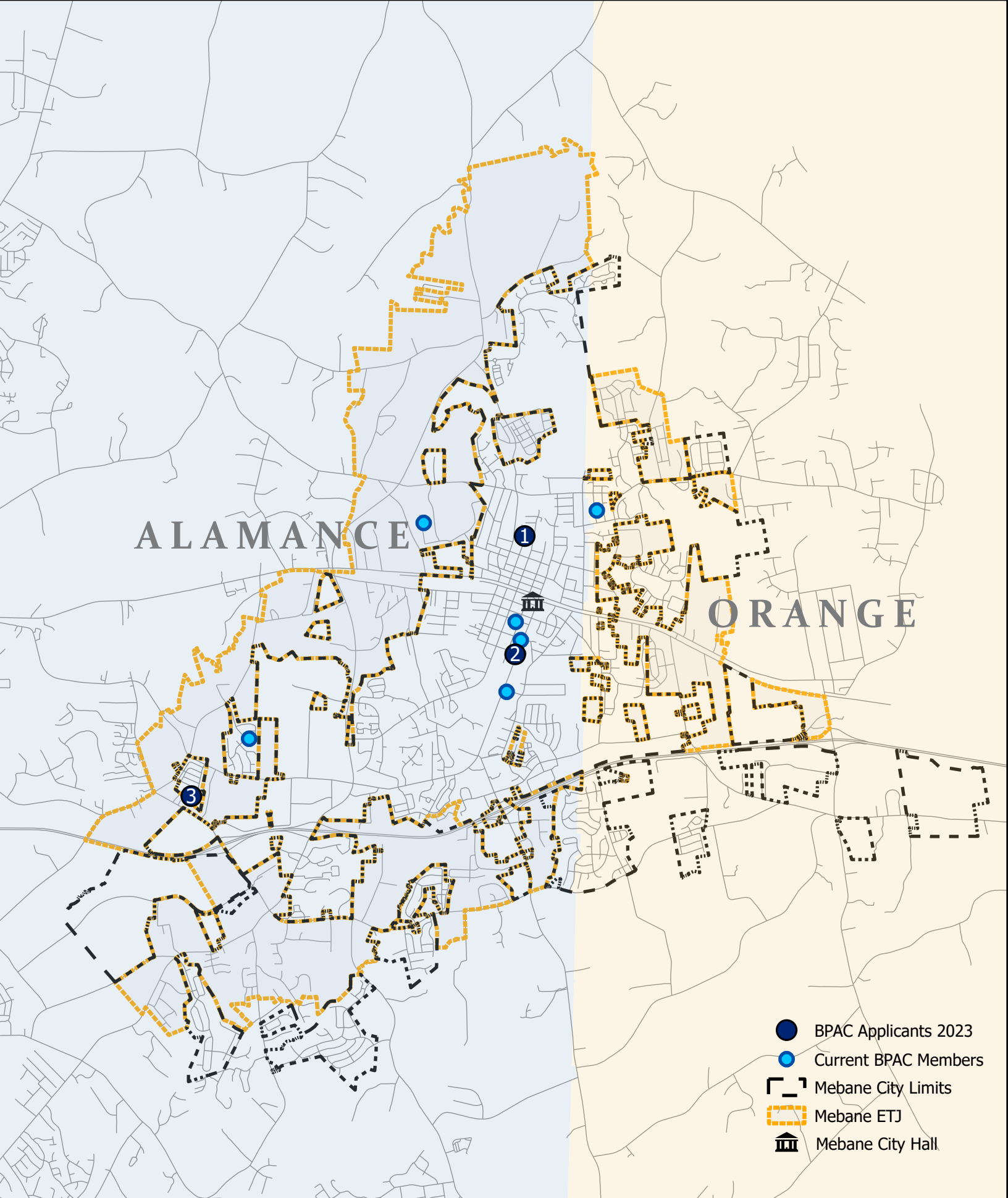
**Bicycle & Pedestrian Advisory Commission Application BPAC Fall 2023**

Thank you for your interest in an appointment to the City of Mebane’s Advisory Boards and Commissions. Individuals selected for appointment will be notified within 5 working days from



the City Council meeting at which they have been appointed. If you have any questions, please email Rachel Gaffney at [rgaffney@cityofmebane.com](mailto:rgaffney@cityofmebane.com).

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ALAMANCE

ORANGE

- BPAC Applicants 2023
- Current BPAC Members
- ▬▬▬ Mebane City Limits
- ▬▬▬ Mebane ETJ
- 🏛️ Mebane City Hall

N



**2023 Mebane BPAC Applicants**

DATE: 09/26/2023

1 inch = 5,000 feet



The Planning Board meeting was held at the Glendel Stephenson Municipal Building located at 106 E. Washington Street, Mebane, NC 27302 and livestreamed via YouTube. The video can be accessed through the following link: <https://www.youtube.com/watch?v=TpqAZWK7Tx0>.

**Members Present:**

Judy Taylor, Vice Chair  
Kurt Pearson  
William Chapman  
Keith Hoover  
Gale Pettiford  
David Scott  
Susan Semonite

**Members Absent:**

Edward Tulauskas, Chair

**City Staff Present:**

Ashley Ownbey, Development Director  
Briana Perkins, City Planner  
Chad Cross, IT Specialist

**1. Call to Order**

At 6:30 p.m. Vice-Chair Taylor called the meeting to order.

**2. Approval of July 17, 2023, Meeting Minutes**

Gale Pettiford made a motion to approve the meeting minutes. Susan Semonite seconded the motion, which passed unanimously.

**3. City Council Actions Update**

Ashley Ownbey informed the Board that the City Council had approved the rezoning request for Evolve at Mebane Oaks, which was revised after Planning Board. Revisions included: a reduction from 320 apartments to 294; the loss of one single-family lot; the addition of a pocket park with a playground, pickle ball court, pavilion, walking trails, cornhole, and community garden; payment in lieu of outstanding public recreation space; and the loss of a connection to the Arbor Creek subdivision.

**4. Request to rezone four properties totaling +/- 27.16 acres located along Mebane Oaks Road and Old Hillsborough Road (GPINs: 9824112921, 9824123324, 9824120532, and 9824124332), from R-20 and B-2 to R-8 (CD) and B-2 (CD) for a development consisting of five commercial parcels and 90 townhomes by Deep River Partners.**

Deep River Partners is requesting to rezone four properties totaling +/- 27.16 acres located along Mebane Oaks Road and Old Hillsborough Road (GPINs: 9824112921, 9824123324, 9824120532, and 9824124332), from R-20 and B-2 to R-8 (CD) and B-2 (CD) for a development consisting of five commercial parcels and 90 townhomes. 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, forested, and vacant. The surrounding uses include the Mebane Fire Station 3, churches, commercial, single-family residential, and The Meadows subdivision. According to the City of Mebane's Comprehensive Land Development Plan, *Mebane by Design*, the property is in the Secondary Growth Strategy Area and Jones Drive and South Mebane Oaks Residential Growth Area, which supports a mix of residential and light commercial uses. The applicant proposed the following conditions as part of the conditional rezoning request:

Requested Conditions

- Minimum 30-foot building separation between townhome buildings, with no side yards.
- An alternative landscaping plan.
- Provide +/- 1.06 acres of private recreation and request to consider townhome backyards to reach the required 2.07 acres.
- Provide a payment in lieu of public recreation to be used for off-site pedestrian improvements.
- Provide commercial lots with driveway access from Wilson Road, cross-access between the lots, and a restriction of commercial uses.
- Provide multi-modal improvements with a 5-foot sidewalk along Mebane Oaks Road and a 10-foot multi-use path along Old Hillsborough Road.

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](#).

Briana Perkins provided a more detailed overview and PowerPoint presentation of the request.

Tom Boney Jr. asked for the amount of the payment in lieu for public recreation. Ashley Ownbey replied the payment was over \$135,000. Mr. Boney asked what the calculation was to determine the amount. Ms. Ownbey replied that the calculation was based on the current assessed value of the land.

Mike Fix, attorney with Tuggle Duggins and representing Deep River Partners, introduced Steen Spove and Brian Pierce with Deep River Partners, Andrew Christ the civil engineer, and Dionne



Brown the traffic engineer. He highlighted that the site is a mixed-use development with commercial uses along Mebane Oaks Road. He stated that the commercial parcels would be accessed internally via Wilson Road, lessening the impact on Mebane Oaks Road. He said the commercial is complemented by the moderate density residential development of the townhomes which are in high demand. Mr. Fox explained that the site had challenges with wetlands on the back portion of the site and many of the proposed conditions of the site came from the constraints of the property. He also provided that there would be sidewalks throughout the development creating walkability and a 10' wide multi-use path. Mr. Fox reported that Deep River Partners held a neighborhood meeting on August 30, 2023, with about 21 invitations distributed. He said that they had five responses to the invitation and two neighbors who attended the meeting.

Brian Pierce, with Deep River Partners, provided background of Deep River Partners. Mr. Pierce explained that they plan to leverage some of the business connections to attract development to Mebane. He reviewed his experience with residential developments, including one in Swepsonville called Autumn Trace. He remarked that the townhome development was a good transition from the existing residential to the commercial uses on Mebane Oaks Road.

Mike Fox explained some of the constraints of the development and the construction of a portion of Wilson Road. Mr. Fox described how the developers worked closely with NCDOT to consider pedestrian and traffic safety. He explained the market for townhome units and commented on coordination with City staff on the private recreation component. Mr. Fox reviewed that the developer is committed to assisting with flood prevention, stream preservation, and wildlife management as possible, which were concerns of neighbors. He presented townhome inspirations, noting that an exact design had not been decided, and offered the following architectural commitments: façade elevations featuring 25% or more brick or stone; slab on grade construction; single-car garages; 30-year architectural shingles; projected eaves; minimum 1,400 square feet; where vinyl siding is used, differentiation and variety of textures and muted colors.

Tom Boney Jr. asked staff if there was any precedent on using the backyard as part of the private recreation area. Ashley Ownbey responded that the Mebane Unified Development Ordinance (UDO) requires private recreation when the dwelling unit is for rent, and this is one of the first projects staff have encountered with rental townhome units. A prior project proposed in August of 2020 included townhomes for rent, but she was uncertain of the private recreation commitments. Ms. Ownbey explained that this development and others have caused staff to take a closer look at recreation requirements and more research will likely follow.

Don Windsor, 4253 Old Hillsborough Road, asked about the new Wilson Road. Brian Pierce explained that their development would be building another portion of the current Wilson Road. Judy Taylor commented that there was already a portion built behind Wendy's and Chick-fil-A and it would eventually be extended all the way down to Old Hillsborough Road as shown on the Mebane Oaks





Road Small Area Plan. Brian Pierce said that they would have entrances to both Old Hillsborough and Mebane Oaks Road with the Wilson Road eventually being connected all the way to Old Hillsborough.

Don Windsor asked if the bridge on Old Hillsborough would be addressed with the development since it seemed unsafe for heavy truck travel. Mike Fox replied that the NCDOT had only required improvements in the scope of their development and the NCDOT had the bridge improvements on their schedule. Judy Taylor commented that the bridge improvements were not part of the Deep River traffic impact analysis, and the neighbors could present concerns about the bridge to the NCDOT.

Don Windsor then asked if the developer was filling in the floodplain. Brian Pierce replied that a flood study would have to be done and FEMA permits applied for, but they were only impacting a small percentage of the floodplain. Don Windsor asked if it was legal to fill in a floodplain. Brian Pierce replied that they would have to go through the State and proper channels before they could develop.

Robert Workman, 4129 Old Hillsborough Road, asked if the new turn lanes will be on the north end of Old Hillsborough Road or if they were extending the whole road. Brian Pierce responded that he could not fully answer at this time since the design was not complete and Deep River had committed to a turn lane on Old Hillsborough Road. Mr. Workman expanded upon his concerns with additional widening of Old Hillsborough Road.

Don Windsor commented on the commercial building on the corner of Old Hillsborough Road and Mebane Oaks Road, which is owned by his uncle. He noted that if the road is widened on the left side of the road, then the building would lose parking space completely. Mike Fox responded that the development could not take land on the other side of the road and would only follow what the NCDOT required for their development. He said the NCDOT might acquire right-of-way for improvements.

David Scott asked what the estimated rental rates were for the townhomes. Brian Pierce replied that the rates had not been determined. Mr. Scott asked how many bedrooms per unit and if there would be any bedrooms on the lower level. Mr. Pierce replied that all units would have three bedrooms that are upstairs. He said that he would love bedrooms downstairs, but with the constraints of the topography, they were limited in width allowance.

Colin Canell asked to clarify where the backyards were on the site plans. Brian Pierce replied that on the site plan the unit was the shaded area, and the dotted box was the backyard area. Mr. Canell asked if the yards would be separated in any way. Brian Pierce replied that there would be a partition between backyards. The yards would not be enclosed in order to allow for maintenance. Mr. Canell



commented that he had lived in similar townhomes and felt that the natural inclination of renters would be that they would get quiet enjoyment in the partitioned yard. He said that it seemed there was a discrepancy between what would be perceived as their private recreation area and what the UDO was describing as a shared recreation area. Judy Taylor commented that staff had alluded to that discrepancy earlier with the rental townhome development being new to Mebane and how recreation for this type of development differs from what is defined in the UDO, typically for apartments. Mike Fox added that it would be clearly defined in the lease what a renter's area would be.

Colin Canell asked for clarification on what Deep River's plans were for the floodplain since it looked like units 3,4,5, and 6 were within the 100-year floodplain. Andrew Christ, civil engineer for the project, replied that there was a procedure to fill in the floodplain and the slabs of the units would be approximately 20 feet higher than the stream. Mr. Canell asked if that meant that these units would not be required to have flood insurance. Mr. Christ replied that the units would not need flood insurance since the floodplain line would be moved away from the units.

Susan Semonite asked about the commercial properties and if some of the uses would be able to fit on the proposed lots with parking requirements. Brian Pierce replied that as retailers are identified, site plans will be generated and some of the internal lines may have to be adjusted to accommodate requirements. He said moving the internal lines would not affect any of the land use and staff would have to approve those changes. Ms. Semonite explained that she wanted to ask since most of the proposed conditions seemed to be about the constraints of the property and she wanted to make sure that users would not propose more exceptions. Mike Fox replied that most of the proposed exceptions were for the exterior of the lot and that the topography of the site provided most of the development constraints. He said there was a clear transition between the residential and commercial uses with Wilson Road.

Judy Taylor asked about the amount of parking provided since there was minimal overflow parking shown. Brian Pierce replied that there would be a single-car garage with a driveway that could fit one or two cars. Ashley Ownbey stated that there were 47 overflow parking spaces shown on the site plan and the development met parking requirements. Mr. Pierce commented that extra spaces were provided to keep cars off the street.

Tom Boney, Jr. asked if Deep River Partners had any commercial commitments yet. Brian Pierce responded that there had been expressed interest, but the project was premature in the process for any commercial commitments to be made.

Colin Canell discussed some of his concerns with the private recreation including the backyards and suggested the requirement could be met by removing units 23-25. Ashley Ownbey said the intent of the UDO requirement was to address dwelling units that lacked a backyard. She added that the



request was for a conditional zoning district, which allows applicants to craft conditions specific to their project. She clarified that the backyards would be private and a walking trail is shown to access other recreation areas.

David Scott made a motion to approve the *R-8 (CD) and B-2 (CD)* zoning request from Deep River Partners as follows:

*Motion to approve the R-8 (CD) and B-2 (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. Specifically, the request:*

- *Is for properties within the City's G-4, Secondary Growth Area and G-2, Jones Drive and South Mebane Oaks Road Residential Growth Area and proposes a mix of residential and light commercial uses (Mebane CLP, p. 78).*
- *Encourage a variety of uses in growth strategy areas and in the downtown, promote/encourage a village concept that supports compact and walkable environments, consistent with Growth Management Goal 1.1 (Mebane CLP, p. 17 & 82)*
- *Allows for more commercial development to be pedestrian-friendly supporting walking between different land uses, consistent with Growth Management Goal 1.6 (Mebane CLP, p. 17 & 84)*
- *Improves safety and pedestrian access across major streets such as Mebane Oaks Road, consistent with Public Facilities and Infrastructure Goal 2.1 (Mebane CLP, p. 17 & 84)*

William Chapman seconded the motion. There was a 4-4 vote, with Keith Hoover, Colin Canell, Susan Semonite, and Gale Pettiford in opposition.

David Scott asked why those voting against the motion were concerned. Gale Pettiford described her concerns about the private recreation space.

David Scott provided an example of the a townhome unit he owns in Hawfields Crossing, which is owner-occupied and has a similar setup with backyards owned and maintained by the HOA and separated by a partition. He shared there will likely be restrictions with the proposed development about what can be placed in the backyards to allow for proper maintenance by property management and landscaping. Keith Hoover asked to change his vote considering the new information.

Vice-Chair Taylor called for a new vote to be taken. Kurt Pearson asked if as acting Chair, if the Vice-Chair had a vote. Ashley Ownbey replied that the first motion died, and a new motion would be considered. Tom Boney Jr. asked for clarification on whether the Chairman or Vice-Chairman of the Planning Board could vote, citing that only Mayor is a non-voting member. Ashley Ownbey replied



Mr. Boney is correct and that all Planning Board members, including the Chair, are required to vote.

David Scott made a motion to approve as presented previously. William Chapman seconded the motion, which passed by a vote of 6-2. Susan Semonite and Gale Pettiford voted in opposition.

Vice-Chair Taylor noted that the request will go to the City Council on October 2, 2023, at 6 p.m.

**5. New Business**

Ashley Ownbey commented that staff had included markup to the “Bylaws and Rules of Procedure” in the Planning Board packet. She requested members of the Planning Board provide comments to staff by Friday, September 29. Staff will compile the comments and discussion will occur at the October meeting of the Planning Board. After the October meeting, staff will discuss the proposed changes with the City Attorney and a final document will be presented at a later meeting.

Kurt Pearson asked what type of comments staff expected. Ashley Ownbey explained the document is outdated and this update allows the Planning Board the opportunity to comment on any changes to meeting procedures. She said staff could provide rules of procedure from other communities.

Judy Taylor asked if it was possible to request developers provide meeting notes from their neighborhood meetings. Ashley Ownbey responded that the UDO does allow Planning Board to make this request.

**6. Adjournment**

Vice -Chair Taylor adjourned the meeting at approximately 7:34 p.m.