



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=Y9oAhHG5TFY>.

Members Present:

Edward Tulauskas, Chair
Judy Taylor, Vice Chair
Colin Cannell
William Chapman
Kurt Pearson
David Scott
Susan Semonite

Members Absent:

Gale Pettiford
Keith Hoover

City Staff Present:

Ashley Ownbey, Development Director
Briana Perkins, City Planner
Kirk Montgomery, IT Director

1. Call to Order

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

2. Approval of September 18, 2023, Meeting Minutes

Kurt Pearson 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 unanimously approved the rezoning request for Deep River Partners for a development of 90 townhomes and five commercial parcels at the intersection of Mebane Oaks Road and Old Hillsborough Road.

4. Request for a Special Use Permit to allow for a concrete plant on the +/- 5.28-acre parcel located at 920 Mattress Factory Road (GPIN: 9824778854) by VM Development, LLC.

VM Development, LLC is requesting approval for a Special Use Permit to allow for the development of a concrete plant on a +/- 5.28 -acre parcel located at 920 Mattress Factory Road. The subject property is currently zoned Heavy Manufacturing (HM) and includes a single-family dwelling. The manufacturing of concrete is only allowed in the HM Zoning District with a Special Use Permit. Surrounding uses are largely industrial, with some vacant and underdeveloped land adjacent to the site and a nearby commercial use on Industrial Drive. The property is located in an industrial growth strategy area as identified by Mebane By Design, the Mebane Comprehensive Land Development Plan. The site plan has been reviewed for compliance with the Mebane Unified Development Ordinance (UDO).



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.

Fred Gibson of Piedmont Ready Mix, which is located in Asheboro, reviewed the business is looking to expand to another location in Mebane.

Tori Small, Civil Engineer with Westcott Small and Associates, presented the four findings of fact for the Special Use Permit.

- 1) The project would not materially endanger the public health or safety.
 - Traffic would only generate an approximate addition of 75 trips per day. There was only a 2.59-percent increase at the intersection of Mattress Factory Road and Industrial Drive and 1.92-percent increase at the intersection of Industrial Drive and Buckhorn Road for the concrete plant operations.
 - Related to water quality, the site is required to get an industrial stormwater permit from the State and will have a bioretention cell.
 - An air quality permit from NCDEQ is also required.
- 2) The project would not substantially injure the value of adjoining or abutting property.
 - Surrounding properties are industrial.
 - Glen Patterson, Patterson Appraisals in Burlington, presented that he reviewed similar uses and could not find any issues with similar properties since the site is already in an industrial area.
- 3) The project would be in harmony with the area in which it is to be located.
 - The site is surrounded by industrial uses and is also surrounded by HM, Heavy Manufacturing zoning.
- 4) The project would be in general conformity with the Land Use Plan or other plans and policies officially adopted by the City Council.
 - The property is identified in an industrial growth strategy area in the City's Comprehensive Land Development Plan. The project was reviewed through the Technical Review Committee process for compliance with the Mebane Unified Development Ordinance.

David Scott asked if there was a traffic light at the end of Industrial Drive and Buckhorn Road. Susan Semonite responded that there was not a traffic light there currently, but there were plans for a light on Buckhorn Road right before getting onto the Interstate.

Colin Cannell asked if the applicant could explain in layman's terms how the concrete plant would protect air and water quality. Tori Small responded that there was a stormwater retention plan in place



for any chemicals and oils to be contained on site. She stated that on the low end of the site there were three concrete bins for runoff and then the bioretention pond.

Fred Gibson explained that the parking lot would be concrete, and runoff would drain into settling ponds. He said the first pond was for heavy material, the second for mix material, and the third would be almost clean water into the bioretention pond. He explained that the water in the bioretention pond could be discharged into the local water supply since they were required to monitor pH levels and Total Suspended Solids. He said that the pH-treated water from the concrete plant operations would save the City money since it was already pretreating the water before going to the water treatment plant. Mr. Gibson also explained the process of the concrete going into the trucks, with any dirt and extra dust entering the retention pond. He said that all of the materials are watertight sealed, and the only dust point would be about a foot from the truck which any excess would also be vacuumed back up into the bins. Mr. Gibson then commented that he had previously owned a concrete plant in Tennessee where there was no notice of violations for ten years of operation from the Department of Air Quality. He also explained that the water would be recycled for operations and any remaining would go through the ponds to be discharged under heavy monitoring with annual inspections.

Colin Cannell asked to clarify the location of the three ponds on the site plan. Fred Gibson responded that the ponds were all located on the south corner of the site and would be tested and cleaned out every week. He also stated that records of disposal, cleanouts, testing, and maintenance would be maintained.

Judy Taylor asked about hours of operation and noise. Fred Gibson responded that the main operating hours would be from 7 a.m. to 5 p.m. with the occasional exception of large pours that might be earlier. He said the only noise would be from the trucks running and noted the surrounding uses were also industrial.

Colin Cannell asked if there were any plans to develop the +/- .58-acre piece of land that the company also owned and shared his concern that the sidewalk plans did not include that parcel. He asked if the City had discussed with them about extending the sidewalk to connect to the next property. Mike Moore, VM Development, replied that during the TRC process sidewalk was added to the development. He explained that currently there was no sidewalk developed on either side of the development and did not see a need to extend it. Mike Moore said that they would be open to filling that gap to connect when sidewalk was developed in the future.

Tom Boney Jr., Alamance News, asked if the proposed concrete plant was the first satellite location of the company. Fred Gibson responded that yes, it was the first satellite location. Mr. Boney then asked how long the company had been in business. Mr. Gibson responded that the business had been in operation for 47 years and had changed names from Asheboro Ready Mix to Piedmont Ready Mix about 3 years ago. Mr. Boney asked if there were any air quality citations for the company in its 47-year history. Mr. Gibson said he was not aware of any citations.



Kurt Pearson made a motion to approve the Special Use Permit as follows:

Motion to approve the Special Use Permit as presented.

Motion to find that the request is both reasonable and in the public interest because it has been found that the request:

- a. Will not materially endanger the public health or safety;*
- b. Will not substantially injure the value of adjoining or abutting property;*
- c. Will be in harmony with the area in which it is located; and*
- d. Will be in conformity with the land development plan or other plans officially adopted by the City Council.*

William Chapman seconded the motion, which passed unanimously.

Chair Tulauskas noted that the request will go to the City Council on November 6, 2023, at 6 p.m.

David Scott asked what the scope and size of the development will be in comparison with other operations in Orange or Alamance County. Fred Gibson replied that the goal was about four loads of concrete per day, which was comparable with others in the area. Tom Boney, Jr. asked if the Chandler Concrete Plant on Senator Ralph Scott Parkway was similar. Mike Moore responded that property was a similar size.

- 5. Request to rezone a +/- 3.8-acre unaddressed property with frontages on Lake Latham Road and West Holt Street (GPIN: 9815147486), portions of a +/- 27.5-acre property addressed 1268 West Holt Street (GPIN: 9815242044), and portions of a +/- 6.8-acre unaddressed property with frontages on Sun Ray Lane and Lake Latham Road (GPIN: 9815125977) from Heavy Manufacturing and Light Manufacturing to Heavy Manufacturing, Conditional District to allow for a railyard on a +/- 8.03-acre site by Samet Corporation.**

Samet Corporation is requesting approval to conditionally rezone one property and portions of two other properties (GPINs 9815147486; 9815242044; 9815125977), totaling +/- 8.03 acres and located with frontages on West Holt Street, Lake Latham Road, and Sun Ray Lane from HM and LM to HM (CD) to allow for a rail transload facility. A conceptual site plan is included with the request and shows recombination of the subject parcels. The properties are located in Alamance County in the Mebane Extraterritorial Jurisdiction (ETJ). The applicant has agreed to petition for annexation.

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

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



Brian Hall, President of Real Estate for Samet Corporation, presented plans from 2001 that originally showed rail service to the industrial park. He gave a basic timeline: 2001 original plan; 2010 statewide competition for rail access; 2011 winning the competition to have the rail access at North Carolina Industrial Center (NCIC) in Mebane; 2014 Cambro site built with rail access. He explained the partnership with eight different organizations for Cambro to get rail access. He also said that the extension of the rail line would accommodate a maximum of ten additional cars. Mr. Hall presented that the proposal was an extension using the current switch and no hazardous materials would be transported. He reported that a neighborhood meeting was held via Zoom on October 3, 2023, and only one family had participated in the meeting and shared no concerns about the project.

Colin Cannell asked about the routing of trucks and about the original proposed access to NC Highway 119. Brian Hall explained that NCIC originally built a portion of Development Center Drive, which provides access to Airgas. He said that the NCDOT was planning to extend Development Center Drive to Lake Latham Road and Lotus Bakery now owns a large portion of the property. He said that NCIC would help fund the extension of the road if the NCDOT wanted to move forward with the project. Ashley Ownbey commented that the NCDOT was committed to the project, but there currently was no timeline or funding.

Colin Cannell asked about the best route for trucks accessing the facility to or from NC Highway 119. Brian Hall replied that the best route is the current route, which involves a left turn onto Lake Latham Road and travel on Gibson Road.

William Chapman asked if staff had heard from any neighbors about the project. Ashley Ownbey responded that staff had not received any phone calls or visits.

Judy Taylor asked about the buffer along Sun Ray Lane since some of the houses currently faced Cambro. Ashley Ownbey replied that there was a minimum 10-foot buffer which is proposed to be wider in some areas. She also stated that evergreen plantings were shown in the buffer. Judy Taylor also asked if any of the existing trees would stay or if they would all be removed. Brian Hall replied that any trees they could keep would stay. Ashley Ownbey also noted a retaining wall is proposed along Sun Ray Lane.

Omega Wilson, co-founder of the West End Revitalization Association (WERA), said his home is located at the corner of Moore and West Holt Street. He remarked on the truck traffic turning right onto West Holt Street and then Moore Street. He said that a formal letter was sent to the district office of NCDOT to request a designated truck route. He explained that some trucks were traveling other secondary roads, such as Tate Avenue, which was not built for large trucks and was a major concern for neighbors in the area. Mr. Wilson explained that his other concern was related to air quality of railyards from his experience working as an advisor for the Environmental Protection



Agency. He said historically the rail car movers in railyards are not in compliance with the engines on the railway, making them heavier polluters and affecting public health. He commented that the main concern of heavy truck traffic on secondary roads should be addressed on the plan with a truck route.

Judy Taylor asked if the neighbors had asked NCDOT to reduce the speed limit on West Holt Street due to the amount of traffic since the crossing at Lake Latham Road to US 70 was closed. Omega Wilson replied that they did not request the reduction in speed but had requested installation of a traffic signal at the intersection of Moore Street and West Holt Street. He said that NCDOT has not responded to the request. Another request was made for a traffic count at that intersection. He said that NCDOT replied that they would not complete a count at the intersection.

Brian Hall responded that he understood the concerns and said that the development was tied to a traffic study that was completed in 2001 for the original plan and updated in 2011. He said that NCIC was committed to working with the NCDOT and the City of Mebane and has consistently updated plans throughout the years. He said that NCIC was vocal about not closing the crossing at Lake Latham Road, which was ultimately NCDOT's decision.

Colin Cannell asked what type of rail car movers were going to be used in the facility. Brian Hall replied that the engine bringing the cars would back up and reconnect so there would not be any railyard movers.

Tom Boney Jr. asked where the truck loading would be on the property. Brian Hall replied that it would be the concrete pad area shaded in grey on the site plan. Mr. Boney also asked where Cambro was in relation to the loading area. Mr. Hall said that Cambro was located to the east towards the bottom of the site plan. Mr. Boney then asked if there was still a plan to extend the rail line south. Mr. Hall replied that in 2010 that was the intention, but the property has since been purchased by Lotus Bakeries and developed with the Airgas facility. He said that the transload plan was to provide closer rail access instead of trucking from Winston-Salem or Fuquay Varina. Mr. Boney asked what the timeframe was and if the project would expand beyond the funding that had been provided last year. Mr. Hall responded that the project would not go beyond the funding already provided. He also said that the project would move as quickly as possible through Planning Board approval, City Council approval, design approval with North Carolina Railroad, Norfolk Southern, and then City of Mebane's approval to start construction.

Tom Boney, Jr. asked Ashley Ownbey if the NCDOT still had the opinion that anyone could travel on any NCDOT road, and they would not make a designated truck route. Ashley Ownbey replied that historically, that was the case with NCDOT. She said that there had been complaints from neighbors located near the North Carolina Commerce Park about trucks traveling Kimrey Road or Cherry Lane and the NCDOT would respond with something like what Mr. Boney articulated.



Omega Wilson clarified that truck routes exist in other states where governments work with communities to file requests to identify and mark truck routes. He also commented that typically the larger yard would be used to create more rails and asked if in future more cars would be added that would require rail car movers. Brian Hall replied that the maximum capacity of the site was only ten cars due to site restraints of not owning additional land.

Colin Cannell made a motion to approve the request as follows:

Motion to approve the HM(CD) zoning as presented.

*Motion to find that **the application is consistent** with the objectives and goals in the City's 2017 Comprehensive Land Development Plan Mebane by Design. The request:*

- Is for a property within the City's G-1 NC 119 Bypass and US 70 Mixed Use Growth Area and is part of the North Carolina Industrial Center (Mebane CLP, p. 70).*

Judy Taylor seconded the motion, which passed unanimously.

Chair Tulauskas noted that the request will go to the City Council on November 6, 2023, at 6 p.m.

6. Updates to the Bylaws and Rules of Procedure of the Mebane Planning Board

Ashley Ownbey presented that staff had announced at the July 17, 2023, meeting that the Planning Board would be updating the Bylaws and Rules of Procedure document. Staff requested comments from the Planning Board at their September meeting. She said that staff would use discussion from the October meeting to inform conversation with the City Attorney and return to the Planning Board with a draft to the November or December Planning Board meeting.

Kurt Pearson asked who elects the officers since the document stated that City Council elected them. Colin Cannell said that there were more parts that were not correct. Ashley Ownbey replied that staff had taken some information provided from other examples and would correct the document. She said that the City Council appoints members and does not elect officers. Kurt Pearson also asked about term limits. Ashley Ownbey explained that section needs to be updated.

Colin Cannell commented that the current document had too many ambiguous meanings and corrections to be made. He provided an example in Article 4 Section 4 (c). He shared his preference to write a new document instead of trying to correct and rewrite the original document. Ashley Ownbey replied the current discussion was for recommendations, with recommendation at a later meeting.

David Scott asked if staff had reviewed Colin Cannell's proposal. Ashley Ownbey replied that staff had reviewed it and that the Board was welcome to add more comments or recommendations during the time that staff consult with the City Attorney.



Kurt Pearson asked to leave the item open for discussion when it returns to the Planning Board. He also asked when the minutes of the Planning Board meeting were available after the meeting. Ashley Ownbey replied that draft minutes are included in the City Council packets. Kurt Pearson asked if a digital record or public records request for the minutes could be provided after the meeting. Ashley Ownbey said that the City had requests in the past for minutes immediately following a meeting and the written minutes could not be provided by Staff that quickly. She said that staff would work with the requestor to get the minutes to them as soon as staff had completed the draft. Kurt Pearson asked if the City could provide the digital record of the minutes. Ashley Ownbey replied that the only digital record was through YouTube which was available at any time. Kurt Pearson asked how the minutes would be provided if the person did not have that type of access. Ashley Ownbey replied that in the past staff summarized sections of a meeting to respond more quickly to a request. Kurt Pearson explained that twenty years ago, staff had refused to provide information until City Council packets were distributed and he was concerned that it could happen again. Ashley Ownbey responded that staff would work with anyone requesting public information.

Tom Boney Jr. commented about the fact that North Carolina law now specifies that “draft minutes” can be requested when they are created and are public records.

Colin Cannell commented that the Rules of Procedure were required by General Statute to be published on the website and were currently not published.

7. New Business

There was no new business discussed.

8. Adjournment

Chair Tulauskas adjourned the meeting at approximately 7:43 p.m.

