



Council Meeting Agenda  
December 4, 2023  
6:00PM

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1. Call to Order and Moment of Silence ..... Mayor Ed Hooks
2. Approval of Minutes- November 6, 2023- Regular Meeting
3. Report of the Election Results and  
Acceptance by City Council..... Stephanie Shaw, City Clerk
4. Swearing in of Elected Officials-
  - a. Mayor Elect Ed Hooks
  - b. Councilmember Elect Katie Burkholder
  - c. Councilmember Elect Sean Ewing
5. Appointment of Mayor Pro Tem and Swearing in ..... Mayor
6. Recognition of Retiring Fire Chief Bob Louis..... Mayor
7. Additional Recognitions ..... Mayor
  - a. Omega and Brenda Wilson- Presidential Lifetime Achievement Award
  - b. Ashley Ownbey- 2023 Local Government Federal Credit Union/Civic Fellow
  - c. Proclamation Honoring Martinho’s Bakery and Deli
  - d. Proclamation Honoring Huey’s Restaurant and Oyster Bar
8. Public Comments ..... Mayor
9. Consent Agenda-
  - a. Final Plat Approval- Cambridge Park, Ph. 3A
  - b. Final Plat Reapproval- Cameron Lane Right-of-Way Dedication
10. **Public Hearings-**
  - a. Rezoning- 635 & 636 Corregidor Street-  
WRRF and Public Works, R-20 to LM..... Ashley Ownbey, Development Director
  - b. Special Use Permit (*Quasi-Judicial*)-  
Mebane WRRF Expansion ..... Ms. Ownbey
  - c. Mandatory Amendment of Stormwater  
Bonding Requirements ..... Lawson Brown, City Attorney
11. Planning Board Rules of Procedure..... Ms. Ownbey
12. Recreation and Parks Master Plan Presentation ..... Aaron Davis,  
Recreation and Parks Director
13. Budget Amendment for the Purchase of  
Vacant Lot on Ruffin Street ..... Daphna Schwartz, Finance Director
14. Adjournment ..... Mayor



The Mebane City Council met for its regular monthly meeting at 6:00 p.m., Monday, October 2, 2023 in the Council Chambers of the Glendel Stephenson Municipal Building located at 106 E. Washington Street.

Councilmembers Present:

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

Also Present:

Chris Rollins, City Manager  
Preston Mitchell, Assistant City Manager  
Lawson Brown, City Attorney  
Stephanie Shaw, City Clerk  
Ashley Ownbey, Development Director  
Beatrice Hunter, HR Director & REAC Staff Liaison  
Aaron Davis, Recreation & Parks Director  
Kyle Smith, Utilities Director

Mayor Hooks called the meeting to order. Rev. Jeff Nash of Mebane United Methodist Church gave the invocation.

Mayor Hooks recognized and congratulated Councilmember Sean Ewing as he was awarded the 2023 Presidents Award by the Alamance NAACP. Mr. Ewing expressed his appreciation of the award and the recognition.

Mayor Hooks recognized Mebane Fire Department's Fire and Life Safety Educator Jennifer Livers as she was awarded the 2023 Fire and Life Safety Educator of the Year Award by the Piedmont North Carolina Firefighters Association. Ms. Bradley expressed her appreciation of the award and recognition, then gave a few remarks and thanked the firefighters that she works with daily.

Mayor Hooks recognized Mebane IT Director Kirk Montgomery as he was recently elected to serve as the President of the State Employees Association of North Carolina. Mr. Montgomery expressed his appreciation of the recent appointment as President as the SEANC is near and dear to his heart. He also thanked the Council for allowing him to serve as the City's IT Director.

No one spoke during the Public Comment Period.

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

- a. 1<sup>st</sup> Quarter Financial Report- July 1, 2023, to September 30, 2023
- b. Approval of Minutes- October 2, 2023- Regular Meeting

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

A Quasi-judicial Public Hearing was held on a request from VM Development, LLC for approval of 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.

Clerk Shaw swore in the following persons:

Ashley Ownbey, Mebane Development Director  
Preston Mitchel, Mebane Assistant City Manager  
Chuck Smith, Mebane Public Works Director  
Kyly Smith, Mebane Utilities Director  
Jamie Joseph, Mebane Deputy Fire Marshal  
Mitch McKinney, Mebane Police Chief  
Michael Westcott, Project Engineer, Westcott Small and Associates  
Matt Myers, President/Owner, Piedmont Ready Mix  
Fred Gibson, Director of Operations, Piedmont Ready Mix  
Glen Patterson, Real Estate Appraiser, Patterson Appraisals

Each of the Council members stated that they had not spoken with the applicant, nor had they made a decision on the request before them.

Ms. Ownbey presented the request via PowerPoint. She stated that the property is currently zoned Heavy Manufacturing (HM), and the manufacturing of concrete is allowed in the HM zoning district with a Special Use Permit. To receive a Special Use Permit, the applicant has the burden of providing evidence that the intended use for the property will or will not endanger the public health or safety, the effect it would have on adjoining property owners, whether the use is in harmony with the surrounding area and if it is consistent with the City's adopted long-range plans. Ms. Ownbey stated that the property is in Orange County, Mebane's Extraterritorial Jurisdiction (ETJ). The applicant will need to petition for annexation before connecting to City water and sewer. The property is largely vacant. It has historically had a single-family home on it and is surrounded largely by industrial uses. Most of the zoning surrounding this property is heavy manufacturing with some commercial on Industrial Drive, along with a utility station with vacant land immediately to the east. The property is located in an industrial growth strategy area as identified by Mebane by Design, the City's Comprehensive Land Development plan and is part of the Buckhorn Economic Development District. As part of the special use process, the applicant submitted a site plan to the technical Review Committee, and it has been reviewed for compliance with the City's Unified Development Ordinance (UDO). As part of the UDO requirement, the applicant will be required to install a sidewalk along the property frontages on Mattress Factory Road and Industrial Drive.

Mr. Meyers stated that this would be their second plant, the first plant is in Asheboro. He said they look forward to providing good jobs to the area. He introduced his Director of Operations, Fred Gibson.

Mr. Gibson gave a project overview via a PowerPoint presentation. He spoke regarding his 30 years of experience in the ready mix operations. He stated that he is safety oriented, sharing statistics showing the same. He gave a brief overview of how the plant would operate, stating that all state and federal guidelines would be adhered to.

Ms. Ownbey confirmed that the silo height would be 60 feet and that 150 feet in height is allowed per the City's UDO.

Mr. Westcott presented the evidence for the four findings of fact, sharing the following information as shown on the presentation slide:

**1. Will not materially endanger the public health or safety-**

Traffic- Addition of approximately 75 trips per day

- Intersection of Mattress Factory Rd and Industrial Dr
- 2019 traffic count – 2900 (2.59% increase)
- Intersection of Industrial Dr and Buckhorn Rd
- 2019 traffic count – 3900 (1.92% increase)

Water Quality –

- Pollution Prevention Plan
- Bioretention Cell
- Truck Washout with Sediment Bays

Air Quality –

- Silo Top Dust Collectors
- Dust Collector Hood

Mr. Westcott introduced Mr. Patterson who spoke to the following:

**2. Will not substantially injure the value of adjoining or abutting property-**

Mr. Patterson stated that he has 33 years of appraiser experience, and he is present to give his unbiased professional opinion on the impact of the proposed development to adjoining or abutting properties. He explained that in searching the market for similar situations as the proposed development, two properties were analyzed in the southeastern United States area, which were discovered to have sold on the open market. There was insufficient data to indicate that any new construction was hindered, or existing uses were hindered, for the use of said sales. He said that no empirical data was yielded to support definitive proof that the use of the property in question would have a negative affect on property values to adjoining properties or properties in the neighborhood.

After some discussion among Mr. Bradley, Mr. Patterson, and staff regarding the definition of the word “abutting”, Mr. Patterson concluded his comments, stating in his professional opinion, the proposed development would not negatively affect the surrounding properties.

Ms. Hadley questioned how the site will be landscaped. Mr. Westcott referred to the site plan which shows the landscaping plans as required by the UDO.

Mr. Westcott continued with the presentation speaking to the next finding of fact as follows:

**3. Will be in harmony with the area in which it is to be located;**

Existing Zoning = HM (Heavy Manufacturing)

Location = Orange County, Mebane ETJ

Neighboring Properties –

- Armacell LLC Distribution Center (1300 ft West)
- Kingsdown Mattress Factory (642 ft West)
- Whites Tire Service (Across Mattress Factory Rd)
- Dealers Supply Warehouse (North)
- AKG Thermal Systems (644 ft)
- Penske Mebane Service (1000 ft)
- Vacant Land (East)

He concluded his presentation with the final finding of fact as follows:

**4. Will be in general conformity with the land use plan or other plans and policies officially adopted by the City Council.**

Technical Review Committee (TRC) –

- Completed and Approved

Land Use Plan –

- In conformance with G2 – Industrial Growth Area

Mr. Ewing made a motion, seconded by Ms. Burkholder, to close the public hearing. The motion carried unanimously. Mr. Ewing made a motion, seconded by Ms. Burkholder, to approve the Special Use Permit as presented; and a 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.

The motion carried unanimously.

A Public Hearing was held on a request from Samet Corporation for approval to conditionally rezone one property and portions of two other properties 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. Ms. Ownbey presented the request via PowerPoint. She stated that a trail transload facility in this area has been studied and discussed for at least a decade. The properties are located in Alamance County in the Mebane ETJ and are currently zoned Heavy Manufacturing and Council is considering the request for Heavy Manufacturing Conditional District which would be associated with a site-specific plan. The applicant has agreed to petition for annexation. The property is largely vacant with a rail spur currently on the property which serves the Cambro facility. The surrounding uses include NCIC (industrial), residential and the railroad. The site is located in a mixed-use growth strategy area identified by Mebane by Design, the City’s Comprehensive Land Development Plan. There are setbacks in landscaping that are different from what the UDO would typically require but consistent with the covenants that have

carried with development of the North Carolina Industrial Center. Some of those are more stringent requirements than what the UDO requires and others less restrictive.

Brain Hall, Samet, stated that this project has been in the making for a long time, since 2001. He spoke about the process from then until now. Mr. Hall shared the following Transload Rail key points:

- Planning began 2001
- Managed by a non-profit that will own, operate, and maintain the facility.
- Keep costs low to enhance access and utilization
- Add to Mebane & Alamance's competitive advantage for industry growth
- Continuation of Existing Usage of Rail by Cambro and extend current rail further to allow for onsite storage
- Site to accommodate (10) Rail Cars
- No hazardous materials to be allowed to be transported via Transload Facility

He gave an overview of the site plan. He stated that a neighborhood meeting was held on October 3, 2023, in which an invite was sent out to the 42 property owners within the notification radius. The meeting was attended by the Ellis family, and they had no concerns with the project.

Mr. Bradley asked how many trucks would be traveling to the site daily. Mr. Hall said based on the volumes that they are projecting for this site, approximately 10 trucks a week.

Jules Alston, 948 Holt Street, Mebane, cited concerns with traffic in that area, specifically tractor trailer traffic headed to Cambro. He also stated a concern with speeding in that area.

Ms. Burkholder questioned if the City could do anything to address the speeding. Mayor Hooks stated that the City could request to have the speed limit lowered. The Council requested that staff have that discussion with NCDOT.

Mr. Mitchell shared that staff did reach out to NCDOT after Mr. Alston shared his concerns with speeding in that area at a previous meeting and additional speed limit signs were posted. Also, the staff investigated the concern of city trucks speeding in the same area. Mr. Mitchell added that Holt Street is rated for truck traffic.

Mr. White made a motion, seconded by Ms. Hadley, to close the public hearing. The motion carried unanimously. Mr. Bradley made a motion, seconded by Ms. Hadley, to approve the HM(CD) zoning as presented and a motion to find that the application is consistent with the objectives and goals in the City's 2017 Comprehensive Land Development Plan Mebane By Design. Specifically, the request:

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

The motion carried unanimously.

A Public hearing was held on a request from the City, as owners of the properties in consideration, to adopt the Resolution and Order closing the portions of Jackson Street and Short Street. Mr. Brown spoke on behalf of the request, stating that the streets were previously platted but unopened. The Public Hearing Notice/Resolution of Intent was properly advertised at the property and in the Mebane Enterprise.

Gloria Rogers, 4579 Jim Minor Road, Haw River, stated that she is the daughter of Willard and Evelyn Rogers, abutting property owners to the property under consideration. Ms. Rogers stated that her parents' property is on the corner of Lee Street and Short Street, both unopened streets. She requested clarification regarding how this action would affect future access to her parents' property. Mr. Brown stated that a portion of Short Street abutting that property would remain a street until the City or property owners took action to close it. Mr. Mitchell explained that the property Ms. Rogers is referencing has the ability to be accessed via an unopened or unimproved right-of-way, therefore the portion of Short Street that the City is requesting to close, will not affect the ability to have access on Lee Street and the western part of Short Street.

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

Resolution and Order closing the portions of Jackson Street and Short Street. The motion carried unanimously.

**RESOLUTION AND ORDER PURSUANT TO N.C.G.S. §160A-299 TO PERMANENTLY CLOSE  
PORTIONS OF JACKSON STREET AND SHORT STREET**

WHEREAS, pursuant to N.C.G.S. §160A-299, the City Council of the City of Mebane, North Carolina held a public hearing on November 6, 2023 to consider closing portions of Jackson Street and Short Street; and

WHEREAS, after full consideration of these matters, the City Council of the City of Mebane, North Carolina does hereby deem it to be in the best interest of the City of Mebane to close Douglas Street;

NOW, THEREFORE, be it resolved by the City Council of the City of Mebane as follows:

**Section 1.** That the City Council, after full consideration of this matter at the public hearing held on November 6, 2023, and upon the terms and conditions hereinafter set forth, does hereby order the closing of that portion of Douglas Street 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 found corner between the City of Mebane property parcel ID 165077 and the City of Mebane property parcel ID 165076; thence S 03° 18' 39" W 50.09 feet to an iron stake found corner between the City of Mebane property parcel ID 165076 and the City of Mebane property parcel ID 165075; thence S 03° 18' 39" W 185.72 feet to an iron stake found at the intersection of the eastern margin of the unopened 60 foot right of way of Jackson Street and the southern margin of the unopened 60 foot right of way of Short Street said iron stake found being the southwestern most corner of the City of Mebane property parcel ID number 165075 in the line of the City of Mebane property parcel ID number 165218; running thence with said southern margin of the unopened 60 foot right of way of Short Street the following two(2) calls: S 81° 43' 01" W 138.80 feet to an iron stake found; thence N 86° 38' 27" W 74.08 feet to an iron stake set in the southern margin of the unopened 60 foot right of way of Short Street being in the line of the City of Mebane property parcel ID 165218; running thence perpendicular across the unopened 60 foot right of way of Short Street N 03° 21' 33" E 59.87 feet to the POINT AND PLACE OF BEGINNING containing 0.762 acres plus or minus of unopened road right of way to be abandoned.

The foregoing descriptions were obtained from a survey and map prepared by Alley, Williams, Carmen & King, Inc., Engineers, Architects & Surveyors, dated August 30, 2023, Job No. 22021 and recorded in Plat Book \_\_\_\_\_ Page \_\_\_\_\_ of the Alamance County Registry.

**Section 2.**

The City Council of the City of Mebane adopted a resolution on the 2<sup>nd</sup> day of October, 2023 thereby declaring its intent to permanently close portions of Jackson Street and Short Street as is more particularly described in Section 1 hereof,

**Section 3.** That notice of said public hearing was published on October 11<sup>th</sup>, 18<sup>th</sup>, 25<sup>th</sup> and November 1<sup>st</sup>, 2023.

**Section 4.** That a copy of this Resolution and Order shall be mailed to all owners of the property abutting said unnamed street as more particularly described above.

**Section 5.** That a notice of this closing was prominently displayed and posted in at least two places along Jackson Street and Short Street.

**Section 6.** That the North Carolina Department of Transportation has not accepted any portion of Jackson Street or Short Street for maintenance.

**Section 7.** That after full consideration of these matters at said public hearing, it appears to the satisfaction of the City Council of the City of Mebane that the closing portions of Jackson Street and Short Street will be deprived of reasonable means of ingress and egress to his property.

**Section 8.** That this Resolution and Order closing of portions of Jackson Street and Short Street shall be made effective as of the adoption of this Resolution and Order.

**Section 9.** That a copy of this Resolution and Order shall be filed in the office of the Register of Deeds for Alamance County, North Carolina.

**Section 10.** That this resolution shall take effect upon passage.

This the 6th day of November 2023.

Ms. Hunter presented a request for appointments to the City of Mebane's Racial Equity Advisory Committee (REAC). She explained that the REAC currently has three (3) openings; one 4-year term seat and two 2-year term seats. The open positions were advertised, and staff received five (5) applications.

Mr. Ewing made a motion, seconded by Ms. Hadley, to appoint Brenda Buchanon to the 4-year term seat and Jason Gaskin and Christopher Dixon to the two 2-year terms seats. Ms. Hadley clarified that the 4-year term seat is filling a remaining term, and all terms appointed now will expire June 30, 2025. The motion carried unanimously.

Mr. Davis presented a request for appointments to the City of Mebane's Recreation and Park Advocacy Commission (RPAC). He explained that two appointments, both for 3-year terms, are needed. The open positions were advertised, and staff received eight (8) applications; one being a current member requesting reappointment, Sherri Seagroves.

Ms. Hadley made a motion, seconded by Mr. Bradley, to reappoint Sherri Seagroves and to appoint Jesse Alson to the two seats for 3-year terms. The motion carried unanimously.

Mr. Brown presented a request for the City to purchase property located at the southwest intersection of Ruffin and N. Fourth Streets for \$220,000. He explained that the real estate broker for the Marisanna, LLC entity contacted staff as to the City's interest in the property for potential use as a parking lot. Staff believes that there is a need for additional parking in the central business

district which will only accelerate in the future. The City would spend \$220,000 for the land purchase and an estimated \$7,500 for due diligence.

Mr. Rollins stated that this purchase was not included in the budget, so money would need to be found in the current budget, which he feels would be hard to find, or if Council approves the purchase and contract, a budget amendment would be needed at the December meeting.

Mr. White made a motion, seconded by Mr. Ewing, to approve the purchase the property located at the southwest intersection of Ruffin and N. Fourth Streets pursuant to the terms of the Offer to Purchase and Contract, provided the normal due diligence is satisfactory to staff, and that staff be authorized to take the necessary action to purchase the same. The motion carried unanimously.

Mr. Smith presented a request for adoption of the Resolution Designation of Applicant's Agent as the next step in the 2022 FEMA BRIC (Building Resilient Infrastructures and Communities) Grant selection process. He shared background information regarding the City's submission for funding for the engineering and construction of approximately 16,800 feet of sewer line rehabilitation by CIPP lining and associated manhole rehab. The grant has not been awarded; this resolution allows for signatures for the next round of the grant cycle.

Mr. Bradley made a motion, seconded by Ms. Burkholder, to adopt the Resolution Designation of Applicant's Agent. The motion carried unanimously.

Mr. Rollins presented a request for approval of the 2024 Council Meeting Calendar. Mr. Bradley made a motion, seconded by Ms. Hadley, to approve the 2024 Calendar as presented.

There being no further business, the meeting adjourned at 7:34 p.m.

ATTEST:

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

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





# AGENDA ITEM #9A

SUB 23-09

Final Subdivision Plat  
Cambridge Park, Phase 3A

### Presenter

Ashley Ownbey, Development Director

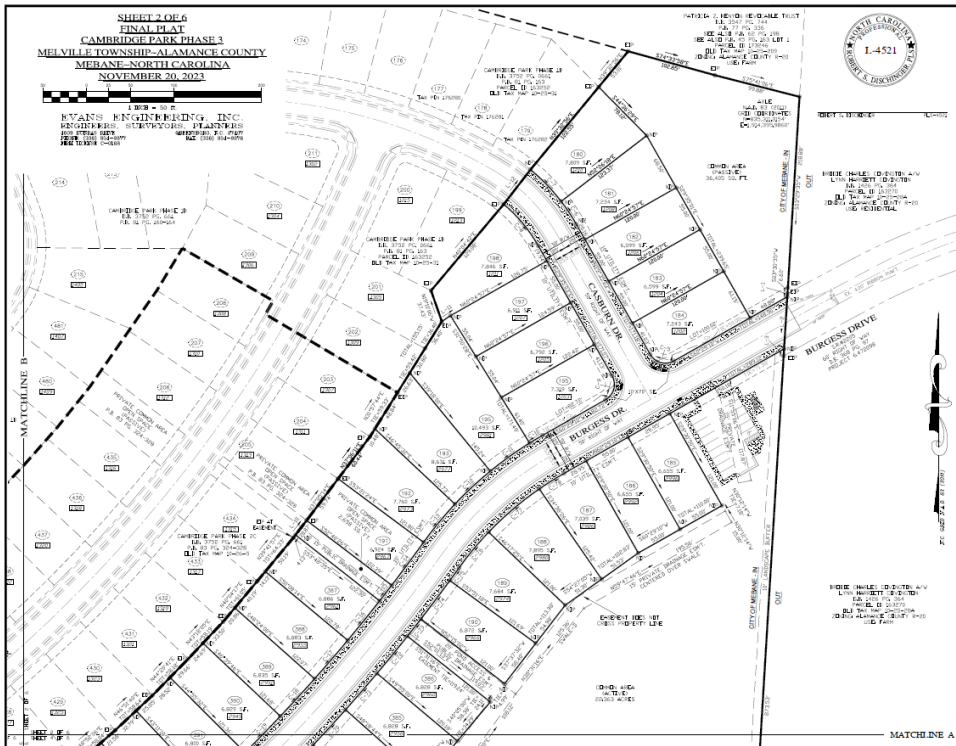
### Applicant

GHD-Cambridge Park Mebane, LLC  
1330 Sunday Drive, Suite 105  
Raleigh, NC 27607

### Public Hearing

Yes  No

## Final Plat



### Property

Cambridge Park,  
Alamance County

GPIN  
9813351154

### Proposed Zoning

N/A

### Current Zoning

R-12 PUD

### Size

+/-38.254 acres

### Surrounding Zoning

Alamance County

### Surrounding Land Uses

Residential,  
Agricultural, Vacant

### Utilities

Extended at  
developer's expense.

### Floodplain

No

### Watershed

No

### City Limits

Yes

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**Summary**

GHD-Cambridge Park Mebane, LLC, is requesting approval of the Final Plat for Phase 3A of the Cambridge Park Subdivision (approved for rezoning and a special use permit for a planned unit development by City Council 01/08/18). The final plat will include a total area of +/- 38.254 acres featuring 71 single-family lots, +/- 0.986 acres of open space, +/- 22.363 acres of private recreation space, and +/-3.138 acres and +/- 2,795 linear feet of dedicated right of way.

The Technical Review Committee (TRC) has reviewed the final plat and the applicant has revised the plat to reflect comments. All infrastructure must be completed and approved to meet the City of Mebane specifications. All infrastructure not completed shall be bonded or a letter of credit provided prior to recordation.

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**Financial Impact**

The developer has extended utilities at his own expense.

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**Recommendation**

Staff recommends approval of the final plat.

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**Suggested Motion**

Motion to approve the final plat as presented.

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**Attachments**

1. Final Plat

**B. Certificate of Ownership and Dedication (For Use with Major Subdivision Plats Only)**

This certifies that the undersigned is (are) the owner(s) of the property shown on this map, having acquired title to it by deed(s) recorded in the Alamance County, North Carolina Register of Deeds otherwise as shown below and that by submission of this plat or map for approval, I/we do dedicate to the City of Mebane for public use all streets, easements, rights-of-way and parks shown thereon for all lawful purposes to which the city may devote or allow the same to be used and upon acceptance thereof and in accordance with all city policies, ordinances and regulations or conditions of the City of Mebane for the benefit of the public, this dedication shall be irrevocable. Also, all private streets shown on this map, if any, are to be available for public use.

Provided, however, the "Common Elements" shown hereon expressly are not dedicated hereby for use by the general public, but are to be conveyed by GHD-CAMBRIDGE PARK MEBANE, LLC to Cambridge Park Homeowners Association, Inc. for the use and enjoyment of the members thereof pursuant to the terms of that certain Declaration of Covenants, Conditions and Restrictions for Cambridge Park recorded in Book 3927, Page(s) 0656-0718, ALAMANCE County Registry, the terms and provisions of which are incorporated herein by this reference.

GHD-CAMBRIDGE PARK MEBANE, LLC by the recordation of this Plat, hereby gives, grants and conveys to a Utility and the City of Mebane, their respective successors and assigns, rights-of-way and easements to maintain and service their respective wires, lines, conduits, and pipes in their present locations within the "Common Elements" as shown hereon together with the right of ingress and egress over and upon said "Common Elements" for the purpose of maintaining and servicing wires, lines, conduits, and pipes.

Owner \_\_\_\_\_ Date \_\_\_\_\_

I, \_\_\_\_\_ A NOTARY PUBLIC OF SAID COUNTY AND STATE, DO HEREBY CERTIFY THAT

PERSONALLY APPEARED BEFORE ME THIS DAY AND UNDER OATH ACKNOWLEDGED THAT THE ABOVE FORM WAS EXECUTED BY HIM/HER WITNESS MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

NOTARY PUBLIC (SIGNATURE) \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_

I hereby certify that the City of Mebane Planning Board approved on the \_\_\_\_\_ day of \_\_\_\_\_ the Preliminary Plat of subdivision as shown on this plat. Preliminary Plat approval is valid for a period of 12 months from the above date or as established under the vested rights procedures, if applicable.

Planning Director \_\_\_\_\_ Date \_\_\_\_\_

**REVIEW OFFICER CERTIFICATION**

I, \_\_\_\_\_ Review Officer of Alamance County, certify that this map or plat to which the certification is affixed meets all statutory requirements for recording.

Review Officer \_\_\_\_\_ Date \_\_\_\_\_

I, \_\_\_\_\_ the City Clerk of Mebane, North Carolina, do certify that the City of Mebane approved this plat or map and accepted the dedication of the streets, easements, rights-of-way and public parks shown thereon, but assumes no responsibility to open or maintain the same, until in the opinion of the City Council of the City of Mebane it is in the public interest to do so.

City Clerk \_\_\_\_\_ Date \_\_\_\_\_

**Certificate of Survey Accuracy:**

I, Robert S. Dischinger, certify that this plat was drawn under my supervision from an actual survey made under my supervision (detailed description recorded in Book 4478 Page 694); that the boundaries not surveyed are clearly indicated as drawn from information found in Book SEE Page MAP; that the ratio of precision as calculated is 1:21,995; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this 20 day of NOVEMBER, AD, 2023.

(11)a. this survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land.

ROBERT S. DISCHINGER PLS-4521



**SITE DATA:**  
 PARCELS: PIN: 163091, 163107, 163248, 163252, 163253  
 ADDRESS: 1909 JONES DRIVE  
 TOTAL ACREAGE= 238.2 ACRES  
 ZONING: PUD-R-12 WITH ANNEXATION  
 EXISTING USE: VACANT AND RESIDENTIAL  
 PROPOSED USE: RESIDENTIAL  
 ADJACENT ZONING: ALAMANCE COUNTY  
 DEED REFERENCES:  
 #163252 - DB 4478, PG 694-699

**FLOOD INFORMATION:**  
 FLOOD PLAIN PER FIRM MAP #3710981300K PANEL #9813, DATED 11-17-2017

**WATERSHED INFORMATION:**  
 WATERSHED: NDNE (NPDES PHASE II RULES APPLY)  
 RIVER BASIN: CAPE FEAR (HAW CREEK, CLASS WS-VJNSW)  
 COORDINATES: LAT. 36.050746  
 LONG. -79.29087  
 SOILS: CnB2, CnC2, CnD2, ISB2, RvA, WtB, WtC  
 SEWER: PUBLIC  
 WATER: PUBLIC

**DEVELOPMENT STANDARDS:**  
 FRONT SETBACK.....20'(MIN. 25' TO GARAGE)  
 SIDE SETBACK.....15' AGGREGATE  
 REAR SETBACK.....15'  
 MAXIMUM BUILDING HEIGHT.....35'

**PHASE 3A SITE DATA:**  
 TOTAL AREA = 138.254 ACRES  
 PHASE 3A = 71 LOTS  
 PHASE 3A LOTS = 11,767 ACRES  
 LF OF STREET PHASE 3A = 2,795± LF  
 AREA IN PUBLIC R/W PHASE 3A = 3,138 AC  
 PRIVATE COMMON RECREATION AREA (ACTIVE)= 22.363 ACRES  
 PRIVATE COMMON AREA OPEN SPACE (PASSIVE)= 0.986 ACRES

**TURNER ROAD**  
 SR#2133 MAINTENANCE  
 RIGHT OF WAY ONLY.  
 TOP OF DITCH BANK TO TOP OF DITCH BANK

**NAIL IN BRIDGE**  
 NAD 83 GRID COORDINATES  
 N=934,267.0414'  
 E=1,909,827.3712'

**DRAGON PROPERTIES, LLC**  
 D.B. 2695 PG. 16  
 P.B. 35 PG. 72 LOT 1  
 PARCEL ID 163093  
 OLD TAX MAP 10-26-43

**SR#2133 MAINTENANCE**  
 RIGHT OF WAY ONLY.  
 TOP OF DITCH BANK TO TOP OF DITCH BANK

**BERNICE K. FARRELL**  
 LOTS 10, 11, 12  
 PARCEL ID 163093  
 OLD TAX MAP 10-26-43  
 ZONING: ALAMANCE COUNTY R-10  
 USE: RESIDENTIAL

**CURVE TABLE C-#. CURVE WITH -RADIUS INDICATES A NEGATIVE RADIUS OR CURVE TO THE LEFT.**

CURVE	CHORD BEARING	CHORD	ARCLEN	RADIUS
C-1	S68°01'57"W	62.99'	62.99'	-3,857.00'
C-2	N68°02'32"E	65.16'	65.16'	3,907.00'
C-3	S75°24'48"W	10.29'	10.29'	1,298.16'
C-4	N74°38'12"E	6.90'	6.90'	-1,612.49'
C-5	N74°32'56"W	28.27'	31.40'	20.00'
C-6	N33°34'23"W	31.30'	31.33'	-225.00'
C-7	N44°00'23"W	50.51'	50.62'	-225.00'
C-8	S39°45'10"E	61.79'	62.12'	175.00'
C-9	S15°27'04"W	28.30'	31.44'	20.00'
C-10	S59°19'21"W	17.26'	17.26'	-425.00'
C-11	S54°25'46"W	55.29'	55.33'	-425.00'
C-12	S46°58'14"W	55.29'	55.33'	-425.00'
C-13	S39°25'46"W	56.51'	56.55'	-425.00'
C-14	S36°32'02"W	61.20'	61.20'	-1,914.08'
C-15	S37°47'16"W	22.58'	22.58'	1,914.08'
C-16	S38°59'39"W	58.03'	58.03'	1,914.08'
C-17	S40°43'53"W	58.03'	58.03'	1,914.08'
C-18	S42°28'07"W	58.03'	58.03'	1,914.08'
C-19	S44°12'21"W	58.03'	58.03'	1,914.08'
C-20	S45°56'35"W	58.03'	58.03'	1,914.08'
C-21	S47°40'49"W	58.03'	58.03'	1,914.08'
C-22	S49°25'02"W	58.03'	58.03'	1,914.08'
C-23	S51°09'16"W	58.03'	58.03'	1,914.08'
C-24	S52°53'30"W	58.03'	58.03'	1,914.08'
C-25	S54°37'44"W	58.03'	58.03'	1,914.08'
C-26	S56°11'30"W	46.37'	46.37'	1,914.08'
C-27	N77°04'32"W	28.79'	32.14'	20.00'
C-28	S14°17'09"W	28.44'	31.64'	20.00'
C-29	S60°16'52"W	44.93'	44.93'	1,914.08'
C-30	S61°49'53"W	58.65'	58.65'	1,914.08'
C-31	S63°25'14"W	58.65'	58.65'	1,914.08'
C-32	S65°00'35"W	58.65'	58.65'	1,914.08'
C-33	S67°05'56"W	58.65'	58.65'	1,914.08'
C-34	S68°51'17"W	58.65'	58.65'	1,914.08'
C-35	S70°36'38"W	58.66'	58.66'	1,914.08'
C-36	S72°04'54"W	56.60'	56.60'	1,914.08'
C-37	S73°41'43"W	9.05'	9.05'	180.00'
C-38	N89°24'57"W	95.89'	97.06'	180.00'
C-39	S85°50'44"E	98.53'	99.30'	-230.00'
C-40	S56°10'12"E	25.84'	28.09'	20.00'

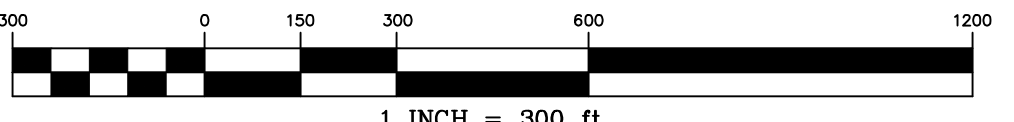
**LINE TABLE L-#**

LINE	BEARING	DISTANCE
L-1	S03°30'35"W	3.70'
L-2	S03°30'35"W	59.63'
L-3	S03°30'35"W	8.15'
L-4	N73°25'41"E	50.23'
L-5	S77°14'48"W	23.45'
L-6	S12°45'12"E	50.00'
L-7	S14°21'34"E	50.00'
L-8	S15°14'26"E	50.00'
L-9	N55°48'26"E	50.08'
L-10	N37°28'57"E	25.00'
L-11	N56°04'07"E	11.99'
L-12	N37°41'46"E	50.03'

CURVE	CHORD BEARING	CHORD	ARCLEN	RADIUS
C-41	S11°34'29"E	53.63'	53.73'	249.50'
C-42	S04°03'41"W	82.07'	82.44'	249.50'
C-43	S22°15'16"W	75.71'	76.00'	249.50'
C-44	S36°05'52"W	44.50'	44.56'	249.50'
C-45	N37°09'07"E	42.69'	42.73'	-299.50'
C-46	N27°47'48"E	55.00'	55.11'	-299.50'
C-47	N17°15'37"E	55.00'	55.11'	-299.50'
C-48	N06°43'25"E	55.00'	55.11'	-299.50'
C-49	N03°48'47"W	55.00'	55.11'	-299.50'
C-50	N13°13'17"W	43.25'	43.29'	-299.50'
C-51	N27°26'48"E	28.19'	31.28'	20.00'
C-52	N71°24'43"E	57.80'	57.80'	-1,964.08'
C-53	N69°46'00"E	55.00'	55.00'	-1,964.08'
C-54	N68°09'44"E	55.00'	55.00'	-1,964.08'
C-55	N66°33'27"E	55.00'	55.00'	-1,964.08'
C-56	N64°57'11"E	55.00'	55.00'	-1,964.08'
C-57	N63°20'55"E	55.00'	55.00'	-1,964.08'
C-58	N61°44'39"E	55.00'	55.00'	-1,964.08'
C-59	N60°08'23"E	55.00'	55.00'	-1,964.08'
C-60	N58°32'06"E	55.00'	55.00'	-1,964.08'
C-61	N56°55'50"E	55.00'	55.00'	-1,964.08'
C-62	N55°19'34"E	55.00'	55.00'	-1,964.08'
C-63	N53°43'18"E	55.00'	55.00'	-1,964.08'
C-64	N52°07'02"E	55.00'	55.00'	-1,964.08'
C-65	N50°30'45"E	55.00'	55.00'	-1,964.08'
C-66	N48°54'29"E	55.00'	55.00'	-1,964.08'
C-67	N47°18'13"E	55.00'	55.00'	-1,964.08'
C-68	N45°41'57"E	55.00'	55.00'	-1,964.08'
C-69	N44°05'41"E	55.00'	55.00'	-1,964.08'
C-70	N42°29'24"E	55.00'	55.00'	-1,964.08'
C-71	N40°53'08"E	55.00'	55.00'	-1,964.08'
C-72	N39°16'52"E	55.00'	55.00'	-1,964.08'
C-73	N38°06'51"E	25.00'	25.00'	-1,964.08'
C-74	N36°56'50"E	55.00'	55.00'	-1,964.08'
C-75	N35°46'50"E	18.07'	18.07'	-1,964.08'
C-76	N34°36'50"E	52.96'	52.96'	375.00'
C-77	N49°32'05"E	76.12'	76.25'	375.00'
C-78	N57°55'22"E	33.54'	33.55'	375.00'

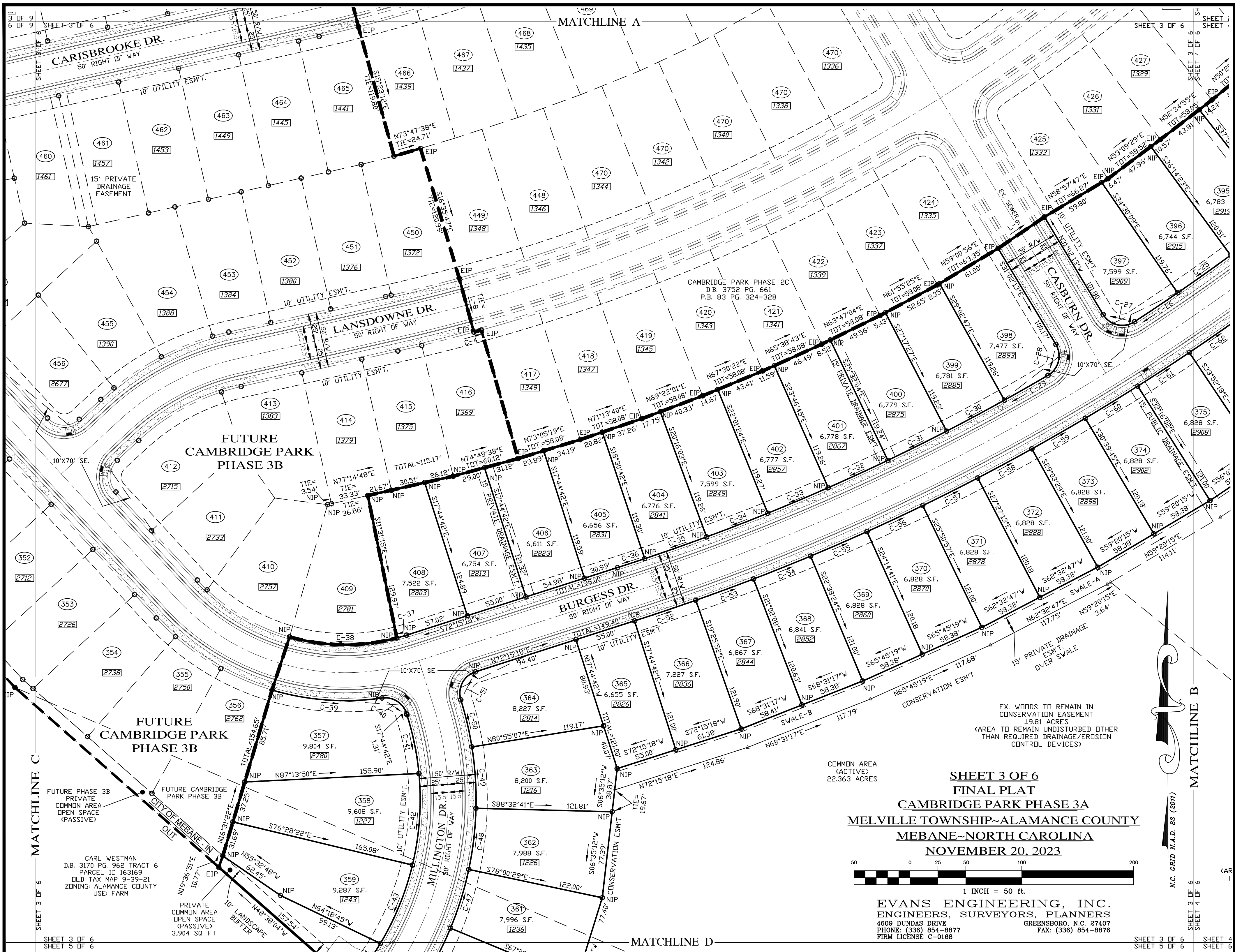
**SURVEYORS NOTES:**

- AREA IS DETERMINED BY LEAST SQUARES METHOD.
- BOUNDARY LINES NOT SURVEYED ARE SHOWN DASHED.
- THIS SURVEY IS OF AN ACTUAL FIELD SURVEY HAVING AN ERROR OF LESS THAN 1:21,995' D.M., D.Y.
- ALL DISTANCES SHOWN HEREON ARE IN US SURVEY FEET UNLESS INDICATED OTHERWISE.
- CITY OF MEBANE ZONING PUD-R-12 WITH ANNEXATION. PROPERTY ANNEXED 11-20-2017 PER PLAT BOOK 79 PAGE 41.
- EVANS ENGINEERING HAS NOT PERFORMED ANY TITLE SEARCH.
- TOTAL AREA= 38.254 ACRES MORE OR LESS.
- MAIL PICK-UP WILL BE PROVIDED AT THE PARKING AREA ADJACENT TO LOT 185.
- STRUCTURAL STORMWATER BMP MAINTENANCE AGREEMENT FOR WET DETENTION POND-G AND POND-H RECORDED IN DEED BOOK 0000 PAGE 0000 THROUGH 0000.



**EVANS ENGINEERING, INC.**  
 ENGINEERS, SURVEYORS, PLANNERS  
 4609 DUNDAS DRIVE GREENSBORO, N.C. 27407  
 PHONE: (336) 854-8877 FAX: (336) 854-8876  
 FIRM LICENSE C-0168





CARL WESTMAN  
 D.B. 3170 PG. 962 TRACT 6  
 PARCEL ID 163169  
 OLD TAX MAP 9-39-21  
 ZONING: ALAMANCE COUNTY  
 USE: FARM

FUTURE PHASE 3B  
 COMMON AREA  
 OPEN SPACE  
 (PASSIVE)

FUTURE CAMBRIDGE  
 PARK PHASE 3B

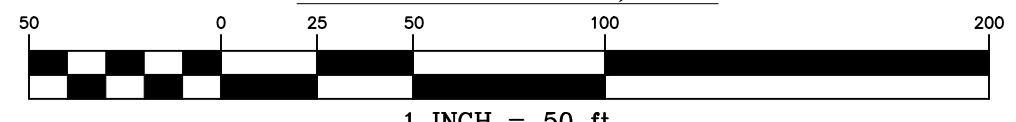
CITY OF MEBANE IN  
 OUT

PRIVATE  
 COMMON AREA  
 OPEN SPACE  
 (PASSIVE)  
 3,904 SQ. FT.

EX. WOODS TO REMAIN IN  
 CONSERVATION EASEMENT  
 ±9.81 ACRES  
 (AREA TO REMAIN UNDISTURBED OTHER  
 THAN REQUIRED DRAINAGE/EROSION  
 CONTROL DEVICES)

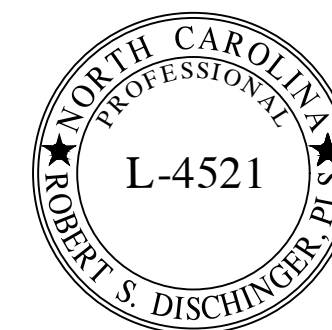
COMMON AREA  
 (ACTIVE)  
 22.363 ACRES

**SHEET 3 OF 6**  
**FINAL PLAT**  
**CAMBRIDGE PARK PHASE 3A**  
**MELVILLE TOWNSHIP~ALAMANCE COUNTY**  
**MEBANE~NORTH CAROLINA**  
**NOVEMBER 20, 2023**



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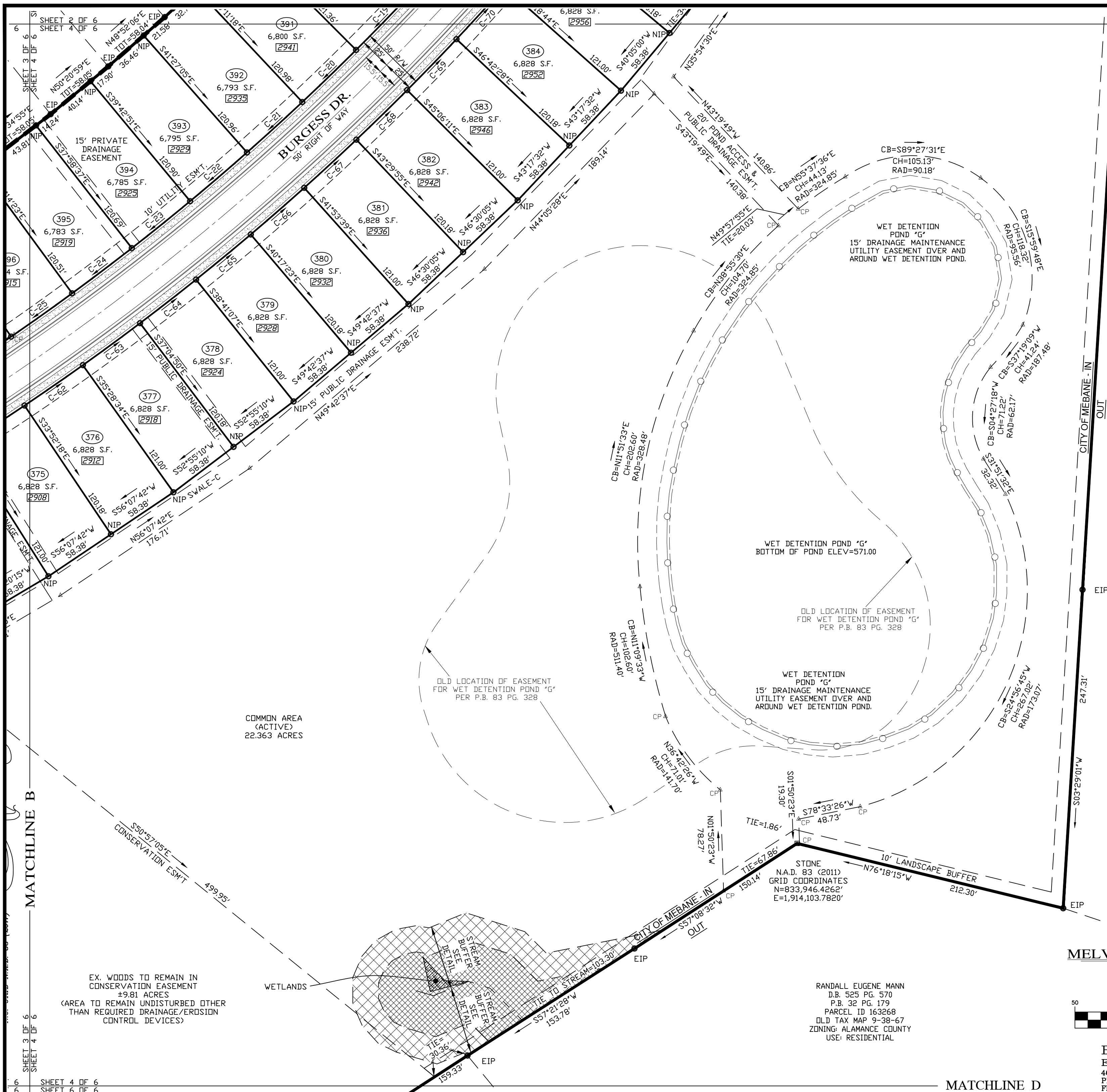
N.C. GRID N.A.D. 83 (2011)



ROBERT S. DISCHINGER PLS-4521

BRODIE CHARLES COVINGTON A/W  
LYNN HARRIETT COVINGTON  
D.B. 1426 PG. 364  
PARCEL ID 163270  
OLD TAX MAP 10-25-28A  
ZONING: ALAMANCE COUNTY  
USE: FARM

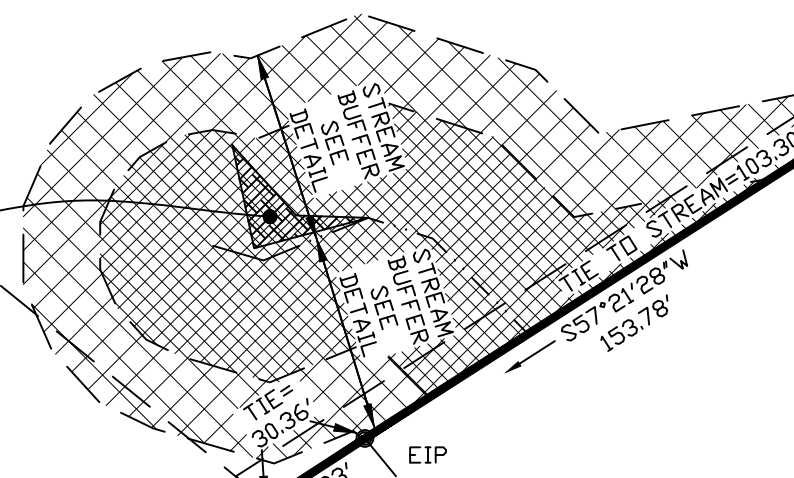
N.C. GRID N.A.D. 83 (2011)



COMMON AREA  
(ACTIVE)  
22.363 ACRES

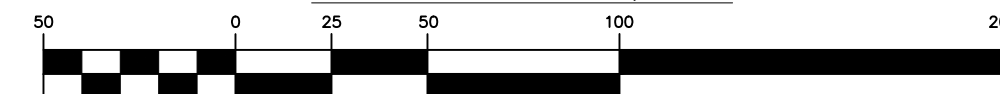
EX. WOODS TO REMAIN IN  
CONSERVATION EASEMENT  
±9.81 ACRES  
(AREA TO REMAIN UNDISTURBED OTHER  
THAN REQUIRED DRAINAGE/EROSION  
CONTROL DEVICES)

WETLANDS



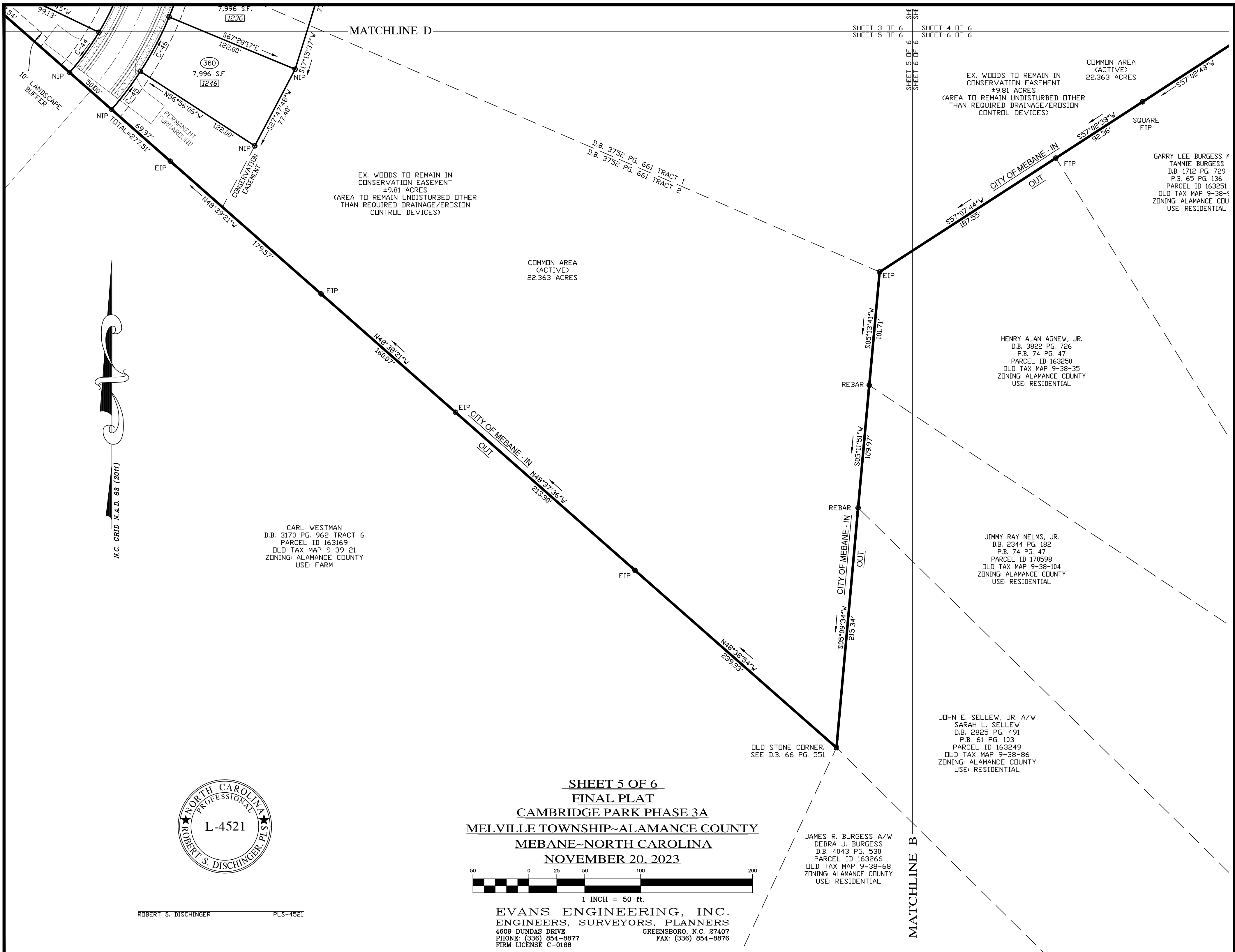
RANDALL EUGENE MANN  
D.B. 525 PG. 570  
P.B. 32 PG. 179  
PARCEL ID 163268  
OLD TAX MAP 9-38-67  
ZONING: ALAMANCE COUNTY  
USE: RESIDENTIAL

**SHEET 4 OF 6**  
**FINAL PLAT**  
**CAMBRIDGE PARK PHASE 3A**  
**MELVILLE TOWNSHIP~ALAMANCE COUNTY**  
**MEBANE~NORTH CAROLINA**  
**NOVEMBER 20, 2023**



1 INCH = 50 ft.

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FIRM LICENSE C-0168



MATCHLINE D

SHEET 3 OF 6  
SHEET 5 OF 6

SHEET 4 OF 6  
SHEET 6 OF 6

SHEET 5 OF 6  
SHEET 6 OF 6

MATCHLINE B



N.C. GRID N.A.D. 83 (2011)



ROBERT S. DISCHINGER PLS-4521

CARL WESTMAN  
D.B. 3170 PG. 962 TRACT 6  
PARCEL ID 163169  
OLD TAX MAP 9-39-21  
ZONING: ALAMANCE COUNTY  
USE: FARM

EX. WOODS TO REMAIN IN  
CONSERVATION EASEMENT  
±9.81 ACRES  
(AREA TO REMAIN UNDISTURBED OTHER  
THAN REQUIRED DRAINAGE/EROSION  
CONTROL DEVICES)

COMMON AREA  
(ACTIVE)  
22.363 ACRES

EX. WOODS TO REMAIN IN  
CONSERVATION EASEMENT  
±9.81 ACRES  
(AREA TO REMAIN UNDISTURBED OTHER  
THAN REQUIRED DRAINAGE/EROSION  
CONTROL DEVICES)

COMMON AREA  
(ACTIVE)  
22.363 ACRES

GARRY LEE BURGESS A/W  
TAMMIE BURGESS  
D.B. 1712 PG. 729  
P.B. 65 PG. 136  
PARCEL ID 163251  
OLD TAX MAP 9-38-5  
ZONING: ALAMANCE COUNTY  
USE: RESIDENTIAL

HENRY ALAN AGNEW, JR.  
D.B. 3822 PG. 726  
P.B. 74 PG. 47  
PARCEL ID 163250  
OLD TAX MAP 9-38-35  
ZONING: ALAMANCE COUNTY  
USE: RESIDENTIAL

JIMMY RAY NELMS, JR.  
D.B. 2344 PG. 182  
P.B. 74 PG. 47  
PARCEL ID 170598  
OLD TAX MAP 9-38-104  
ZONING: ALAMANCE COUNTY  
USE: RESIDENTIAL

JOHN E. SELLEW, JR. A/W  
SARAH L. SELLEW  
D.B. 2825 PG. 491  
P.B. 61 PG. 103  
PARCEL ID 163249  
OLD TAX MAP 9-38-86  
ZONING: ALAMANCE COUNTY  
USE: RESIDENTIAL

JAMES R. BURGESS A/W  
DEBRA J. BURGESS  
D.B. 4043 PG. 530  
PARCEL ID 163266  
OLD TAX MAP 9-38-68  
ZONING: ALAMANCE COUNTY  
USE: RESIDENTIAL

OLD STONE CORNER.  
SEE D.B. 66 PG. 551

SHEET 5 OF 6

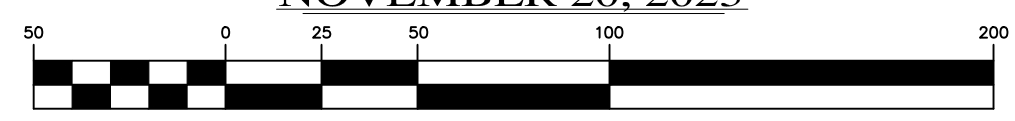
FINAL PLAT

CAMBRIDGE PARK PHASE 3A

MELVILLE TOWNSHIP~ALAMANCE COUNTY

MEBANE~NORTH CAROLINA

NOVEMBER 20, 2023



EVANS ENGINEERING, INC.  
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PHONE: (336) 854-8877 FAX: (336) 854-8876  
FIRM LICENSE C-0168

PARCEL ID 163268  
OLD TAX MAP 9-38-67  
ZONING: ALAMANCE COUNTY  
USE: RESIDENTIAL

MATCHLINE D

SHEET 3 OF 6  
SHEET 4 OF 6  
SHEET 5 OF 6  
SHEET 6 OF 6

AREA TO REMAIN UNDISTURBED OTHER THAN REQUIRED DRAINAGE/EROSION CONTROL DEVICES)

EX. WOODS TO REMAIN IN CONSERVATION EASEMENT ±9.81 ACRES  
(AREA TO REMAIN UNDISTURBED OTHER THAN REQUIRED DRAINAGE/EROSION CONTROL DEVICES)

COMMON AREA (ACTIVE)  
22.363 ACRES

GARRY LEE BURGESS A/W TAMMIE BURGESS  
D.B. 1712 PG. 729  
P.B. 65 PG. 136  
PARCEL ID 163251  
OLD TAX MAP 9-38-93  
ZONING: ALAMANCE COUNTY  
USE: RESIDENTIAL

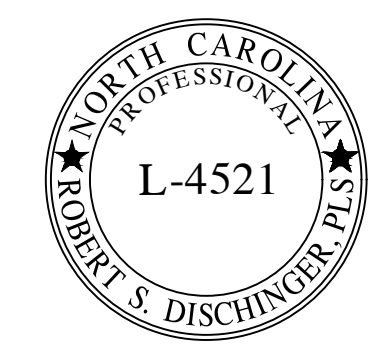
HENRY ALAN AGNEW, JR.  
D.B. 3822 PG. 726  
P.B. 74 PG. 47  
PARCEL ID 163250  
OLD TAX MAP 9-38-35  
ZONING: ALAMANCE COUNTY  
USE: RESIDENTIAL

JIMMY RAY NELMS, JR.  
D.B. 2344 PG. 182  
P.B. 74 PG. 47  
PARCEL ID 170598  
OLD TAX MAP 9-38-104  
ZONING: ALAMANCE COUNTY  
USE: RESIDENTIAL

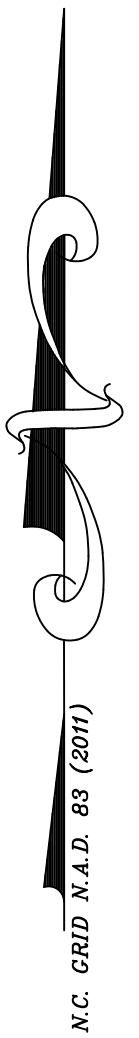
JOHN E. SELLEW, JR. A/W SARAH L. SELLEW  
D.B. 2825 PG. 491  
P.B. 61 PG. 103  
PARCEL ID 163249  
OLD TAX MAP 9-38-86  
ZONING: ALAMANCE COUNTY  
USE: RESIDENTIAL

JAMES R. BURGESS A/W DEBRA J. BURGESS  
D.B. 4043 PG. 530  
PARCEL ID 163266  
OLD TAX MAP 9-38-68  
ZONING: ALAMANCE COUNTY  
USE: RESIDENTIAL

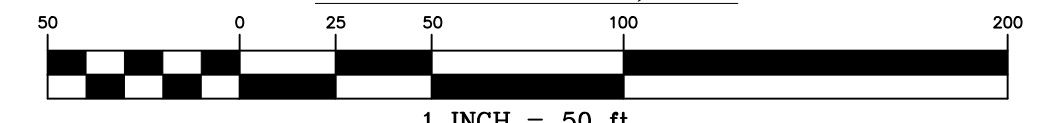
OLD STONE CORNER.  
SEE D.B. 66 PG. 551



ROBERT S. DISCHINGER PLS-4521



**SHEET 6 OF 6**  
**FINAL PLAT**  
**CAMBRIDGE PARK PHASE 3A**  
**MELVILLE TOWNSHIP~ALAMANCE COUNTY**  
**MEBANE~NORTH CAROLINA**  
**NOVEMBER 20, 2023**



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FIRM LICENSE C-0168

661 TRACT 1  
661 TRACT 2

CHLINE B

N48°38'54"W  
239.93'

S05°09'34"W  
215.34'

S05°11'51"W  
109.97'

S05°13'41"W  
101.71'

S57°07'44"W  
187.55'

S57°02'38"W  
92.36'

S57°02'48"W  
159.33'

S57°21'15"W  
153.78'





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### Summary

Keystone at Mebane Oaks, LLC, is requesting approval of the Final Plat for the right of way dedication for Cameron Lane (approved by the Mebane City Council as “Mebane Towne Center” for rezoning to R-6 and a special use permit as a Planned Unit Development 06/04/2018). This Final Plat will dedicate +/-2.828 acres and +/-1,543.8 linear feet of public right of way to fully connect Cameron Lane between the already-open Cameron Lane at Keystone Apartments and Mebane Airport Road. This road dedication and conformance with City standards is necessary for allowing traffic distribution to both Mebane Airport Road and Mebane Oaks Road.

The Technical Review Committee (TRC) has reviewed the Final Plat and the applicant has revised the plan to reflect its comments. All infrastructure must be completed and approved to meet the City of Mebane Specifications. All infrastructure not completed shall be bonded or a letter of credit provided prior to recordation.

This major subdivision plat was originally approved by the City Council at its June 6, 2022, meeting and reapproved at its June 5, 2023, and September 5, 2023, meetings.

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### Financial Impact

The developer has extended utilities at his own expense.

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### Recommendation

Staff recommends approval of the Final Plat.

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### Suggested Motion

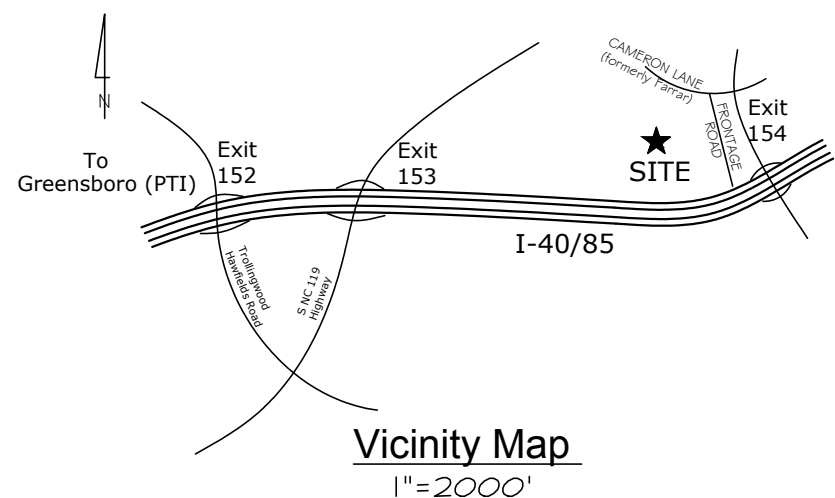
Motion to approve the final plat as presented.

---

### Attachments

1. Final Plat

FC-DTM-5-4-22



**SITE INFORMATION**

- PARCEL ID: 164335/164152, # 164338
- PLAT REF.: P.B. 80, PG. 184
- R/W DEDICATION AREA: ±2,828 ACs.
- LINEAR FEET: 1543.80 L.F.
- (THIS PLAT WILL RECORD THE RIGHT OF WAY OF CAMERON LANE)
- DEED REF.: D.B. 3831, PG. 476
- SITE ZONING: R-6 PUD w/ SPECIAL USE PERMIT
- EXISTING LAND USE: VACANT
- SOILS: G0C, HdB, G0B2, G0B, HdB2, HdC2
- SITE IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY FEMA FLOOD MAP PANEL 1814, CITY OF MEBANE, MAP NO. 3710981400K, PANEL EFFECTIVE DATE: 11-17-17.

**Certificate of Final Major Subdivision Plat Approval and Acceptance of Dedication:**

I, \_\_\_\_\_ the City Clerk of Mebane, North Carolina, do certify that the City of Mebane approved this plat and map and accepted the dedication of the streets, easements, rights-of-way and public parks shown thereon, but assumes no responsibility to open or maintain the same, until in the opinion of the City Council of the City of Mebane it is in the public interest to do so.

CITY CLERK \_\_\_\_\_ Date \_\_\_\_\_

**Review Officer Certification.**  
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 \_\_\_\_\_

**NOTE:**  
NO GEODETIC HORIZONTAL CONTROL MONUMENT FOUND WITHIN 2000' OF SUBJECT PROPERTY.

Curve #	Ch Bearing	Length	Radius	Delta	Arc Length
C1	S13°08'04"E	28.64'	20.000	041°38'55"	31.94'
C2	NTT°04'06"W	223.80'	354.998	036°13'11"	221.51'
C3	N14°03'45"E	171.75'	460.000	021°31'01"	172.76'
C4	N10°17'34"E	79.87'	50.000	106°01'14"	92.52'
C5	N62°00'24"W	33.03'	50.000	038°34'42"	33.67'
C6	N10°45'57"E	46.85'	50.000	055°52'36"	48.76'
C7	N84°02'17"E	60.80'	460.000	007°34'44"	60.85'
C8	N45°14'31"E	187.42'	540.000	014°59'12"	188.31'
C9	N64°22'09"E	171.44'	540.000	018°16'03"	172.17'

Curve #	Ch Bearing	Length	Radius	Delta	Arc Length
C10	S64°35'36"W	144.04'	465.000	017°44'10"	144.62'
C11	S45°21'58"W	164.91'	465.000	020°26'06"	165.85'
C12	S38°45'35"W	65.53'	535.000	007°01'14"	65.51'
C13	S19°32'31"W	54.52'	70.557	045°21'27"	55.98'
C14	S82°01'01"W	70.29'	105.816	038°41'58"	71.66'
C15	S73°43'10"W	206.04'	535.000	022°12'16"	207.34'
C16	S76°51'36"E	273.43'	435.000	036°38'10"	278.15'
C17	S71°04'26"W	27.98'	20.000	088°46'06"	30.94'

Line #	Length	Direction
L1	104.01'	N84°44'14"E
L2	45.04'	N44°56'40"E
L3	16.52'	N42°43'02"W
L4	10.59'	N85°14'55"E
L5	10.59'	N85°14'55"E
L6	82.23'	S48°54'18"W
L7	104.01'	S84°44'14"W
L8	115.04'	N32°41'24"E

I, Jeffery L. Caison, Registered Land Surveyor PLS No L-4403, certify that this is of a survey that:

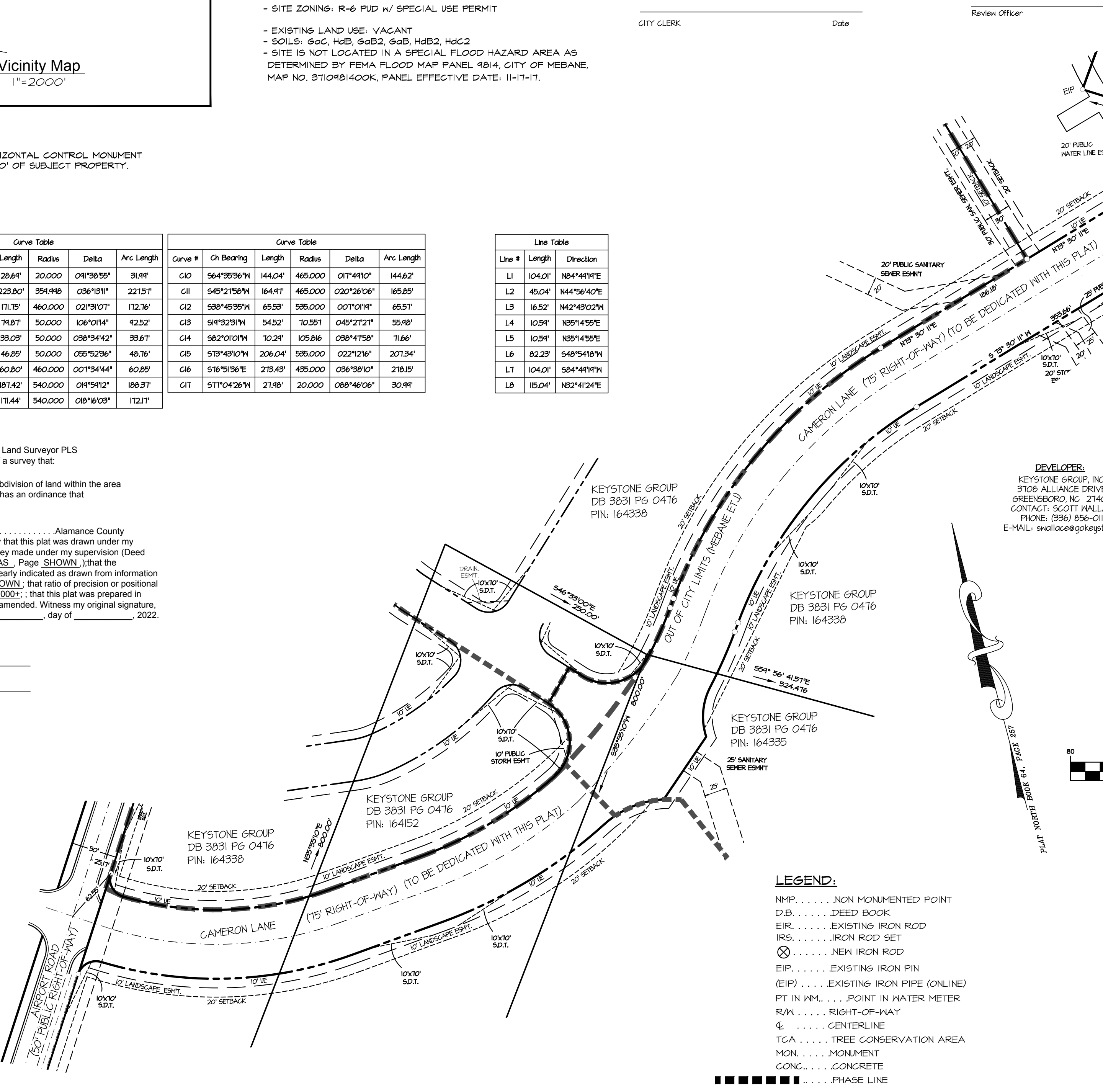
a. That the survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land.

State of North Carolina, Alamance County I, Jeffery L. Caison, PLS, certify that this plat was drawn under my supervision from an actual survey made under my supervision (Deed description recorded in Book AS, Page SHOWN); that the boundaries not surveyed are clearly indicated as drawn from information found in Book AS, Page SHOWN; that ratio of precision or positional accuracy as calculated is 1:10,000±; that this plat was prepared in accordance with GS 47-30 as amended. Witness my original signature, license number, and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Stamp or Seal

Surveyor - Jeffery L. Caison

License No.: L-4403



**Certificate of Ownership and Dedication**

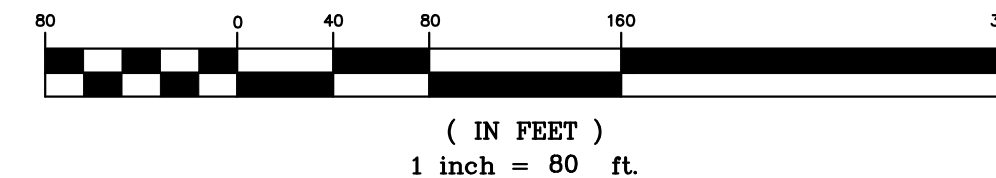
This certifies that the undersigned is (are) the owner(s) of the property shown on this map, having acquired title to it by deed(s) recorded in the Alamance/Orange County, North Carolina Register of Deeds otherwise as shown below and that by submission of this plat or map for approval, I/we do dedicate to the City of Mebane for public use all streets, easements, rights-of-way and parks shown thereon for all lawful purposes to which the city may devote or allow the same to be used and upon acceptance thereof and in accordance with all city policies, ordinances and regulations or conditions of the City of Mebane for the benefit of the public, this dedication shall be irrevocable. Also, all private streets shown on this map, if any, are to be available for public use. Provided, however, the "Common Elements" shown hereon expressly are not dedicated hereby for use by the general public, but are to be conveyed by \_\_\_\_\_ to \_\_\_\_\_ Homeowners Association, Inc. for the use and enjoyment of the members thereof pursuant to the terms of that certain Declaration of Covenants, Conditions and Restrictions for \_\_\_\_\_ County Registry, the terms and provisions of which are incorporated herein by this reference. \_\_\_\_\_ by the recordation of this Plat, hereby gives, grants and conveys to a Utility and the City of Mebane, their respective successors and assigns, rights-of-way and easements to maintain and service their respective wires, lines, conduits, and pipes in their present locations within the "Common Elements" as shown hereon together with the right of ingress and egress over and upon said "Common Elements" for the purpose of maintaining and servicing wires, lines, conduits, and pipes.

Owner \_\_\_\_\_ Date \_\_\_\_\_

(NOTARIZED) \_\_\_\_\_ Date \_\_\_\_\_

**DEVELOPER:**  
KEYSTONE GROUP, INC.  
3708 ALLIANCE DRIVE  
GREENSBORO, NC 27407  
CONTACT: SCOTT WALLACE  
PHONE: (336) 856-0111  
E-MAIL: swallace@gokeystone.com

**GRAPHIC SCALE**



**LEGEND:**

- NMP . . . . .NON MONUMENTED POINT
- D.B. . . . .DEED BOOK
- EIR . . . . .EXISTING IRON ROD
- IRS . . . . .IRON ROD SET
- ⊗ . . . . .NEW IRON ROD
- EIP . . . . .EXISTING IRON PIN
- (EIP) . . . . .EXISTING IRON PIPE (ONLINE)
- PT IN WM. . . . .POINT IN WATER METER
- R/W . . . . .RIGHT-OF-WAY
- CL . . . . .CENTERLINE
- TCA . . . . .TREE CONSERVATION AREA
- MON. . . . .MONUMENT
- CONC. . . . .CONCRETE
- . . . . .PHASE LINE
- . . . . .CITY LIMITS LINE
- — — — — . . . . .CENTERLINE ROAD

**MEBANE TOWNE CENTER FINAL DEDICATION PLAT FOR CAMERON LANE RIGHT-OF-WAY**

MELVILLE TOWNSHIP ~ ALAMANCE COUNTY  
MEBANE ~ NORTH CAROLINA  
CPT ENGINEERING AND SURVEYING, INC.  
LAND DEVELOPMENT CONSULTING  
CORPORATE LICENSE NUMBER C-1315  
4400 TYNING STREET  
HIGH POINT, NORTH CAROLINA 27265  
PHONE: (336) 812-8800 ~ FAX: (336) 812-8780  
PROJECT: 1316-14AP  
DATE: MAY 9, 2022  
DRAWN BY: DTM  
SCALE: 1" = 80'



# AGENDA ITEM #10A

RZ 23-08

General Rezoning – 635 & 636

Corregidor Street

### Presenter

Ashley Ownbey, Development Director

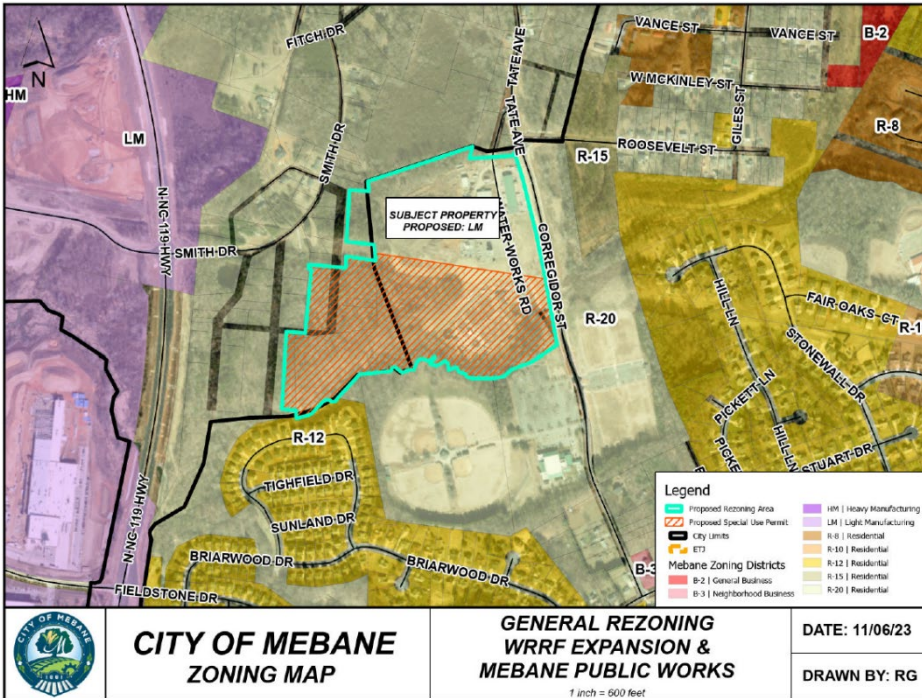
### Applicant

City of Mebane  
106 E Washington St  
Mebane, NC 27302

### Public Hearing

Yes  No

## Zoning Map



### Property

635-636 Corregidor Street  
Alamance County GPINs:  
9815517346 (portion),  
9815417138,  
9815417249,  
9815417653,  
9815417854, and  
9815414381

### Proposed Zoning

LM

### Current Zoning

R-20

### Size

+/- 40.69 Acres

### Surrounding Zoning

R-20, R-15, R-12, LM

### Surrounding Land Uses

Residential, Community  
Center, Industrial

### Utilities

Available

### Floodplain

Yes

### Watershed

No

### City Limits

Most of the property is in  
City Limits. The northwest  
portion is in the ETJ.

---

### Summary

The City of Mebane is requesting approval to rezone two properties totaling +/- 40.69 acres and located at 635 Corregidor Street and 636 Corregidor Street from R-20 (Residential District) to LM (Light Manufacturing). The properties are a result of a recombination plat recently recorded with the Alamance County Register of Deeds on November 21, 2023, that created a +/- 17.34-acre lot (Public Works), a +/- 23.35-acre lot (Water Resource Recovery Facility), and a +/- 33.472-acre lot (Mebane Arts & Community Center and Soccer Fields). The Mebane Public Works Complex and the Water Resource Recovery Facility are nonconforming uses in the current zoning district. This amendment to the zoning map will update the zoning to be consistent with historic use of the property. Most of the site is within Mebane City Limits in Alamance County and the northwest portion is located within the Mebane Extraterritorial Jurisdiction (ETJ).

Surrounding uses include residential, vacant, and recreation. The North Carolina Industrial Center is to the west across the NC 119 Bypass. The site is primarily located in the Secondary Growth Strategy Area and partly within the NC-119 Bypass and US 70 Mixed-Use Growth Strategy Area as identified by *Mebane By Design*, the Mebane Comprehensive Land Development Plan. At their November 13 meeting, the Planning Board voted 9-0 to recommend approval of the rezoning request.

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### Financial Impact

The City will be required to make all of the improvements at its own expense.

---

### Suggested Motion

1. Motion to approve the LM zoning as presented.
2. Motion to find that **the application is consistent** with the objectives and goals in the City's 2017 Comprehensive Land Development Plan *Mebane By Design*. Specifically, the request:
  - Is for a property within the City's G-4 Secondary Growth Area and partly within the City's G-1, Mixed Use Growth Area (NC-119 Bypass and US-70) and is generally industrial in nature (Mebane CLP, p. 66;70).

### OR

3. Motion to **deny** the LM 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

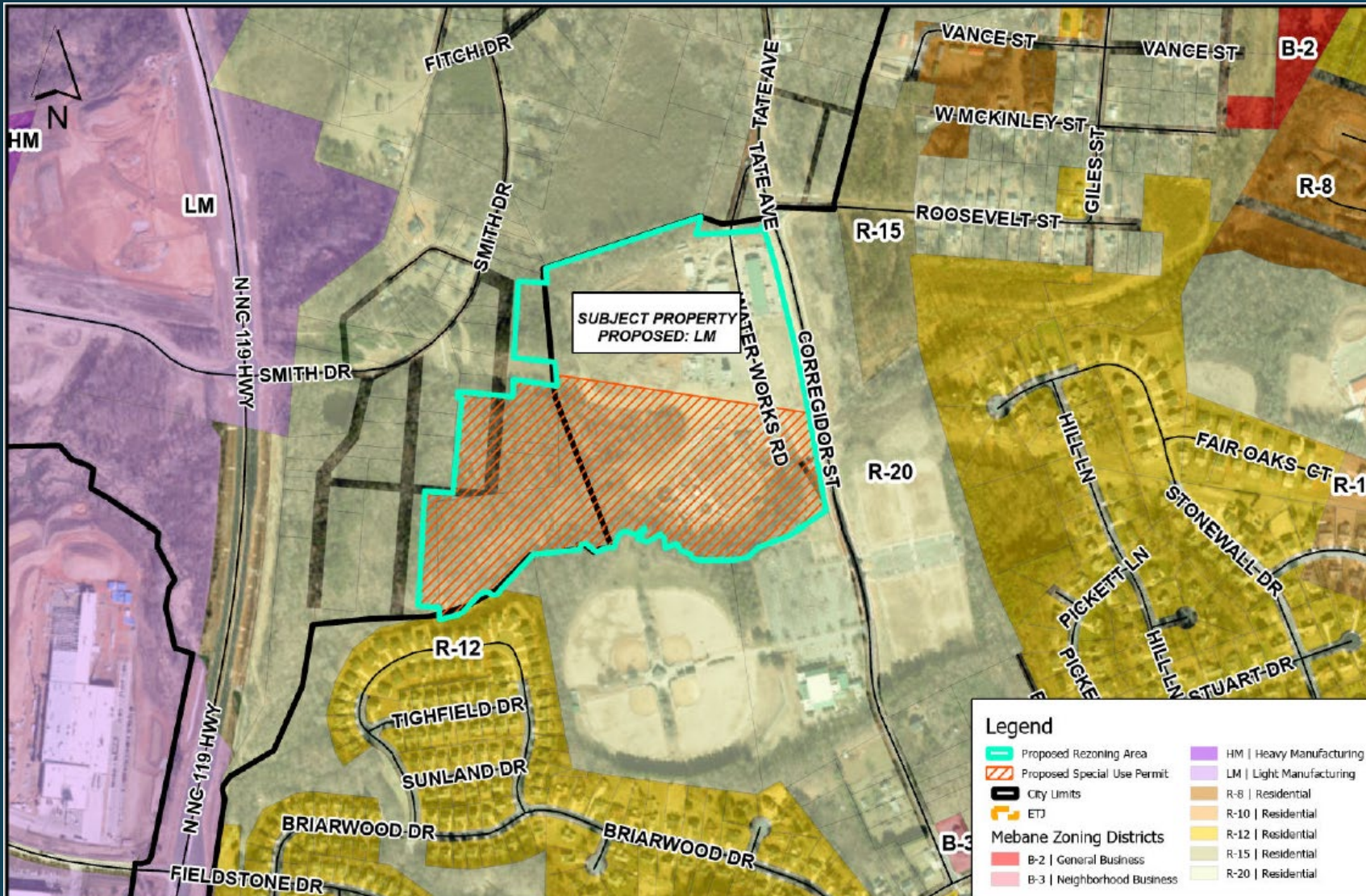
1. Preliminary Presentation Slides
2. Zoning Amendment Application
3. Zoning Map



Ashley Ownbey, Development Director

Rezoning Request: R-20 to LM  
by City of Mebane





# 635 & 636 Corregidor Street General Rezoning

- Request by City of Mebane
- +/- 40.69 Acres
  - Recombination plat recorded 11/21/2023
- Existing zoning: R-20
- Requested zoning: LM



**CITY OF MEBANE  
ZONING MAP**

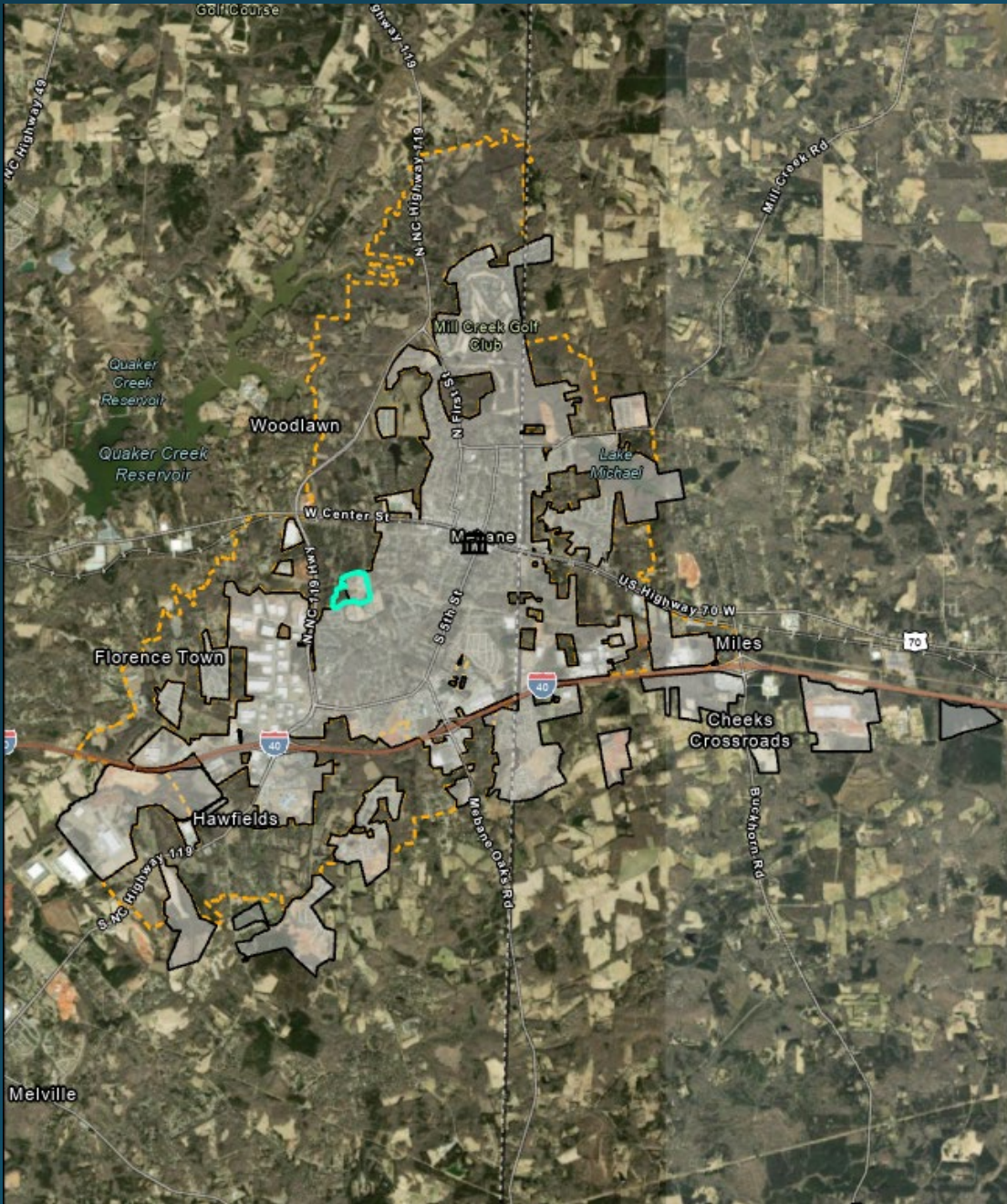
**GENERAL REZONING  
WRRF EXPANSION &  
MEBANE PUBLIC WORKS**

1 inch = 600 feet

DATE: 11/06/23

DRAWN BY: RG





## 635 & 636 Corregidor Street General Rezoning

- Majority within City limits; west side of property in ETJ



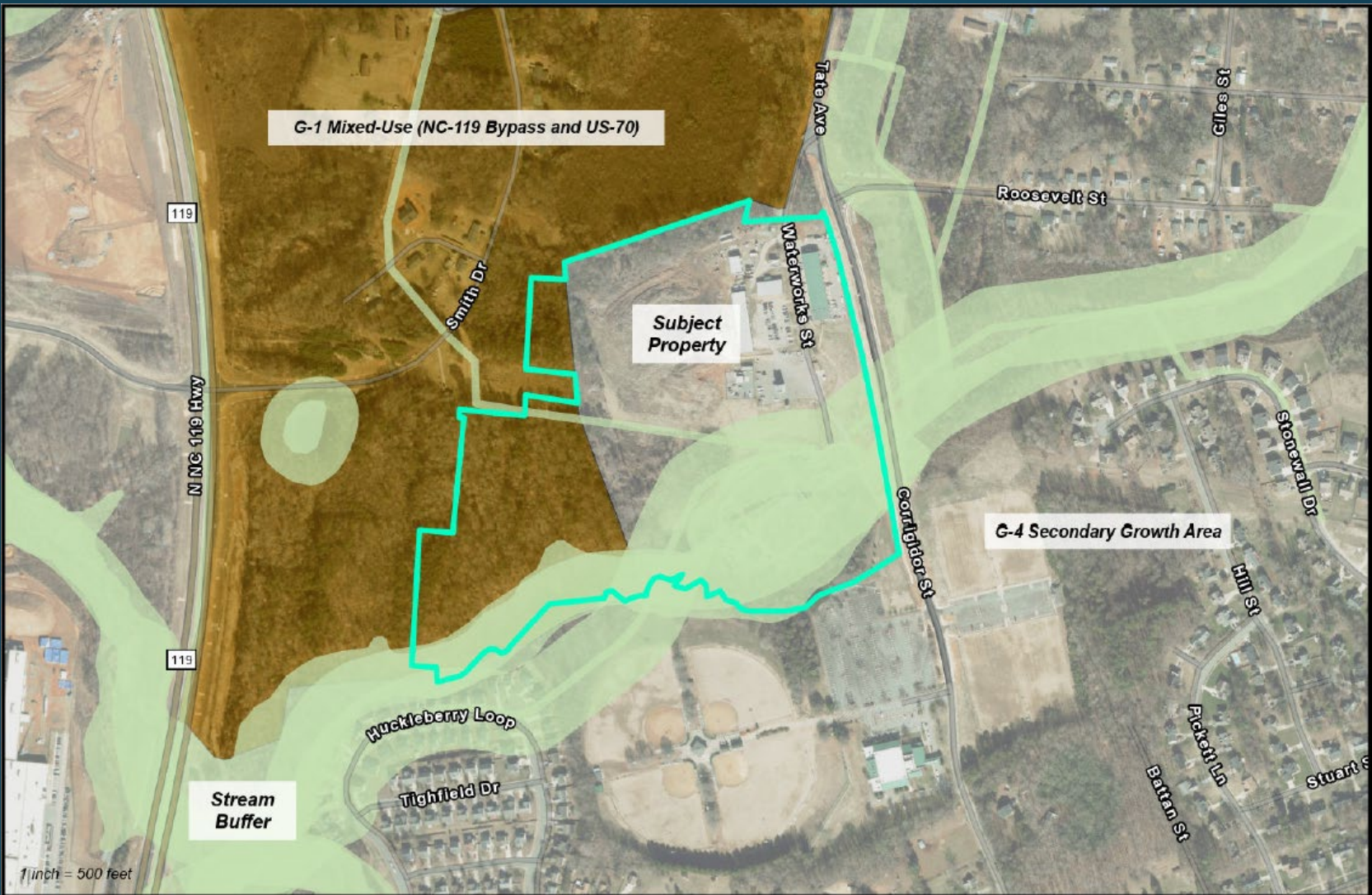




## 635 & 636 Corregidor Street General Rezoning

- Existing Water Resource Recovery Facility and Public Works Department Facility
- Surrounding uses include:
  - Mebane Arts and Community Center
  - Residential
  - Vacant
  - NCIC





# 635 & 636 Corregidor Street General Rezoning

- *Mebane By Design* G-4 Secondary Growth Area and G-1 Mixed Use (NC-119 Bypass and US-70) Growth Area.



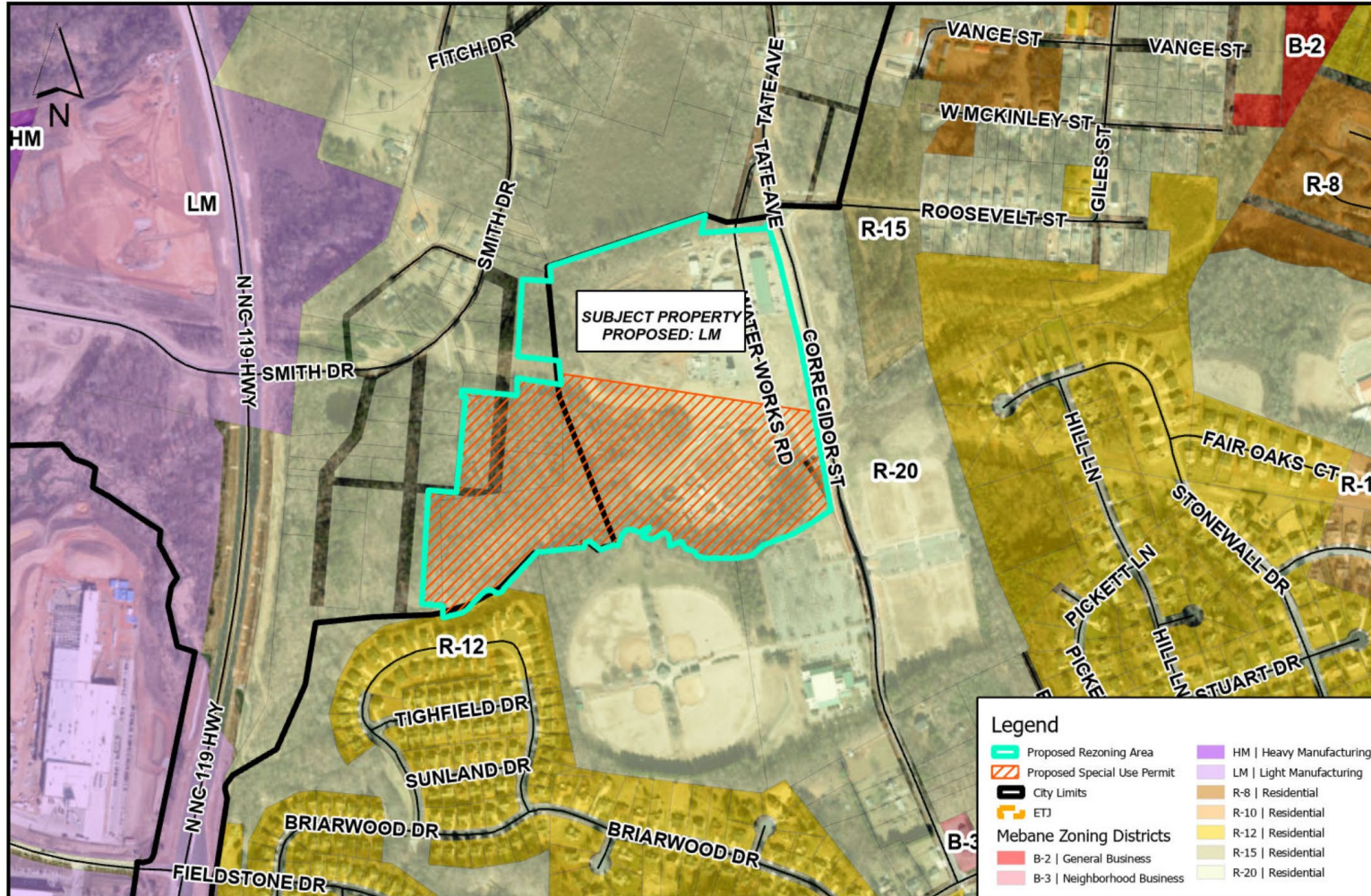


# Applicant Presentation





# Zoning Amendment



**CITY OF MEBANE**  
**ZONING MAP**

**GENERAL REZONING**  
**WRRF EXPANSION &**  
**MEBANE PUBLIC WORKS**

1 inch = 600 feet

DATE: 11/06/23

DRAWN BY: RG





# Zoning Amendment of Public Works R-20 to LM–Light Manufacturing

## HISTORY

1997 - Public Works was relocated to its current site from N. First St. and Vine St. (Fire Station no. 2)

2008 – Accessory Structure added to the site (Fire Tower)

2013 to date – Accessory Structures have been added to the site (office addition, truck bays, and sheds)

## ZONING AMENDMENT REQUEST

Public Works existed on a larger parcel which included the WRRF, MACC, and Soccer Fields. A subdivision map has been recorded that recombined minor property purchased by the City to the west side of the site and subdivided the property from the larger parcel creating a new 17.3-acre site.

The City is requesting a general zoning amendment to LM – Light Manufacturing as the appropriate zoning for the current use with no waivers or conditions meeting all buffer, setback, and allowed use requirements. This action will correct a historic non-conforming use, meeting current UDO requirements and being consistent with all other adopted Planning Documents.

There are no immediate plans to expand the current footprint of Public Works.





# Zoning Amendment of the WRRF Site from R-20 to LM-Light Manufacturing

## HISTORY

1915 – Sewer lines installed to the plant site. 1921 – Imhoff Cone treatment plant install discharging to Moadams Creek.  
1960s – Aeration pond was installed to accompany the Imhoff Cone. 1971 – Plant upgrade to 0.8 MGD  
1981 – Upgrade to 1.2 MGD (added another basin, two new clarifiers, and a chlorination system).  
1993 – Upgrade to 2.5 MGD. 2009 – Preliminary engineering report.  
2016 – Long Range Utility Plan. 2021 – Plant expansion to 4.0 / 6.0 MGD preliminary design starts.  
2023 – Renovations and equipment upgrade complete.

## ZONING AMENDMENT REQUEST

The WRRF existed on a larger parcel which included Public Works, MACC, and Soccer Fields. A subdivision map has been recorded that recombined minor property purchased by the City to the west side of the site and subdivided the property from the larger parcel creating a new 23.3-acre site.

The City is requesting a general zoning amendment to LM – Light Manufacturing as the appropriate zoning for the current use with no waivers or conditions meeting all buffer, setbacks, and allowed use requirements. This action will correct a historic non-conforming use meeting the current UDO requirements and being consistent with all other adopted Planning Documents.

There are immediate plans to expand the current footprint of the WRRF.

A Special Use Permit is required for the major expansion of the site.





## APPLICATION FOR A ZONING AMENDMENT

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

Name of Applicant: City of Mebane

Address of Applicant: 106 East Washington Street, Mebane, NC 27302

Address and brief description of property to be rezoned: Lots 1 and 2 as identified on the attached preliminary plat. The preliminary plat shows a recombination of existing parcels.

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

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

Yes  Explain: The City of Mebane is the applicant. No

Type of re-zoning requested: Light Manufacturing Zoning District (LM)

Sketch attached: Yes Attached plat No

Reason for the requested re-zoning: Correct the zoning map to reflect proper zoning for the City of Mebane Public Works Complex and the Water Resource Recovery Facility.

Signed: 

Date: 10/27/2023

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.

**SURVEYOR'S CERTIFICATE**

I, **CAROL R. PARSONS**, certify that this and the survey shown under my direction from an actual survey made under my supervision, used the following methods: that the bearings and distances were obtained from information found in deed book 4425, page 436... that the role of precision of positional accuracy was prepared in accordance with N.C.G.S. 42-30 as amended that the global positioning system (GPS) observations were performed to the geoidal ellipsoid of the 0.05 (15mm) accuracy classification (95% confidence) using the network and traditional traverse, that this survey is of another category such as the court-ordered survey or other exception to the definition of subdivision (G.S. 42-30 (11) 4) witness my original signature, seal and date of A.D. \_\_\_\_\_

Professional Land Surveyor L-3526  
Approved and Computed by Computer Method.

**Certificate of Examination**

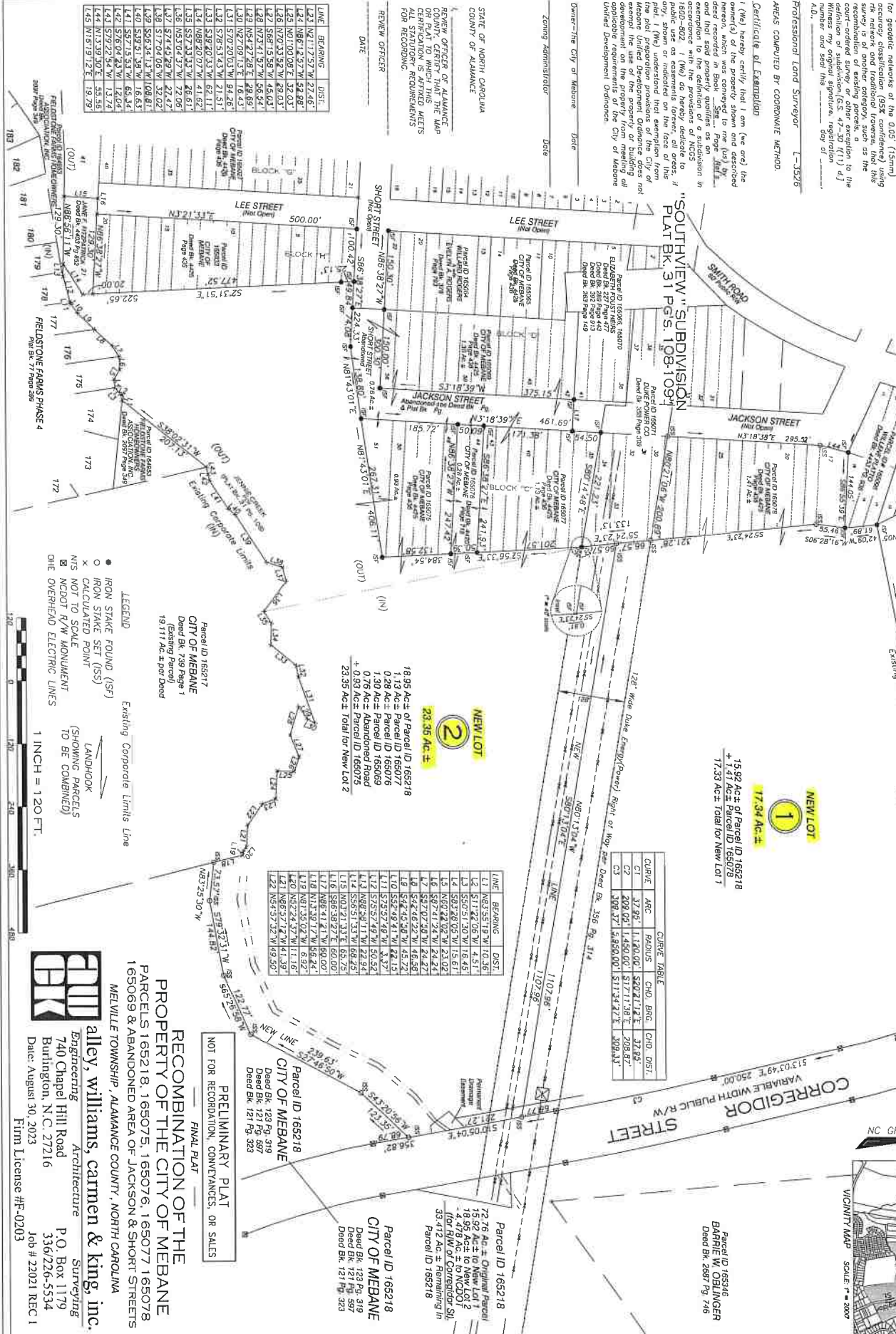
I (We) hereby certify that I (on the one) the owner(s) of the property shown and described hereon, which was conveyed to me (us) by deed recorded in Book \_\_\_\_\_ Page \_\_\_\_\_ as shown on the plat hereon, do hereby certify that the subdivision is in accordance with the provisions of N.C.G.S. 42-30. I (We) do hereby declare that the subdivision is in accordance with the provisions of any, shown or indicated on the face of this plat. I (We) understand that exemption from the plat preparation provisions of N.C.G.S. 42-30 does not exempt the use of the property or building all other provisions of the City of Mebane Ordinance.

Owner - The City of Mebane  
Date \_\_\_\_\_  
Zoning Administrator \_\_\_\_\_ Date \_\_\_\_\_

STATE OF NORTH CAROLINA  
COUNTY OF ALAMANCE  
CITY OF MEbane  
CITY ENGINEER  
DATE \_\_\_\_\_  
REVIEW OFFICER \_\_\_\_\_



- GENERAL NOTES**
- 1) All distances are horizontal ground distances.
  - 2) Iron stakes of all centers unless otherwise noted are in place but may be destroyed by a full and accurate title search.
  - 3) This survey may not show all of the following: any zoning department or any other governing bodies for the subject property found within 2000' of subject property.
  - 4) The location and/or existence of utility not shown as part of this boundary survey, but shown as part of the boundary survey, is shown as of record reflecting same.



**"SOUTHVIEW" SUBDIVISION**  
PLAT BK. 31 PGS. 108-109

**NEW LOT 1**  
17.34 AC ±  
19.92 AC ± of Parcel ID 165218  
4.14 AC Parcel ID 165076  
17.33 AC Total for New Lot 1

CURVE	ARC	POINTS	CHD	BRG	CHD	DIST.
C1	37.85	1126.00	S07°11'48"	207.89		
C2	408.02	1450.00	S11°34'27"	359.31		
C3	588.57	1458.00	S11°34'27"	359.31		

**NEW LOT 2**  
23.35 AC ±

LINE	BEARING	DIST.
L1	N83°55'19"W	10.36
L2	S11°22'05"W	4.51
L3	S55°01'30"W	18.45
L4	S52°38'05"W	15.03
L5	S52°38'05"W	15.03
L6	S52°38'05"W	15.03
L7	S52°38'05"W	15.03
L8	S52°38'05"W	15.03
L9	S52°38'05"W	15.03
L10	S52°38'05"W	15.03
L11	S52°38'05"W	15.03
L12	S52°38'05"W	15.03
L13	S52°38'05"W	15.03
L14	S52°38'05"W	15.03
L15	S52°38'05"W	15.03
L16	S52°38'05"W	15.03
L17	S52°38'05"W	15.03
L18	S52°38'05"W	15.03
L19	S52°38'05"W	15.03
L20	S52°38'05"W	15.03
L21	S52°38'05"W	15.03
L22	S52°38'05"W	15.03

18.95 AC ± of Parcel ID 165218  
0.19 AC Parcel ID 165076  
1.30 AC Parcel ID 165079  
0.76 AC Abandoned Road  
+ 0.99 AC Parcel ID 165075  
23.35 AC Total for New Lot 2

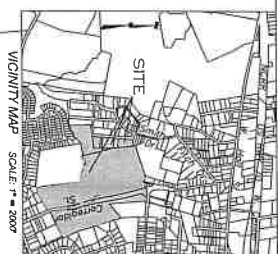
LINE	BEARING	DIST.
L1	N83°55'19"W	10.36
L2	S11°22'05"W	4.51
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L8	S52°38'05"W	15.03
L9	S52°38'05"W	15.03
L10	S52°38'05"W	15.03
L11	S52°38'05"W	15.03
L12	S52°38'05"W	15.03
L13	S52°38'05"W	15.03
L14	S52°38'05"W	15.03
L15	S52°38'05"W	15.03
L16	S52°38'05"W	15.03
L17	S52°38'05"W	15.03
L18	S52°38'05"W	15.03
L19	S52°38'05"W	15.03
L20	S52°38'05"W	15.03
L21	S52°38'05"W	15.03
L22	S52°38'05"W	15.03

- LEGEND**
- IRON STAKE FOUND (ISF)
  - IRON STAKE SET (ISS)
  - x CALCULATED POINT
  - NIS NOT TO SCALE
  - OH OVERHEAD ELECTRIC LINES
- Existing Corporate Limits Line  
LANDHOOK  
(SHOWING PARCELS TO BE COMBINED)
- 1 INCH = 120 FT.

**RECOMBINATION OF THE PROPERTY OF THE CITY OF MEbane**  
PARCELS 165218, 165075, 165076, 165077, 165078, 165096 & ABANDONED AREA OF JACKSON & SHORT STREETS  
MEVILLE TOWNSHIP, ALAMANCE COUNTY, NORTH CAROLINA

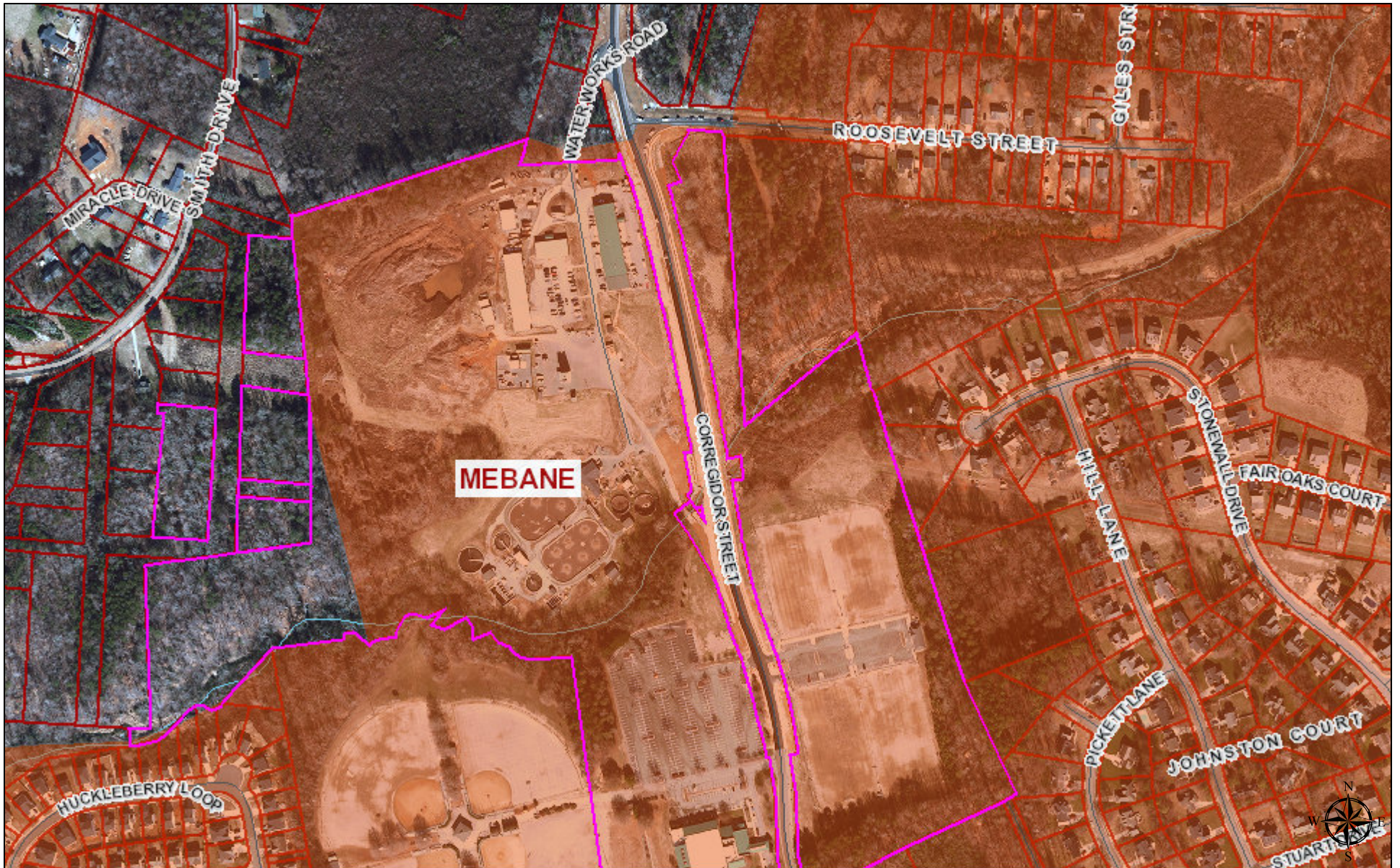
**alley, williams, carmen & king, inc.**  
Engineering Architecture  
740 Chapel Hill Road  
Burlington, N.C. 27216  
Date: August 30, 2023  
Job # 22021 REC 1  
Firm License #F-0203

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



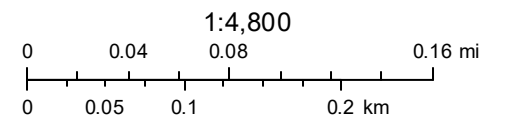


# 635 & 636 Corregidor Rezoning

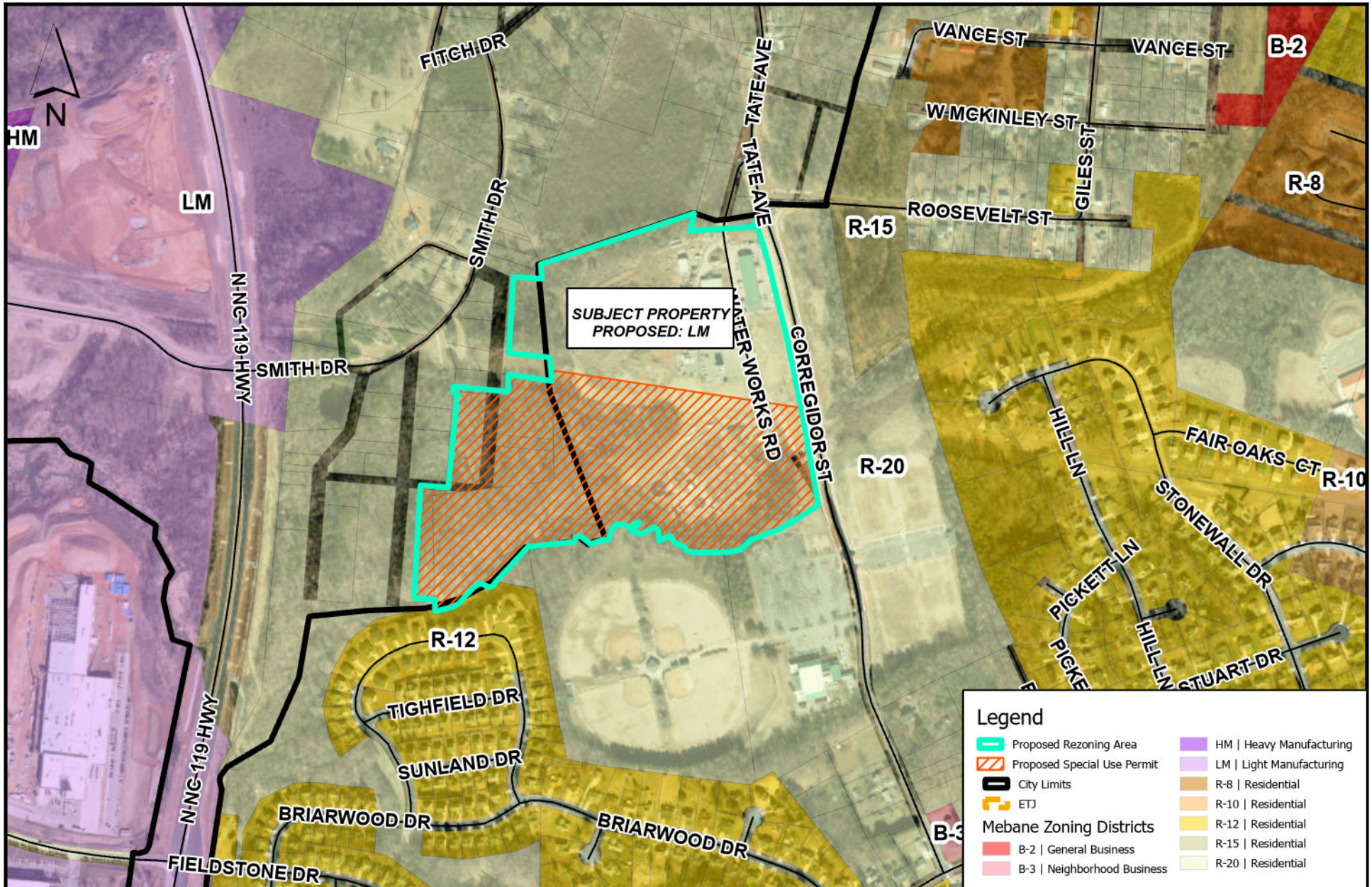


November 7, 2023

Streets	
— Private Roads	— 392 - TRAIL
— Roads	— 390 - TRAIL
— Preliminary Roads	— 391 - TRAIL
	— 393 - TRAIL
	— 394 - TRAIL
	— 395 - TRAIL



Alamance County GIS  
Alamance County GIS Department



# CITY OF MEBANE ZONING MAP

## GENERAL REZONING WRRF EXPANSION & MEBANE PUBLIC WORKS

1 inch = 600 feet

DATE: 11/06/23

DRAWN BY: RG



# AGENDA ITEM #10B

SU 23-03

Special Use Permit – Mebane  
WRRF Expansion

## Presenter

Ashley Ownbey, Development Director

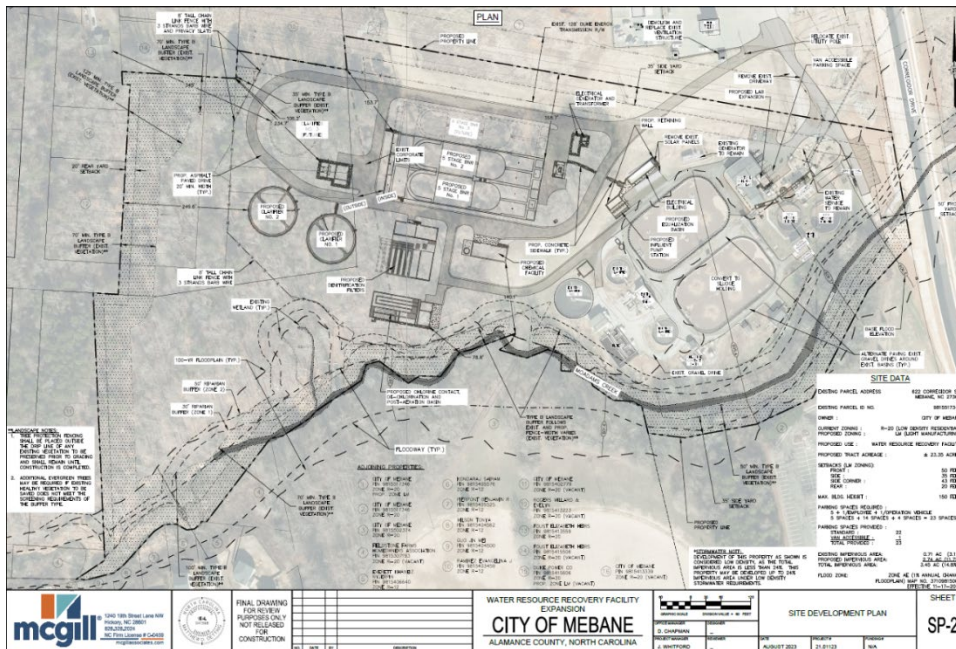
## Applicant

City of Mebane  
106 E Washington St  
Mebane, NC 27302

## Public Hearing

Yes  No  (Quasi-Judicial)

## Site Plan



## Property

635 Corregidor Street  
Alamance County GPINs:  
9815517346 (portion),  
9815417138,  
9815417249,  
9815417653, and  
9815414381

## Proposed Zoning

LM

## Current Zoning

R-20

## Size

+/- 23.35 Acres

## Surrounding Zoning

R-20, R-15, R-12, LM

## Surrounding Land Uses

Residential, Community  
Center, Industrial

## Utilities

Available

## Floodplain

Yes

## Watershed

No

## City Limits

Most of the property is in  
City Limits. The northwest  
portion is in the ETJ.

**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 two times, and the applicant has revised the plan to reflect the comments.
Planning Staff:	The proposed development “WRRF Expansion” is consistent with the guidance provided within Mebane By Design, the Mebane Comprehensive Land Development Plan.
Planning Board:	At their November 13 meeting, the Planning Board voted 9-0 to recommend approval of the special use request.
<b>Zoning &amp; Land Use Report</b>	
Jurisdiction:	Mebane City Limits/ETJ
Proposed Use By-Right (Yes/No):	No
Type of Rezoning Request:	General
Special Use Request (Yes/No):	Yes
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):	No
Multi-Modal Improvements (Yes/No):	No
Consistency with Bike/Ped Transportation Plan (Yes/No):	Yes

---

### Summary

The City of Mebane is requesting approval for a Special Use Permit to allow for a Water Resource Recovery Facility on a property totaling +/- 23.35 acres and located at 635 Corregidor Street. There is an existing Water Resource Recovery Facility on the subject property that was developed prior to the adoption of the current development ordinance. Approval of the special use permit request will allow for an expansion of the facility that will improve the City's ability to provide wastewater services. A request to rezone the subject property from R-20 to LM has also been submitted. Surrounding uses include residential, vacant, and recreation. The North Carolina Industrial Center is to the west of the site across the NC 119 Bypass. The site is primarily located in the Secondary Growth Strategy Area and partly within the NC-119 Bypass and US 70 Mixed-Use Growth Strategy Area as identified by *Mebane By Design*, the City's Comprehensive Land Development Plan.

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### Financial Impact

The City will be required to make all of the improvements shown on the site plan.

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### Suggested Motion

1. Motion to approve the special use permit as presented.
  
2. Motion to find that the application is consistent with the objectives and policies for growth and development in the City's 2017 Comprehensive Land Development Plan *Mebane By Design*, *Long-Range Utility Plan*, or other plans officially adopted by the City Council. It 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.

### OR

1. Motion to **deny** the special use permit as presented due to a failure to satisfy any one of the four criteria required for approval (**NOTE: criterion for failure must be specified**):
  - a. Will materially endanger the public health or safety; or
  - b. Will substantially injure the value of adjoining or abutting property; or
  - c. Will not be in harmony with the area in which it is located; or
  - d. Will not be in conformity with the land development plan or other plans officially adopted by the City Council.

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### Attachments

1. Preliminary Presentation Slides – [click here to access](#).
2. Special Use Permit Application
3. Site Plan – [click here to access](#).
4. Planning Project Report
5. Technical Memorandum – City Engineering Review

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# PLANNING PROJECT REPORT

DATE	11/7/2023
PROJECT NUMBER	SU 23-03
PROJECT NAME	Water Resource Recovery Facility Expansion
APPLICANT	City of Mebane 106 E Washington St Mebane, NC 27302

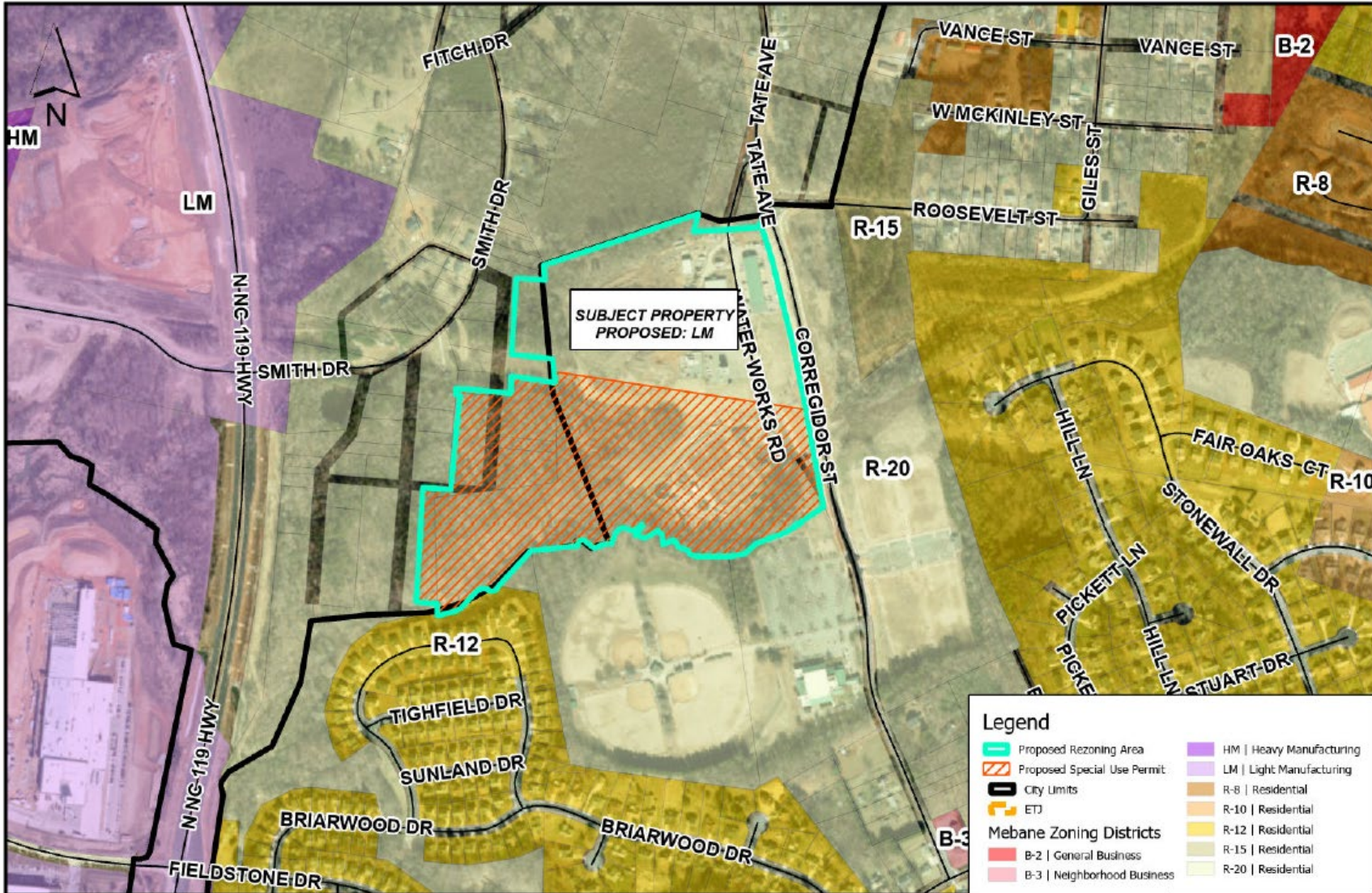
## CONTENTS

PROJECT NAME & APPLICANT .....	PAGE 1
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UTILITIES REPORT .....	PAGE 6
STAFF SPECIAL USE CONSISTENCY FINDING.....	PAGE 7

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## ZONING REPORT

EXISTING ZONE	R-20, Residential District
REQUESTED ACTION	LM, Light Manufacturing District
CONDITIONAL ZONE?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
CURRENT LAND USE	The current Water Resource Recovery Facility (WRRF) is located on the subject property. Moadams Creek runs east to west through the parcel and adjacent to the WRRF. A Duke Energy right-of-way also runs east to west through the center of the property.
PARCEL SIZE	+/- 23.35 Acres
PROPERTY OWNERS	City of Mebane 106 E Washington St Mebane, NC 27302
LEGAL DESCRIPTION	Request for a Special Use Permit to allow for a Water Resource Recovery Facility on a property totaling +/- 23.35 acres and located at 635 Corregidor Street by the City of Mebane. The property was recently created by a recombination of five properties with GPINs 9815517346 (portion), 9815417138, 9815417249, 9815417653, and 9815414381).
AREA ZONING & DISTRICTS	The properties to the north, west, and south are all zoned R-20, Residential. There is a subdivision to the southwest that is zoned R-12, Residential. The properties on the east side of Corregidor Street are zoned R-20 and R-15, Residential. Across the NC 119 Bypass, properties are zoned LM, Light Manufacturing.
SITE HISTORY	The WRRF was first built in 1921 and was upgraded in 1971, 1981, and 1993. Renovations to the existing facility began in 2021 and were completed in 2023.
<b>STAFF ANALYSIS</b>	
CITY LIMITS?	<input checked="" type="checkbox"/> YES <input checked="" type="checkbox"/> NO The majority of the property is within City Limits, but the west portion of the property is in the ETJ.
PROPOSED USE BY-RIGHT?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
SPECIAL USE?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
EXISTING UTILITIES?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
POTENTIAL IMPACT OF PROPOSED ZONE	The existing WRRF was developed prior to the adoption of the current Unified Development Ordinance. Rezoning the subject property to LM will reflect the current land use and will not cause any new impacts. The special use permit would allow expansion of the WRRF to the west and south, which is in the direction of residential uses and zoning. However, the proposed site plan includes significant landscaping and buffering that will shield the site from adjacent properties. The design for the expanded facility also includes new technology and techniques intended to reduce any odor or noise produced by the facility.



**CITY OF MEBANE  
ZONING MAP**

**GENERAL REZONING  
WRRF EXPANSION &  
MEBANE PUBLIC WORKS**

DATE: 11/06/23

DRAWN BY: RG

1 inch = 600 feet

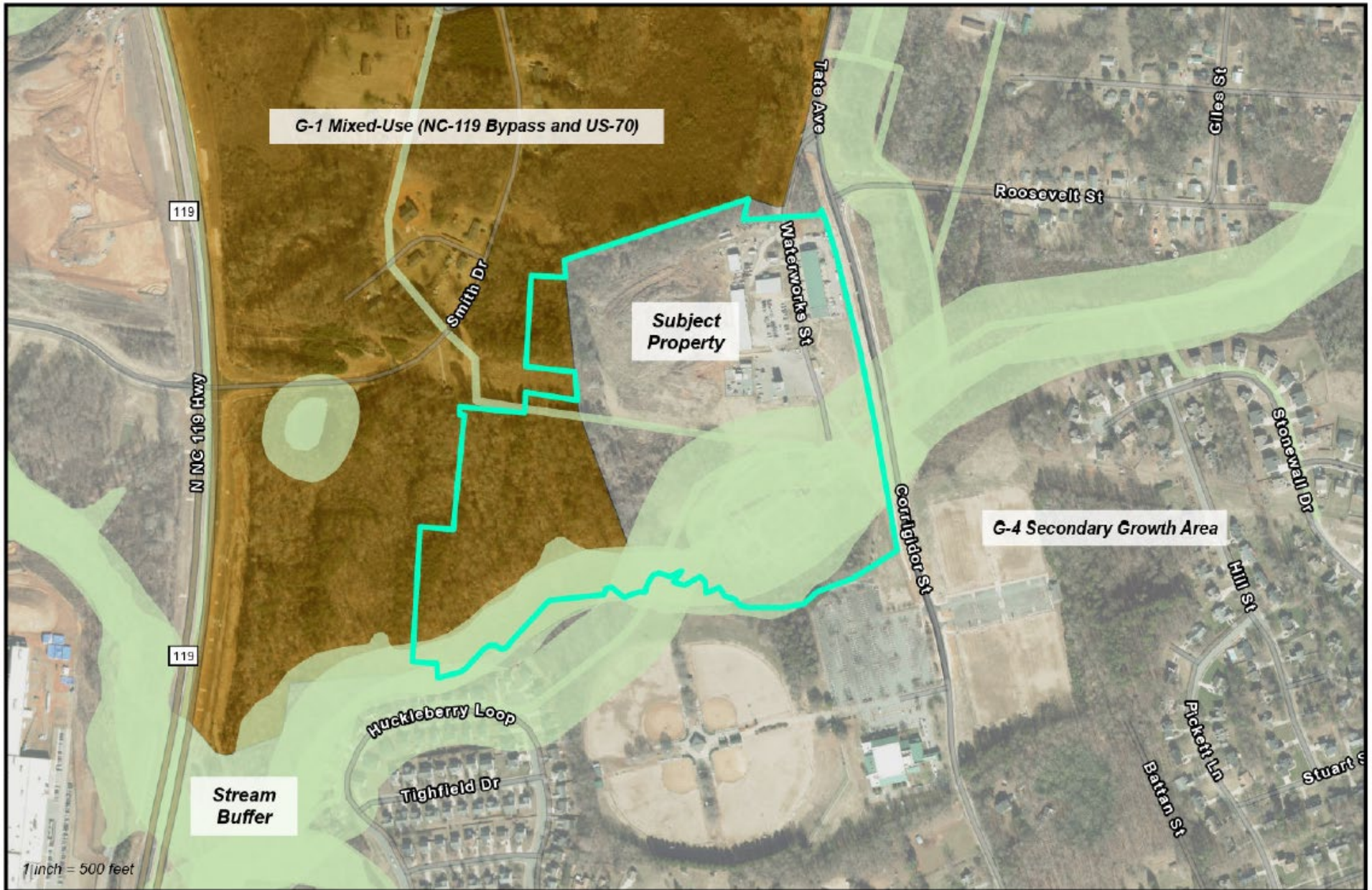


## LAND USE REPORT

EXISTING LAND USE	Existing WRRF and Public Works Department
PROPOSED LAND USE & REQUESTED ACTION	The applicant is requesting a Special Use Permit to allow for a Water Resource Recovery Facility on a property totaling +/- 23.35 acres and located at 635 Corregidor Street.
PROPOSED ZONING	LM (Light Manufacturing)
PARCEL SIZE	+/- 23.35 Acres
AREA LAND USE	The Mebane Arts and Community Center and the Soccer Complex are both located south of the subject property. The areas to the west, north, and east contain a mix of vacant and developed residential properties. The Briarwood and Fieldstone Farms subdivisions are located southwest of the site. Across the NC 119 Bypass is the North Carolina Industrial Center (NCIC).
ONSITE AMENITIES & DEDICATIONS	None
CONDITIONAL ZONE?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
DESCRIPTION OF PROPOSED CONDITIONS	None

### CONSISTENCY WITH *MEBANE BY DESIGN* STRATEGY

LAND USE GROWTH STRATEGY DESIGNATION(S)	G-4, Secondary Growth Area; G-1, Mixed Use (NC-119 Bypass and US-70) Growth Area
OTHER LAND USE CONSIDERATIONS	
<i>MEBANE BY DESIGN</i> GOALS & OBJECTIVES SUPPORTED	
<i>MEBANE BY DESIGN</i> GOALS & OBJECTIVES <u>NOT</u> SUPPORTED	



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## UTILITIES REPORT

AVAILABLE UTILITIES	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
PROPOSED UTILITY NEEDS	N/A
UTILITIES PROVIDED BY APPLICANT	The existing WRRF is permitted at 2.5 million gallons per day (mgd). The proposed expansion is designed for 4.0 mgd. Based on a linear population growth projection, the proposed expansion to 4.0 mgd should provide adequate capacity until 2050 when flows may be approaching 90% design capacity or 3.6 mgd. The design allows for an expansion to 6.0 mgd inside the footprint of the current expansion with added structures.
MUNICIPAL CAPACITY TO ABSORB PROJECT	N/A
CONSISTENCY WITH MEBANE LONG RANGE UTILITY PLAN?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
ADEQUATE STORMWATER CONTROL?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
INNOVATIVE STORMWATER MANAGEMENT?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

### TRANSPORTATION NETWORK STATUS

CURRENT CONDITIONS	<p>The subject property is located on the west side of Corregidor Street and at the southern end of Water Works Road, which is locally maintained. An existing sidewalk on the east side of Corregidor Street runs from S. Third Street to Roosevelt Street. Corregidor Street is a two-lane, undivided road. The northern half of the road was recently constructed by the NCDOT and connects Corregidor Street with Tate Avenue. No NCDOT data is currently available for this part of the road. The southern portion of the road is locally maintained.</p> <p>Tate Avenue, just north of the subject property, is an NCDOT maintained road. Tate Avenue had no vehicular, pedestrian, or bike accidents reported between 2018-2022.</p>
TRAFFIC IMPACT ANALYSIS REQUIRED?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
DESCRIPTION OF RECOMMENDED IMPROVEMENTS	None
CONSISTENCY WITH THE MEBANE BICYCLE AND PEDESTRIAN TRANSPORTATION PLAN?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
MULTIMODAL IMPROVEMENTS PROVIDED BY APPLICANT?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
DESCRIPTION OF MULTIMODAL IMPROVEMENTS	As there is an existing sidewalk on the east side of Corregidor Street, no multimodal improvements are required on the subject property.

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**STAFF RECOMMENDATION**

STAFF RECOMMENDATION	<input checked="" type="checkbox"/> APPROVE <input type="checkbox"/> DISAPPROVE
STAFF SPECIAL USE FINDING	<input checked="" type="checkbox"/> CONSISTENT <input type="checkbox"/> NOT CONSISTENT.....WITH <i>MEBANE BY DESIGN</i>
RATIONALE	Industrial uses are permitted within the G-4 Secondary and the G-1, Mixed Use (NC-119 Bypass and US-70) Growth Areas. The proposed special use permit is for the expansion of an existing public utility facility and the proposed improvements will enable the City to better serve existing and future residents along with commercial and industrial users.
<b>PUBLIC INTEREST CONFORMANCE?</b>	
ENDANGER PUBLIC HEALTH OR SAFETY?	<input type="checkbox"/> YES <input type="checkbox"/> NO
SUBSTANTIALLY INJURE THE VALUE OF ADJOINING OR ABUTTING PROPERTY?	<input type="checkbox"/> YES <input type="checkbox"/> NO
HARMONIOUS WITH THE AREA IN WHICH IT IS LOCATED?	<input type="checkbox"/> YES <input type="checkbox"/> NO
CONSISTENT WITH <i>MEBANE BY DESIGN</i> , THE MUNICIPAL COMPREHENSIVE LAND DEVELOPMENT PLAN?	<input type="checkbox"/> The application is consistent with the objectives and policies for growth and development contained in the City of Mebane Comprehensive Land Development Plan, <i>Mebane By Design</i> , and, as such, has been recommended for approval. <input type="checkbox"/> The application is not fully consistent with the objectives and policies for growth and development of the City of Mebane Comprehensive Land Development Plan, <i>Mebane By Design</i> , but is otherwise in the public interest and has been recommended for approval. The Comprehensive Land Development Plan must be amended to reflect this approval and ensure consistency for the City of Mebane’s long-range planning objectives and policies. <input type="checkbox"/> The application is not consistent with the objectives and policies for growth and development of the City of Mebane Comprehensive Land Development Plan, <i>Mebane By Design</i> , and, as such, has been recommended for denial.



## Technical Memo

Date: 11-28-23

From: Franz Holt, City Engineer To: Ashley Ownbey, Development Director

Subject: Water Resource Recovery Facility (WRRF) Expansion Plans

The Engineering Department has completed its review of proposed Water Resource Recovery Facility (WRRF) expansion site plans submitted by the project engineer McGill Associates located in Hickory N.C. Our site plan comments, and general expansion review are as follows:

### Site Plan Review

1. The expansion plans include vacant property recently purchased by the city to accommodate the expanded WRRF.
2. The WRRF site has been subdivided from the larger property (67.15 acres) which included Public Works, the MACC, and soccer fields. The total WRRF site acreage is 23.35 acres.
3. As noted on the site plans existing built upon area (BUA) is 0.71 acres with 2.74 acres of new BUA. The BUA percentage will be 14.8% of the site. A BUA of 24% plus requires engineered storm water controls. The expansion plans will require a storm water permit low density option. Additionally, when considering stormwater controls the thought of saving trees for added buffer would be more beneficial.
4. All proposed new structures associated with the project are proposed outside of Moadams Creek stream buffers, floodway, and flood fringe. A flood plain development permit will be required due to grading in Zone 2 of the stream buffer. The current discharge outfall location is unchanged with the proposed expansion.
5. Access to the site will be from the current driveway connection to Corregidor Drive. The increase in traffic associated with the completed expansion will be small. Ingress and egress to the site will be from 3<sup>rd</sup> Street. There are no new accesses proposed to other streets.
6. No site waivers or conditions are requested.

### WRRF Review

1. The existing WRRF is permitted at 2.5 million gallons per day (mgd). The new proposed expansion is designed for 4.0 mgd, an increase from the initial planning of an expanded 3.0 mgd facility. The project engineer's vision considered future long-term growth could be served at the current site with modest increases in property acquisition and a phased approach to larger current and future expansions rather than limited short term expansions. Based on a linear population growth projection the currently proposed expansion to 4.0 mgd should provide adequate capacity until 2050 when a second future expansion would occur as flows may be approaching 3.6 mgd at that point in time. At 90% of design capacity or 3.6 mgd additional expansion will be required. The design allows for an expansion to 6.0 mgd inside the footprint of the current expansion with added structures.
2. The expansion is designed to meet recently obtained discharge permit limits and longer-term Jordan Lake Rules regarding mass loadings limits for nutrients (nitrogen and phosphorus).
3. The recent renovation of the WRRF just completed has reduced odors at the headworks and digesters with the addition of new equipment and structures.
4. We anticipate odors and noise associated with the expansion to be no more than currently exists.



## APPLICATION FOR A SPECIAL USE PERMIT

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

Name of Applicant: City of Mebane

Address of Applicant: 106 East Washington Street, Mebane, NC 27302

Address and brief description of property: Lot 2 as identified on the attached preliminary plat.

The preliminary plat shows a recombination of existing parcels to a new +/- 23.35-acre lot.

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

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

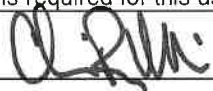
Yes  Explain: The City of Mebane is the applicant. No \_\_\_\_\_

Type of request: Special use permit

Sketch attached: Yes Site Plan No \_\_\_\_\_

Reason for the request: The City of Mebane is proposing an expansion of the existing Water

Resource Recovery Facility at 635 Corregidor Street. A SUP is required for this use.

Signed: 

Date: 10/27/2023

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.
2. Names and addresses of all adjoining property owners within a 300' radius (Include those that are across the street).
3. \$400.00 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.

**SURVEYOR'S CERTIFICATE**

I, **CARY R. PARRISH**, certify that this plat was drawn under my supervision, deed description recorded in book 352, page 325, that the boundaries not surveyed are clearly indicated as drawn from information found in deed book 352, page 325, 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 another category, such as the recombination of existing parcels, a court-ordered survey or other exception to the definition of subdivision [G.S. 47-30 (11) a.] Witness my original signature, registration number and seal this day of A.D. \_\_\_\_\_

Professional Land Surveyor L-3526

AREAS COMPUTED BY COORDINATE METHOD.

**Certificate of Exemption**

I (We) hereby certify that I am (we are) the owner(s) of the property shown and described herein, which was conveyed to me (us) by deed recorded in Book 352, Page 325, and that said property qualifies as an exemption to the definition of a subdivision in accordance with the provisions of NCGS 1600-802. I (We) do hereby dedicate to public use as easements forever, all areas, if any, shown or indicated on the face of this plat. I (We) understand that exemption from the plat preparation provisions of the City of Mebane Unified Development Ordinance does not exempt the use of the property or building development on the property from meeting all applicable requirements of the City of Mebane Unified Development Ordinance.

Owner-The City of Mebane Date \_\_\_\_\_

Zoning Administrator Date \_\_\_\_\_

STATE OF NORTH CAROLINA  
COUNTY OF ALAMANCE

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

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

DATE \_\_\_\_\_

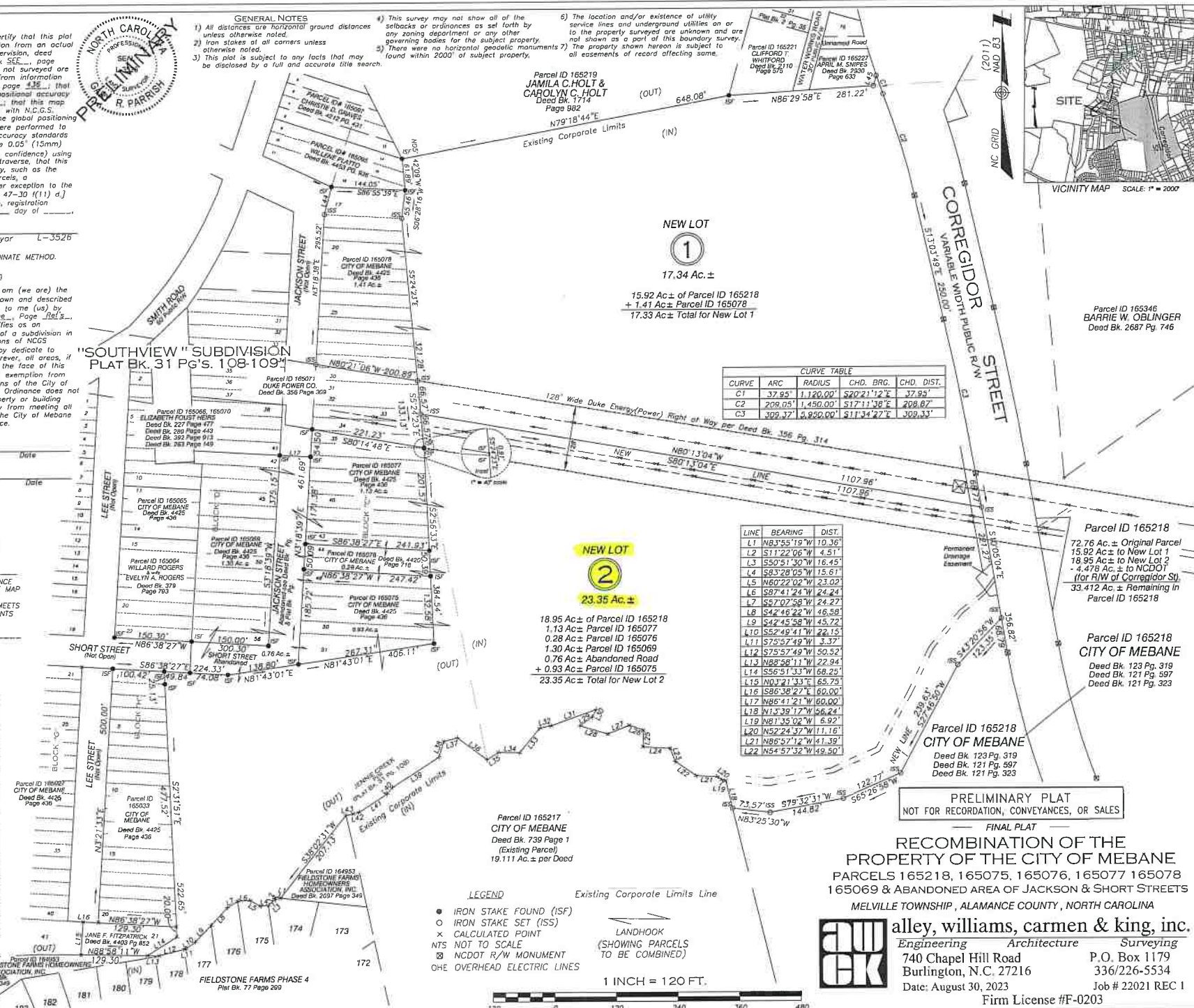
LINE	BEARING	DIST.
L23	N21°17'57"W	27.46'
L24	N86°12'57"W	62.98'
L25	N01°00'08"E	32.03'
L26	N70°33'52"W	29.03'
L27	S69°15'58"W	44.03'
L28	N72°11'57"W	56.54'
L29	N54°27'28"E	29.69'
L30	N27°09'13"E	16.43'
L31	S70°20'03"W	94.26'
L32	S78°53'43"W	21.51'
L33	S39°20'33"W	62.11'
L34	N88°20'07"W	41.62'
L35	S67°33'33"W	26.61'
L36	N53°04'37"W	72.06'
L37	S74°45'29"W	22.42'
L38	S17°04'06"W	32.02'
L39	S56°34'13"W	108.81'
L40	S39°51'38"W	16.63'
L41	S57°15'53"W	65.34'
L42	S76°04'23"W	12.04'
L43	S79°22'54"W	13.74'
L44	N13°39'30"E	55.56'
L45	N16°19'12"E	19.79'



**GENERAL NOTES**

- All distances are horizontal ground distances unless otherwise noted.
- Iron stakes at all corners unless otherwise noted.
- This plat is subject to any facts that may be disclosed by a full and accurate title search.
- 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.
- There were no horizontal geodetic monuments found within 2000' of subject property.
- The location and/or existence of utility service lines and underground utilities on or to the property surveyed are unknown and are not shown as a part of this boundary survey. The property shown hereon is subject to all easements of record affecting same.

**"SOUTHVIEW" SUBDIVISION  
PLAT BK. 31 PG'S. 108-109**



**NEW LOT 1**  
17.34 Ac. ±  
15.92 Ac. ± of Parcel ID 165218  
+ 1.41 Ac. ± Parcel ID 165078  
17.33 Ac. ± Total for New Lot 1

**NEW LOT 2**  
23.35 Ac. ±  
18.95 Ac. ± of Parcel ID 165218  
1.13 Ac. ± Parcel ID 165077  
0.28 Ac. ± Parcel ID 165076  
1.30 Ac. ± Parcel ID 165069  
0.76 Ac. ± Abandoned Road  
+ 0.93 Ac. ± Parcel ID 165075  
23.35 Ac. ± Total for New Lot 2

**CURVE TABLE**

CURVE	ARC	RADIUS	CHD. BRG.	CHD. DIST.
C1	37.95'	1,120.00'	S20°21'12"E	37.95'
C2	209.05'	1,450.00'	S17°11'38"E	208.07'
C3	309.37'	5,850.00'	S11°34'27"E	309.33'

**LINE BEARING DIST.**

L1	N83°55'19"W	10.36'
L2	S11°22'06"W	4.51'
L3	S50°51'30"W	16.45'
L4	S83°28'05"W	15.61'
L5	N60°22'02"W	23.02'
L6	S87°41'24"W	24.24'
L7	S57°07'58"W	24.27'
L8	S42°46'22"W	46.58'
L9	S42°45'58"W	45.72'
L10	S52°49'41"W	22.15'
L11	S75°57'49"W	3.37'
L12	S75°57'49"W	50.52'
L13	N88°58'11"W	22.94'
L14	S56°51'33"W	68.25'
L15	N03°21'33"E	65.75'
L16	S86°38'27"E	60.00'
L17	N86°41'21"W	60.00'
L18	N13°39'17"W	56.24'
L19	N81°35'02"W	6.92'
L20	N52°24'37"W	11.16'
L21	N85°17'12"W	41.39'
L22	N54°57'32"W	49.50'

PRELIMINARY PLAT  
NOT FOR RECORDATION, CONVEYANCES, OR SALES

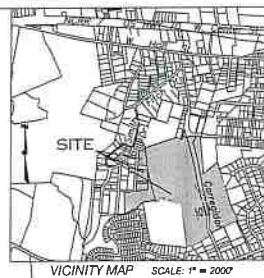
**FINAL PLAT**  
**RECOMBINATION OF THE PROPERTY OF THE CITY OF MEBANE**  
PARCELS 165218, 165075, 165076, 165077 165078  
165069 & ABANDONED AREA OF JACKSON & SHORT STREETS  
MELVILLE TOWNSHIP, ALAMANCE COUNTY, NORTH CAROLINA



**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 # 2021 REC 1  
Firm License #F-0203

- LEGEND**
- IRON STAKE FOUND (ISF)
  - IRON STAKE SET (ISS)
  - × CALCULATED POINT
  - NX NOT TO SCALE
  - ⊠ NCDOT R/W MONUMENT
  - OHE OVERHEAD ELECTRIC LINES
  - Existing Corporate Limits Line
  - LANDHOOK (SHOWING PARCELS TO BE COMBINED)

1 INCH = 120 FT.



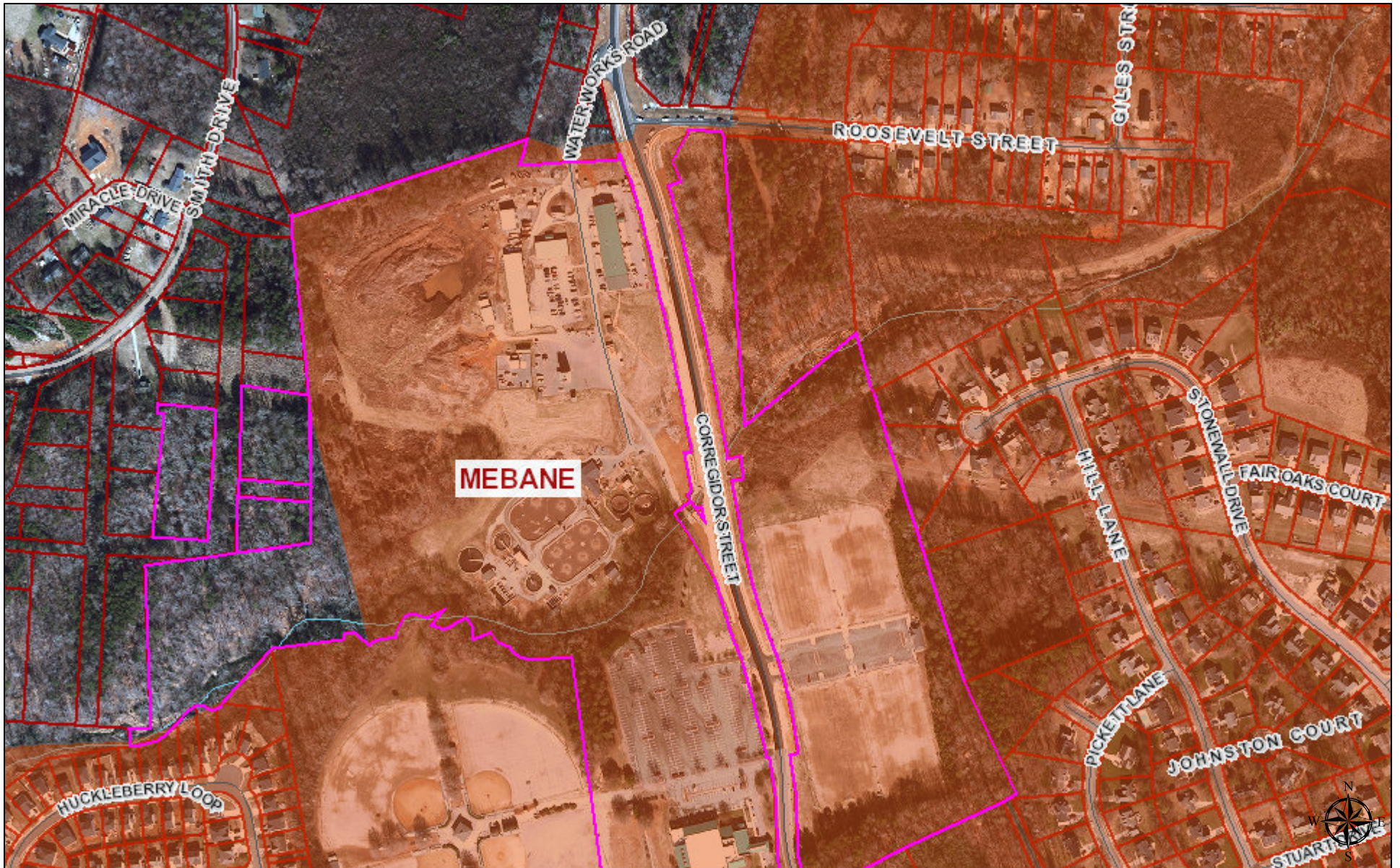
Parcel ID 165346  
BARRIE W. OBLINGER  
Deed Bk. 2687 Pg. 746

Parcel ID 165218  
72.76 Ac. ± Original Parcel  
15.92 Ac. ± to New Lot 1  
18.95 Ac. ± to New Lot 2  
- 4.478 Ac. ± to NCDOT  
(for R/W of Corregidor St.)  
33.412 Ac. ± Remaining in  
Parcel ID 165218

Parcel ID 165218  
CITY OF MEBANE  
Deed Bk. 123 Pg. 319  
Deed Bk. 121 Pg. 597  
Deed Bk. 121 Pg. 323

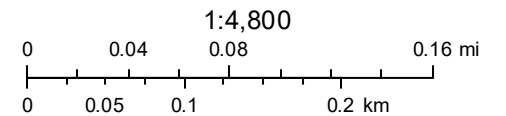
Parcel ID 165218  
CITY OF MEBANE  
Deed Bk. 123 Pg. 319  
Deed Bk. 121 Pg. 597  
Deed Bk. 121 Pg. 323

# WRRF Special Use Request



November 7, 2023

Streets	
	Private Roads
	Roads
	Preliminary Roads
	392 - TRAIL
	390 - TRAIL
	391 - TRAIL
	393 - TRAIL
	394 - TRAIL
	395 - TRAIL



Alamance County GIS  
Alamance County GIS Department





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## AGENDA ITEM #10C

### Mandatory Amendment of Stormwater Bonding Requirements

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#### Meeting Date

December 4, 2023

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#### Presenter

Lawson Brown, City Attorney

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#### Public Hearing

Yes  No

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#### Summary

The General Assembly amended the authority of local governmental units as to the bonding requirements for real estate development projects which require stormwater devices.

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#### Background

The City has had a policy since 2015 that the stormwater control devices required for owners and/or developers of real estate projects be bonded (generally by a cash payment) at an amount equal to forty percent (40%) of the construction costs, which bond obligation would be for twenty (20) years. The General Assembly passed Session Law 2023-108 (House Bill 488) that limits the bond amount to ten percent (10%) of the final construction costs and allows an owner or developer five (5) years from the date of the final construction approval, within which to deposit the same in a segregated account, said account to be held by the owner/developer, as opposed to the City. The legislation was effective on August 23rd of this year.

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#### Financial Impact

The impact will be negligible as the City may continue to charge an annual inspection fee.

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#### Recommendation

Staff recommends the adoption of the amended Unified Development Ordinance, Article 6, Section 5.4.6 and the attendant agreement. The Planning Board voted 9-0 to recommend approval of the amendments to the Unified Development Ordinance.

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#### Suggested Motion

I move that the City amend its Unified Development Ordinance in accordance with the attached amendment along with the corresponding referenced Stormwater Operation and Maintenance Agreement for Structural Stormwater Management Facilities.

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#### Attachments

1. Amended Article 6, Section 5.4.6
2. Stormwater Operation and Maintenance Agreement for Structural Management Facilities
3. Session Law 2023-108 (House Bill 488), page 29

two feet shall be fenced. The fence shall meet the design standards within the Design Manual.

- (7) All disturbed land areas shall be provided with a ground cover sufficient to restrain erosion within 15 days after any land disturbance. Upon completion of the stormwater control structure, a permanent ground cover shall be established and maintained as part of the maintenance and operations plan.

*Amended June 7, 2021*

- (d) A description of the area containing the stormwater control structure shall be prepared and filed as a separate deed with the applicable county Register of Deeds along with any easements necessary for general access to the stormwater control structure. The deeded area shall include the stormwater control structure, vegetative filters, all pipes and water control structures, berms, dikes, etc., and sufficient area to perform inspections, maintenance, repairs, and reconstruction.
- (e) Qualifying areas of the stormwater control structure may be considered pervious when computing total built-upon area. However, if the structure is used to compute the percentage built-upon area for one site, it shall not be used to compute built-upon area for any other site or area.
- (f) Alternative Stormwater Management Measures. Alternative stormwater management systems, as detailed in the NC Stormwater Best Management Practices Manual, consisting of one treatment option or a combination of treatment options, may be used. The design criteria for approval shall be 85 percent average annual removal of Total Suspended Solids.
- (g) Additional Water Quantity Restrictions. The City of Mebane may, at its discretion, require matching of the predevelopment discharge rate for up to the one hundred year, 24 hour storm. This basis shall be defined by pre-existing excessive downstream flooding.

*Amended June 7, 2021*

## **6. Financial Commitment/Obligation ~~Finance Guarantee~~ and Maintenance Agreement**

Before the Zoning Administrator shall approve the completed facility and issue any Permit to Exceed, the developer and/or maintaining entity shall furnish the City of Mebane with a financial **commitment or obligation guarantee** ensuring future maintenance, operation and repair of the facility. The financial **commitment shall be in writing. ~~guarantee shall be in the form of cash, an irrevocable letter of credit~~**

~~or other instrument readily convertible to cash at face value and shall be deposited and made payable to the City of Mebane.~~ The amount of the ~~financial commitment or obligation deposit~~ shall be equal to ~~10 40~~ percent of the total cost of constructing the facility. The initial cost estimates shall be the responsibility of the developer but the approval of the final cost estimate shall be made by the Zoning Administrator or his/her agent. At this time the developer and/or maintaining entity shall also pay to the City of Mebane a fee as set by the City Council to cover annual inspections by the City for 20 years.

The initial duration of the financial ~~commitment or obligation guarantee~~ shall be for 20 years. At the end of that period the City of Mebane may, at its own option, require extension of the ~~commitment or obligation guarantee~~ for an additional period of up to 20 years based upon future maintenance cost or take whatever lawful action it may deem appropriate at that time. The financial guarantee may be dissolved at any time in its lifetime by mutual agreement when the need for such ~~commitment or obligation guarantee~~ no longer exists.

As part of the financial ~~commitment or obligation guarantee~~, the developer or maintaining entity shall enter into a binding Operation and Maintenance Agreement in a form acceptable to and enforceable by the City of Mebane. Such agreement shall require the responsible entity to maintain, repair and, if necessary, reconstruct the facility in accordance with the approved operation and maintenance plan. The plan shall clearly indicate the steps that will be taken for restoring a stormwater control structure to design specifications if a failure occurs.

Landscaping and grounds management shall be the responsibility of the owning entity. However, vegetation shall not be established or allowed to mature to the extent that the integrity of the control structure is diminished or threatened, or to the extent of interfering with any easement or access to the stormwater control structure.

The agreement shall ~~require the founding of a fund~~ ~~pledge the financial guarantee~~ in support of the agreement but also shall acknowledge that default does not release the entity from liability/responsibility for operation, maintenance and repair/reconstruction. The agreement shall provide that in case of default by the operating entity, the City of Mebane, at any time after default, may on its own motion assume actual maintenance and operation of the facility and ~~seek to~~ convert for its use in maintenance and operation any and all funds remaining in the financial ~~fund created pursuant to this agreement~~ ~~guarantee~~. The agreement shall be recorded with the appropriate County Register of Deeds by the Zoning Administrator after it is executed by both parties. No changes to the agreement or its terms including

ownership and responsible entity shall be made except upon agreement of the parties.

Amendments to the plans and specifications of the stormwater control structure and/or the operation and maintenance plan shall be approved by the Zoning Administrator. Proposed changes shall be prepared by a North Carolina registered professional engineer or landscape architect (to the extent that the General Statutes, Chapter 89A, allow) and submitted to and reviewed by the City Engineer.

## 7. Inspections

The Zoning Administrator or his/her agent shall inspect all facilities at least on an annual basis to determine whether the controls are performing as designed or intended and whether maintenance is being performed as required. Records of inspections shall be maintained on forms approved or supplied by the NC Division of Environmental Management. The first annual inspection shall be made during the 12 months following the date of certification.

## 8. Failure to Perform

In the event the Zoning Administrator should find that the facility is not performing as designed or intended or that maintenance and repairs are not being made as required or that any action is being done or not done that is in violation of this Ordinance or the agreement related to the facility, the Zoning Administrator shall notify the responsible entity who shall be given a reasonable time to correct the defect(s). Should the responsible entity fail to act, fail to act in a timely manner, or otherwise fail to correct the defect(s), the Zoning Administrator shall institute appropriate action to obtain compliance including criminal or civil penalties, or both. In addition, the City of Mebane may declare the responsible entity in default of the agreement and **seek the fund created pursuant to this Ordinance financial guarantee** and use part or all of the proceeds of **same the guarantee** to correct the defect(s) and may assume actual operation and maintenance. Default in the agreement does not release the responsible entity from liability/responsibility for the defect(s), nor release the entity from the agreement. Likewise, default in the agreement does not prevent the City of Mebane from taking criminal or civil action, or other.

## G. Variances

Requests for variances from the watershed district overlay requirements of Section 5-3 shall be reviewed by the Board of Adjustment in accordance with the provisions of Section 8-2, C.

# **STORMWATER OPERATION AND MAINTENANCE AGREEMENT**

**For  
Structural Stormwater Management Facilities**

**City of Mebane**



**October 15, 2023**

# Structural Stormwater BMP Maintenance Agreement

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THIS AGREEMENT, made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between

\_\_\_\_\_, hereinafter referred to as the "OWNER(S)"  
and the City of Mebane, North Carolina, hereinafter referred to as the "CITY",

WITNESSETH, that

WHEREAS, the OWNER is the owner of certain real property described as

\_\_\_\_\_ as recorded by deed in the land records  
of \_\_\_\_\_ County, Deed Book \_\_\_\_\_ Page \_\_\_\_\_, Parcel Identification Number  
\_\_\_\_\_ hereinafter called the "Property".

**WHEREAS**, the OWNER is proceeding to build on and develop the property; and

**WHEREAS**, the Site Plan/Subdivision Plan known as \_\_\_\_\_,  
*(Name of Plan/Development)*

hereinafter called the "Plan", which is expressly made a part hereof, as approved or to be approved by the CITY, provides for treatment of stormwater within the confines of the property; and

**WHEREAS**, the CITY and the OWNER, its successors and assigns, including any homeowners association, agree that the health, safety, and welfare of the residents of Mebane, North Carolina, require that on-site structural stormwater BMP facilities be constructed and maintained on the Property; and

**WHEREAS**, the CITY requires that on-site structural stormwater Management facilities as shown on the Plan be constructed and adequately maintained by the OWNER, its successors and assigns, including any homeowners association.

**NOW, THEREFORE**, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The on-site structural stormwater Management facilities shall be constructed by the OWNER, its successors and assigns, in accordance with the plans and specifications identified in the Plan. This agreement specifically relates to BMP No.(s) \_\_\_\_\_ as identified on said plans.
2. The OWNER, its successors and assigns, including any homeowners association, shall adequately maintain the structural stormwater BMP facilities in accordance with the approved Operation and Maintenance Plan or Manual(s). This includes all pipes and channels built to convey stormwater to the facility, as well as all structures, improvements, and vegetation provided to control the quantity and quality of the stormwater. Adequate maintenance is herein defined as good working condition so that these facilities are performing their design functions.

## Structural Stormwater BMP Maintenance Agreement

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3. The OWNER, its successors and assigns, shall ensure the structural stormwater BMP facility is inspected by a qualified professional and shall submit an annual inspection report to the City. The inspection report shall be due annually 30 days from the date of the final structural stormwater Management facilities construction inspection. The purpose of the inspection is to assure safe and proper functioning of the facilities. The inspection shall cover the entire facilities, berms, outlet structure, pond areas, access roads, etc. Deficiencies shall be noted in the inspection report. In the case of BMP's located in the Public Water Supply Watershed, annual inspections will be made by the city and paid for by the Owner from the fees collected at the time of BMP plan approval.
4. The OWNER, its successors and assigns, hereby grant permission to the CITY, its authorized agents and employees, to enter upon the Property and to inspect the structural stormwater Management facilities whenever the CITY deems necessary. The purpose of inspection is to follow-up on reported deficiencies and/or to respond to citizen complaints. The CITY shall provide the OWNER, its successors and assigns, copies of the inspection findings and a directive to commence with the repairs if necessary.
5. At the time the CITY approves the completed facility and issues final certificates of occupancy, the OWNER and/or maintaining entity (if single entity within water supply watersheds or HOA regardless of watershed) hereby agrees to guarantee proper future maintenance, operation, and repair of the facility and continuing each year thereafter. Additionally, to further ensure the proper future maintenance, operation, and repair of the facility, OWNER shall establish and maintain a fund to guarantee the obligation. The guarantee shall be in the form of a fund held by OWNER. The amount of guarantee shall be 10% of the total cost of constructing the facility based on actual contract prices for said facility. OWNER is afforded five (5) years from date of the final construction approval of the facility to fund the guarantee which funds shall be held in a segregated account. OWNER shall provide satisfactory proof of the fund on an annual basis to CITY beginning with the first anniversary date of the above noted CITY approval and continuing each year thereafter.

The OWNER and/or maintaining entity shall also pay to the CITY as this time a one-time fee for annual inspections for facilities located in the Public Water Supply Watershed, currently set at **\$5,000.00** per BMP.

The initial duration of the financial guarantee shall be for 20 years. The guarantee may be dissolved at any time by mutual agreement when the need for such guarantee no longer exists. Any funds remaining from such guarantee will be returned to the appropriate entity.

Upon the sale of the Property by OWNER, this agreement will be assigned to the purchaser as part of the purchase agreement. The purchaser shall be required to fulfill the remainder of the financial guarantee and assume the responsibilities outlined in this agreement. Upon receipt of a satisfactory replacement financial guarantee as provided herein, CITY shall release OWNER'S financial guarantee in full.

6. In the event the OWNER, its successors and assigns, fails to maintain the structural stormwater Management facilities in good working condition acceptable to the CITY or

## Structural Stormwater BMP Maintenance Agreement

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that maintenance and repairs are not being made as required or that any action is not being done in accordance with this agreement, the CITY shall notify the responsible entity who shall be given a reasonable time to correct such deficiencies. Should the responsible entity fail to act in a timely manner, or otherwise fail to correct the deficiencies, the CITY will institute appropriate action to obtain compliance including criminal or civil penalties, or both. In addition, the CITY may declare the responsible entity in default of this agreement and financial guarantee and use part or all of such guarantee funds to correct the deficiencies and may assume actual operation and maintenance. Default of this agreement does not release the responsible entity from liability/responsibility for the deficiencies, nor release the entity from this agreement. Likewise, default of this agreement does not prevent the CITY from taking action against the responsible entity to recover the cost of such actions to correct the deficiencies.

7. For all structural stormwater management facilities which are to be or are owned and maintained by a property owner's association or similar entity, the OWNER also agrees to the following provisions:
  - a. Acknowledgment that the association shall continuously operate and maintain the structural stormwater management facilities.
  - b. Establish adequate owner/property association dues which are to be spent solely for sediment removal, structural, biological or vegetative replacement, major repair, or reconstruction of the stormwater control measures and devices of the particular site plan or subdivision.
  - c. Granting to the CITY a right of entry to inspect, monitor, maintain, repair, and reconstruct structural stormwater management facilities.
  - d. Allow the CITY to recover from the association and its members any and all costs the CITY may expend to maintain or repair the stormwater control and management facility or to correct any operational deficiencies as a result of default by the owner/association/responsible entity. Failure to pay to the CITY all of its expended costs, after thirty (30) days written notice, shall constitute a breach of the agreement. The CITY shall thereafter be entitled to bring an action against the association and its members to pay, or foreclose upon the lien herein authorized by the agreement against the property, or both in the case of a deficiency. Interest, collection costs, and attorney fees shall be added to the recovery.
8. The OWNER, its successors and assigns, will perform the work necessary to keep these facilities in good working order as appropriate. In the event a maintenance schedule for the structural stormwater management facilities (including sediment removal) is outlined on the approved plans, the schedule will be followed.
9. In the event the CITY, pursuant to this Agreement, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the OWNER, its successors and assigns, shall reimburse the CITY upon demand, within thirty (30) days of receipt thereof for all actual costs incurred by the CITY hereunder.
10. This Agreement imposes no liability of any kind whatsoever on the CITY and the OWNER agrees to hold the CITY harmless from any liability in the event the structural stormwater Management facilities fail to operate properly.



## **Structural Stormwater BMP Maintenance Agreement**

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11. This Agreement shall be recorded among the land records of Alamance County or Orange County as appropriate, North Carolina, and shall constitute a covenant running with the land, and shall be binding on the OWNER, its administrators, executors, assigns, heirs and any other successors in interests, including any homeowners association.

**IN WITNESS WHEREOF**, the parties have executed this agreement on the day and year first above written:

\_\_\_\_\_  
Name of Company/Corporation/Partnership/Individuals (Seal if corporation)

By: \_\_\_\_\_

\_\_\_\_\_  
(Type Name)

\_\_\_\_\_  
(Type Title)

STATE OF NORTH CAROLINA

CITY OF \_\_\_\_\_

The foregoing Agreement was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by

\_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

CITY OF MEBANE, NORTH CAROLINA

\_\_\_\_\_  
City of Mebane (Seal)

By: \_\_\_\_\_

\_\_\_\_\_  
(Type Name)

\_\_\_\_\_  
(Type Title)

STATE OF NORTH CAROLINA

COUNTY OF \_\_\_\_\_

The foregoing Agreement was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

Approved as to Form:

\_\_\_\_\_  
City Attorney Date

a sewer line, however, if the county has adequate capacity to transport and treat the proposed new wastewater from the premises at the time of connection."

**PROHIBIT LOCAL GOVERNMENTS FROM REQUIRING PAYMENTS FROM OWNERS OF STORMWATER CONTROL SYSTEMS FOR FUTURE MAINTENANCE OR REPLACEMENT COSTS OF A SYSTEM**

**SECTION 13.(a)** G.S. 160D-925 reads as rewritten:

**"§ 160D-925. Stormwater control.**

...  
(d) A local government that holds an NPDES permit issued pursuant to G.S. 143-214.7 may adopt a regulation, applicable within its planning and development regulation jurisdiction, to establish the stormwater control program necessary for the local government to comply with the permit. A local government may adopt a regulation that bans illicit discharges within its planning and development regulation jurisdiction. A local government may adopt a regulation, applicable within its planning and development regulation jurisdiction, that ~~requires (i) deed~~ requires deed restrictions and protective covenants to ensure that each project, including the stormwater management system, will be maintained so as to protect water quality and control water quantity and ~~(ii) financial arrangements to ensure that adequate funds are available for the maintenance and replacement costs of the project.~~ quantity.

(d1) A local government is prohibited from adopting any regulation that requires an owner of a privately owned and maintained stormwater control project to make payments to the local government for the purpose of ensuring assets are available for maintenance, repair, replacement, and reconstruction costs of (i) the owner's stormwater control project or (ii) other stormwater control projects within the local government's jurisdiction. A local government may, however, require an owner of a privately owned and maintained stormwater control project to establish, collect, and retain funds for maintenance, repair, replacement, and reconstruction costs for the owner's stormwater control project, which shall not exceed ten percent (10%) of the stormwater control project's original cost of construction and shall be retained by the owner of the system. A local government shall allow a time period of at least five years, beginning when the stormwater control project is accepted by the local government as constructed per the local government's regulations, for the funds to be collected and retained by the owner of the stormwater control project. If funds are collected and retained, a local government can also require those funds be held in a segregated account used solely for the purposes of maintaining, repairing, replacing, and reconstructing the owner's stormwater control project.

...."  
**SECTION 13.(b)** If, prior to the effective date of G.S. 160D-925(d1), as enacted by subsection (a) of this section, a local government has required an owner of a privately owned and maintained stormwater control project to make payments to the local government for the purpose of ensuring assets are available for maintenance, repair, replacement, and reconstruction costs of the owner's stormwater control project or other stormwater control projects within the local government's jurisdiction, in accordance with G.S. 160D-925(d1), as enacted by subsection (a) of this section, the local government shall make such funds accessible to the owner to cover necessary maintenance, repair, replacement, and reconstruction costs for the owner's stormwater control project. For stormwater control projects in residential communities, in the event maintenance, repair, replacement or reconstruction of a project is needed, such funds shall be exhausted before the local government may assess costs of the necessary work on individual homeowners within the community, or any applicable owners' association.

**REQUIRE LOCAL GOVERNMENTS ISSUING STORMWATER PERMITS TO TRANSFER SUCH PERMITS IN ACCORDANCE WITH REQUIREMENTS FOR TRANSFER OF STATE-ISSUED STORMWATER PERMITS**



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## AGENDA ITEM #11

### Updates to the Mebane Planning Board Bylaws and Rules of Procedure

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#### Meeting Date

December 4, 2023

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#### Presenter

Ashley Ownbey, Development Director

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#### Public Hearing

Yes  No

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#### Summary

North Carolina General Statute 160D-308 allows a local governing board to adopt rules of procedure for its planning board. Recently, the Planning staff and Planning Board have reviewed and proposed updates to the *Bylaws and Rules of Procedure of the City of Mebane Planning Board*, which was adopted in 1999.

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#### Background

Section 2-2-D of the Mebane Unified Development Ordinances states the following:

“The Planning Board shall establish a regular meeting schedule and shall meet frequently enough so that it can take action in conformity with the review procedures delineated in this Ordinance and in accordance with the adopted *Bylaws and Rules of Procedure of the City of Mebane Planning Board*.”

Planning staff announced upcoming updates to the *Bylaws and Rules of Procedure of the City of Mebane Planning Board* at the July 17, 2023, meeting of the Mebane Planning Board and made a request for comments from the Board at the September 18, 2023, meeting. Based on comments provided by the Board and discussion at the October 9, 2023, meeting, Planning staff worked with the City Attorney to revise the document. The Planning Board recommended approval of the document at its November 13, 2023, meeting.

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#### Financial Impact

N/A

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#### Recommendation

Staff recommends the Mebane City Council adopt the rules of procedure as presented. The Planning Board recommended approval of the document at its November 13, 2023, meeting.

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#### Suggested Motion

Motion to adopt the amended Rules of Procedure of the City of Mebane Planning Board.

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#### Attachments

1. Amended Rules of Procedure of the City of Mebane Planning Board
2. Original Bylaws and Rules of Procedure

# **Rules of Procedure of the Planning Board of the City of Mebane**

## **1) Introduction & Guiding Principles**

The objectives and purpose of the Mebane Planning Board shall be set forth by North Carolina General Statutes and ordinances of the City of Mebane as the same may change from time to time. Specifically, Section 2-2 of the Mebane Unified Development Ordinance establishes the Mebane Planning Board which section is incorporated into these rules and procedures, as amended. The purpose of these rules of procedure is to guide and govern meetings. Should any rules be inconsistent with ordinances or laws of the City of Mebane or the State of North Carolina, said ordinances and laws shall govern.

The Mebane Planning Board is hereinafter referred to as "the board".

The rules of procedure are adopted to facilitate open, effective, equitable, and orderly communication during official meetings of the board. The following principles guide the rules set forth by the board:

1. The board must act as a body.
2. The board must act by at least a majority.
3. The board's rules of procedure should be followed consistently.
4. The board should proceed in the most efficient manner possible.
5. The board's actions should result from a decision on the merits, not manipulation of the rules.
6. Every member should have an equal opportunity to participate in decision making.

## **2) Officers**

The board shall nominate and elect by majority, a quorum being present, a Chair and Vice-Chair as the first order of business of the first regular meeting of each fiscal year, as defined by the City. Any newly appointed members shall be sworn in and seated before a motion to nominate may be considered.

The Chair and Vice-Chair shall serve for one-year terms, which may be successive. If an office is vacated, the board shall, at the next regular meeting, nominate and elect a member to that office for the remainder of the current term.

A staff member of the City's Planning Department shall serve as the Secretary. The Secretary shall keep full and accurate minutes of the board's proceedings.

## **3) Meetings**

- A. **Regular Meetings** – The board shall hold regular meetings on the second Monday of each month; provided, however, the meeting date shall not conflict with a meeting of the Mebane City Council nor a legal holiday. When a scheduling conflict occurs, the regular meeting shall be held at the same time on the next Monday. The meeting shall be held in the Glendel Stephenson Municipal Building and begin at 6:30 p.m., unless proper notice is given of a change in location, day, or time.

- B. **Special Meetings** – The board may hold special meetings at the call of the Chair or the majority of the board. Notice of special meetings shall be provided in accordance with North Carolina General Statutes.
- C. **Quorum** – As required by the Mebane Unified Development Ordinance, a quorum shall consist of a majority of the board's actual membership, excluding vacant seats, and is necessary for the board to take official action. A voting member who has withdrawn from a meeting without being recused by a majority vote of the remaining voting members present shall be counted as present for purposes of determining whether or not a quorum is present.
- D. **Open Meetings** – The board is a public body and shall meet in accordance with the [North Carolina Open Meetings Law](#) (North Carolina General Statutes, Chapter 143, Article 33C) and any other laws established by the State of North Carolina governing the conduct of meetings by public bodies.
- E. **Agenda** – The Secretary shall prepare an agenda for each regular meeting, as well as a packet that includes, for each item of business placed on the agenda, necessary background information on the subject. The Secretary shall order items on the agenda according to the order of business. The order of business for each regular meeting shall be as follows:
  - 1) Call to order and establishment of a quorum
  - 2) Approval of minutes from previous meeting(s)
  - 3) Unfinished business from previous meeting(s)
  - 4) New business
  - 5) Announcements
  - 6) Adjournment

The Secretary shall circulate the agenda to every member of the board at least seven days before the date of the meeting. The Secretary shall circulate the agenda packet to include applications and supporting materials to every member of the board at least five days before the date of the meeting and, promptly thereafter, publish the agenda and packet on the City's website.

If, as of the deadline for circulating the agenda for a regular meeting, there are no agenda items for unfinished or new business, the Secretary may declare that meeting cancelled by giving notice in accordance with North Carolina General Statutes.

#### 4) Conduct of Meetings

- A. **Presiding Officer** - The presiding officer at each meeting shall be the Chair. If the Chair is absent, the Vice-Chair shall preside. If both the Chair and the Vice-Chair are absent, another member designated by vote of the board members present shall preside. Any member who is presiding retains all rights of board membership, including the right to make motions and the right to vote.

The presiding officer shall have the following powers:

- 1. To recognize any person wishing to address the board, including other members;

2. To rule motions in or out of order, including any motion offered for obstructive or dilatory purposes;
3. To determine whether a speaker has exceeded the permitted amount of time or standards of courtesy in provided remarks, and to entertain and rule on objections from other members on these grounds;
4. To entertain and answer questions of procedure;
5. To call a brief recess; and
6. To adjourn in an emergency.

A decision by the presiding officer under any of the first four powers listed may be appealed to the full board upon motion of any member. Such a motion is only in order immediately after that decision is announced. The member making the motion need not be recognized by the presiding officer, and the motion, if timely made, may not be ruled out of order.

**B. Order of Business** – The board may, as its first order of business of each meeting after the establishment of a quorum, vote to add items to or subtract items from the agenda. The board shall consider new business as follows:

1. **Staff Report:** A representative of the City’s Planning Department presents the staff report for the proposed application. The staff report is entered into the record.
2. **Applicant's Presentation:** The applicant presents the request and additional information.
3. **Planning Board Questions:** Board members may ask questions of staff and the applicant during or after either presentation.
4. **Comments from the Public:** The presiding officer shall limit the subject of comments to the item being considered and shall require those addressing the board to state their full name and address (business address if speaking on behalf of a business). Only one person may speak at a time and that person must speak from a designated spot, such as a podium. The presiding officer may set a time limit for each comment.
5. **Planning Board's Discussion:** Board members shall address the presiding officer unless engaged in debate with each other or questioning a speaker. Upon hearing no further discussion, the presiding officer may entertain a motion for action on the application or question at hand.
6. **Planning Board’s Action:** The board shall act only by motion duly seconded. A motion shall be deemed adopted when it is affirmed by a majority, meaning more than half, of votes cast, a quorum being present, unless otherwise required by these rules or the laws of North Carolina.

**C. Substantive Motions**

1. Any member, including the presiding officer, may make a motion or second a motion.
2. No speaker may address the board while a motion is on the floor.
3. A member may make only one motion at a time.
4. A substantive motion is out of order while another substantive motion is pending.
5. A motion may be withdrawn at any time by the moving member and the member seconding the motion before it is amended or before the presiding officer puts the motion to vote, whichever occurs first.



6. A motion that does not get a second or does not receive enough affirmative votes to be adopted will be deemed to have failed.
7. Once a substantive motion has been stated and seconded, the presiding officer shall open the floor to debate.

D. **Debate** – The presiding officer shall preside over debates unless they become actively engaged in debate on a particular matter, in which case they may designate another board member to preside over the debate. The officer shall resume presiding as soon as action on the matter is concluded. In a debate on a motion:

1. The maker of the motion is entitled to speak first;
2. A member who has not spoken on the issue shall be recognized before someone who has already spoken; and
3. To the extent possible, the debate shall alternate between proponents and opponents of the measure.

E. **Procedural Motions** – In addition to substantive motions, the following procedural motions, and no others, are in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority of the votes cast, a quorum being present, for adoption. Procedural motions are in order while a substantive motion is pending and at other times, except as otherwise noted. In order of priority (if applicable), the procedural motions are:

1. To Appeal a Procedural Ruling of the Presiding Officer

A decision of the presiding officer ruling a motion in or out of order, determining whether a speaker has gone beyond reasonable standards of courtesy in his remarks, or entertaining and answering a question of procedure.

2. To Adjourn

This motion may be made only at the conclusion of action on a pending substantive matter. It may not interrupt deliberation of a pending matter. A motion to adjourn to a time and place certain shall also comply with the requirements of Special Meetings.

3. To Take Brief Recess

This motion allows the board to pause briefly in its proceedings.

4. Call to Follow the Agenda

The motion must be made at the first reasonable opportunity, or it is deemed waived.

5. To Suspend the Rules

The board may not suspend provisions of the rules that are imposed by law on the board. For adoption, the motion requires a vote equal to the number required for a quorum.

6. To Divide a Complex Motion and Consider it by Paragraph

This motion is in order whenever a member wishes to consider and vote on sub-parts of a complex motion separately.

7. To Close Debate

This motion is not in order until every member has had an opportunity to speak at least once.

8. To Defer Consideration

The board may defer a substantive motion for later consideration at an unspecified time. Consideration of which has been deferred expires 30 days thereafter unless a motion to revive consideration is adopted. If consideration of a motion has been deferred, a new motion with the same effect cannot be introduced while the deferred motion remains pending (has not expired). A person who wishes to revisit the matter during that time must take action to revive consideration of the original motion, or else move to suspend the rules. This rule is subject to North Carolina General Statutes Section 160D-604.

9. To Postpone to a Certain Time or Day

This motion allows the board to defer consideration to a specified time or day and is appropriate when more information is needed, or the deliberations are likely to be lengthy. If consideration of a motion has been postponed, a new motion with the same effect cannot be introduced while the postponed motion remains pending. A person who wishes to revisit the matter must either wait until the specified time or move to suspend the rules. This rule is subject to North Carolina General Statutes Section 160D-604.

10. To Amend

An amendment to a motion must be pertinent to the subject matter of the motion. An amendment is improper if adoption of the motion with that amendment added would have the same effect as a rejection of the original motion. A proposal to substitute completely different wording for a motion or an amendment shall be treated as a motion to amend. A motion may be amended, and that amendment may be amended, but no further amendments may be made until the last offered amendment is disposed of by a vote.

11. To Revive Consideration

The board may vote to revive consideration of any substantive motion earlier deferred by adoption of a previous motion.

12. To Reconsider

The board may vote to reconsider its action on a matter. The motion to do so must be made by a member who voted with the prevailing side and only at the same meeting as the vote was taken, including any continuation of that meeting through adjournment to a time and place certain. The motion cannot interrupt deliberation on a pending matter but is in order at any time before final adjournment of the meeting.

This document shall become effective on the \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_.

**Bylaws and Rules of Procedure  
Of the  
Planning Board  
Of the  
City of Mebane, North Carolina**

**OBJECTIVES AND PURPOSE**

The objectives and purposes of the Mebane Planning Board shall be set forth in North Carolina General Statutes Chapter 160A, Sections 360, 361, 362, and 363, as amended, in those acts of the legislature which comprise the corporate charter of the City of Mebane with powers and duties as may be from time to time delegated to said board by resolution or ordinance by the City Council of the City of Mebane within the limitations of the above statutes.

The Mebane Planning Board is hereinafter referred to as "the board".

**ARTICLE I – ELECTION OF OFFICERS**

**Section 1.**

Officers shall be elected at the July meeting (beginning of the fiscal year).

**Section 2.**

The candidate for each office receiving a majority vote of the entire membership of the Planning Board shall be declared elected.

**Section 3.**

All officers shall be elected for a term of one (1) year and all officers shall be eligible to succeed themselves.

**Section 4.**

Vacancies in office shall be filled immediately for the unexpired term by election.

**ARTICLE II – OFFICERS AND THEIR DUTIES**

**Section 1. Officers**

The officers of the Planning Board shall consist of a chairman, vice chairman, and a secretary.

**Section 2. Chairman**

The Chairman shall preside at all meetings of the Planning Board; he/she shall decide all points of order or procedure. The Chairman shall possess and execute all duties conferred by parliamentary usage upon such officers.

**Section 3. Vice Chairman**

The Vice-chairman shall assume the duties of the chairman in his/her absence.

**Section 4. Secretary**

A staff member of the City's Planning Department shall hold the office of secretary.

**ARTICLE III – MEETINGS**

**Section 1. Regular meetings**

Regular meetings of the Planning Board shall be held on the second Monday of each month at City Hall, provided, that if the Chairman so directs, meetings may be held any other place in the city. Absence from two (2) consecutive meetings or three (3) meetings within the space of a year may be deemed to be sufficient cause to ask for that member's resignation.

**Section 2. Notice of meeting**

The secretary shall keep the minutes of the Planning Board meetings in the proper form for approval of the board at the next regular meeting. The secretary shall send out mail notices of regular meetings in accordance with General Statutes, and shall give telephone notice of the special meetings called by the Chairman, and carry on routine correspondence and maintain the files of the board.

**Section 3. Special meeting**

Special meetings of the Planning Board may be called at any time by the chairman, in accordance with General Statutes.

**Section 4. Quorum**

A quorum shall consist of a majority of the board's eligible membership.

**Section 5. Conduct of meetings**

All meetings shall be open to the public. The order of business shall be as follows: a) roll call; b) reading of the minutes of the previous meeting; c) reports of committees; d) unfinished business; e) new business.

**Section 6. Voting**

The vote of a majority of those eligible voting members present shall be sufficient to decide matters before the Planning Board, provided a quorum is present.

**Section 7. Cancellation of meetings**

Whenever there is no business for the Planning Board, the Chairman may dispense with a regular meeting by giving notice in accordance with General Statutes.

## **ARTICLE IV - AGENDA PREPARATION**

### **Section 1. Agenda for regular meeting**

The Secretary shall prepare the agenda, with the assistance of the chairman and the advice of the administrative officers of any unit of government concerned.

### **Section 2. Circulation of the Agenda**

An official copy of the Agenda shall be prepared not less than seven (7) days in advance of the regular meeting date and shall be circulated to every member of the Planning Board and members of the City Council so that it will be received not less than five (5) days prior to the regular meeting date.

### **Section 3. Publication of the Agenda**

A copy of the official agenda shall be made available to the local press in accordance with General Statutes.

### **Section 4. Content of the Agenda**

The agenda shall be made up of the following items:

- a) Items for which the City Council has specifically requested the Planning Board study and/or action.
- b) Any item on which any member of the Planning Board has requested consideration.
- c) Any item which any person has requested in writing that the Planning Board consider.
- d) Items specifically held over from previous meetings of the Planning Board.

### **Section 5. Agenda for Special meeting**

The Agenda for a special meetings of the Planning Board shall be prepared and circulated to the membership of the City Council, the Planning Board, and to the local press in accordance with General Statute.

### **Section 6.**

Only the following types of items will be considered at a special meeting:

- a) The specific items contained on the special meeting agenda, which has been circulated to the membership of the Planning Board.
- b) Items on which the City Council specifically requests immediate action.
- c) Items for discussion only and on which no official action is proposed to be taken.
- d) Items approved by unanimous vote of all members of the Planning Board present, which so affect the public health, safety and general welfare that they require immediate action.

## **ARTICLE V – GENERAL POWERS AND DUTIES**

### **Section 1.**

The Planning Board shall have those powers, as determined by the City Council, enumerated in the Zoning Ordinance.

## **ARTICLE VI – COMMITTEES**

### **Section 1.**

The chairman from time to time, for purposes and terms, which the Planning Board approves, may appoint standing committees and adhoc committees.

## **ARTICLE VII – EMPLOYEES**

### **Section 1.**

The City Council may appoint such employees and staff as it deems necessary to work with the board.

## **ARTICLE VIII – EXPENDITURES**

### **Section 1.**

The expenditures of the Board, exclusive of gifts, shall be within the amounts appropriated by the city.

## **ARTICLE IX – RECORDS**

### **Section 1.**

The city shall maintain a file on all studies, plans, reports and recommendations made by the Planning Board in the discharge of its duties and responsibilities.

All records of the Planning Board shall be public record.

## **ARTICLE X - COMPOSITION**

### **Section 1.**

The Planning Board shall consist of twelve (12) members, eight (8) of whom shall be residents of the City of Mebane and appointed by the City Council, and four (4) members (three (3) from Alamance County and one (1) from Orange County) to be residents of that area which is within one (1) mile outside of the corporate limits of the city and shall be appointed by their respective County Commissioners.

**ARTICLE XI - TERMS OF OFFICE**

**Section 1.**

Each member shall be appointed for a term of four (4) years. Members shall serve no more than two (2) consecutive terms, unless there are no other applicants, in which case the City Council may continue to reappoint a member. Vacancies occurring otherwise shall be for the unexpired term and shall be made by the City Council.

**ARTICLE XII - AMENDMENTS**

**Section 1.**

These bylaws may be amended by a majority vote of the City Council.

This document shall become effective on the 1<sup>st</sup> day of March, 1999.

ATTESTED:

Elaine J. Hicks  
(Seal)

3/1/99  
Date



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## AGENDA ITEM #12

### Recreation and Parks Comprehensive Master Plan Presentation

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#### Meeting Date

December 4, 2023

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#### Presenter

Aaron Davis – Recreation and Parks Director  
Lisa Wolff – Berry Dunn

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#### Public Hearing

Yes  No

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#### Summary

The City of Mebane Recreation and Parks Department desires the adoption of a new Comprehensive Master Plan to help shape the future of Mebane’s Parks, Facilities, Programs, Trails, etc. Using the Tagline, “Together, Moving Mebane Forward,” Berry Dunn and Stewart, partnered with the city to provide the creation of this document to ensure the outline for a continued Healthy and Happy Community. During this process, over 70 stakeholders participated in focus groups and meetings. Over 2,000 participants took surveys, and many posted them on the social pinpoint website, where they could comment on what they wanted to see in the future and where they thought they should be. The site garnered over 5,000 site visits, and we received some excellent feedback from the community. Staff requests that the Council hear the presentation and review the plan to consider adoption at the January 8, 2024, meeting.

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#### Background

The previous Recreation and Parks Master Plan paved the way for many wonderful additions to the City of Mebane. Fortunately, many of the items listed in that plan had been completed by 2021. The City partnered with Berry Dunn and Stewart to help develop an updated plan for the next 10 years.

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#### Financial Impact

N/A

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#### Recommendation

Staff recommends that the Council review the plan and consider adoption of the new Recreation and Parks Comprehensive Master Plan for 2024 – 2034 at the January 8, 2024, meeting.

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#### Suggested Motion

No action at the December meeting.

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#### Attachments

1. [Comprehensive Recreation and Parks Master Plan](#)
2. [Berry Dunn Presentation with findings included in the Comprehensive Recreation and Parks Master Plan.](#)





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## AGENDA ITEM #13

### Budget Amendment for the Purchase of Vacant Lot on Ruffin Street

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#### Meeting Date

December 4, 2023

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#### Presenter

Daphna Schwartz, Finance Director

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#### Public Hearing

Yes  No

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#### Summary

The City is purchasing a vacant lot at the intersection of Ruffin Street and N. Fourth Street for \$220,000 from MARISANNA, LLC.

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#### Background

The City Council approved the purchase of a vacant lot from MARISANNA, LLC, at the meeting on November 6, 2023.

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#### Financial Impact

The City will spend \$220,000 for the land purchase and an estimated \$7,500 for due diligence (phase 1 environmental, title examination, etc.). This transaction is a one-time purchase, so the recommendation is to pay for the transaction with fund balance. The fiscal year 2022-2023 audit is not yet complete; however, staff expects to add a modest amount to fund balance in the general fund.

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#### Recommendation

Staff recommends the approval of the attached budget amendment that appropriates fund balance to purchase the property and pay for the additional costs associated with the purchase. The total appropriation is \$227,500.

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#### Suggested Motion

I move to approve the budget amendment to appropriate fund balance to purchase the vacant lot at the intersection of Ruffin Street and N. Fourth Street for \$220,000 from MARISANNA, LLC, and to fund \$7,500 in additional costs associated with the purchase.

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#### Attachments

1. FY 2023-2024 Budget Ordinance Amendment.

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 - Public Works	\$ 3,611,555	\$ 227,500	\$ 3,839,055

ARTICLE II

REVENUES	Current Budget	Change	Revised Budget
General Fund - Appropriated Fund Balance	\$ 5,388,731	\$ 227,500	\$ 5,616,231

This the 4th day of December, 2023.

## Mebane Fire Dept. Monthly Report

	October	Year to Date	% Change from 2022
<b>Structural Response</b>			
<b>Totals</b>	<b>36</b>	<b>306</b>	<b>-5%</b>
<b>Average Personnel Per Response</b>	<b>11</b>	<b>11</b>	
<b>Average Volunteer Response</b>	<b>2</b>	<b>2</b>	
<b>Non Structural Responses</b>			
<b>Totals</b>	<b>57</b>	<b>613</b>	<b>-9%</b>
<b>Total Fire Response</b>	<b>93</b>	<b>919</b>	<b>-8%</b>
<b>Location (Year to Date)</b>	<b>North</b>	<b>South</b>	
<b>Total Number/Percentage</b>	<b>411/45%</b>	<b>507/55%</b>	
<b>Average Fire Response Time</b>	<b>5:07</b>	<b>6:04</b>	
<b>Percentage of Calls Inside City</b>	<b>57%</b>	<b>53%</b>	
<b>Percentage of Calls Outside City</b>	<b>25%</b>	<b>31%</b>	
<b>Percentage of Calls for Mutual Aid</b>	<b>18%</b>	<b>16%</b>	
<b>EMT Response</b>	<b>183</b>	<b>1731</b>	
<b>Location (Year to Date)</b>	<b>North</b>	<b>South</b>	
<b>Total Number/ Percentage</b>	<b>886/51%</b>	<b>845/49%</b>	
<b>CPS Seats Checked</b>	<b>17</b>	<b>172</b>	
<b>Smoke Alarms Checked/Installed</b>	<b>2</b>	<b>51</b>	
<b>Station Tours/Programs</b>	<b>2</b>	<b>21</b>	
<b># of Participants</b>	<b>1874</b>	<b>4990</b>	
<b>Events Conducted/Attended</b>	<b>11</b>	<b>54</b>	
<b>Safety Message on City Water Bill</b>	<b>5100</b>	<b>41300</b>	
<b>Views Of Fire Safety Facebook Post</b>	<b>1128</b>	<b>16488</b>	



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=FL5rVwyo38>.

**Members Present:**

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

**City Staff Present:**

Ashley Ownbey, Development Director	Franz Holt, City Engineer
Briana Perkins, City Planner	Cliff Ayscue, Inspections Director
Rachel Gaffney, City Planner	Chuck Smith, Public Works Director
Kirk Montgomery, IT Director	Kyle Smith, Utilities Director
Preston Mitchell, Assistant City Manager	Dennis Hodge, Water Resources Director
Lawson Brown, City Attorney	John Dodson, Water Resources Director

**1. Call to Order**

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

**2. Approval of October 9, 2023, Meeting Minutes**

Judy Taylor 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 special use permit for a concrete plant on Mattress Factory Road and the conditional rezoning for a rail transload facility at the North Carolina Industrial Center.

**4. Request to rezone six (6) properties totaling +/- 40.69 acres and located at 635 Corregidor Street, 636 Corregidor Street, and five unaddressed properties (GPINs 9815517346 (portion), 9815417138, 9815417249, 9815417653, 9815417854, and 9815414381) from R-20 to LM by the City of Mebane.**

**AND**



**5. Request for a Special Use Permit to allow for a Water Resource Recovery Facility on five (5) properties totaling +/- 23.35 acres and located at 635 Corregidor Street and four unaddressed properties (GPINs 9815517346 (portion), 9815417138, 9815417249, 9815417653, and 9815414381) by the City of Mebane.**

The City of Mebane is requesting approval to rezone six (6) properties totaling +/- 40.69 acres and located at 635 Corregidor Street, 636 Corregidor Street, and five unaddressed properties (GPINs 9815517346 (portion), 9815417138, 9815417249, 9815417653, 9815417854, and 9815414381) from R-20 (Residential District) to LM (Light Manufacturing). The Mebane Public Works Complex and the Water Resource Recovery Facility are located on the larger property and are nonconforming uses in the current zoning district. The City of Mebane is also requesting approval for a Special Use Permit to allow for a Water Resource Recovery Facility on five (5) properties totaling +/- 23.35 acres and located at 635 Corregidor Street and four unaddressed properties. There is an existing Water Resource Recovery Facility on the subject property that was developed prior to the adoption of the current development ordinance. Approval of the special use permit request will allow for an expansion of the facility that will improve the City's ability to provide wastewater services.

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

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

Franz Holt, City of Mebane Engineer, provided a detailed history of the current site and the general rezoning request to LM, Light Manufacturing. The rezoning request includes no waivers or conditions. He explained that the rezoning would correct a historic non-conforming use, meeting current UDO requirements, and being consistent with all other adopted Planning Documents.

Franz Holt stated that for the expansion of the site, a preliminary report was completed in 2009 that showed an expansion of the wastewater treatment plant was necessary based on growth projections for Mebane. He also provided that the information from the report was incorporated into the City of Mebane's Long Range Utility Plan created in 2016 and necessary renovations outlined in the plan for the existing site were completed this year in October.

Doug Chapman, McGill & Associates, provided that within the last 10-20 years 2,500 jobs have been created through the several industrial companies operating in Mebane. He explained that the City planned for a balanced growth directed by several policies and plans such as the Comprehensive Land Development Plan, Long Range Utility Plan, "paper" flow policy, and the Unified Development Ordinance (UDO). He explained the "paper" flow policy that requires phasing of residential development to manage wastewater flow in a controlled manner.



Doug Chapman went on to provide that the State provides guidelines on how much flow to allocate for a house, restaurants, and other businesses, but large-scale projects were measured per capita. He stated that the expansion required going through the State to modify the discharge permit. He explained that the State required an alternative analysis looking at other options for the expansion. He said the first step was to consider connection to existing public sewer systems in which Mebane may connect to Graham or Burlington. Neither system had the capacity to carry Mebane. He said that there was the idea of land application to direct the wastewater to, public access reuse, and expanding surface discharge to Moadams Creek. He also explained that there were several pump stations around Mebane that could be upgraded for higher capacities pumping to the Water Resource Recovery Facility (WRRF) so continuing with the existing site was easier than relocating all the current force mains to a new location.

Doug Chapman then showed the expansion of the site showing the new facilities and explained that some of the old facilities would still be used since they had been recently updated. He explained the processes required to meet Jordan Lake Rules by maintaining the maximum daily load in pounds of nitrogen and phosphorus. He also provided that the new expansion would be using the existing pipe that discharges into Moadams Creek.

Doug Chapman presented the four findings of fact for the Special Use Permit.

- 1) The project would not materially endanger the public health or safety.
  - Doug Chapman explained the new renovations to the old plant and the new operations of the expansion would reduce the odor compared to older equipment. He then reviewed noise associated with the operations and explained how noise pollution would also be reduced from the previous operations with the renovations and newer technology for the expansion. He said that the new facilities would improve treatment to meet new discharge permit requirements of the State. He also said that the new site would be in compliance with the current stormwater requirements and that the site would be secured with fencing for safety.
- 2) The project would not substantially injure the value of adjoining or abutting property.
  - Tom Taylor, an appraiser from Taylor and Associates, said he had researched similar situations throughout the State as well as areas located near landfills that may have more odor or noise. He presented that he found that as long as the site was properly secured and buffered, the use did not diminish property values in the area. He stated that the proposal would not substantially injure the value of adjoining or abutting property.
- 3) The project would be in harmony with the area in which it is to be located.
  - Doug Chapman explained that there was a wastewater facility already in operation on the site, buffers abutting residential property would be maintained, there was similar



zoning within the area to promote the use type, and most of the abutting property to the north and south were already owned by the City.

- 4) The project would be in general conformity with the land use plan or other plans and policies officially adopted by the City Council.
  - Doug Chapman provided that the UDO, Comprehensive Land Development Plan, Long Range Utility Plan, and the “paper” flow policy were all considered in the design of the expansion. He stated that the new expansion would be in compliance with all of the plans and policies listed.

Doug Chapman said that a neighborhood meeting had been held on Wednesday, November 1, 2023, at 6:00 p.m. He said that out of the 86 property owners within a 300-foot radius of the site, eight community members attended the meeting. He said that some of the questions mentioned in the meeting included concerns about what impact there would be on local streets, construction impacts with more wastewater going to the plant, noise impacts, and an increase in odors which they had addressed at the meeting.

Susan Semonite asked if the creek could accommodate the increase in discharge from the facility. Franz Holt responded that the current pipe size would not change, and the base flow for the creek with the measurement of millions of gallons divided into cubic feet per second the creek would still be able to handle the flow.

Colin Cannell asked why the zoning had not been done before now for the existing wastewater facility. Franz Holt said that he was unsure as to why the property had not been rezoned previously. He said that since they were adding property for the expansion now, the City wanted to make sure that the zoning would be compliant.

Colin Cannell asked about the linear growth model. Franz Holt said that when creating the Long-Range Utility Plan, they found the future growth to be more parabolic in nature. He said that the City in response to that projection, started considering the impact of 500 building permits per year. He said that last year there were less than 300 permits issued, and this year there would be around 300. Franz Holt said that although several projects have been preliminarily approved, that most would be about a 10-year build-out. He said that the linear growth projection was based on all the limiting factors of policies and plans that the City had put in place for balanced growth.

Colin Cannell asked about the water capacity for the City based on the growth. Franz Holt responded that the water treatment plant had a 6 million gallons per day capacity as opposed to the current wastewater facility with only a 2.5 million gallons per day capacity.

Janet Foust, 530 Smith Drive, asked if there was anything else planned about the smell. She stated that currently the odor from the plant was coming in her house and she was concerned about the possible additional smell from the expansion.



Franz Holt responded that the current facility had just been renovated with new diffusers that have significantly reduced the odor nuisance and the expansion would incorporate the new technology to minimize odor impacts.

Kurt Pearson asked about how long ago the recent upgrade was completed. Dennis Hodge, Water Resources Director, replied that the upgrades were completed about the second week of October which would be about a month ago. Kurt Pearson also asked if there was any scientific test that could measure the odor. Franz Holt replied that he was not aware of one and relied on the “nose” test.

William Chapman asked if there was a way to go to some of the neighbor’s homes to check on the odor impact. Franz Holt responded that he would be happy to visit with the neighbors.

Kurt Pearson commented about his experience living in the Brookhollow neighborhood, noting he had experienced the odor in the past, but had not noticed it more recently.

Jolie Ann Foust, from Greensboro, commented that her family owns land in the area and asked if there were any other odor tests that were done for the neighbors on Smith Drive. Franz Holt responded that there might be tests the State does when they process the permit for the expansion but he was not aware of any scientific test to measure odor. He expressed again that he was willing to visit the neighbor’s home to do a “nose” test and that most of the employees who worked at or near the plant have noticed a significant improvement in order since renovations have been completed.

David Scott made a motion to approve the general rezoning as follows:

*Motion to approve the LM 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 a property within the City’s G-4 Secondary Growth Area and partly within the City’s G-1, Mixed Use Growth Area (NC-119 Bypass and US-70) and is generally industrial in nature (Mebane CLP, p. 66;70).*

Kurt Pearson seconded the motion, which passed unanimously.

Judy Taylor 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 application is consistent with the objectives and policies for growth and development in the City’s 2017 Comprehensive Land Development Plan Mebane By Design, Long Range Utility Plan, or other plans officially adopted by the City Council. It 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.*

Kurt Pearson seconded the motion, which passed unanimously.





Chair Tulauskas noted that the requests will go to the City Council on December 4, 2023, at 6:00 p.m.

**6. Text Amendment to Section 5-3 of the Mebane Unified Development Ordinance**

Ashley Ownbey presented a mandatory amendment to Unified Development Ordinance, Article 5, Section 5-3 required by passage of Session Law 2023-108 (House Bill 488) that limits the bond amount for maintenance of stormwater devices to ten percent of the final construction costs and allows an owner or developer five years from the date of the final construction approval, within which to deposit the same in a segregated account held by the owner/developer, as opposed to the City.

Colin Cannell asked how often the City had used the bonds. Ashley Ownbey replied that she was not sure about in the past, but since she had been hired three years ago, the City had not utilized any bonds for stormwater maintenance.

Kurt Pearson asked if there was anything else the Board needed to know about the amendment. Ashley Ownbey replied that it was a mandatory amendment from the General Assembly.

A motion was made by David Scott to amend the City of Mebane Unified Development Ordinance as presented. Kurt Pearson seconded the motion, which passed unanimously.

Chair Tulauskas noted that the text amendment will go to the City Council on December 4, 2023, at 6:00 pm.

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

Ashley Ownbey presented that there was a Board member who had suggested some revisions to the proposal included in the agenda packet. She reviewed the suggested revisions.

**Revision #1 – Section 2 (Officers)**

A staff member of the City's Planning Department shall serve as the Secretary. The Secretary shall keep full and accurate minutes of the board's proceedings.

Colin Cannell asked why this statement was vague as to who would appoint the Secretary. Ashley Ownbey replied that she preferred to keep the statement vague to maintain flexibility as to who from the Planning Department may serve in the role.

**Revision #2 – Section 3 (Meetings)**

The board shall hold regular meetings on the second Monday of each month; provided, however, the meeting date shall not conflict with a meeting of the Mebane City Council nor a legal holiday. When a scheduling conflict occurs, the regular meeting shall be held at the same time on the next Monday. The meeting shall be held in the Glendel Stephenson Municipal



Building and begin at 6:30 p.m., unless proper notice is given of a change in location or meeting time.

**Revision #3 – Section 3 (Meetings)**

As required by the Mebane Unified Development Ordinance, a quorum shall consist of a majority of the board's actual membership, excluding vacant seats, and is necessary for the board to take official action. A voting member who has withdrawn from a meeting without being recused by a majority vote of the remaining voting members present shall be counted as present for purposes of determining whether or not a quorum is present.

Judy Taylor asked why Section 4, Conduct of Meetings, (8) To defer Consideration had a specific limit of thirty days. Ashley Ownbey replied that General Statute allows a request to continue to the City Council without a recommendation from the Planning Board if a decision is not made within thirty days.

**Revision #4 – Section 3 (Meetings)**

The board is a public body and shall meet in accordance with the North Carolina Open Meetings Law [hyperlinked] and any other laws established by the State of North Carolina governing the conduct of meetings by public bodies.

Ashley Ownbey explained that a hyperlink to the North Carolina Open Meetings Law would be added since the document would be posted on the City's website. She also explained that reference to the link would be written out for any printed versions.

Kurt Pearson asked if the Planning Board term length was removed. Ashley Ownbey replied that the section had been removed.

A motion was made by David Scott to approve the Bylaws and Rules of Procedure of the Mebane Planning Board as presented with the proposed revisions.

Kurt Pearson seconded the motion, which passed unanimously.

**8. Proposed 2024 Regular Meeting Calendar**

Ashley Ownbey presented the regular meeting schedule for 2024, with a change from the calendar in the packet to hold the November meeting on the 18<sup>th</sup> instead of the 11<sup>th</sup> due to the Veterans Day holiday. She also explained that staff had recommended January 22, 2024, since the City Council would be moving their meeting to January 8 due to New Years Day and the following Monday would be the Martin Luther King Jr. holiday.

Kirk Montgomery also informed the Board that due to renovations within the chambers, the Planning Board meetings for January and February are likely to be held in a different location.

Colin Cannell suggested changing the January date since the 22<sup>nd</sup> would be too close to the February meeting date.



Susan Semonite suggested Tuesday, January 16. The Board unanimously approved holding the January meeting on the 16<sup>th</sup> as proposed.

Kurt Pearson asked about the status of Buc-ee's. Ashley Ownbey replied that the project was still in the Technical Review Committee (TRC) process. Kurt Pearson also asked when Buc-ee's will be on the Planning Board agenda. Ashley Ownbey responded that she would not know definitively until after the TRC meeting on November 14. She noted there is a chance of Buc-ee's being on the December 11, 2023, agenda of the Planning Board.

**9. New Business**

Ashley Ownbey informed the Board of a US 70 Multi-Modal Corridor Study Community Meeting on Sunday, November 19 at 2:00 p.m. at City Hall. She also reminded the Board that the City offices would be closed on Thursday, November 23 and Friday, November 24 in observance of Thanksgiving.

**10. Adjournment**

Chair Tulauskas adjourned the meeting at approximately 7:39 p.m.