



City Council Meeting
Mebane Municipal Building
Regular Meeting
Monday, August 3, 2015

The Mebane City Council met for its regular monthly meeting at 6:00p.m. on Monday, August 3, 2015 in the Council Chambers of the Municipal Building located at 106 E. Washington Street.

Councilmembers Present:

Mayor Glendel Stephenson
Mayor Pro Tem Ed Hooks
Councilmember Everette Greene
Councilmember Jill Auditori
Councilmember Tim Bradley

Also Present:

David Cheek, City Manager
Chris Rollins, Asst. City Manager
Lawson Brown, City Attorney
Stephanie Shaw, City Clerk
Darrell Russell, City Engineer
Montrena Hadley, Planning Officer

Councilmember Absent:

Councilmember Patty Philipps

Mayor Stephenson called the meeting to order. Mr. Bradley gave the invocation.

During the Public Comment period, Michael Thelen, attorney representing Marsha Altmeyer, spoke in regard to the Cates Village Preliminary Plat item. Ms. Altmeyer is the owner of property directly adjacent to and surrounding the proposed Cates Village development. Mr. Thelen referenced a letter submitted to Council and City staff prior to the meeting and requested the letter be made an official part of the minutes. He presented several opinions as to technical deficiencies related to the Cates Village original preliminary plat as well as the altered plat, ultimately requesting that Council deny the altered plat stating it does not meet the requirements of the City's Unified Development Ordinance.

Johnny Jeffreys, 4870 Mebane Rogers Road, Mebane, stated he lives on the Cates Farm and requested that Council deny approval of the Cates Village preliminary plat.

Bobby Lineberry, 107 W. McKinley Street, Mebane, shared his concerns with speeding traffic on W. McKinley Street. He requested that Council and City staff look at possible traffic calming solutions for that area. Mayor Stephenson requested that Mr. Cheek and Chief Caldwell look into the matter.

Mayor Stephenson presented the Consent Agenda as follows:

- a. Approval of Minutes-July 6, 2015-Regular Meeting
- b. Rescheduling of September 7, 2015 Meeting to September 14, 2015
- c. Tax Collector's Settlement Report
- d. Renaming of Melville Commerce Parkway
- e. Final Plat- The Village of Lake Michael
- f. Final Plat- Fair Oaks, Section Five A, Phase Five

He requested that Mr. Cheek speak in regard to *Item d.-Renaming of Melville Commerce Parkway*. Mr. Cheek stated that a language amendment is needed for item d. in regard to the renaming of the Melville Commerce Parkway to Sen. Ralph Scott Parkway. The name change would be subject to the granting of easements for that roadway from the property owner.

Tom Boney, Editor of Alamance News, asked for clarification of the name. Mr. Cheek replied the road would be named Sen. Ralph Scott Parkway.

Mr. Greene questioned if the City of Graham and Alamance County approve of the name change. Mr. Rollins stated they are aware of the change and are fine with it but the Mebane City Council is the only governmental unit that can take action because the road is in Mebane's planning jurisdiction.

Mr. Boney questioned if the property belongs to the heirs of Sen. Ralph Scott. Mr. Rollins stated that it is the property that Lidl has purchased, it belongs to Scott Mayo properties.

Mr. Hooks made a motion, seconded by Mr. Greene, to approve the consent agenda as presented including the renaming of Melville Commerce Parkway to Sen. Ralph Scott Parkway. The motion carried unanimously.

Item C. is as follows:

**TAX COLLECTOR'S SETTLEMENT
2014 AND PRIOR YEARS
June 30, 2015**

\$	7,746,314.57	Levy 2014
	600.78	Lien Advertising Cost
	25.00	NSF Fees
	2,895.00	Nuisance Fees
	63,475.46	Balance Uncollected 2013 taxes @ 6/30/14
	39,169.69	Balance Uncollected 2012 taxes @ 6/30/14
	32,534.48	Balance Uncollected 2011 taxes @ 6/30/14
	12,399.52	Balance Uncollected 2010 taxes @ 6/30/14
	12,437.08	Balance Uncollected 2009 taxes @ 6/30/14
	13,509.75	Balance Uncollected 2008 taxes @ 6/30/14
	7,386.16	Balance Uncollected 2007 taxes @ 6/30/14
	3,999.32	Balance Uncollected 2006 taxes @ 6/30/14
	6,225.73	Balance Uncollected 2005 taxes @ 6/30/14
	2,408.46	Balance Uncollected 2004 taxes @ 6/30/14
\$	7,943,381.00	Total Charges
	7,764,750.37	Tax Revenue collected including discounts allowed
	26,255.79	Releases & Refunds
	216.41	Lien Advertising Cost Collected
	25.00	NSF Fees
	2,020.00	Nuisance Fees Collected
	875.00	Uncollected Nuisance Fees
	384.37	Uncollected ad cost
	47,942.70	Uncollected 2014 taxes @ 6/30/15
	19,104.96	Uncollected 2013 taxes @ 6/30/15
	18,548.51	Uncollected 2012 taxes @ 6/30/15
	14,659.28	Uncollected 2011 taxes @ 6/30/15
	10,294.22	Uncollected 2010 taxes @ 6/30/15
	8,549.86	Uncollected 2009 taxes @ 6/30/15
	10,789.24	Uncollected 2008 taxes @ 6/30/15
	6,702.11	Uncollected 2007 taxes @ 6/30/15
	3,846.17	Uncollected 2006 taxes @ 6/30/15
	6,028.58	Uncollected 2005 taxes @ 6/30/15
	2,388.43	Uncollected 2004 taxes @ 6/30/15
\$	7,943,381.00	Total Credits

TAX BALANCES UNCOLLECTED 06-30-15

YEAR	LEVY	BALANCE UNCOLLECTED	% UNCOLLECTED	% COLLECTED	ORIGINAL % COLLECTED	NET CHANGE
2014	\$ 7,746,314.57	\$ 47,942.70	0.62%	99.38%	99.38%	
2013	7,204,605.54	19,104.96	0.27%	99.73%	99.12%	0.61%
2012	6,957,936.83	18,548.51	0.27%	99.73%	99.03%	0.70%
2011	6,723,914.54	14,659.28	0.22%	99.78%	98.63%	1.15%
2010	6,232,002.49	10,294.22	0.17%	99.83%	98.72%	1.11%
2009	6,150,070.96	8,549.86	0.14%	99.86%	97.67%	2.19%
2008	5,870,546.61	10,789.24	0.18%	99.82%	97.40%	2.42%
2007	5,388,480.79	6,702.11	0.12%	99.88%	99.22%	0.66%
2006	5,038,365.74	3,846.17	0.08%	99.92%	99.29%	0.63%
2005	4,590,137.09	6,028.58	0.13%	99.87%	99.51%	0.36%
2004	4,328,758.04	2,388.43	0.06%	99.94%	99.09%	0.85%

Mr. Brown stated at last month's meeting the Council deferred action on the Cates Village Preliminary Plat to allow the city engineer to evaluate the public sewer issue. He stated several technical deficiencies have been brought to staff's attention on the proposed plat and based on that, staff is recommending that the plat go back to the Technical Review Committee (TRC) and to the Planning Board for consideration before consideration by Council. Mr. Bradley made a motion, seconded by Mr. Hooks, to accept the staff recommendation and send the plat back to the TRC and Planning Board. The motion carried unanimously.

Andy Lynch, Marketing Consultant and Principal with Northstar Marketing, gave a brief presentation of the preliminary website design and discussed some of the functions that will be available on the new website.

A Public Hearing was held on a request for approval of an Economic Incentive Agreement between the City of Mebane and GKN, Inc. to locate a freight services/logistics facility in the North Carolina Industrial Center. Mac Williams, President of the Alamance County Chamber of Commerce, spoke briefly about the project and introduced Jim Malone, Project Manager for the Freight Services Division of GKN. Mr. Malone stated that GKN Driveline is the world's leading supplier of automotive driveline components and systems, founded in 1759 and operational in Mebane since 1980. Since 2011, GKN has completed an expansion of its existing facility adding \$47,392,000 taxable value and 170 Jobs. The size of the existing building is 400,000 square feet located on a 70 acre site. The current proposal is to invest \$6,300,000 in a new 134,000 square foot state-of-the-art distribution facility with the ability to expand another 100,000 square feet. The new facility would be supporting 3 plants within North Carolina. Jobs would be for freight services and logistics related, 13 new jobs are expected at an average salary of \$55,000 and 13 jobs would be transferred from the existing Mebane plant. GKN plans to be in the new facility and operational by March 31, 2016. Additionally, GKN is pursuing the ability to establish a Foreign Trade Zone. Mr. Cheek gave a basic overview of the agreement. The planned facility will result in added taxable investment of as much as \$6,279,000 and create approximately 13 full-time equivalent jobs with an average wage of \$55,000. The proposed incentive package for GKN includes cash grants over a five-year period totaling \$100,000. The incentive also includes the reimbursement of the local impact, permit and inspection fees associated with the new facility estimated at \$50,000. The agreement also includes clawback provisions based on percent of assessed value. Staff recommended approval of the agreement. Mr. Cheek added that GKN is currently Mebane's largest taxpayer.

Brian Hall, Samet, thanked Mebane for its support through the years which has provided Samet the ability to meet timeline requirements for Companies such as GKN.

Ken Born, Born Commercial, spoke favorably about the Foreign Trade Zone.

Tom Boney requested clarification of the relationship between the existing GKN facility located in Mebane versus the new facility. Mr. Williams stated the new facility would act as an internal logistics company for GKN.

After several questions from Council, Mr. Greene made a motion, seconded by Mr. Bradley, to close the Public Hearing. The motion carried unanimously. Mr. Hooks made a motion, seconded by Mr. Bradley, to approve the incentives agreement based upon findings that the same will encourage the addition of \$6,279,000 to the City's tax base, will result in an additional 13 jobs in the City, and will result in added value and benefits to the taxpayers of the City, which incentives agreement is contingent upon the stated investment and jobs. The motion carried unanimously.

A Public Hearing was held on a request from Love's Travel Stops to rezone property from B-2, General Business to M-1, Heavy Manufacturing and for a Special Use Permit to develop +/- 12.62 acres for a travel center. Ms. Hadley introduced the requests stating that Love's Travel Stops will purchase property from GKN and the other two parcels will be leased for a proposed travel center. The development will be constructed on the two parcels requested for rezoning along with the the portion of the adjacent property that will be purchased from GKN which is currently zoned M-1. The rezoning request will allow the entire parcel for this development to be correctly zoned for a Love's Travel Stops with the Special Use Permit. The project includes a travel center, automobile gas pumps, truck gas pumps, a Hardee's Restaurant, and a tire maintenance building. Mebane's 2010 Land Development Plan shows this property within The South-West Mebane (Hawfields) Planning Area as Economic Development. The Planning Board and Planning staff recommended approval of the rezoning. Ms. Hadley stated this request is a two part request, the rezoning and a special use permit. She added that with the special use request the applicant would be responsible for making all the NCDOT improvements shown on the site plan. The major road improvements include a new traffic signal installed at the entrance aligned with Gregory Poole Lane, new lanes to be striped on the interchange bridge and northbound off ramp, connection to and coordination between the three signals and the other improvements listed in the approval letter.

Mr. Brown requested that anyone wishing to speak during the quasi-judicial special use permit portion to be sworn in by the City Clerk. Ms. Shaw swore in and/or affirmed the following:

Montrena Hadley- Mebane Planning Officer
Chris Rollins- Mebane Assistant City Manager
Eddie MacEldowney- Loves Engineer
David Massey- Real Estate Appraiser
Rick Shuffield- Loves Vice President Real Estate Developer
Paul Koonts- Attorney representing Loves
Stephen Laughead- Mebane resident
Royal Hinshaw- Engineer with Davenport

Mr. Koonts as attorney for the applicant spoke briefly about the requests on behalf of the applicant and mentioned those that would be speaking on the matter.

Mr. Shuffield spoke about the Loves Travel Stops Company's history and current locations. He stated the safety aspects and traffic flow of the proposed site were designed carefully. He shared various pictures of the proposed project. He stated Mebane will have a lot more truck activity in the near future because of the new distribution facilities and he feels that Loves Travel Stops will be able to provide an invaluable service regarding the availability to park those trucks to avoid a public safety problem.

Mayor Stephenson questioned the size of the building and the company's total investment. Mr. Shuffield stated the square footage of the buildings will be approximately 11,000 square feet for the main building, with 7,700 square feet being the convenient store and restrooms with Hardees taking up the balance of that area. The tire care building will range between 8,000-9,000 square

feet and the total investment would be approximately \$9-9.5 million, excluding the cost of the lease. Ms. Auditori questioned the hours of operation. Mr. Shuffield stated the hours would be 24 hours, 7 days a week. Mr. Hooks asked if they would provide services to cars as well as trucks. Mr. Shuffield replied yes. Mr. Greene asked about security. Mr. Shuffield stated that Loves has a security department within its organization and video cameras that are monitored 24 hours a day.

Mr. Massey, real estate appraiser, gave his professional opinion in regard to whether or not the proposed project would have a negative or positive impact on the surrounding properties. He stated he has studied the plan and investigated the surrounding neighborhood and in his opinion, as a real estate appraiser, those studies led him to the conclusion that the project would be a responsible, harmonious and best use of the property and would not have a negative impact on the surrounding properties or their value. He feels the development will enhance Mebane specifically since the current condition of the property is an eyesore.

Mr. Laughead stated the property is a premium location and requested that Council consider what could possibly go on this property in the future. He stated that he feels Mebane does not have a need for a truck stop as we are already bordered by two, however he feels Loves is a good company.

Mr. Boney asked about the parcels that would be leased, in regard to length and conditions of the lease. Mr. Shuffield replied that he is unsure of the exact timeline but he recalls that it is initially for 20 years with four 5 year renewals with an option to buy.

Mr. Koonts explained that the surrounding properties of the proposed project include the interstate and GKN property. He stated that they have a letter of support from Chet Roslanowick, GKN Vice President of Business Development. In conclusion Mr. Koonts stated the testimony they provided covered all four findings of fact, as required, for the special use permit and requested Council's approval of both requests.

Mr. Bradley questioned if the company has a safety or spill response team. Mr. Shuffield replied that it is a combination, that staff at every Loves location must receive training and certification specific to spill prevention and cleanup. He stated they keep materials on site to handle spills, such as oil absorbent and oil pads as well as booms, in the event there is a larger spill. The sites are designed in various components to catch spills. Additionally they hire outside firms if needed to handle spills. There is always management and/or staff on site that is trained and knows spill protocol.

Mr. Boney questioned the entrance and exit and whether or not there would be a right in/right out for cars. Mr. Shuffield stated based on the traffic analysis there will be a right in and a right out. Mr. Boney also asked how the lanes across the interstate overpass would be laid out. Mr. Hinshaw stated that there will be an addition of a north bound through lane across the bridge. Mr. Hinshaw said it is important to note that part of the improvements that will be completed in this area are to accommodate the projected traffic from the Walmart distribution facility.

Mr. Greene made a motion, seconded by Ms. Auditori, to close the Public Hearing. The motion carried unanimously. Mr. Greene made a motion, seconded by Mr. Hooks, Motion to approve the rezoning as presented with a finding that the application is generally consistent with the objectives and policies for growth and development in the City's 2010 Land Development Plan, and is both reasonable and in the public interest to zone the property as shown on the Proposed Land Use Plan because it promotes the recommendations of the South-West Mebane (Hawfields) Planning Area to accommodate existing commercial and industrial uses and encourage further economic development. The motion carried unanimously.

Mr. Bradley made a motion, seconded by Mr. Greene, to approve the special use permit as presented with a finding that the application is generally consistent with the objectives and policies for growth and development in the City's 2010 Land Development Plan, and is both reasonable and in the public interest because it:

- 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, thoroughfare plan, or other plans officially adopted by the City Council

The motion carried unanimously. Several members of the Council thanked Mr. Laughead for his earlier comments and agreed with him that heavy consideration is important when dealing with land use issues.

A Public Hearing was held on a request from AIDA Properties, LLC for an amendment to allow development of 180 apartments as part of the Planned Unit Development (PUD). Ms. Hadley gave an overview of the request. She stated the current zoning for apartments was approved by City Council on December 1, 2014 as CU-R-8 to allow 144 apartments. The amended PUD was originally approved by City Council on July 11, 2011 under the old zoning ordinance. This current request complies with the old zoning ordinance based on the ongoing development of the overall plan.

Plan to plan detailed comparisons are listed below, however subject to final architectural drawings, construction plans and permitting:

- Construction of 180 apartments from 144
- A total of six (6) 3 story buildings, same as previous plan. Building footprints have increased slightly to accommodate the additional 36 units.
- 60 – 1 bedroom units, from 36
- 108 – 2 bedroom units, from 72
- 12 – 3 bedroom units, from 36
- Amenities – clubhouse, pool, BBQ grill areas, fenced dog park, fenced playground, aerator/fountain within the existing pond, and carwash
- The putting green was removed to accommodate the larger pool.
- Pool +/- 1,500 SF, from +/-861 SF
- Clubhouse +/-3,095 SF, from +/- 2,112 SF
- Clubhouse and pool to be installed in Phase 1
- Provisions for stormwater control ponds for compliance with storm water management rules
- This proposed plan is an approximate representation of the buildings, building square footage, street & parking configuration to be constructed.
- Building exteriors are to be a combination of materials such as brick, stone and hardi-plank

The Technical Review Committee (TRC) has reviewed the site plan and the applicant has revised the plan to reflect its comments. The total area of building lots is 18.46 acres with a density of 9.7 units per acre. The project is currently zoned CU-R-8 with a maximum allowed density per UDO of 183 multi-family units.

The 2010 Land Development Plan shows this property within The South-East Mebane (Hebron) Planning Area and is shown on the Proposed Land Use map as a Village Activity Center.

Adam Sosne, Developer with AIDA Properties, LLC, 6626-C Gordon Road Wilmington, NC, gave a brief overview of the applicant's company. He stated the requested amendment allowing the increased density would help support a nicer amenity package, resort style. He stated they develop properties in conjunction with Hawthorne Residential Partners, a national management company based in Greensboro, NC. They build the projects and Hawthorne manages them. Increasing the density would also support more onsite staff. He made a comparison of the previous site plan vs. the proposed plan, as previously shared by Ms. Hadley.

Mayor Stephenson questioned what the total investment would be. Mr. Sosne stated approximately \$15 million.

Aden Stoltzfus, Engineer with Stoltzfus Engineering, Inc., stated that all the setback requirements have been met within the plan. They are proposing 330 parking spaces to accommodate the 180 units.

Mr. Sosne explained that they were able to keep the same basic footprint as the previously approved plan but the arrangement of the units within the buildings is what changed in order to accommodate the additional units. From the outside no one would know the difference. He showed a PowerPoint depicting the interior of the units and the outside amenities.

Mayor Stephenson questioned the price range of the apartments. Mr. Sonse replied that the market would dictate the rate.

No one from the public spoke concerning the matter.

Mr. Rollins clarified that staff was expecting to see new exterior drawings at tonight's meeting but none were provided. He let the applicant know that when the drawings do come in they will be reviewed by staff and compared to what was previously approved and what was approved for the exterior on the initial application is what will be expected. Mr. Sonse stated he understood.

Mr. Greene made a motion, seconded by Mr. Hooks, to close the Public Hearing. The motion carried unanimously. Ms. Auditori made a motion, seconded by Mr. Hooks, to approve the amendment as presented CU-R-8 Conditional Use - Multi-Family to allow 180 apartments as a PUD with the finding that the application is generally consistent with the objectives and policies for growth and development in the City's 2010 Land Development Plan, and is both reasonable and in the public interest because it promotes the recommendations of the South-East Mebane (Hebron) Planning Area with the Village Activity Center concept approved in the 2010 Land Development Plan by providing a medium-scale, mixed-use activity center, serving multiple neighborhoods to create pedestrian-friendly, community focal points containing a mixture of commercial, office & institutional, entertainment, open space, and residential uses & housing types. The motion carried unanimously.

There being no further business, the meeting was adjourned at 8:17pm.

Glendel Stephenson, Mayor

ATTEST:

Stephanie W. Shaw, City Clerk