



The Mebane City Council met for its regular monthly meeting at 6:00 p.m., Monday, February 1, 2016 in the Council Chambers of the Municipal Building located at 106 East Washington Street.

Councilmembers Present:

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

Also Present:

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

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

During the public comment period, John Barnhart, 16 Leeds Court, spoke about his concern with the traffic sign at the Sheetz gas station on Mebane Oaks Road. He stated a stop sign may be a more appropriate option than the current yield sign for the traffic exiting Sheetz headed North onto Mebane Oaks Road.

Mayor Pro-Tem Hooks presented a Resolution of Recognition to Coach John Kirby for making the City of Mebane a better place to live, work and play, and commended him for his dedication to the young people of Mebane.

**RESOLUTION TO RECOGNIZE AND COMMEND  
COACH JOHN KIRBY**

WHEREAS, the City of Mebane wishes to recognize and commend citizens that contribute their time, talent, and resources in the service of others in the community; and

WHEREAS, Coach John Kirby has made an enduring and beneficial influence in making the community of Mebane what it is today; and

WHEREAS, Coach Kirby has spent over thirty (30) years serving as a middle and high school teacher and coach to untold numbers of Mebane's young people; and

WHEREAS, for twenty-three (23) years as the head coach of the Eastern Alamance High School football team, Coach Kirby led his teams to eighteen (18) State playoff appearances, was named Coach of the Year in eleven (11) of those years, was named the 2009 North Carolina 3A Prep Football Coach of the Year, was honored by the National Football League's Carolina Panthers as Coach of the Week in 2010, and was named the Head Coach for the 2015 Shrine Bowl of the Carolinas leading North Carolina to a 21-12 victory; and

WHEREAS, Coach Kirby has been committed to mentoring young students and athletes setting them on a right path in life by giving tirelessly of his time, talents, and resources without desire for recognition or personal gain;

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council, on behalf of the citizens of Mebane, that Coach John Kirby be recognized for making the City of Mebane a better place to live, work and play, and that he be commended for his dedication to the young people of Mebane.

BE IT FURTHER RESOLVED that this Resolution is made a part of the official minutes of the City of Mebane and that a framed official copy of the Resolution be presented to Coach John Kirby.

Signed, sealed and delivered this first day of February, 2016.

By: \_\_\_\_\_  
City Clerk

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

Mr. Kirby thanked Council for their recognition. He also thanked his wife and children for their support over the years. Mr. Kirby received a standing ovation from those in attendance.

Mayor Stephenson presented the Consent Agenda as follows:

- a. Approval of Minutes- January 4, 2016  
-Regular Meeting  
-Closed Session
- b. Appointment of Jessica Simmons to Comprehensive Land Use Development Planning Committee
- c. Fee Schedule Amendment- Branded Merchandise
- d. Quarterly Financial Report as of December 31, 2015

Mr. Cheek briefly highlighted each consent agenda item. Mr. Bradley made a motion, seconded by Mr. Hooks, to approve the consent agenda as presented. The motion carried unanimously.

Item C. is as follows:

**RESOLUTION TO AMEND THE FEE SCHEDULE  
ADOPTED FOR FISCAL YEAR 2015-16**

BE IT RESOLVED by the City Council of the City of Mebane that the Council hereby adopts, effective February 1, 2016, the amendment to the fee schedules as adopted on June 1, 2015, as follows:

6" x 12" License Plates                      \$5.00 each

Christmas Ornament with Seal              \$8.00 each

This the 1st day of February, 2016.

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

By: \_\_\_\_\_  
Mayor  
City of Mebane, North Carolina

A Public Hearing was held on a request from Bowman Road Partners, LLC for approval to rezone property from CU-R-15, Conditional Use-Single Family Residential to R-12, Single Family Residential and for a Special Use Permit to allow development of a Planned Unit Development (PUD) on +/-132.00 acres as "The Meadows" a 369 lot subdivision with 318 single family homes and 51 townhomes located at the intersection of Bowman Road (Old Hillsborough Road) and Ben Wilson Road. Mr. Brown stated both public hearings, the rezoning hearing and the quasi-judicial special use permit hearing, would be combined for time sake and 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
- Chad Abbott- Licensed Engineer #36242 with Summit Design & Engineering
- Tom Taylor- NC State Certified Real Estate Appraiser with Taylor & Associates Appraisers, Inc.
- Royal Hinshaw- NC State Licensed #32117 Traffic Engineer with Davenport
- Jim Parker- Owner/Applicant, Bowman Road Partners, LLC
- George Horton- Owner/Applicant, Bowman Road Partners, LLC
- Will Bernard- Legal Counsel
- Jeania Schaper- Community Manager, Developer Division at Charleston Management Corp.
- Stephen Laughead- Mebane resident, 624 Collington Drive

Ms. Hadley explained that the applicant is requesting the rezoning and special use permit to allow a Planned Use Development (PUD) on +/-132.00 acres, which would be known as "The Meadows", a 369 lot subdivision with 318 single family homes and 51 townhomes located at the intersection of Bowman Road (Old Hillsborough Road) and Ben Wilson Road. The property is under contract to purchase, contingent upon approval of the rezoning and special use permit. The development would be constructed to allow densities similar to surrounding developments, but in a Planned Unit Development (PUD) format to allow for more flexibility with lot size and dimensions due to the amount of property reserved as open space and that is unusable due to existing streams and wetlands. The developer would extend City water, sewer, streets, walking trails, multi-use paths,

and sidewalks throughout the project. All of the improvements shown on the site plan including road improvements required by NCDOT and the Traffic Impact Analysis would be completed by the developer. The major road improvements include a new signal installed at the intersection of Mebane Oaks Road at Old Hillsborough Road and left and right turn lanes at the site access points as indicated to enhance the safety. The Technical Review Committee (TRC) reviewed the site plan and the applicant has revised the plan to reflect its comments. A voluntary neighborhood meeting was held on December 17, 2015 at Summit Design & Engineering offices. Twelve (12) neighbors attended and some modifications have been made to the plans as requested more specifically the desire for screening, fencing and cross access easements along or near adjacent properties. The project concept includes the following:

#### Amenities

- 10' Wide Multi-Use Path
- Sidewalks – Double loaded sidewalks on all major roadways
- 5' wide walking path
- 3 Pocket Parks (with play equipment)
- Dog Park
- Gazebo & Benches
- Pool & Clubhouse - Recreational facility – 2,000-3,000 sf, kiddie pool, and zero entry pool  
- The proposed community building and pool will at the very least be bonded upon recordation of phase 1 and completed during phase 2 construction

Since the Planning Board voted to approve the project, the developer has made some changes to the Building Commitments by revising the square footage of conditioned space and by adding a requirement that garages not exceed 50% of front elevation width as underlined below.

- 65 homes will be greater than 1,520 sf and less than 1,700 sf. The remaining homes shall be 1,700 sf or greater.
- All homes will provide 30 year architectural dimensional shingles.
- All homes will provide projected eaves.
- All homes will have foundation walls with brick veneer finishes.
- Homes may be slab on grade, crawl space or may have a basement floor depending on topographic conditions or builders program.
- All homes will have roofs with minimum 6:12 pitch.
- 25% of front elevation will have stone or masonry finishes.
- All homes will have front loaded garages. The garages may be a one or two car garage and not exceed 50% of front elevation width.
- All homes will have covered front porches.
- Acceptable building materials shall consist of vinyl, stone, masonry, and cement siding.

The standard lot size for the R-12 zoning district and setbacks are as follows:

- 12,000 sq. ft. lots with 80' minimum lot width
- Front Setback – 30', Side – 10', Corner Lot Side – 18', and Rear – 25'

The developer is requesting to reduce the lot sizes and setbacks as follows:

- 7,200 sq. ft. minimum with 50' minimum lot width
- Front Setback – 20' (25' at garage) minimum, Side – 15' aggregate, 18'- Corner Lot Side, and Rear – 15' minimum

In addition, the developer has agreed to the following:

- Provide \$200,000 of the previously conditioned pump station payment (\$800,000) which shall be paid at time of recordation for Phase 1 and a minimum of \$2,780 per lot shall be paid for all lots included in subsequent recordation requests.

- Install a 12” waterline that will be extended from the current terminus point at the fire station down Mebane Oaks Road to the main entrance on Bowman Road.
- Posted speed limit of all streets to be 25 mph.
- All 4-way intersections will be a stop condition for all approaches.
- Lots 151-191 shall contain homes with a minimum 2,200 sf.
- City of Mebane standard street lighting will be provided with metal pole bases.

This property has been referred to as the “Synthon Property” for the pharmaceutical company that had planned to locate on the site. However, that development never occurred and the property was rezoned on September 11, 2006 from M-2 (Light Industrial) to CU-R-15 with 21 conditions to include 225 total homes along with a Preliminary Subdivision Plat of “Fontaine”. The name later changed to “Arlington”.

Mr. Parker spoke briefly on behalf of the request and introduced Mr. Abbott.

Mr. Abbott gave a PowerPoint presentation and stated their objective is to provide testimony and evidence proving that the requested development:

1. Will not materially endanger the public health or safety;
2. Will not substantially injure the value of adjoining or abutting property;
3. Will be in harmony with the area in which it is located; and
4. Will be in conformity with the land development plan, thoroughfare plan, or other plans officially adopted by the City Council

Mr. Abbott shared a previous plat vs. current plat comparison chart as shown below. He reiterated the same project concept commitments as presented by Ms. Hadley.

|                            | Previous  | Current  |
|----------------------------|---|--|
| <b>Developed Area</b>      | <b>84.81 AC</b>   | <b>96.03 AC</b>  |
| <b>Open Space</b>          | <b>47.12 AC</b>   | <b>35.9 AC</b>   |
| <b>Min. Lot Size</b>       | <b>9,000 SF</b>   | <b>7,200 SF</b>  |
| <b>Avg. Lot Size</b>       | <b>11,870 SF</b>  | <b>9,000 SF</b>  |
| <b>Total Proposed Lots</b> | <b>225 (331 allowed)</b>  | <b>318</b>   |
| <b>Proposed Townhomes</b>  | <b>0</b>  | <b>51</b>  |
| <b>Min. Front Setback</b>  | <b>20'</b>  | <b>20' (25' @ garage)</b>  |
| <b>Min. Side Setback</b>   | <b>5' (10' aggregate)</b>   | <b>15' Aggregate</b>   |
| <b>Min. Rear Setback</b>   | <b>25'</b>  | <b>15'</b>   |
| <b>Proposed Impervious</b> | <b>31 AC</b>  | <b>42 AC</b>   |
| <b>Proposed Amenities</b>  | <ul style="list-style-type: none"> <li>• Gazebo</li> <li>• Pool</li> <li>• Community Building</li> <li>• Multi-Purpose Field (2)</li> <li>• Pocket Parks</li> <li>• 5' Walking Paths</li> </ul> | <ul style="list-style-type: none"> <li>• Gazebo</li> <li>• Benches</li> <li>• Pool</li> <li>• Community Building</li> <li>• Dog Park</li> <li>• Pocket Parks (w/ play equipment)</li> <li>• 10' Walking/Multi-Purpose Paths</li> </ul> |

Mr. Taylor stated, in his opinion, the proposed subdivision will be consistent with nearby development and will not have any adverse effect on the value of any abutting or surrounding properties.

Mr. Abbott spoke about the applicant’s commitment to make intersection improvements at Bowman Road and Mebane Oaks Road which could consist of a traffic signal and turn lanes. NCDOT has issued a response to the applicant’s Traffic Impact Analysis (TIA), stating the signal shall be further examined based on further warrant analysis all the way to Interstate 40. Mr. Bradley asked if NCDOT is saying they may not allow the signal or they may not require it. Mr. Abbott stated the applicant is willing to put the signal in, if NCDOT will allow it. Council expressed the importance of a signal at that intersection. There was considerable discussion among Council, Mr. Abbott, Mr. Parker and Mr. Hinshaw concerning the signal.

Mr. Abbott shared that Wynn Homes has signed on to build homes within the development and they are proposing the following for the planned "Product A" homes:

- Ranging from 2,200 SF – 3,000 SF
- Granite countertops, Hardwood flooring, custom trim work, & other upgraded features
- 9' Ceilings
- 2-Car Garages with glass in doors
- 3-6 different elevations for each house with altering roof slopes & staggered wall planes for massing effects
- Most have screened-in rear porches

Also Winslow homes has signed on to build homes within the development and they are proposing the following for the planned "Product B" homes

- Energy Star Certified
- 1,500 SF – 2,100 SF
- 2-car garages
- Front porches with columns & typically with masonry finishes

Mr. Hooks questioned, if this project is approved, can the City petition the state to reduce the speed limit on Bowman Road from Ben Wilson Road to Mebane Oaks Road from 45 mph to 35 mph. Staff replied yes.

Mr. Hinshaw stated that Davenport was retained to determine the potential traffic impacts of the proposed development and to identify transportation improvements that may be required to accommodate the impacts of both background traffic and new development traffic. Based on the analysis, routine signal timing optimization is recommended in order to accommodate future traffic volumes. In addition, it is recommended to signalize the intersection of Mebane Oaks Road at Old Hillsborough Road/Bowman Road. It is also recommended to provide left and right turn lanes at the site access points on Bowman Road and Ben Wilson Road to enhance the safety. He stated NCDOT has requested that they complete a traffic signal warrant analysis and to look at the possibility of turn lanes at all four approaches at the intersection of Mebane Oaks Road at Old Hillsborough Road/Bowman Road.

Ms. Philipps questioned the proposed secondary emergency service access on Bowman Road. Mr. Abbott stated the TRC committee requested that the townhome portion of the development have a secondary egress/ingress for emergency vehicles and was added for public safety reasons. It would be used as an emergency entrance only with grassed pavers from existing Bowman Road to new curb at cul-de-sac with knockdown bollards. The applicant did not want to add another entrance that close to the Ben Wilson-Bowman Road intersection. Mr. Parker further explained how the emergency access would work. He also stated they support the request for a reduction in the speed limit on Bowman Road.

Mr. Hinshaw concluded his report by stating if all recommended improvements are completed the proposed development would not materially endanger the public health or safety.

Mr. Bradley brought up the concern again about the secondary emergency access. After further discussion, the developer agreed to provide a second access for the Townhomes on Bowman Road per NCDOT requirements in lieu of the previously shown and submitted emergency access.

Mr. Abbott stated the stormwater management facilities will be in accordance with Mebane Standards, the Phase 2 Stormwater Post Construction Ordinance, and shall be approved by the City. The proposed storm water ponds shown on the submitted plans are approximate. Construction of detention ponds will comply with all applicable federal, state, and City requirements. The development will comply with the City of Mebane's Landscape Ordinance.

Mr. Abbott again reviewed the amenity package. The proposed community building and pool will at the very least be bonded upon recordation of phase 1 and completed during phase 2 construction. In phase 4 another pocket park with playground equipment and benches would be completed, along with the dog park. The trails/walkways will be built out as they abut the phases. Mr. Parker stated the pool and clubhouse will be built in phase 2 and bonded in phase 1. Mr. Rollins noted that the SUP request is a site specific approval, should the developer need to change the phasing, they must come back to Council for approval.

Ms. Schaper explained her role and responsibilities when working with a developing community.

Mr. Abbott concluded his presentation. He stated there shall be no on-street parking allowed for permanent residents. This will be included in the homeowner's association documents and will be enforced accordingly. He said in his opinion they have proved all four findings of fact and ask for Council's consideration to approve the requests.

Mr. Laughead stated his property bordered the proposed development and spoke favorably of the project. He voiced his concern with the water flow and erosion associated with the project. Mr. Abbott and Mr. Russell assured Mr. Laughead that the developer must comply with the City of Mebane standards. Mr. Laughead also requested that the intersecting portion of Collington Farms neighborhood which would be connected with the new subdivision, "The Meadows", be made an emergency vehicle access only. Mr. Rollins stated the interconnectivity was planned between these two subdivisions from the very beginning and staff recommends that the interconnectivity continue.

Tom Boney, Editor of Alamance News, asked for clarification in regard to the pump station payment. Mr. Brown said the developer has agreed to pay in cash \$200,000 of the previously conditioned pump station payment (\$800,000.00) which will be paid at time of recordation for Phase 1 thereafter at \$2,780 per lot upon plat recordation. Mr. Bradley questioned if the remaining \$600,000 has been bonded. Mr. Brown stated the applicant has not offered to bond that amount. Mr. Greene asked if the City will be paid for the townhomes. Mr. Parker offered, as a commitment, to pay for all lots included in subsequent recordation requests, including without limitation the townhouse lots. Mr. Boney asked if the project does not build out, will the City lose that money. Mr. Brown stated it would be a condition of any future development. The problem with the last development is the approval expired because no work was ever started on the property. Once the current developer starts work that is sufficient to generate the obligation and any subsequent owner would be under the same obligation.

Don Windsor, 4253 Old Hillsborough Road, stated he and Mr. Parker had met on several occasions and his concerns have been addressed and taken care of. He asked if the project is approved, will the speed limit be reduced on Old Hillsborough Road. Council told him that NCDOT would make the final call but Council and City staff will urge NCDOT to reduce the speed limit from 45mph to 35mph.

Mr. Boney asked for clarification on what decision was made earlier in regard to the needed traffic signal at Mebane Oaks Road and Bowman Road. Mr. Abbott stated the applicant has committed to put the traffic signal in, unless NCDOT prohibits them from doing so.

Ms. Philipps made a motion, seconded by Ms. Auditori, to close the public hearing. The motion carried unanimously.

Mr. Hooks questioned if both counties have been notified of this development because of the impact it may have on the schools. Mr. Rollins stated from the beginning discussions of the project, both counties were notified and staff has not received any negative feedback from the either school board.

Ms. Philipps made a motion, seconded by Ms. Auditori, to approve the rezoning as presented with the findings of fact. 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-East Mebane (Hebron) Planning Area to designate the portion of the Hebron Community north of Old Hillsborough Road (Bowman Road) as Suburban Residential. The motion carried unanimously.

Council asked that the applicant confirm their intention for the traffic signal at Mebane Oaks Road and Bowman Road. Mr. Parker stated that early on in our design, before we get to plat recordation, we will have an answer from NCDOT on whether or not they will allow the traffic signal and if the answer is "you cannot put the traffic signal in" they (the developer) will come back to the Council for direction.

Ms. Philipps made a motion to approve the special use permit as presented with the amendments verbally expressed at tonight's meeting. She added that the approval shall include the commitment for a second entrance on Bowman Road at the townhome section. Also she added that the amenities plan shall include, specifically the multi-use path. She included in her motion 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:

1. Will not materially endanger the public health or safety;
2. Will not substantially injure the value of adjoining or abutting property;
3. Will be in harmony with the area in which it is located; and
4. Will be in conformity with the land development plan, thoroughfare plan, or other plans officially adopted by the City Council

Mr. Greene seconded the motion. The motion carried unanimously.

There being no further business, the meeting was adjourned at 8:30pm.

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Glendel Stephenson, Mayor

ATTEST:

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Stephanie W. Shaw, City Clerk