

# City Council Meeting March 4, 2024





# Mayor Hooks Call to Order





# Pastor Ken Tilley, Crosslink Community Church Invocation





#### Mayor Hooks

# **Public Comments**



# Consent Agenda

- a. Approval of Minutes- February 5, 2024, Regular Meeting
- b. Voluntary Contiguous Annexation- Kiewit Infrastructure South Co.
- c. Final Plat Approval- Courtyards at Magnolia Glen, Ph. 2
- d. Final Plat Approval- Magnolia Glen Estates, Ph. 4
- e. Final Plat Reapproval- Cambridge Park, Ph. 3A
- f. Audit Contract FY 2023-24



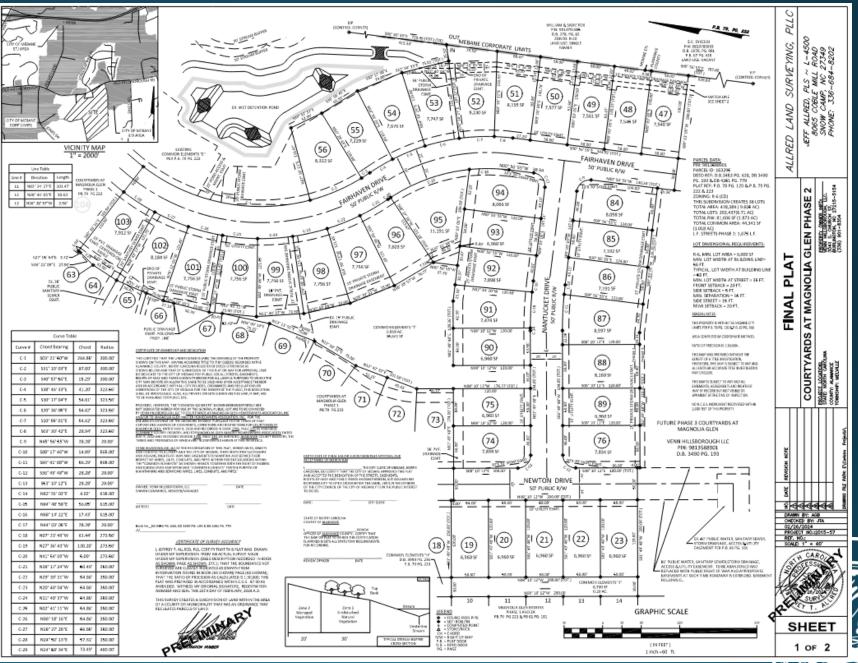


#### Annexation Petition-Kiewit Infrastructure South Co.

- Voluntary Contiguous
- +/- 28.123 acres located in Orange County on Industrial Drive. A commercial development is planned for this property
- Accept the Petition and the Clerk's Certificate of Sufficiency
- Set a Date of Public Hearing for April 8, 2024

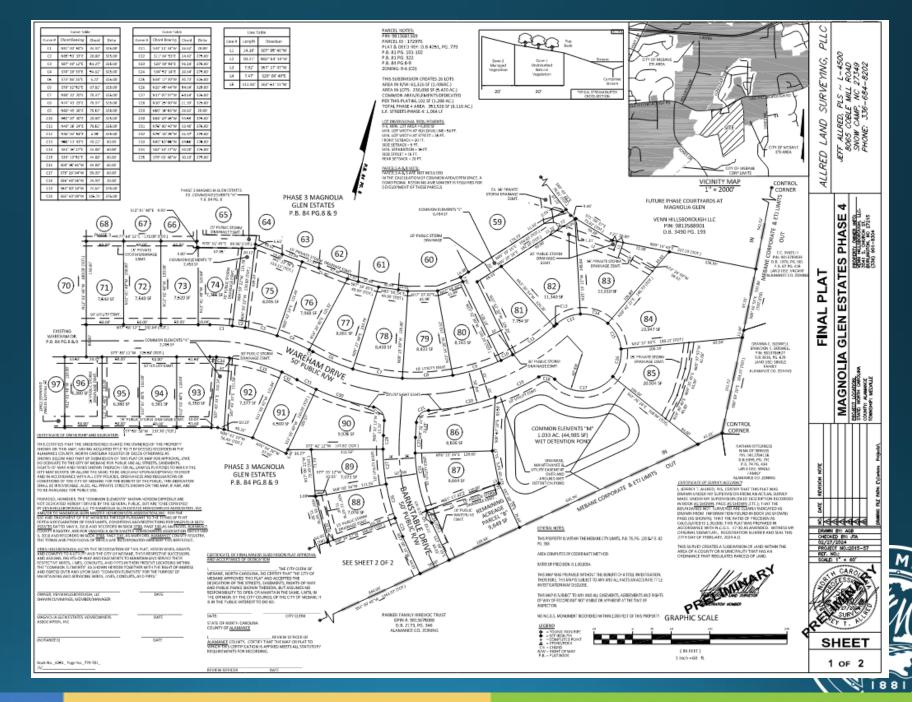


Final Plat- Courtyards at Magnolia Glen, Ph. 2

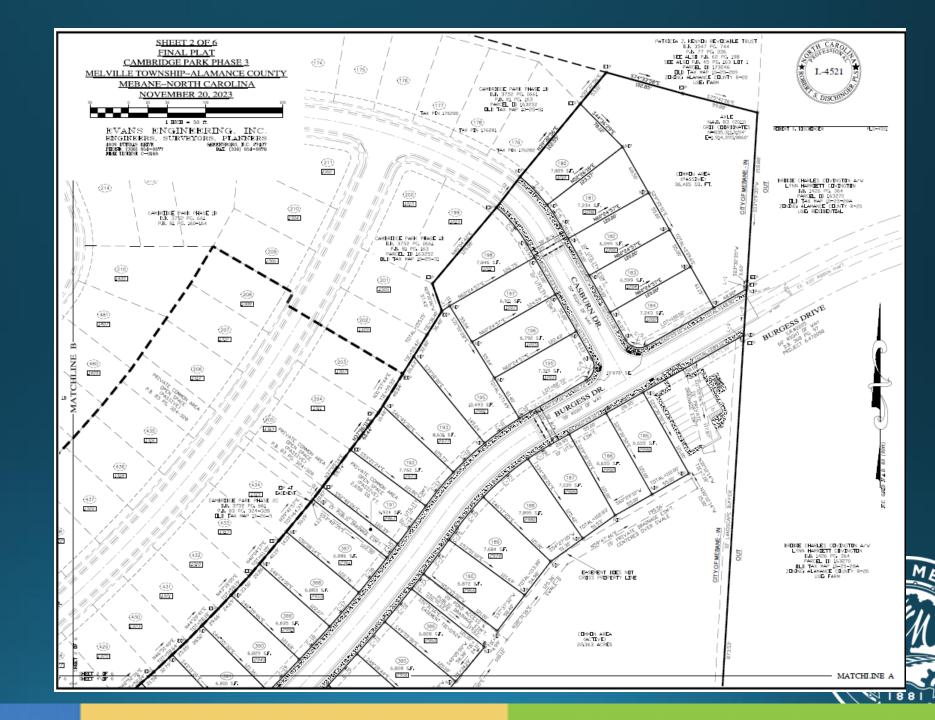


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#### Final Plat- Magnolia Glen Estates, Ph. 4



#### Final Plat Reapproval-Cambridge Park, Ph. 3A

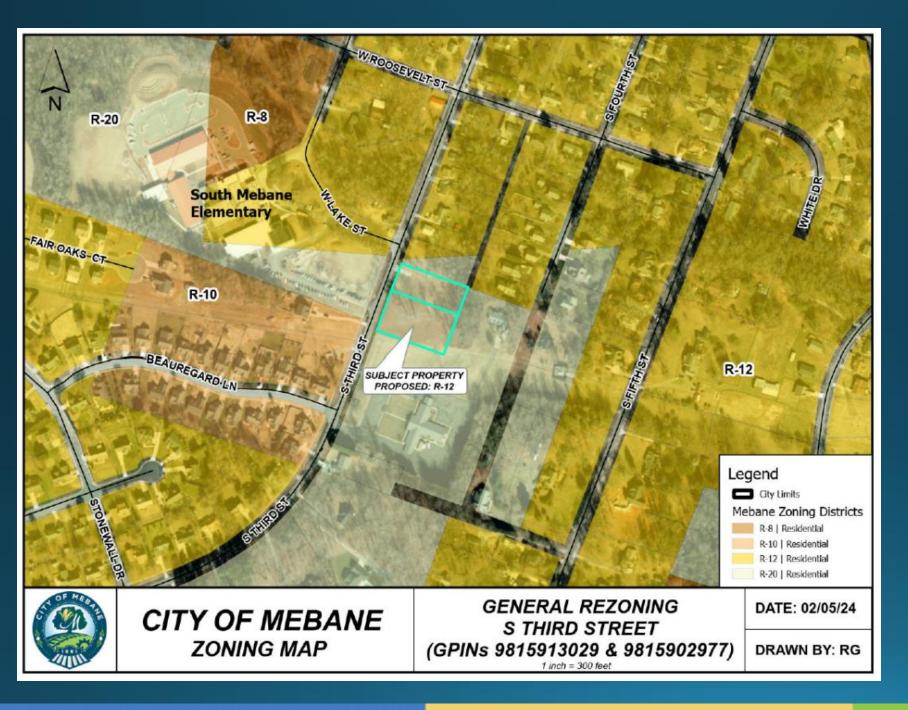




#### Ashley Ownbey, Development Director

<u>Public Hearing-</u> Rezoning Request: R-20 to R-12 by Holly Gilliam

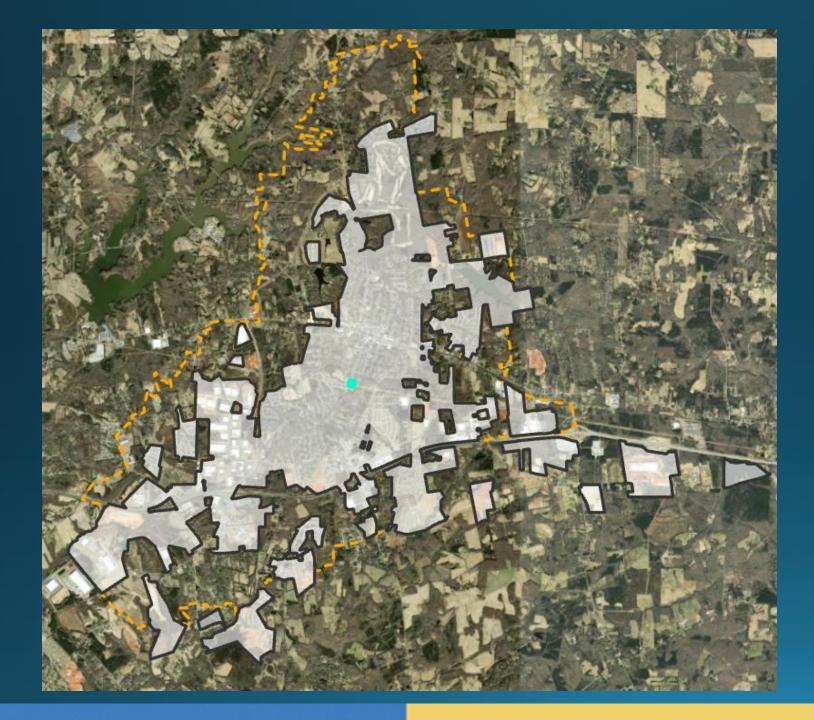




#### S. Third Street General Rezoning Request

- Request by Holly Gilliam
- Two lots, totaling +/- 1.2 acres
- Existing zoning: R-20
- Requested zoning: R-12





#### S Third Street General Rezoning Request

- Within City limits
- Water connection is available. Sewer must be extended at developer's expense.





#### S Third Street General Rezoning Request

- Vacant, forested
- Surrounding uses include:
  - Residential
  - Church
  - Elementary School





#### S Third Street General Rezoning Request

Mebane By Design G-4 Secondary Growth Area





# **Applicant Presentation**





#### Lawson Brown, City Attorney

### Public Hearing-Ordinance to Extend the Corporate Limits Holland Family – Bowman Road



#### Ordinance to Extend Corporate Limits-Holland Family- Bowman Road

- Voluntary Contiguous Annexation
- +/-12.01 acres on Bowman Road in Orange County
- Council accepted the Petition and Certificate of Sufficiency last month and set the date of the Public Hearing for tonight.

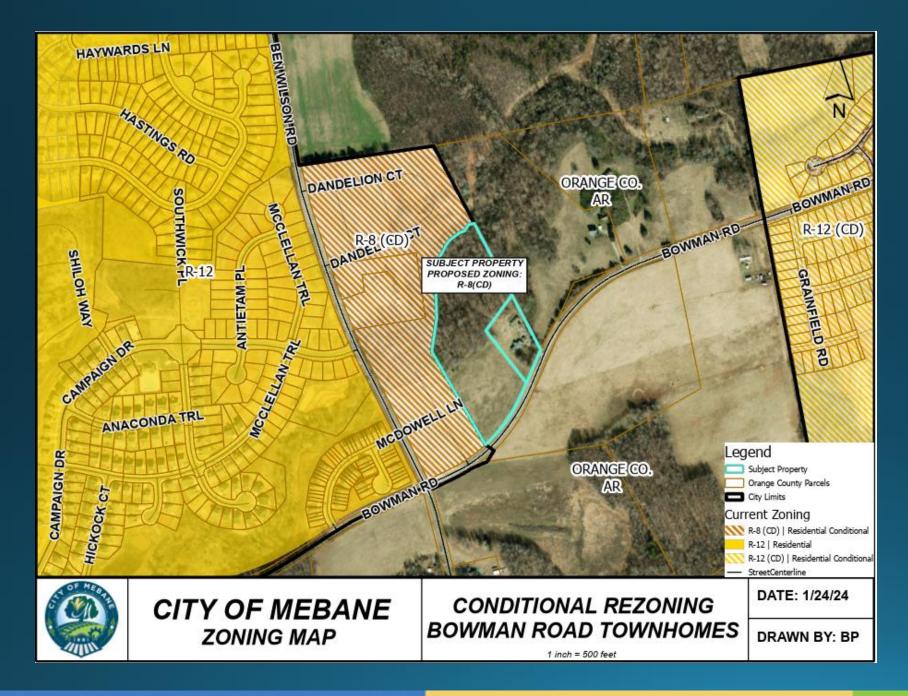




#### Ashley Ownbey, Development Director

# <u>Public Hearing-</u> Rezoning Request: Establish R-8 (CD) Zoning by Bowman Rd 1, LLC





#### Bowman Road Townhomes

Conditional Rezoning Request

- Request by Bowman Rd. 1, LLC
- +/-12.01 Acres
- Existing zoning: Orange Co. AR
- Requested zoning: R-8 (CD)





#### Bowman Road Townhomes Conditional Rezoning Request

- Located outside of ETJ in Orange County
- Annexation required before action on rezoning request.

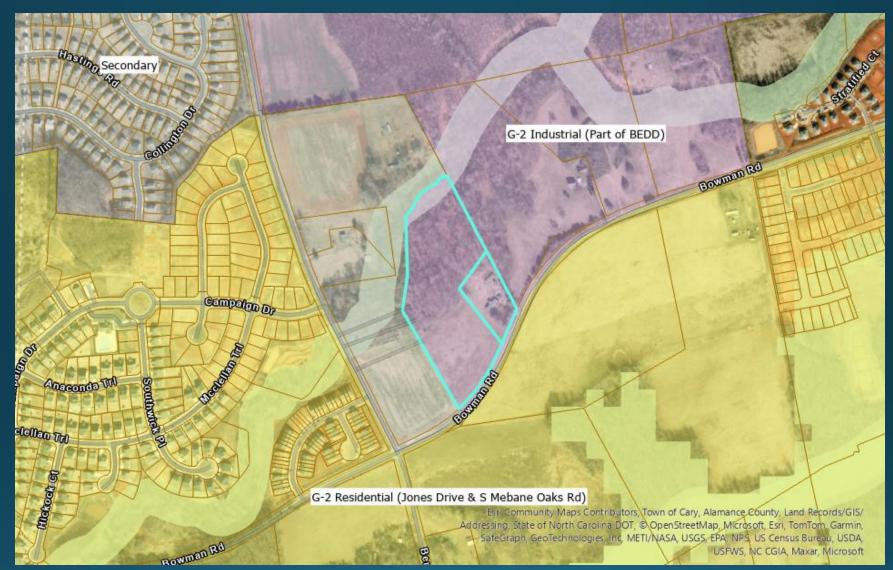




#### Bowman Road Townhomes Conditional Rezoning Request

- Single-family home; Vacant & Forested
- Surrounding uses include:
  - Townhomes (Meadowstone)
  - Single-family residential (Meadows, Bowman Village, Bowman Place)
  - Vacant & Agricultural

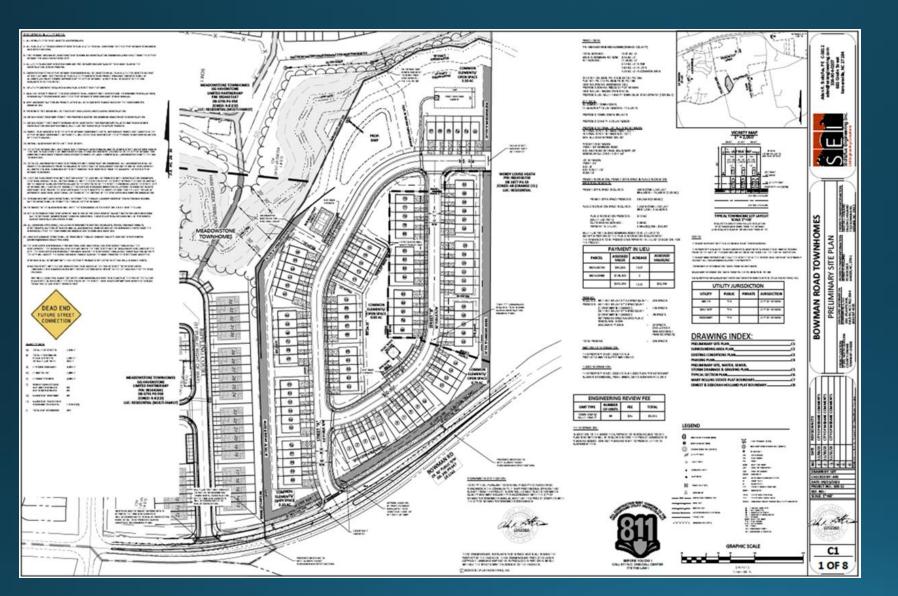




Bowman Road Townhomes Conditional Rezoning Request

Mebane By Design: G-2 Industrial Growth Area

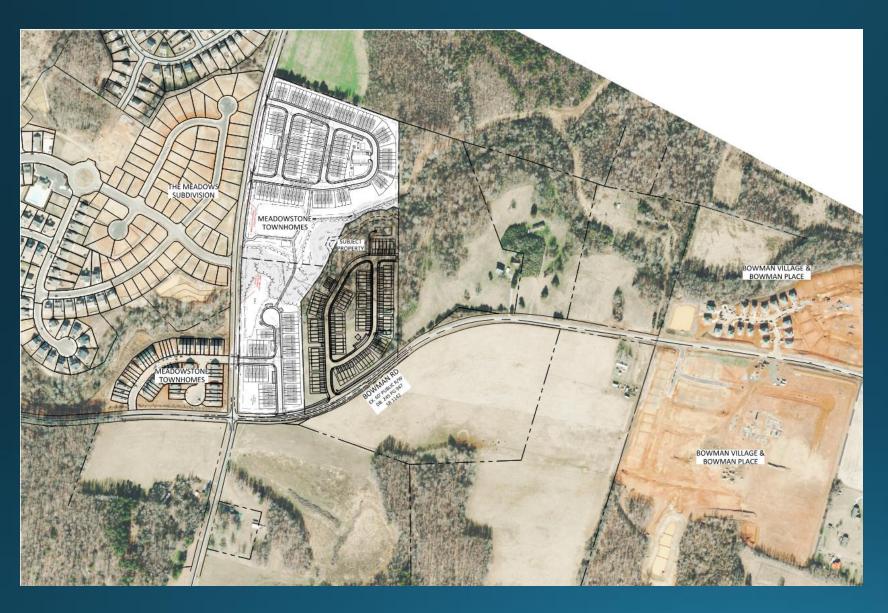




#### Bowman Road Townhomes Conditional Zoning Request

- Development of 89 townhomes
- 10' multi-use path along Bowman Road
- 5' sidewalk on one side of internal streets
- Private recreational amenities:
  - Gathering pavilion
  - Dog park
  - Pickleball court





#### Bowman Road Townhomes Conditional Zoning Request

Conditions Requested:

- 8' side yard for end units
- 10' side street setback
- 15' rear setback

Public recreation provided: 0.17 acres

• Payment in lieu of \$54,041 for the remaining requirement of 2.38 acres.

Install left and right turn lanes at entrance.





# **Applicant Presentation**



# BOWMAN ROAD TOWNHOMES

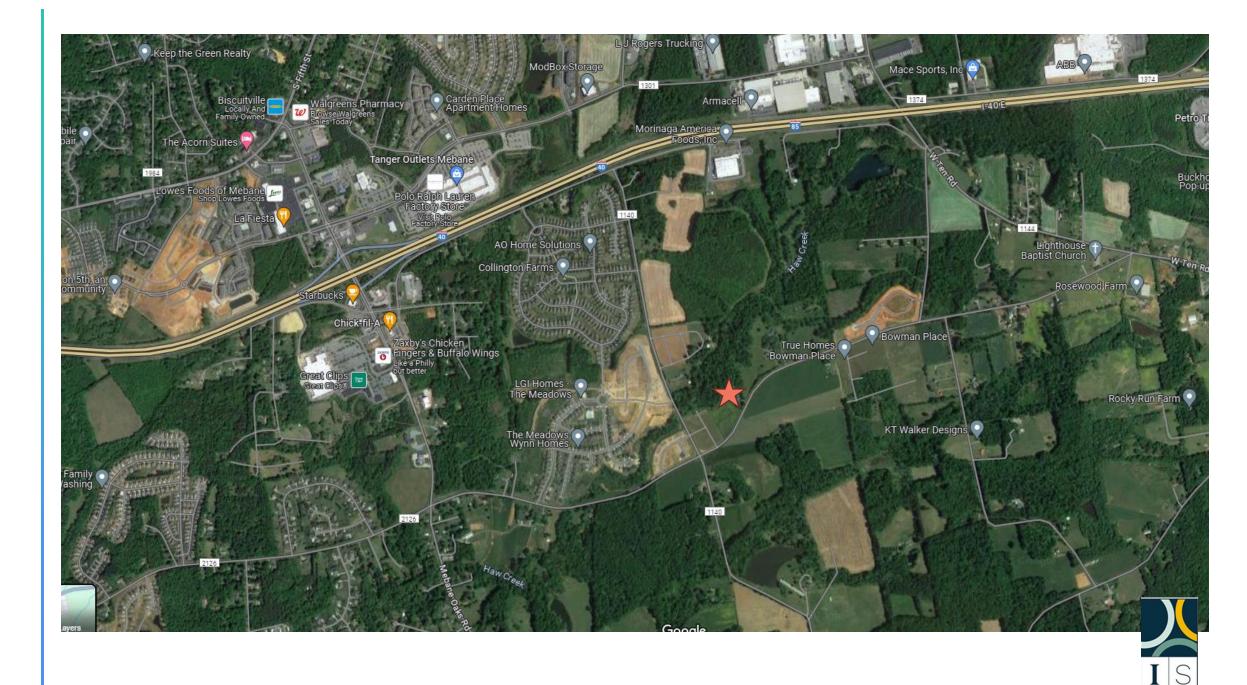
Mebane City Council March 4, 2024



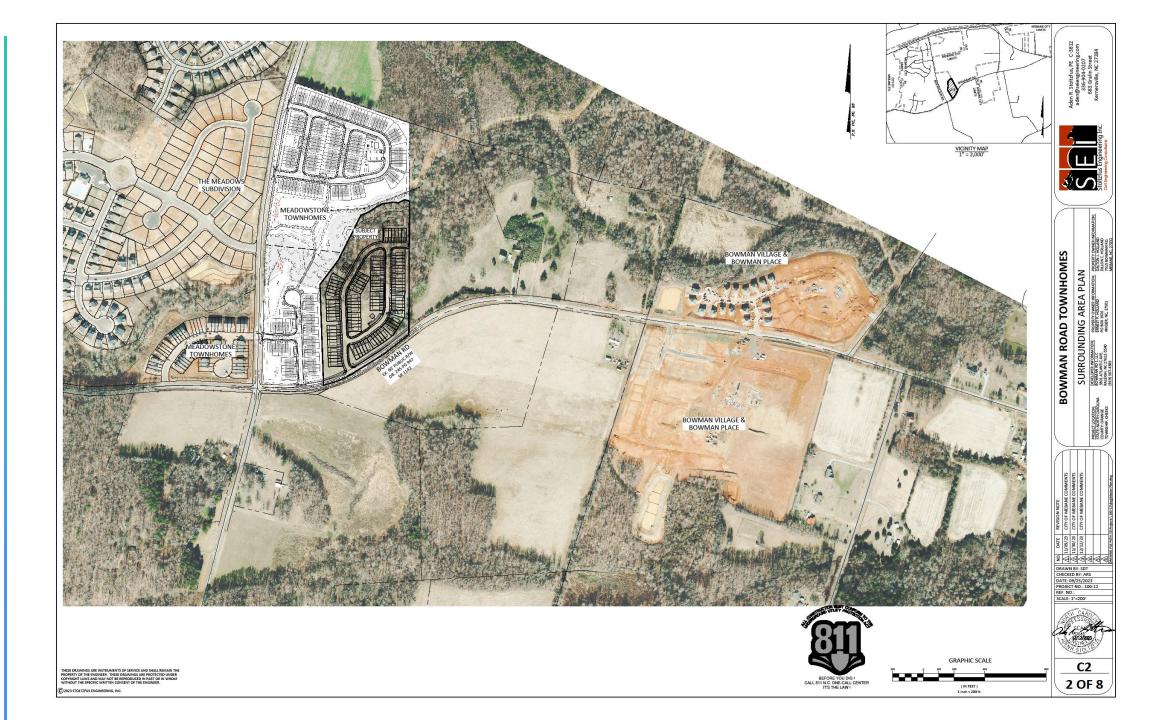
# NATURE OF REQUEST

- 12.01 Acre Site
- Annex into the City of Mebane and Rezone to R8(CD)
- Proposed Number of Homes is 89
- Community To Include Amenities of Pickleball Court, Dog Park, Multi-Use Trail, Community Gathering Pavilion
- Conditional Zoning = Site Plan Specificity

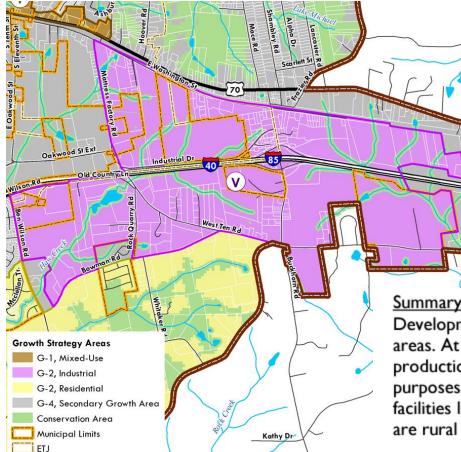




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### MEBANE BY DESIGN



 Property is designated Primary Growth Area G-2
 Specific Designation of Industrial V, part of the Buckhorn Economic Development District

<u>Summary</u>: This area encompasses the western portion of the Buckhorn Economic Development District (BEDD) and its existing industrial uses and some existing residential areas. At present, the BEDD is primarily defined by the Morinaga America Confectionary production facility. The area is intended for more robust growth, primarily for light industrial purposes. The Mattress Factory Road area north of I-40/85 is also a corridor for light industrial facilities like Kingsdown and AKG. The areas immediately outside of these corridors, though, are rural residential lots.

<u>Uses:</u> Maximize non-residential use and discourage further single family developments. Multifamily or workforce housing in close proximity to the current and future industrial land uses will be encouraged to minimize commuting concerns, especially traffic congestion. Encourage low water user and incentivize the employment of local residents at any new industries developed in this area.



# Consistency with Mebane By Design (Land Use)

- Townhomes
- Designed and planned to meet objective of workforce housing in this location
- Target of workforce housing using
  - Proximity;
  - HUD definition: housing that is affordable for those earning between 80% and 120% of area median income (AMI). This area has \$108,500 AMI per the Fannie Mae AMI Lookup Tool; 80% is \$86,800



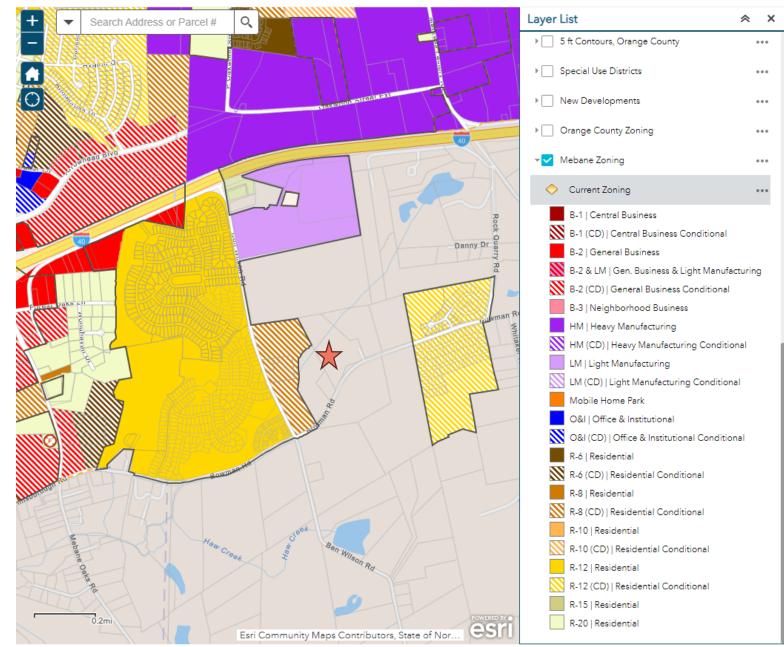
## Consistency with Mebane By Design (Other Objectives)

- Open Space and Natural Resource Protection Goal 4.3
  - Provision of Multi Use Path to ensure connectivity in developing area to access full City network
- Consistency with Mebane Bicycle and Pedestrian Transportation Plan
  - Provision of Multi Modal Improvements
  - Connection to community sidewalk network





### ZONING CONTEXT







IS

## Site Plan Features

- Increased Setback off Bowman Road (30 feet)
- 4.17 acres of open space and recreational amenities (3.15 excess acres)
- Shade Pavilion/Gathering Space
- Dog Park
- Pickleball Court
- Multi Use Path and Sidewalks
- Public Streets
- Meeting 20 foot separation Between Buildings
- Only 8' side yards are adjacent to Open Space
- Rear Setbacks abut open space and perimeter buffers





#### **HOME STYLES**





# **BUILDING COMMITMENTS**

- All homes shall have a covered front porch/alcove.
- All homes shall have projecting eaves.
- Townhome building shall feature an articulated roofline through the use of gables, dormers and height variations.
- The front façade of each home shall feature some mix of building materials to include, minimal maintenance siding, masonry, stone, or board and batten.
- Each home shall have a garage.
- Garage doors shall feature decorative paneling.



# AMENITIES









# NEIGHBORHOOD OUTREACH

### **BOWMAN RD 1, LLC**

December 5, 2023

Dear Neighbor:

Our company, Bowman Rd 1, LLC, is under contract to purchase those certain parcels of land located at 7515 Bowman Road, being approximately 12 across in total and identified as PINs 9824523988 and 9824530199 (the "Property"). We intend to develop a townhome community on the Property.

In order to facilitate our development plan, we are applying to the City of Mebane to annex the Property with an original zoning of R8 (CD) (Conditional District Residential, 8 units per acre). The Property is adjacent to similar zoning in the City of Mebane, and our request is consistent with existing land uses in the immediate area and would support employment opportunities in the area. We believe our request reflects a reasonable plan for the highest and best use of the Property.

In order to provide information about our project and respond to any questions that you might have, we will have a neighborhood Zoom meeting on Thursday, January 4, 2024 at 5:30 pm. The Zoom link is attached to this letter.

We look forward to hearing your thoughts and questions as we move through the rezoning process. Please feel free to contact our project representative, Arnanda Hodierne, with any questions about this request. Her direct phone number is 336-609-5137, or you can email her at annanda/disacesonsher/idan.com.

The Mehane Planning Board will consider our request early in 2024. We will know the exact meeting date and share those details with you at our zoom meeting on January 4th, 2024.

Sincerely,

Cliff Minsley Manager

- Letter mailed to 10 Neighboring Property Owners
- Invited Neighbors to a Zoom Informational Meeting
- No Participants





# Ashley Ownbey, Development Director <u>Public Hearing:</u> Bicycle and Pedestrian Transportation Plan



# Vision & Goals

"A clean, connected, healthy, and active community where residents and visitors can experience nature, enjoy exercising, and travel safely by foot or by bicycle to local businesses, services, and schools."

**Goal #1: Build high-priority bicycle and pedestrian facilities** as part of a comprehensive network to better connect neighborhoods to the downtown, public spaces, and other important destinations.

**Goal #2: Increase pedestrian and bicyclist safety** by reducing the number of bicycle and pedestrian-related accidents each year.

**Goal #3: Improve pedestrian connectivity** by filling sidewalk gaps and providing crosswalks at intersections.

Goal #4: Continue and enhance community events to educate and encourage residents to bike and walk to school, to local businesses and services.

**Goal #5: Raise awareness and educate** decision-makers, stakeholders, interest groups, and the public on the benefits of bikeways, walkways, greenway trails, and active, healthy lifestyles.



# Planning Process

Phase 1: Project Initiation & Engagement (July 2022 – February 2023)

- Review of existing conditions and plans
- Focus groups
- Stakeholder interviews
- Public kickoff meeting
- Paper and online surveys
- Online hub with interactive mapping and ideas wall
- Pop-up event at Hometown Holiday Celebration
- Public meeting on findings of engagement

Phase 2: Analysis & Project Assessment (January 2023 – June 2023)

- Drafting of proposed projects
- Evaluation of projects for feasibility by City staff
- Establishment of prioritization categories
- Prioritization activity by the BPAC and City staff
- Project scoring and final list of top 10 projects

### Phase 3: Plan Development & Adoption (May 2023 – March 2024)

- Drafting of final plan and information sheets
- Initial presentation to the BPAC & RPAC in October 2023
- Final presentations:
  - Planning Board, January 16
  - BPAC, January 22
  - City Council, February 5
- Public hearing, March 4



# Final Plan



### CITY OF MEBANE Bicycle & Pedestrian Transportation Plan



80+ project recommendations

10 priority projects with information sheets

16 strategies for realizing the vision and goals





# Aaron Davis, Recreation and Parks Director Public Hearing: Recreation and Parks Master Plan





# **Vision and Goals**

- A ten-year plan that aims to:
  - Identify service gaps
  - Anticipate new recreation needs
  - Develop prioritization for new recreation and parks facility acquisition and development
  - Outline park improvements required to implement future recommendations
  - Give recommendations for how to expand programming across the city.
  - Recognize Funding Strategies





# **HIGHLIGHTS OF THE PLAN**

### What do our citizens want?

- Trail Connectivity
- Aquatics opportunities
- Park south of the interstate
- Skate Park
- Pickleball Courts
- Disc Golf
- Travel Tournament opportunities
- Active Adult & Teen Programming
- Open Field/Open Play opportunities

## **Other Specific Needs Identified**

- Trail Development at Lake Michael and Cates Farm Park
- Aquatic needs Study
- Consider repurposing of Old Rec/Youth Walker space
- Look at ideas for the use of new land in front of the community park
- Site-specific plan for expansion of Cates Farm Park.
- Consider more open hours at indoor and outdoor facilities.



# **FINAL PLAN**



## RECREATION & PARKS Comprehensive Master Plan

- Together, Moving Forward
- A Plan to offer more opportunities for our citizens to be happy and healthy
- A plan with many specific opportunities for our #positivelycharming community.
- A Plan for the FUTURE of MEBANE



# **QUESTIONS?**



## Ashley Ownbey, Development Director

# Downtown Exterior Improvements Grant Award



### MEBANE DOWNTOWN EXTERIOR IMPROVEMENTS GRANT



#### WHAT DOES THE GRANT FUND?

The City will provide a grant in an amount up to 50% of the total cost for approved exterior renovation projects, maximum grant of \$10,000 per property. Grants are limited to one per property each year and fund the following items/work:

- Façade Improvements & Renovations, including:
  - Restoration of original façade;
  - Repairs to external features such as storefronts, trim, cornices, etc.;
  - Painting (see Requirements);
  - Replacement of windows with windows of appropriate style and materials
- Preservation of unique architectural and/or historic properties and/or features
- Permanent art such as murals on exterior walls does not include window art
- Exterior Seating on private property owned or leased by applicant to serve related Downtown business uses

#### **GRANT CONDITIONS**

- In Properties must be within the area of focus in the City's adopted Downtown Vision Plan.
- ◊ Grants are subject to available funding. \$50,000 is available in FY21-22.
- Property owner is required to contribute a minimum of 50% of funds to the project and will be reimbursed for qualifying expenses upon report that includes total cost of project with copies of paid receipts.
- ◊ All encroachments into City rights of ways and easements subject to City approval
- If A grant must be approved prior to commencement of any construction work, or reimbursement may not be assured.
- In Grants take the form of reimbursements after the fact, which means that all work covered by the grant must be completed and paid for by the owner prior to reimbursement by the grant. Grant applications are subject to fair and impartial review of the merits of the project, completeness of the application, availability of grant funds, and other factors.
- A project that deviates from the submitted plans without prior City approval will not be eligible for reimbursement of costs.

#### APPLICATION AND APPROVAL PROCESS

- $\diamond$  Submit an application to the City of Mebane no later than February 15, 2022.
- All projects must comply with the requirements of the City of Mebane's ordinances and NC State Building Codes.
- All rehabilitations on buildings will attempt, as feasible, to follow the "Secretary of the Interior's Standards for Rehabilitation" of commercial buildings (see attached).
- All applicants must obtain at least two cost estimates for labor and materials and provide copies of each quote attached to the application.
- All projects shall be delivered 12 months following award.

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- \$50,000 allocated by City Council in FY 23-24 Budget
- Program adopted at the November 1, 2021, meeting
- The City is still accepting applications.



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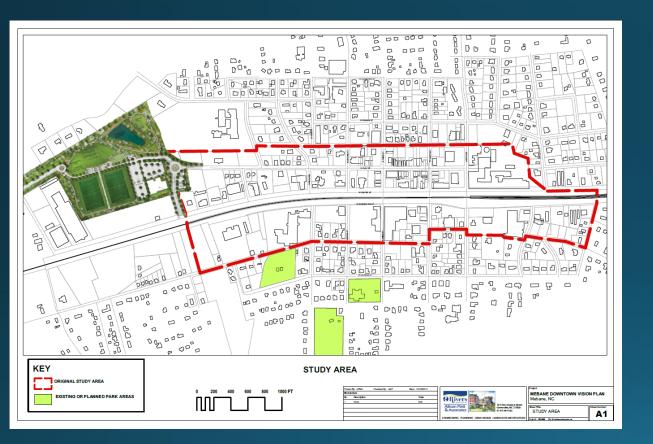
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- Must have two quotes, minimum
- Tenants must have documented property owner approval
- Offsite commitments must have written permission, inc. from City ROW/sidewalk
- Changes to application after awarded must be pre-approved by staff





- Properties must be within area of *Downtown Vision Plan*
- 50/50 match for proposed project, to be reimbursed following project completion and inspection

## • Up to \$10,000

• First-come, first-served





• Façade Improvements

• Historic Preservation

• Art

## Outdoor Seating







## 117 West Clay Street

- Request by property owner
- Big Oak Restoration occupies the retail space
- Proposal to repair brick mortar and replace windows
- Requesting \$3,850.00





## Ashley Ownbey, Development Director

## US 70 Multimodal Corridor Study – Draft Report





# US 70 Multimodal Corridor Plan

March 4, 2024 Mebane City Council

# Outline

- Background
  - Existing Conditions
  - Public Engagement
- Draft Plan
  - Goals, Objectives, Critical Issues
  - Recommendations
- Implementation – Funding

## Background



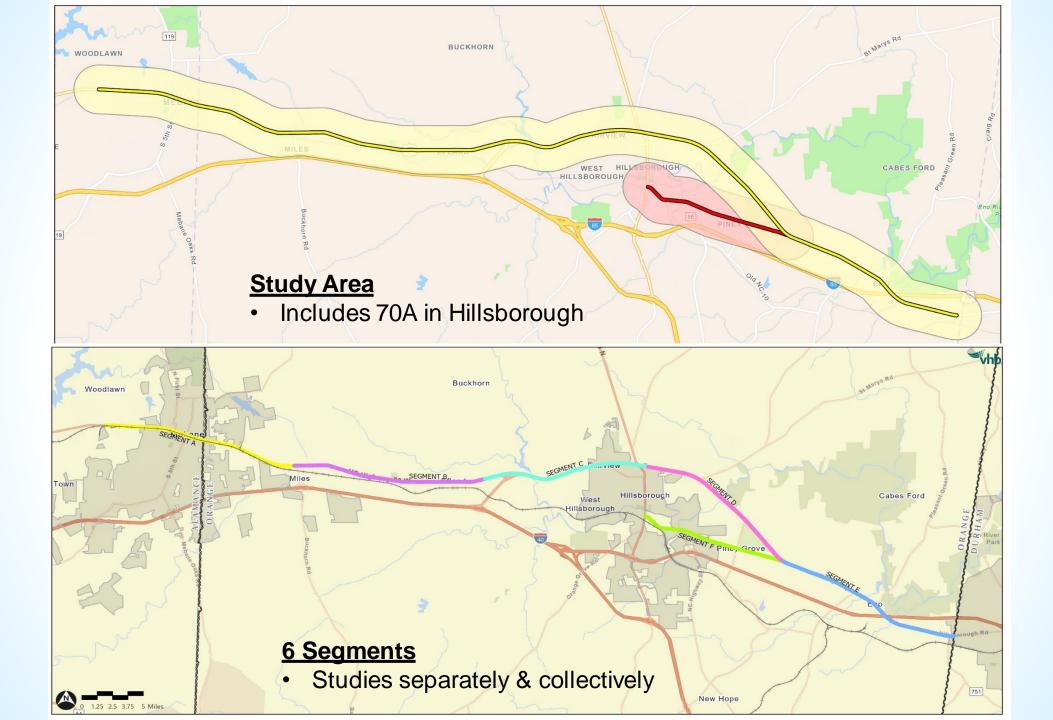








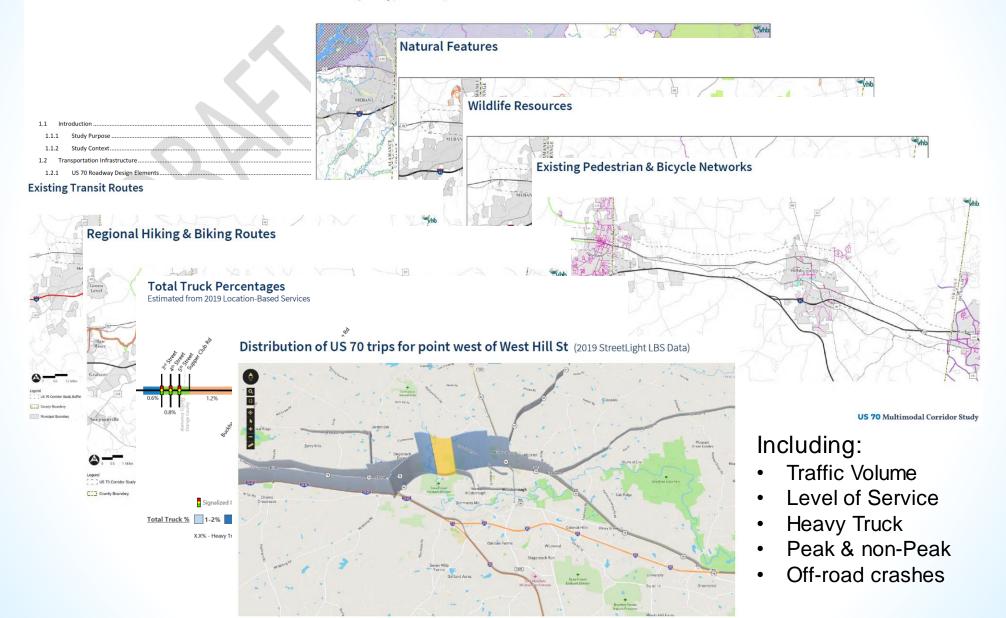




## **Existing Conditions**

Water Quality, Sources, & Watersheds

whb



## **Public Engagement**



### Community Meetings Round #1

- MARCH 7 | 5:00 7:00 PM Passmore Center
   103 Meadowlands Di Hillsborough, NC 27278
- ★ MARCH 9 | 5:00 7:00 PM Mebane Arts and Community Center 633 Corregidor Straet Mebane, NC 27502
- \* MARCH 14 | 5:00 7:00 PM Town Hall Annex 105 E Colbin Street Hillsborough, NC 27278

### Your Input is Needed!

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

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

### Other Ways to Get Involved

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

#### PROJECT CONTACT

Nishith Trivedi Project Manager, Orange County Public Transportation (919) 245-2007

ntrivedi@orangecountync.gov

# 

CORRIDO

### **US 70** Multimodal Corridor Study Community Meeting Notice

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

A series of three Community meetings to share improvement recommendations and get feedback on priorities will be held in the locations listed below. Light refreshments and a Playzone for kids will be provided at each meeting. All meetings will have an associated Zoom link for virtual attendance and will be available on the project website. Please visit the project website or reach out to the project team for any questions.

### Community Meetings Round #2

#### SUNDAY, NOVEMBER 19TH 2:00-4:00 PM Mebane City Hall 106 East Washington Street Mebane, NC 27302

- ★ SATURDAY, DECEMBER 2ND 2:00-4:00 PM Town of Hillsborough Town Hall 105 East Corbin Street Hillsborough, NC 27278
- ★ SATURDAY, DECEMBER 9TH 2:00-4:00 PM Whitted Building, Main Meeting Room 300 W Tryon Street Hillsborough, NC 27278

### Need a Ride?

Orange County On-Demand services are available. Learn more by calling (919-245-2008) or check out the Mobility on Demand (MOD) Service website for more information here: https://www.orangecounty.nc.gov/2624/MOD

### **Project Website**



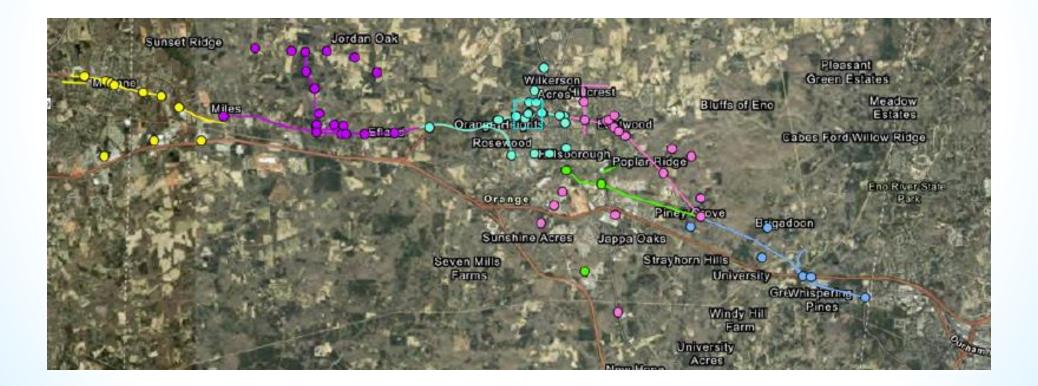
The updated project website (www.us70west.com), accessible by scanning the QC

code, is a convenient resource for tracking the progress of the study, providing feedback, and checking the schedule and location of outreach activities.

1<sup>st</sup> Round Workshop March 2<sup>nd</sup> Round Workshop November/December

# **Public Engagement**

- Relieving vehicular congestion
- Slowing down speeds of cars
- Improving intersections and crosswalks
- Maintain the character of the corridor
- Providing more bus, pedestrian and bicycle connections
- Improved access and circulation into schools.



# **Goals and Objectives**











- Manage traffic congest
- Prioritize bike/ped.
- Improve transit access
- Transportation investment protect community character
- Prioritize bike, ped, and transit in urban areas
- Improve comfort for non-automobile
   users
- Work towards Vision Zero
- Reduce pedestrian-automobile conflicts
- Improve access to jobs in and outside corridor
- Improve multimodal access to parks
- Reduce wildlife-automobile conflicts

### **Natural Environment**

- Natural areas that are recreational destinations lack connectivity to the multimodal transportation network
- The corridor experiences a large amount of animal crash incidents.



### **Built Environment**

- US 70 poses a significant barrier to pedestrian connectivity in urban areas despite existing crossings.
- US 70 does not have sufficient multimodal facilities to support its growing business.
- US 70 detracts from the character of the municipalities it traverses.



### **Active and Vehicular Transportation**

- Low-income populations have limited access to the multimodal transportation network.
- Inadequate pedestrian connectivity to bus stops reduces transit demand.
- Existing pedestrian facilities do not serve most of the corridor.
- No dedicated bicycle facilities exist in the corridor.
- Schools in the corridor are significant sources of congestion.
- Roadway infrastructure in the corridor does not have the capacity for the future projected traffic demand
- High traffic speeds contradict existing and planned residential and commercial development in the corridor.









### Transit

- Low-income populations have limited access to the multimodal transportation network.
- Inadequate pedestrian connectivity to bus stops reduces transit demand.
- No bus stop in the corridor meets ADA standards.
- Areas projected to experience significant employment growth, particularly for low-income jobs, are not served by public transit.
- Bus service is too infrequent to be a convenient, reliable travel option, especially for those commuting at non-traditional times.
- Bus routes do not serve some of the corridor's largest trip producers and attractions.









### Safety

- Pedestrian crossings across US 70 lack adequate safety features.
- High traffic speeds pose a significant threat to nonautomobile users.
- No dedicated bicycle facilities exist in the corridor.
- The corridor experiences a large amount of animal crash incidents







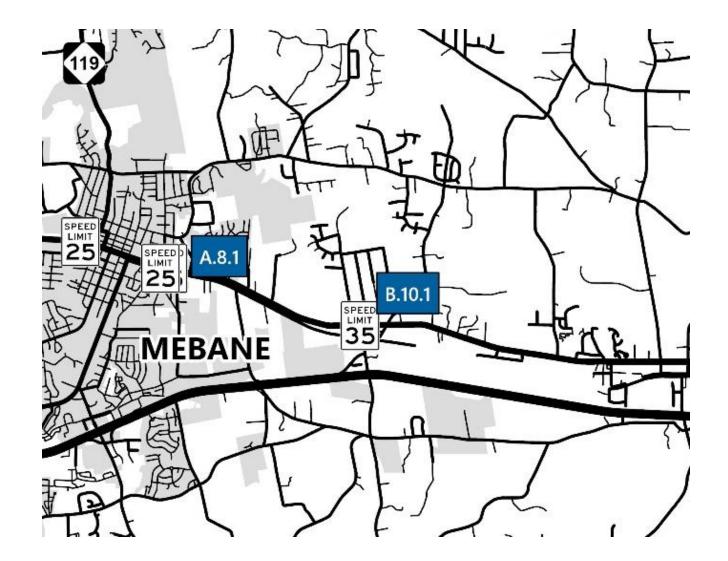
# **Recommendations - Policy**

### Extend sidewalk connectivity to anticipated growth areas.

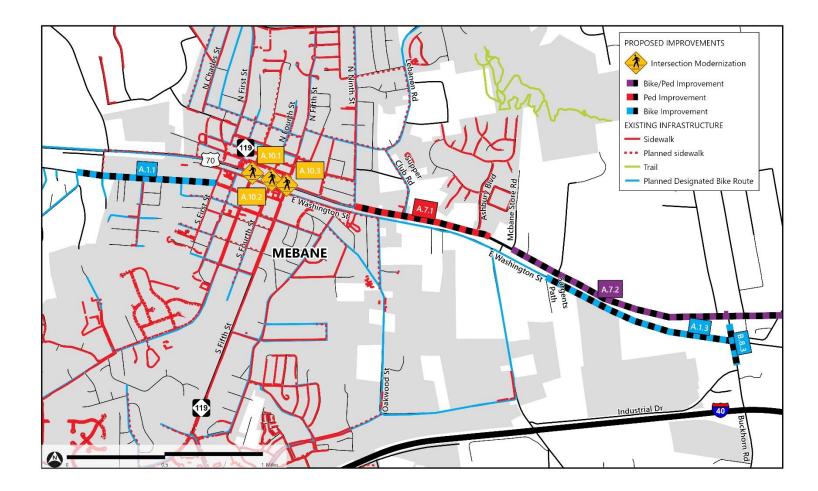
- Establish a maintenance agreement between NCDOT and Orange County for new and existing pedestrian facilities on US 70.
- Require developers building on land parcels fronting US 70 to either construct sidewalk along their frontages, dedicate ROW for future construction, or pay in lieu.

Manage travel demand for future development in the Efland-Buckhorn-Mebane economic development area.

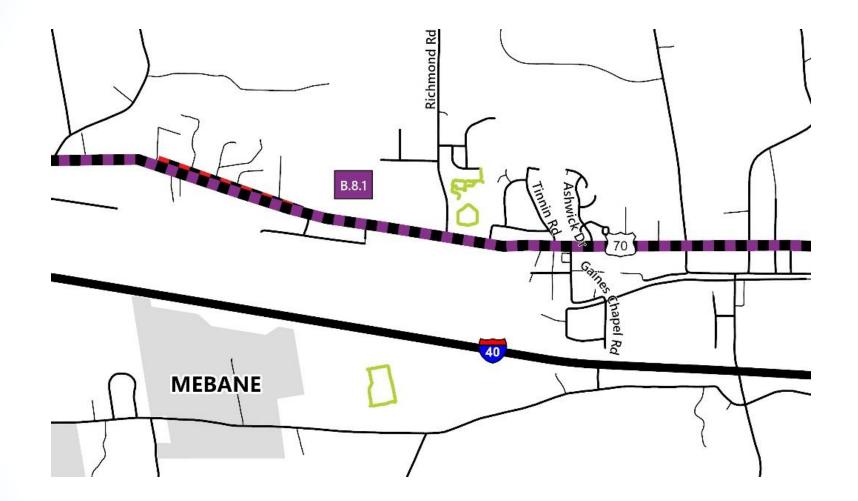
• Update the *Efland-Buckhorn-Mebane Access Management Plan* to include pedestrian, bicycle, and transit connectivity recommendations.



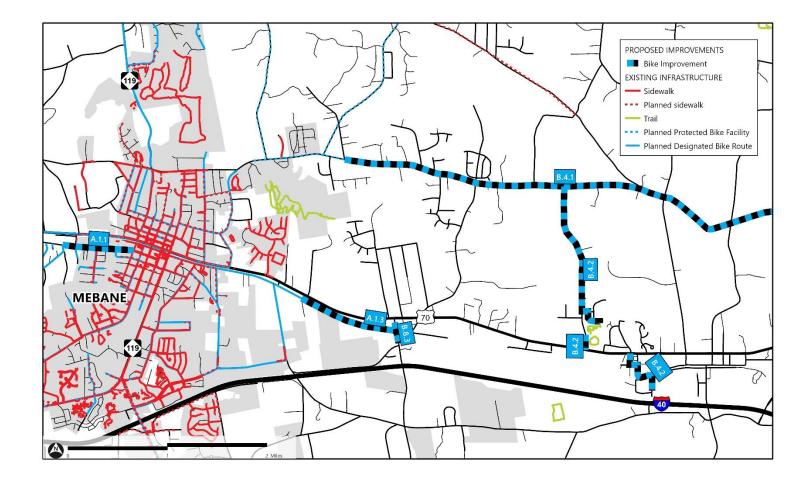
Speed Limit Changes  $\rightarrow$  Preferably 35 miles per hour



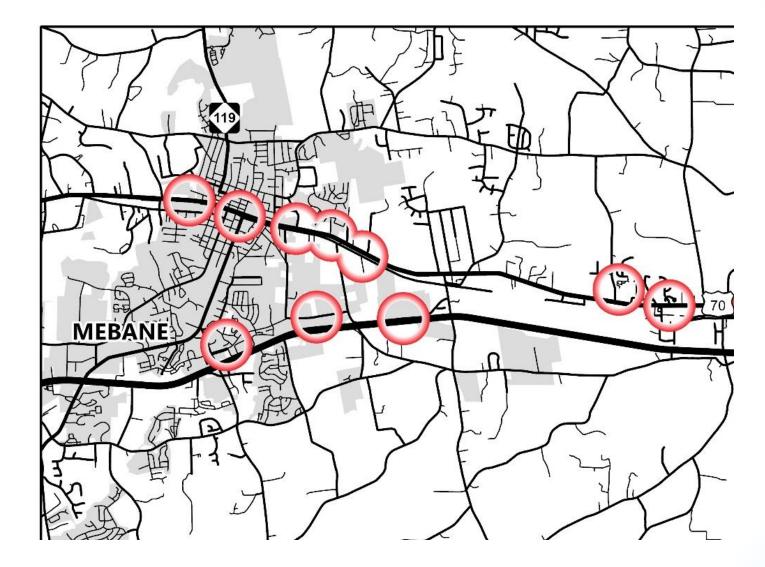
Segment A – Bike and Pedestrian



Segment B – Bike and Pedestrian



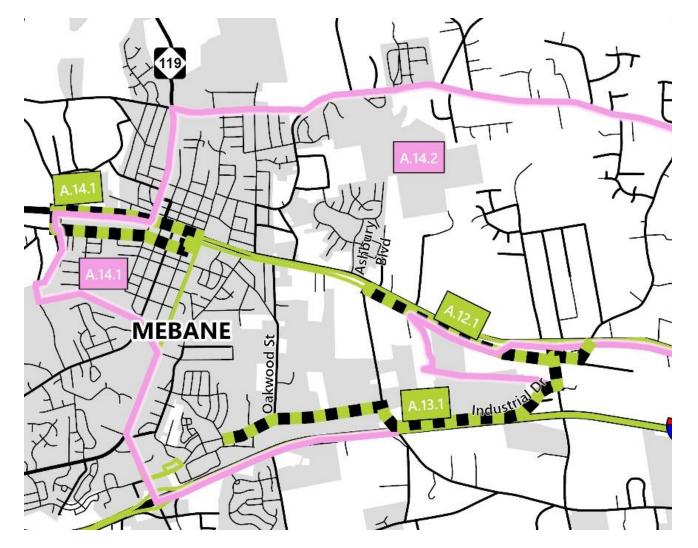
Segment A & B – Complimentary Bike and Pedestrian



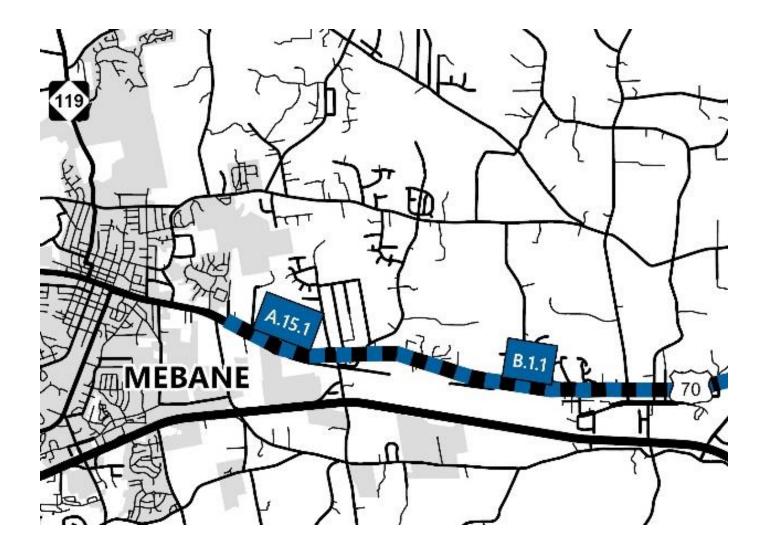
Transit  $\rightarrow$  Transit Oriented Development (TOD) nodes



Transit Segment A & B  $\rightarrow$  New Stops



Transit Segment A & B  $\rightarrow$  New Routes



Multimodal Corridor  $\rightarrow$  4 lane divided with transit, bike, and pedestrian accommodations

# **Recommendations - Funding**

- Rebuilding American Infrastructure with Sustainability and Equity (RAISE) • Safe Streets For All (SS4A) Federal • TPM Bus and Bus Facility Grant Program (TPM) • Transportation Improvement Program (STIP) • Complete Streets SPOT Safety/Mobility/HSIP State
  - Private Development
  - Local Government

Local

# **Requested Action**

- Approve US 70 Multimodal Corridor Segment A and portion of B (to \_\_\_\_\_)
- Endorse US 70 Multimodal Corridor outside Mebane.



#### Mark Reich, and Daphna Schwartz

# MCP - Woodlawn Road Entrance Parking Lot



### Executive Summary

- 6 Bids were received for the MCP parking lot addition for entrance off Woodlawn Road.
- Bids ranged from \$652,222.50 to \$997,750.
- Low bidder is 7 Group Development, LLC.
- 50 Additional parking spaces will be provided.
- Parking lot consists of curb and gutter with asphalt pavement, a 5-ft wide sidewalk, drainage flumes, 2 water quality treatment devices, landscaping, lighting and gated entrance.



### Financial Impact

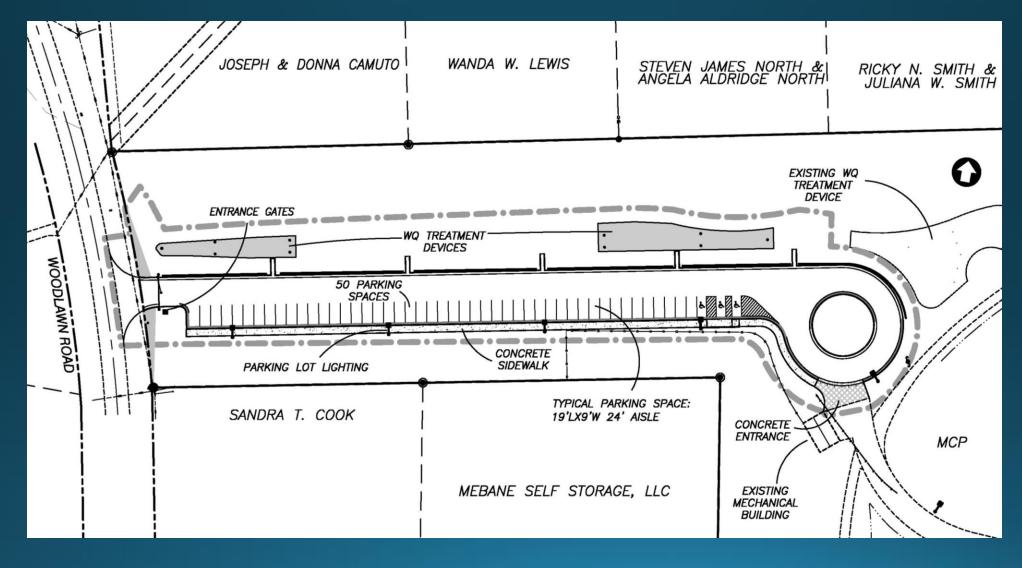
- A \$220,000 budget amendment is recommended to cover the construction costs and provide a \$23,777 construction contingency.
- Current Budget Amount is \$480,000.
- Total Project Budget Amount with budget amendment is \$700,000 which includes related engineering and surveying for the project.

### Recommendations

- Staff recommends Council award contract to the low bidder, 7 Group Development, LLC in the amount of \$652,222.50 for the construction of the parking lot.
- Staff recommends Council adopt a budget amendment appropriating \$220,000 of fund balance to add to the \$480,000 budgeted total of \$700,000.



### Exhibit Map







# QUESTIONS



### Ashley Ownbey, Development Director Updates to the Bylaws and Rules of Procedure of the Mebane Planning Board



# Announcements

- Budget Work Sessions-
  - Thursday, March 14<sup>th</sup>- 1:30 p.m. -Glendel Stephenson Municipal Building
  - Thursday, March 21<sup>st</sup>- 1:30 p.m. -Glendel Stephenson Municipal Building
- City offices will be closed on Friday, March 29<sup>th</sup> in observance of Good Friday
- The City recently released a request for proposals for updating the City's Comprehensive Land Development Plan. The deadline for submitting proposals is April 8, 2024.
- The April Council meeting will be held on April 8<sup>th</sup>





# Mayor Hooks Adjournment



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

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. As an appointed, advisory body, the Planning Board makes recommendations to the City Council in accordance with ordinances, policies, and long-range planning documents adopted by the City of Mebane. 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. A motion to recommend approval or denial of a request shall be accompanied by justifications based on adopted ordinances, policies, and long-range planning documents of the City of Mebane.

#### 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 subparts 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 working 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 \_\_\_\_\_, \_\_\_\_.