

**MEETING MINUTES
ORANGE COUNTY PLANNING BOARD
JUNE 1, 2022
REGULAR MEETING**

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MEMBERS PRESENT: Adam Beeman (Chair), Cedar Grove Township Representative; Lamar Proctor (Vice-Chair), Cheeks Township Representative; Statler Gilfillen, Eno Township Representative; Beth Bronson, At-Large Representative; Randy Marshall, At-Large Representative; Whitney Watson, At-Large Representative; Melissa Poole, Little River Township Representative; Charity Kirk, At-Large Representative; Delores Bailey, At-Large Representative; Steve Kaufmann, Bingham Township Representative;

MEMBERS ABSENT: David Blankfard, Hillsborough Township Representative; Susan Hunter, Chapel Hill Township Representative;

STAFF PRESENT: Perdita Holtz, Special Projects & GIS Supervisor; Tina Love, Administrative Support

OTHERS PRESENT: Chad Huffine, The Leads Group PA; Britt Irwin, applicant; Marilyn Liner

AGENDA ITEM 1: CALL TO ORDER AND ROLL CALL

Chair Adam Beeman called the meeting to order.

AGENDA ITEM 2: ADMINISTER OATH OF OFFICE TO TWO NEWLY APPOINTED MEMBERS

This item was moved to end of the meeting after item 8

AGENDA ITEM 3: INFORMATION ITEMS

- a. Planning Calendar for June and July

AGENDA ITEM 4: APPROVAL OF MINUTES

May 4, 2022 Regular Meeting Minutes

MOTION BY Melissa Poole to approve the May 4, 2022 Regular Meeting Minutes. Seconded by Charity Kirk.

MOTION PASSED UNANIMOUSLY

AGENDA ITEM 5: CONSIDERATION OF ADDITIONS TO AGENDA.

There were none

AGENDA ITEM 6: PUBLIC CHARGE

INTRODUCTION TO THE PUBLIC CHARGE

The Board of County Commissioners, under the authority of North Carolina General Statute, appoints the Orange County Planning Board (OCPB) to uphold the written land development law of the County. The general purpose of OCPB is to guide and accomplish coordinated and harmonious development. OCPB shall do so in a manner, which considers the present and future needs of its citizens and businesses through efficient and responsive process that contributes to and promotes the health, safety, and welfare of the overall County. The OCPB will make every effort to uphold a vision of responsive governance and quality public services during our deliberations, decisions, and recommendations.

PUBLIC CHARGE

The Planning Board pledges to the citizens of Orange County its respect. The Board asks its citizens to conduct themselves in a respectful, courteous manner, both with the Board and with fellow citizens. At any time, should any member of the Board or any citizen fail to observe this public charge, the Chair will ask the offending member to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair will recess the meeting until such time that a genuine commitment to this public charge is observed.

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AGENDA ITEM 7: CHAIR COMMENTS

There were none

AGENDA ITEM 8: ZONING ATLAS AMENDMENT (CONVENTIONAL DISTRICT) – To review and make a recommendation to the BOCC on an applicant-initiated zoning atlas amendment to rezone a 2.32 acre parcel from Rural Residential (R-1) to I-2 (Medium Industrial).

The undeveloped parcel does not have an assigned address; it is located in the northeast corner of the Efland-Cedar Grove Road and Forrest Avenue in Efland, within Cheeks Township (PIN 9844-88-7024). This item is scheduled for the BOCC public hearing on September 6, 2022.

PRESENTER: Perdita Holtz, Special Projects & GIS Supervisor

Perdita Holtz presented a PowerPoint presentation and reviewed the item followed by a review from the applicant's representative, Chad Huffine.

Adam Beeman: As a daily driver past this spot, what is the plan for getting in and out of the site?

Chad Huffine: The site would be accessed internally from the gravel driveway that bisects the property now and that is another important reason for the consistency in zoning. We don't have a desire to impede the flow of traffic; by allowing this zoning to change we can access internally and have the same uses and that has been the plan from the beginning.

Charity Kirk: Have you talked with the Efland community?

Chad Huffine: We've been in the area for about 3 years and we've talked to everybody. I don't think we've received any public comments or questions at our office and I believe there have been none to Planning.

Adam Beeman: Is everyone familiar with where this parcel sits? No matter how many choices, you're not going to put a house in there so there are not many choices except to change the zoning to make it beneficial to be used.

Multiple overlapping conversations regarding site location. Perdita Holtz pulled up the GIS map so the location of the site would be more clear and aerial photography could be viewed.

Whitney Watson: The amount of traffic off 70 and Forrest Ave into that gravel drive, what considerations or what kinds of traffic do you anticipate?

Chad Huffine: In the process of developing any type of site change, a change of use necessitates a conversation with county review staff and DOT's district engineer. With the change of use comes a driveway permit and at that point, driveway improvements and connections that are existing will be upgraded or changed to conform with what the DOT district engineer recommends. Vehicles will be similar to what is there now, box trucks, cars, truck and trailers.

Adam Beeman: Coming off the site, instead of dumping trucks onto Forrest Ave, I would rather see it go out onto 70 and then loop around to tie back into Forrest. At quarter of 8 every morning the train comes through and traffic trying to cross 70 at the light gets backed up past the feed mill. Trying to keep congestion from that spot on that short stub is where I'm at and I think Whitney has the same point.

Whitney Watson: Yes

Chad Huffine: That is very helpful to take that information and incorporate it into the emphasis of which driveway is more important.

Melissa Poole: We're just rezoning it to I-2 there is no building plan or plan for this yet. If that happens, that's where the traffic studies come in?

Perdita Holtz: Yes and there may be a traffic study required. NCDOT is involved in all of our site plan reviews and they give their requirements during that site plan process.

113 Lamar Proctor: There is an Efland Small Area Plan that goes hand in hand with the Comprehensive Land Use Plan to guide
114 what is happening in downtown Efland, do you think this is consistent with the Efland Small Area Plan?
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116 Perdita Holtz: It is consistent and I have something in a later slide that speaks to the consistency of the small area plan. The
117 small area plan called for this to be a mixed use area. It called for the village overlay district that would have the different
118 development standards and that has been adopted for a few years. We do view this as consistent with the recommendations
119 of the small area plan.
120

121 Lamar Proctor: Looking over the Efland Small Area Plan, the idea was that Efland would retain a village character and
122 potentially get a train station and the Efland Small Area Plan favored commercial, mixed use but also that includes commercial
123 development as well. Is there water and sewer available?
124

125 Perdita Holtz: There is, this parcel is served by water and sewer.
126

127 Lamar Proctor: So if it hooks up to Mebane's sewer it would have to be voluntarily annexed into Mebane?
128

129 Perdita Holtz: This is in an area where Orange County has an agreement with Mebane because of the way they took over the
130 sewer system that exists in this area but this would not necessarily be annexed.
131

132 Lamar Proctor: My concern is we are going to piece part of western Orange County and it's going to turn into patchwork
133 pieces of Mebane and we are going to lose any real ability to maintain any sort of consistency.
134

135 Perdita Holtz: It would be unlikely that Mebane would annex this particular property because of its distance from its city limits
136 and the agreement that the County has with Mebane when they took over the County-owned sewer system. The County
137 transferred the system into Mebane's ownership and the agreement was that they would serve this area and not pay double
138 rates or anything along those lines. The agreement does not require that Mebane annex properties in order to serve the
139 properties in this area. That is not to say that Mebane won't annex at some point but as you know annexation requires a
140 voluntary property owner. There are no involuntary annexations.
141

142 Lamar Proctor: It doesn't apply to this area but areas that are contiguous to where Mebane extends into Orange County, if
143 you want to get water and sewer you have to voluntarily annex.
144

145 Perdita Holtz: Several miles further west that is true. This is a special area because of the way Orange County used to own
146 the sewer system and the sewer agreement the County entered into with Mebane.
147

148 Statler Gilfillen: Is this consistent with pretty much everything else on the block?
149

150 Adam Beeman: Yes.
151

152 Lamar Proctor: So you own the parcel that is already zoning I-2 and that's the hosiery mill which is vacant, not in use.
153

154 Chad Huffine: That property was bought by Mr. Irwin and it is currently being used. It is being up fit for several uses that are
155 consistent with I-2. Individual spaces within that building.
156

157 Lamar Proctor: My question is, is I-2 being utilized commercially, are there industrial occupants who are paying rent and
158 utilizing it for industrial purposes?
159

160 Chad Huffine: Yes, I believe so and if they are not currently in the building, they are on the way. We are speaking about the
161 other property which is zoned residential. The property zoned I-2 is actively being looked at for leases.
162

163 Lamar Proctor: Right, but the neighboring I-2 doesn't seem to be attracting industrial uses.
164

165 Chad Huffine: There is interest in this area and as we ride around, even the homes, there was a lady selling fruit. There is so
166 much activity in this block; it is a treasure. Mr. Irwin certainly understands that and respects it.
167

168 Marilyn Liner: I was born in Efland and I remember a lot of stuff. The industrial buildings that are within that section were
169 placed there before zoning and there were 4 houses along that area and the property on the corner. There were houses on
170 the property that is being considered for rezoning. It was zoned residential because there were houses there. The traffic is
171 heavy there and it is difficult for me to get out of my driveway.

172
173 Beth Bronson: This has public utilities, it has water and sewer, it serves the adjacent property also owned by the applicant
174 which zoned is I-2 and these two parcels are adjacent to each other using the same road.

175
176 Perdita Holtz: Depending on what they bring forward, they may be asked to combine the parcels. They have not shared
177 development plans with us. They are not required to. However, if you have two separate parcels there might be buffer
178 requirements between the two of them even if owned by the same person.

179
180 Statler Gilfillen: To the lady who spoke, are you in favor or against it or just here to listen?

181
182 Marilyn Liner: I am against it.

183
184 *Perdita Holtz continued the PowerPoint presentation*

185
186 Lamar Proctor: It's difficult not knowing what is going to go there and I know they are not required to tell us but anything under
187 the permissible uses is on the table. Sex oriented business, crematorium, whatever.

188
189 Perdita Holtz: There are use specific standards for those types of uses but yes.

190
191 Delores Bailey: Do you have any plans?

192
193 Chad Huffine: We do not at this time. What I would tell you is there is an idea of work space for a plumber, we would call that
194 in our business, flexible space. Where you have a space that has room for an office and space for a warehouse, van or truck,
195 or where your equipment would be. We would call that flex space in a warehouse situation store have goods. A bulky item
196 storage that also fits within the I-2 use. If you can envision a building that is separated into smaller segments they are similar
197 to the way the eastern half of the block behaves and you would have a mixture of uses that are all together.

198
199 Britt Irwin: Warehouse, storage and office, it's highly in demand.

200
201 Melissa Poole: They already own the land, there's not going to be a whole big building built on 2.2 acres.

202
203 Chad Huffine: When we get to the deliberation of the members, if we need to look specifically at the table of permitted uses
204 and those uses sometimes considered not desirable, those have design standards not allowed within 1,000 ft. of a church or a
205 residence and there are both within that distance. We have no desire to bring anything but an improvement to this area.

206
207 Britt Irwin: It will be the nicest building in Efland. I'm spending a lot of money on the mill and renovating it and bringing it up to
208 standards and I'm making it nice. I'll do the same with the proposed building. It is not going to be a metal building. It's going
209 to be a nice building that is landscaped and looks nice and will look nicer than anything in that whole commercial area now.

210
211 Lamar Proctor: I appreciate that and I think this area is very important and very valuable. There is a lot of residential plots
212 around there and then right down the road there are giant spec warehouses going into the Buckhorn exit and then there is
213 Medline and so I am wondering if you considered potentially rezoning it commercial or O/RM for both parcels. Why does it
214 need to be industrial?

215
216 Chad Huffine: In an effort of being consistent you look at the O/RM uses, then you look at the I-2 uses and what we want to
217 do in I-2 fits the property. It is cohesive we are intending to make the property behave as if it is an internally served site and if
218 you have two separate zonings then regardless of the zoning, if it's not consistent then we have concerns.

219
220 Britt Irwin: What you are talking about is coming elsewhere to Efland because that's what most of the people in Efland want.
221 They want a place to eat, they want another grocery store and all that stuff. I-2 makes the most sense because we already
222 have the driveway connection and everything is already there. It's the only use that makes sense because of the size.

223

224

225 Marilyn Limer: I want to address the type of zoning, I think I speak for the majority of the long-time residents concerning this
226 matter. Buc-ee's came up and most of the people who live there were not opposed they just wanted the traffic issue resolved.
227 There is an abundance of available warehouses, in Mebane behind the Food Lion on Hwy 119 there is a building that has
228 been there and it's been for rent for years now. I think we'd be open to commercial zoning but not industrial. People in Efland
229 need amenities. Some examples could be banks, a chain supermarket, a drug store, a restaurant. Most people in Efland go
230 to Mebane for services and if something was here that money would go to Orange County. I would like to see it zoned either
231 commercial or residential rather than industrial.

232

233 Chad Huffine: From a land use perspective, if I try to site a drugs store, it's going to take about 1.5 acres with buffers and
234 access that will come off Efland Cedar Grove and I run out of room. I try and build a shopping center grocery store, it's too
235 small. The standalone Food Lion wouldn't fit. That brings us to restaurant and there is O/RM across the street that can house
236 a restaurant and so in an effort to be consistent with what is already there, that's why we went back to the I-2 zoning. It
237 doesn't bring all the traffic or all the nuisances that come with a large traffic or trip generated like a gas station. It's the right
238 use for the property, it behaves like that.

239

240 Lamar Proctor: I live in the Cheeks area, the Efland area and there's huge spec warehouses going in on Buckhorn, there's
241 Medline and I'm concerned that continued spot zoning, to change parcels to industrial is evidently going to wipe out any sort of
242 communal village of Efland and develop out all the residents. I think with the changes coming to the Triangle, Efland, that exit
243 could be something really cool and special and I hate to see it become just a further industrial extension of Medline and the
244 warehouses that are going up at the Buckhorn exit. I don't think it benefits the residents of Efland.

245

246 Charity Kirk: You mention the O/RM zoning, it was changed because of misinformation? What is the difference between
247 O/RM and I-2?

248

249 Perdita Holtz: Yes, they were given incorrect information about what would be allowed in O/RM when they had a meeting with
250 former staff who are no longer here. When they called me after the former staff person was gone, I told them that a restaurant
251 as part of a multiuse building in O/RM could be established only if there was also a research facility without manufacturing. I
252 know it sounds odd.

253

254 Beth Bronson: The fact that the property is currently zoned residential and they have indicated it will be a flex space, in the
255 sense that it is cohesive with the adjoining property; the applicant now has the option to recreate that entire corner in whatever
256 way they want to whether it's that one parcel or the two parcels or a combination, there are many different ways that can be
257 developed now because they are aligned versus as they were saying, if this corner was Office/Research and Manufacturing
258 and the existing I-2 remained I-2. If they wanted to take that lower corner that runs parallel with Forrest Ave. and have a
259 different type of structure that did serve the purposes to what the public described, like a bank or restaurant. My comment is if
260 they put in an application to rezone any combination of it, it would all make more sense being cohesive as one zone for the
261 parcels.

262

263 Statler Gilfillen: Am I right to assume that the industrial zoning probably gives them the most flexibility to do what they need to
264 or want to do on this site?

265

266 Perdita Holtz: Not necessarily, if they wanted to put in a restaurant, they are not going to be able to do that in the industrial
267 zone. You would need to look and see what types of uses are allowed.

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269 Lamar Proctor: My concern is its Medium Industrial so it is wide open and it could end up being something that is detrimental
270 to downtown Efland in terms of preserving its village character or any sort of mixed use residential village idea in the Efland
271 Small Area Plan. We don't know what it is going to become.

272

273 Adam Beeman: From the information the applicant provided, I picture a facility like The Water Specialist across from Tractor
274 Supply that has a little office out front and in the back he has his vans and all that area is fenced in so that the contractors hide
275 their vehicles behind it and they have their conduit and water supplies and all that stuff is hidden which is The Water Specialist
276 and the next building is someone else and all they have is literally office and a little bit of storage area. That to me is what I
277 picture him saying and for me as a contractor, there is not much space for small guys. The big warehouse mentioned, ask
278 how much the rent was, I almost fell out when I saw how much the rent was for that big warehouse. No one is renting that
279 place for the price they are asking. I can see on that corner small building for electrical contractors, plumbing contractors, and

280 sheetrock guy, something that is hustling and bustling right now in this area. There's not enough space for the little guys to
281 rent that has somewhere that they can park their trucks and store materials. I would be a fan of having a spot like that close to
282 the highway, where I could get my business located somewhere where people could see me and I could get on that highway
283 and go. At the end of the day this is going to the Board of Commissioners and they are going to decide. We are simply
284 advising them of what we think.

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286 Delores Bailey: What I've heard is this person from the public saying they don't want it and Lamar says his concern is it might
287 turn into something that takes it away from the community and the culture that they are holding onto.

288
289 **MOTION BY** Randy Marshall to approve the Statement of Consistency and the findings expressed herein and recommends the
290 BOCC consider adoption of the proposed Zoning Atlas amendment. Seconded by Melissa Poole.

291 **MOTION PASSED 6 – 3 (PROCTOR, BAILEY, KAUFMANN)**

292
293 **MOTION BY** Randy Marshall to approve the proposed ordinance changing the Zoning Atlas amendment map to I-2. Seconded
294 by Melissa Poole.

295 **MOTION PASSED 6 – 3 (PROCTOR, BAILEY, KAUFMANN)**

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297 **AGENDA ITEM 2: ADMINISTER OATH OF OFFICE TO TWO NEWLY APPOINTED MEMBERS**

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299 Steve Kaufmann and Delores Bailey were sworn in as Planning Board members by Tina Love, Notary

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301 **AGENDA ITEM 9: ADJOURNMENT**

302 Meeting was adjourned at 8:30 p.m.

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Adam Beeman, Chair