

**MINUTES OF THE BURLINGTON PLANNING
AND ZONING COMMISSION MEETING**

January 26, 2009

Council Chamber, Burlington Municipal Building

CITY MEMBERS:

George Byrd, Chairman, Absent
Paul Cobb, Secretary, Present
John Black, Present
Lynn Cowan, Present
Early Kenan, Jr., Present
Gordon Millspaugh, Present

EXTRATERRITORIAL MEMBERS:

Bud Apple, Present
Richard Franks, Absent
Earl Jagers, Present
Jim Johnson, Present
Rebecca Lashley, Absent
Ellis Piper, Absent

STAFF PRESENT:

Robert R. Harkrader, Planning Director
David Beal, Assistant Director of Planning Services
Joey Lea, Zoning/Subdivision Administrator
Dianne Fogleman, Office Assistant

ITEM NO. 1: In the absence of Commission Chairman Byrd, Secretary Cobb called the meeting to order at 7:00 p.m.

ITEM NO. 2: Due to the lack of a quorum of extraterritorial members, minutes of the meeting held November 24, 2008, could not be approved.

ITEM NO. 3: Consent agenda: (City)

- (A) Mr. Brent Sievers, representing Peters Enterprises, Inc., presented an application for final plat approval of Eric Lane Business Park. The property is located at the end of the Eric Lane cul-de-sac approximately 1200 feet southwest from the intersection of Interstate 85/40 and NC Highway 62 as shown on plans by Fleming Engineering, Inc., dated January 16, 2009, and containing three lots.

Staff recommended approval of the plat.

Commission Member Millspaugh made a motion to recommend approval of the plat. Early Kenan seconded the motion. The Commission voted unanimously to recommend approval of the plat.

The Commission found that the plat as presented met all requirements of the Subdivision Regulations.

ITEM NO. 4: Mr. Jerry Parker presented an application to rezone from R-15, Residential District, to CR, Conditional Residential District, to allow construction of a three-story 24-unit apartment complex. The property is located at 1020 South Williamson Avenue as shown on Alamance County Tax Map 3-29, Lot 3.

This was a City item.

Commission Member Jagers stated that he was concerned about traffic and asked if enough parking spaces would be provided.

Planning Director Harkrader stated that the District Engineer with DOT sits on the Technical Review Committee and that he had reviewed the site plan for access.

Commission Member Millspaugh asked if staff had received any phone calls inquiring about the rezoning request and was told that it had not.

Commission Member Black asked Mr. Parker if he anticipated Elon University students renting the apartments. Mr. Parker stated that the apartments would not be student housing; however, there was a possibility that students would be renting the apartments.

Commission Member Johnson asked Mr. Parker if 1.5 parking spaces per unit would be sufficient and if additional parking could be extended to the west. Mr. Parker answered that he was trying to stay within the one-acre for development to keep from having to submit plans for stormwater control.

Staff recommended approval of the request for rezoning with the Use and Development Conditions submitted by the petitioner. Planning Director Harkrader pointed out that a day care center was located to the north, shopping center to the south and an Office-Institutional use to the west and that the apartment complex would be compatible with surrounding zoning.

Commission Member Millspaugh made a motion to recommend approval of the request for rezoning with the Use and Development Conditions submitted by the petitioner. John Black seconded the motion. The Commission voted unanimously to recommend approval of the request for rezoning and recommended that the official zoning map and the Comprehensive Land Use Plan be amended to reflect the change. The following Use and Development Conditions have been submitted by the petitioner:

Use Conditions

Construction of three-story, 24-unit apartment complex.

Development Conditions

1. Landscaping shall comply with the City of Burlington landscaping requirements.
2. There shall be a 14.05-foot setback from the left property line.
3. Density shall equal 2,886 square feet per unit.

The Commission found that the zoning change as requested would not adversely affect the adjoining property and would be in keeping with land use planning in the area. The Commission further found that the request was consistent with the Comprehensive Land Use Plan for Burlington and its environs.

There being no further business to discuss, the meeting was adjourned at 7:08 p.m.

George A. Byrd, Jr., Chairman

Paul E. Cobb, Jr., Secretary