



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

**December 18, 2017**

**Council Chamber, Burlington Municipal Building**

**CITY MEMBERS:**

Richard Parker, Present  
John Black, Present  
Early Kenan, Jr., Absent  
Ryan Kirk, Present  
James Kirkpatrick, Absent  
Nicole Enoch (Alternate), Present  
Matthew Dobson (Alternate), Present

**EXTRATERRITORIAL MEMBERS:**

Earl Jagers, Present  
Bill Abplanalp, Present

**STAFF PRESENT:**

Joey Lea, Zoning Administrator  
Kelly Peele, Commission Secretary

**ITEM NO. 1:** Chairman Mr. Richard Parker called the meeting to order at 7:00 p.m.

**ITEM NO. 2:** Minutes of the meeting held October 23, 2017, were unanimously approved.

**ITEM NO. 3:** Ms. Jennifer Fountain to present an application for initial zoning of property recently annexed into the City of Burlington from Guilford County. The property was previously zoned Conditional Use Heavy Industrial and Conditional Use Light Industrial (Guilford County) and the proposed zoning is MF-A Multifamily Residential. The property is located at the east end of Pace Drive and shown as Guilford County parcel number 8834620140.

Ms. Jennifer Fountain stated, my name is Jennifer Fountain and I represent Tom Holderby and Woodland Heights of Burlington Phase III, LLC. We are here tonight to request initial zoning on the 17.909 acres track property; it was annexed into the City on October 2, 2017. As you can see the property is located at the east end of Pace Drive and has visibility from the interstate. The property is located next to an existing apartment community known as Woodland Heights Apartments that is also owned by my client. Mr. Tom Holderby, has been constructing apartments for over 30 years and currently has projects all across the state. The existing apartments to the west have been open since 2010 and offers 264 units with options for 2 and 3 bedrooms. The subject property will be a continuation where we are seeking straight zoning with MF-A Multifamily but the plan is to build additional apartments similar to what is there on the property to the east. The existing apartments there have an occupancy rate over 95% and often have a wait list; the idea is to meet this need for affordable housing. We are requesting the initial zoning of this property be MF-A Multifamily Residential. This proposed zoning is consistent with the Comprehensive Plan in this area which calls for Residential use. We have sent letters to the neighbors that was provided to us by the Planning Staff. As of this evening we have not heard any response to those letters and therefore we respectfully ask that our zoning application be approved.

Commission Member Mr. Bill Abplanalp asked, you have access from the property from Pace Drive?

Ms. Jennifer Fountain stated, the right-a-way does go up to the property line at Pace Drive, yes. There will be access from the other property as well.

Commission Member Mr. Bill Abplanalp asked, so you can come in from both sides?

Ms. Jennifer Fountain stated, yes.

Chairman Mr. Richard Parker asked, what is next door to the west?

Ms. Jennifer Fountain stated, that is a current industrial use.

Zoning Administrator Mr. Joey Lea stated, it is a warehouse I believe.

Chairman Mr. Richard Parker asked, you are going to extend this apartment complex?

Ms. Jennifer Fountain stated, yes that is the plan.

Commission Member Mr. Ryan Kirk asked, is Pace Drive a part of Guilford County?

Zoning Administrator Mr. Joey Lea stated, I believe so unless it is a part of the interstate as a service road, I'm not sure. It is a public road.

Commission Member Mr. Ryan Kirk asked, are there single-family homes to the north?

Zoning Administrator Mr. Joey Lea stated, correct.

Commission Member Mr. Ryan Kirk asked, what will be your plans for buffers or barriers between the single-family homes and the apartment complex?

Ms. Jennifer Fountain stated, this is a straight rezoning.

Zoning Administrator Mr. Joey Lea stated, we can't get into the specifics of any development in a straight rezoning.

Ms. Jennifer Fountain stated, however you can see if you have visited the site and aware of what's out there it will be consistent with the high integrity that is already out there now.

Commission Member Mr. Bill Abplanalp asked, didn't we rezone the property in front of the existing apartments a couple years ago?

Zoning Administrator Mr. Joey Lea stated, that was rezoned from Commercial to Residential. I would also like to point out that the apartment property was originally zoned MF-A, the only reason that it went Conditional is because at the time back during when banks were doing crazy things and there was some financing issues, they needed to split the property and that subdivision of the property did not meet our regulations and that's why it was rezoned Conditional Residential but it's original zoning when they built the apartments was MF-A.

Ms. Kelley Slade stated, I live at 7240 Greeson Road in Whitsett. I received a letter from the developer this past Saturday talking about this meeting. I just want to figure out exactly what they are wanting to do. My property is the little corner right by this property. I've got children and I've got grandchildren that play in the area right there. I understand they are wanting to put up apartments but where is the driveway supposed to be, the direction traffic and the all the other particulars on this?

Chairman Mr. Richard Parker stated, as you may have heard this is what we call a straight rezoning and so there are no plans before us as to what will be exactly there, so we don't know either. Ms. Fountain would be there only one that can answer those questions. Because this is a straight rezoning we are not allowed to ask questions on the project.

Ms. Kelly Slade asked, again what is a straight rezoning? What does that consist of?

Zoning Administrator Mr. Joey Lea stated, with a straight or traditional rezoning we cannot consider any specific development. They have to consider all the uses that are allowed within that district and decided if those uses are compatible with the surrounding area; that could be single-family, multi-family, there are a whole list of uses, in my opinion none of them are bad uses that could be used for the property. As you heard they do intend to do apartments but because it's a traditional rezoning that could change and still be used for anything that is allowed in the MF-A District.

Commission Member Mr. Ryan Kirk stated, here is a list of the uses in the MF-A district.

Chairman Mr. Richard Parker stated, those are all the uses that are allowed in MF-A zoning. Currently the land is not zoned at all. We are here tonight to create a zone there for multi-family and those uses on the paper are the things that could be built there but as we've heard from Ms. Fountain it sounds like the developer wants to continue his apartments. We don't have any plans to look at to determine how many apartments, the density of it, the roadway, buffers or anything like that.

Zoning Administrator Mr. Joey Lea stated, I will say this, under the zoning for Guilford County they had planned on putting up a concrete mixing plant.

Ms. Kelly Slade stated, I was at the meeting in Greensboro and I was against it.

Zoning Administrator Mr. Joey Lea stated, what I would suggest because of the nature of this rezoning, is that after the meeting Ms. Fountain would be more than happy to talk to you and she can give you more details on what they are planning on doing but we can't discuss this now at this meeting.

Ms. Yeekah Radcliffe stated, I have family property at 7244 Greeson Road, Whitsett. Will the zoning at that property affect any of the zonings of the surrounding properties? We are just talking about that particular parcel?

Chairman Mr. Richard Parker stated, correct, just this parcel.

Ms. Annette Radcliffe stated, I live at 7242 Greeson Road Whitsett. Ms. Fountain can only discuss with us after this meeting about the details?

Chairman Mr. Richard Parker stated, yes ma'am.

Ms. Yeeskah Radcliffe asked, you guys are making a recommendation about the zoning of this property but you can't talk to the developer who is building on the property about what they intend to do? How can you make a recommendation on the zoning without knowing what the developers want to do?

Commission Member Mr. Ryan Kirk stated, the list you have which we gave you, we are approving that list of appropriate use, not any specific construction but the categories that we are going to recommend whether to approve or not.

Commission Member Mr. Ryan Kirk stated, I move we recommend approval of this request based on consistency with the Comprehensive Plan, this action is reasonable and in the public interest and that the amendment is compatible with existing land uses in the area. Commission Member Mr. Earl Jagers second the motion. The Commission unanimously voted to approve the rezoning.

There being no further business to discuss, the meeting was adjourned at 7:30 p.m.

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**Richard Parker, Chairman**

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**John Black, Vice Chairman**

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**Kelly Peele, Secretary**