

BURLINGTON PLANNING AND ZONING COMMISSION

April 28, 2008

Council Chamber, Burlington Municipal Building

CITY MEMBERS:

George Byrd, Chairman, Present
Paul Cobb, Secretary, Present
John Black, Present
Lynn Cowan, Present
Elder Greg Hargrave, Present
Gordon Millspaugh, Present

EXTRATERRITORIAL MEMBERS:

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

STAFF PRESENT:

Robert R. Harkrader, Planning Director
David Beal, Assistant Director of Planning Services
Dianne Fogleman, Office Assistant

ITEM NO. 1: Chairman Byrd called the meeting to order at 7:00 p.m.

ITEM NO. 2: Minutes of the meeting held March 17, 2008, were unanimously approved. This was a City and extraterritorial item.

ITEM NO. 3: Consent agenda: (City)

- (A) Mr. Jay Lowe, representing Mr. Bill Sandford, presented an application for final plat approval of the Border Street Residential Land Trust. The property is located on the south side of West Whitsett Street and north of Border Street as shown on plans by Carolina Cornerstone Surveying dated March 21, 2008, and containing five lots.

Staff recommended approval of the plat.

Commission Member Black inquired about what was planned for the property.

Mr. Lowe answered single-family and multifamily residential – possibly duplexes – however, the developers are not sure at this time.

Mr. Black asked if a road would be constructed, and Mr. Lowe answered that a road is planned and that the branch running through the property would be piped.

Mr. Black recalled a small rock quarry being located on Lot 5 and that area retained a lot of water. Mr. Porterfield stated that he was unaware of a former quarry.

Chairman Byrd asked if the plat passed engineering review and was told that it had.

Commission Secretary Cobb asked how the property was zoned and was told R-6, Residential District.

Commission Member Franks asked if multifamily uses would be allowed and was told that they would be permitted in R-6.

Commission Secretary Cobb made a motion to recommend approval of (A). Greg Hargrave seconded the motion. The Commission voted unanimously to recommend approval of the final plat.

(Extraterritorial)

- (B) Mr. Michael McPherson presented an application for final plat approval of the Michael McPherson Subdivision. The property is located on the south side of Anthony Road west of South Anthony Court as shown on plans by Glenn Lee Brown dated March 28, 2008, and containing one lot.
- (C) Mr. Aden Stoltzfus, representing Haw River LLC, presented an application for preliminary plan approval of the Riverbend Subdivision. The property is located at the end of Avalon Road and Cottage Place as shown on plans by Fleming Engineering dated April 2, 2008, and containing 164 lots.

Staff recommended approval (B) and (C).

Referring to (C), Commission Secretary Cobb asked what type of housing is planned for the subdivision.

Mr. Stoltzfus stated that duplex apartments are planned, and Mr. Cobb asked if they would be rental or individually owned. Mr. Stoltzfus answered rental. Mr. Cobb commented that he wondered where all of the renters would be coming from. Mr. Stoltzfus responded that a marketing firm advised duplexes; however, at this point, duplexes are speculative.

Commission Chairman Byrd asked about the size of each duplex. Mr. Stoltzfus stated the each would be two stories and approximately 1,600 square feet in size.

Commission Member Johnson commented that the plat does not show much grading.

Mr. Stoltzfus stated that the current plat shows existing topography and planned grading would be indicated on the final plat. He told Commission members that plans are to keep development away from the creek.

Commission Secretary Cobb made a motion to recommend approval of (A) and to approve (B). Bud Apple seconded the motion. The Commission voted unanimously to recommend approval of (B) and to approve (C), the preliminary plan.

ITEM NO. 4: Mr. Chad Porterfield, representing Mr. James C. Harris, presented an application to rezone from R-M, Residential-Mobile Home District, and I-1, Industrial District, to CR, Conditional Residential District, to allow a day care and elementary Montessori School. The property is located on the south side of Alamance Road west of Anthony Road as shown on Alamance County Tax Map 12-1, Lots 32 and 3.

This was an extraterritorial item.

Mr. Porterfield stated that the two lots have been re-combined. He noted that 30 students attend the existing school and a maximum of 50 additional students would be attending the proposed addition. He pointed out that the basic hours of operation would be from 7:30 a.m. until 5:00 p.m.; however, students do not arrive or depart at the same time.

Mr. Porterfield stated that the North Carolina Department of Transportation had reviewed the plans and advised that they feel comfortable with the proposals.

Commission Member Apple asked if there would be another entrance and/or exit other than the one on Alamance Road.

Mr. Porterfield indicated that he has been advised by DOT that the entrance/exit on Alamance Road will suffice for the current proposed development; however, during Phase 2 of the development, DOT would require an additional drive. He stated that the current drive as well as the apron would be improved during the current phase. Additionally, the front portion of the property would remain wooded.

Commission Member Hargrave inquired about the location of the playground. By way of the overhead projector in the Council Chamber, Mr. Porterfield showed the current playground location and noted the planned playground expansion. Commission Member Apple asked if the playground was fenced and was told that it was.

Elder Hargrave commented on the current tight maneuvering in the driveway and speculated problems with additional traffic generated by 50 more students. He stated that in his opinion backing is never a good idea with children on the premises.

Mr. Porterfield accepted Elder Hargrave's comments and stated that the drive would be reconfigured during Phase 2. He noted that the drive would remain graveled and could possibly be paved in the future.

Commission Secretary Cobb asked what grades would the school offer and was told day care through the fourth grade.

Elder Hargrave asked if after-school care was offered and was told that the school was a private facility for all-day care; thus, there would be no vans, etc.

Commission Chairman inquired about classroom size. Mr. Porterfield stated that most classrooms are 30 feet by 25 feet and plans are for two classrooms per age level. He noted that Montessori schools practice more hands-on between students and teachers and thus differ from traditional elementary schools.

Commission Member Johnson stated that he had concerns with safety issues with the additional number of cars and with parking during various activities at the school. Commission Member Black inquired where would parents park – along Anthony Road?

Mr. Porterfield pointed out that improvements are to be made to the current driveway as well as the driveway aprons. He also noted that NCDOT plans to install a traffic light at the Kirkpatrick/Alamance Road intersection in the future.

Staff recommended approval of the request for rezoning with the Use and Development Conditions submitted by the petitioner. Planning Director Harkrader stated that a maximum of 50 students would be added to the Development Conditions submitted by the petitioner and any growth beyond that number would warrant the developer submitting an application to

amend the Conditional rezoning. Also, NCDOT has stipulated that additional growth will require another entrance/exit to the school grounds.

Commission Member Franks made a motion to recommend approval of the request for rezoning with the Use and Development Conditions submitted by the petitioner. Bud Apple 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 Condition

The addition shall be used as a day care and elementary Montessori School.

Development Conditions

1. Less than .5 of an acre shall be cleared of trees.
2. Driveway shall be upgraded.
3. There shall be a maximum of 50 additional students at the proposed facility and any growth beyond that number shall require the petitioner to submit an amendment to the Conditional rezoning and to meet requirements from NCDOT.

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.

ITEM NO. 5: Due to Memorial Day on May 26, 2008, the Commission was asked to set an alternate date for the May meeting.

Planning Director Harkrader suggested that the Commission reschedule its May meeting for Tuesday, May 27, 2008. He stated that a function is already scheduled in the Council Chamber for the previous Monday, May 19.

The Commission voted unanimously to reschedule its May meeting for Tuesday, May 27, 2008, at 7:00 p.m. The deadline for submitting agenda items will remain the same.

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

George A. Byrd, Jr., Chairman

Paul E. Cobb, Jr., Secretary

