

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

**March 17, 2008**

**Planning Department Conference Room,  
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, Absent

**STAFF PRESENT:**

Bob 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. He expressed sympathy over the passing of one of the Commission members, Mr. Bob Ware. Chairman Byrd stated that Mr. Ware served the Commission with dignity and offered much insight during a time when the City was experiencing change and growth in the western area. He stated that Mr. Ware would be missed and offered a moment of silence in his memory.

**ITEM NO. 2:** Minutes of the meeting held February 25, 2008, were unanimously approved. This was a City and extraterritorial item.

**ITEM NO. 3:** Consent agenda: (City)

- (A) Mr. Lawson Brown, representing Alamance Crossing LLC, presented an application for final plat approval of the Westview Terrace Subdivision. The property is located east of Boone Station Drive; south of Garden Road; west of Westview Terrace; and north of Fairview Drive as shown on plans by MSS Land Consultants PC dated February 15, 2008, and containing three lots.

Staff recommended approval of (A).

Commission Member Millspaugh made a motion to recommend approval of (A). Greg Hargrave seconded the motion. The Commission voted unanimously to recommend approval of (A).

**ITEM NO. 4:** Mr. Carlton L. Pleasant of CompuLabs Systems and Rentals Inc. presented an application to rezone from B-2, General Business District, to CB, Conditional Business, to allow for light manufacturing and all uses permitted in B-2 zoning districts. The property is located at 1622 Maple Avenue between Quintas Avenue and Arden Street and west of Stout Street as shown on Alamance County Tax Map 117-485, a portion of Lot 56. The rear portion of Lot 56 -- 25 feet in depth and located on Stout Street -- will remain zoned MF-A, Multifamily, and there will be no access on Stout Street.

This was a City item.

Commission Member Black asked what was going to be manufactured on the site.

Mr. Jeff Williams stated that he had a contract to purchase the property and that systems for robotic assembly would be manufactured at the site.

Commission Chairman Byrd asked how many would be employed at the business and was told approximately 20.

Staff recommended approval of the request for rezoning with the Use and Development Conditions submitted by the petitioner.

Commission Member Millspaugh made a motion to recommend approval of the request for rezoning with the Use and Development Conditions submitted by the petitioner. Greg Hargrave 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 petitioner has submitted the following Use and Development Conditions:

#### **Use Conditions**

1. Systems for robotic assembly shall be designed, developed and prototyped and shall involve CAD-based engineering design and part fabrication using lathes, mills, saws, welding, etc.
2. System assembly, wiring and robot programming shall be carried out.
3. After successful prototype development, several systems shall be manufactured for sale. Staffing will increase during this time -- late year, one, mid-year, two -- to include sales, customer service and manufacturing functions.

#### **Development Conditions**

1. The first 25 feet in depth of property along Stout Street shall remain zoned MF-A, Multifamily.
2. There shall be no access to Lot 56 on Stout Street.
3. Signage package shall be according to regulations for B-2, General Business District.
4. There shall be no external lighted sign to the rear of the building or property.

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:** Mr. Bob Lewis of NAI Piedmont Triad, representing Mr. Stephen C. Upson of Bailor Development, presented an application to rezone from R-9, Residential District, and B-2, General Business District, to O-I, Office-Institutional District, the property located at 827 South Church Street between Fifth and Sixth Streets owned by the Touloupas Trustees and shown on Alamance County Tax Map 20-69, the rear portion of Lot 115.

This was a City item.

Mr. Lewis introduced Mr. Brent Cockrum with Fleming Engineering and Mr. Steve Upson with Bailor Development.

Mr. Cockrum stated that an existing house that is slated for rehab was located on the 2.13 acre site that was overgrown with vegetation.

He noted that the property fronting on South Church Street would remain zoned B-2; however, the requested rezoning would create a clean B-2 zoning line to the rear at the O-I zoning.

Mr. Cockrum stated that the proposed development would offer positive growth to the downtown area.

Planning Director Harkrader stated that when the rezoning application was initially submitted, staff had concerns about extending B-2 zoning to the rear. However, it was determined that the developers could carry out their plans in O-I zoning. He stated that O-I zoning would offer a buffer between business development along South Church Street and the surrounding residential area and therefore would not be considered spot zoning. Mr. Harkrader noted that it was unlikely that this property would ever be residentially developed, and it was staff's belief that the proposed development would offer a positive answer to a negative site where the City has had numerous complaints. He stated that staff recommended approval of the rezoning on the basis that the change would be compatible with land use planning in the area.

Commission Member Millspaugh asked if there would be an entrance to the development from Summersville Place and was told that there would not be. He noted that Summersville was narrow and was no more than a driveway and would not be suitable without improvements.

Mr. Cockrum stated that the only entrance would be on South Church Street, and Mr. Millspaugh asked if the entrance would be adequate for fire and other emergency vehicles.

Planning Director Harkrader stated that plans for the development would be submitted to the City Technical Review Committee for approval by all departments, including Fire and Police.

Commission Chairman Byrd asked about lighting and fencing.

Mr. Cockrum stated that lighting would be directed toward Church Street and the installation of an eight-foot tall fence is planned.

Mr. Byrd inquired about adequate parking, and Mr. Cockrum stated that the development would have 74 parking spaces.

Commission Secretary Cobb asked if the existing house on the property would be moved and was told that it would not be moved and that there are plans to renovate it.

Mr. Cobb asked if the property would be graded and questioned the elevation of the house which appears to sit well above the current grade level and if it would be aesthetically pleasing from Church Street.

Mr. Cockrum showed Mr. Cobb the conceptual site plans and noted that the house would be sitting approximately six feet above grade level.

Commission Member Cowan asked if the request would be considered spot zoning. Planning Director Harkrader replied that O-I zoning had consistently been used as a buffer between residential and commercial zones throughout the City and that this practice was consistent with past land planning applications in Burlington.

Commission Member Millspaugh made a motion to recommend approval of the request for rezoning. John Black seconded the motion. The Commission voted unanimously to recommend approval of the request for rezoning.

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 recommended that the official zoning map and the Comprehensive Land Use Plan be amended to reflect the change. The Commission 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 7:19 p.m.

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**George A. Byrd, Jr., Chairman**

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**Paul E. Cobb, Jr., Secretary**