

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

October 26, 2009

Council Chamber, Burlington Municipal Building

CITY MEMBERS:

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

EXTRATERRITORIAL MEMBERS:

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

STAFF PRESENT:

David Beal, Assistant Director of Planning Services
Joey Lea, Zoning/Subdivision Administrator
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 September 28, 2009, were unanimously approved. This was a City and extraterritorial item.

ITEM NO. 3: Consent agenda: (City)

(A) Mr. Aden Stoltzfus, representing Peters Enterprises, LLC, presented an application for final plat approval of the Eric Lane Business Park Subdivision. The property is located at the end of the Eric Lane cul-de-sac approximately 1,200 feet southwest from the intersection of Interstate 85/40 and NC Highway 62 as shown on plans by Fleming Engineering, Inc., dated October 7, 2009, and containing five lots.

Staff recommended approval of the final plat.

Commission Secretary Cobb made a motion to recommend approval of the final plat. Early Kenan seconded the motion. The Commission voted unanimously to recommend approval of the final plat.

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

ITEM NO. 4: Ms. Frances Workman presented an application to rezone from R-12, Residential District, to O&I, Office-Institutional District, the property located at 123 South Mebane Street as shown on Alamance County Tax Map 013-37-10.

This was a City item.

Ms. Workman stated that the property was zoned O&I when she purchased it and was changed by the City because of problems in the neighborhood.

Commission Member Cowan inquired about the history of the property.

Zoning/Subdivision Administrator Lea displayed an aerial view of the area and stated that he thought the lot was part of a large rezoning of properties around 2000 because neighbors were concerned about some of the permitted uses.

Staff recommended approval of the request for rezoning. Assistant Director of Planning Services Beal stated that O&I would be consistent with surrounding zoning densities and was often used as a buffer between commercial and residential developments.

Commission Secretary Cobb made a motion to recommend approval of the request for rezoning. Early Kenan 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.

ITEM NO. 5: Mr. Lawson Brown, representing Mr. Rick Rose, was scheduled to present an application to rezone from R-15, Residential District, to O&I, Office-Institutional District, the property located at 3765 South Church Street as shown on Alamance County Tax Map 3-28-11.

The application was withdrawn prior to the meeting.

Assistant Director of Planning Services Beal asked Commission members if they wanted to change the date of the December meeting or have it on the scheduled fourth Monday.

Commission members debated meeting a week earlier – on December 21; the usual fourth Monday – on December 28; or canceling the December meeting. After a discussion, members voted to have the meeting a week earlier – on December 21 – and cancel it if no applications had been submitted. This would also move the submission deadline a week earlier to December 4.

Commission Secretary Cobb reminded staff that following a request for rezoning property on West Webb Avenue several months ago (April 27, 2009), he requested that the Commission and staff discuss the degrading conditions along Webb Avenue including partly demolished buildings and wrecked cars at several service stations.

Mr. Beal stated that Planning Director Harkrader had discussed the Webb Avenue situation and he would pass the inquiry on to him.

There being no further business to discuss, the meeting was adjourned at 7:12 p.m.

George A. Byrd, Jr., Chairman

Paul E. Cobb, Jr., Secretary