

**MINUTES OF THE BURLINGTON PLANNING
AND ZONING COMMISSION MEETING (AMENDED)**

February 22, 2010

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, Present

EXTRATERRITORIAL MEMBERS:

Bud Apple, Present
Richard Franks, Present
Earl Jagers, Present
Jim Johnson, Present
Rebecca Lashley, 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 7:01 p.m.

ITEM NO. 2: Minutes of the meeting held December 21, 2009, were unanimously approved. This was a City and extraterritorial item.

ITEM NO. 3: Mr. Warren D. Yarbrough, representing the Alamance-Burlington School System, presented an application to rezone from R-9, Residential District, and B-2, General Business District, to COI, Conditional Office-Institutional District, for a career and technical education center. The property is located on the north side of North Church Street approximately 250 feet east of McKinney Street as shown on Alamance County Tax Map 13-17, Lots 4C and 4D, consisting of 8.07 acres.

This was an extraterritorial item.

Mr. Yarbrough outlined the purpose of the proposed career center, and with the aid of overhead audio visuals, displayed the site plan. He stated that the 40,000 plus square-foot school would be two stories and offer advanced classes in drafting, construction, computer network administration and health as well as carpentry, automotive technology and video production, digital media and the design of 3-D simulations to approximately 250 students from the six area high schools. The purpose would be to offer students the skills needed to enter the work force immediately upon graduation or to continue their education at a

community college or university. Students would spend part of the day at the facility and the other at their high schools. Shuttle buses would transport them to and from the facility or students may choose to drive their own vehicles. He introduced Mr. Andrew Moriarty, civil engineer with The Timmons Group.

Mr. Moriarty stated that the two-acre tract that fronts on US Highway 70 (North Church Street) is currently zoned B-2. One of three entrances would be located on North Church Street – right in/right out only. Thus, students/staff coming from the east would enter at this location and those exiting would be required to turn right only onto North Church Street and continue west or would have to exit from Buckingham Road/McKinney Street if they were traveling east. The six-acre tract on Buckingham Road to the rear and adjacent to Andrews Elementary School is zoned R-9 with two entrances – one for students/staff and the other for buses only.

Mr. Yarbrough noted that students from only one of the high schools, Eastern Alamance, would be entering the facility from the east. Classes at the career center would begin at 8:30 a.m. and could end around 6:00 p.m. The school's fourth-block release would be at 3:00 p.m. with buses leaving around 3:15 p.m. Class hours at Andrews Elementary are from 8:00 a.m. until 2:45 p.m.

Commission Chairman Byrd, sharing that his daughter had attended Andrews, stated that the staggering of the two schools' hours would aid in traffic congestion.

Commission Member Lashley asked how close together are the two schools. Mr. Yarbrough stated that Andrews Elementary is directly across from the proposed career school. She asked if the schools would be sharing the same driveway and was told that they would not.

Commission Member Millsbaugh suggested that signage be placed at the entrance/exit on Buckingham Road forbidding right turns in order to prevent more traffic in front of the elementary school during certain hours.

Mr. Moriarty stated that it seems it would be better to stop traffic from turning left. He told Commission members that a traffic study conducted in the area showed that traffic had cleared by 8:30 a.m., which would be when students arrive at the career center.

Commission Member Black asked what time of day would classes end at the career center and would students attend year-round, and Mr. Yarbrough stated that the last classes would end no later than 6 p.m. and that classes could possibly be year-round.

Commission Secretary Cobb asked how many students would attend and was told possibly 250. He inquired as to the difference between the proposed school and Alamance Community College.

Mr. Yarbrough stated that the state-of-the-art facility would be a skilled training center, including a Cisco networking academy with courses offered that would help students not college bound to enter the work force. The center would also allow both students and staff to take courses remotely from another location, such as the Smithsonian Institution.

Commission Member Black asked how the location was chosen.

Mr. Yarbrough stated that the site was chosen because it is in the center of the county and an equal distance to the six high schools. In addition, municipal water and sewer were also available.

Commission Chairman Byrd asked if classes such as auto mechanics and welding would be a noise factor.

Mr. Yarbrough stated that all classes would take place inside, and extra shrubbery and trees would isolate the facility from its surroundings. The building would be LEED certified for sound, energy and water.

Commission Member Lashley asked if mentally handicapped children still attend Andrews Elementary and was told they did – around 14 and up to 20 and 25.

Mr. Russell Koelsch, 2842 McKinney Street, stated that it was almost impossible for him to get out of his driveway as cars are lined up almost to North Church Street dropping off or picking up students at Andrews Elementary. He told Commission members that additional traffic brought on by the new school will put a strain on Buckingham Road. He questioned why the front entrance to the school couldn't be on North Church Street instead of Buckingham.

Mr. Yarbrough answered that North Carolina Department of Transportation staff stated that North Church Street, which is NC Highway 70, was five lanes wide and was too busy to have the school frontage on the busy thoroughfare.

Planning Director Harkrader stated that Highway 70 is governed by NCDOT and that he had received a copy of a letter from Mr. C. (Chuck) N. Edwards, Jr., District Engineer, NCDOT, to Mr. Jason Hamilton, engineer with Ramey Kemp and Associates of Raleigh, reviewing the traffic assessment for the proposed career center. In the letter, Mr. Edwards states that a full movement access on North Church Street would be undesirable due to significant safety and operational problems.

Mr. Darrin Miller, 2904 McKinney Street, stated that he counted 19 school-age children living on the block and that he had concerns about their safety due to additional traffic that would be generated by the new school. He told Commission members that he did not object to the new school, just the traffic. He distributed photographs showing how traffic already backs up on McKinney Street. Mr. Miller commented that with the incoming high school students, McKinney Street would become a mini drag strip.

Mrs. Dina Miller, 2904 McKinney Street, pointed out that in one of the photos distributed by her husband, cars are backed up, and as usual a school bus is in the left lane bypassing the backed-up cars and also going against possible oncoming traffic.

Mr. Yarbrough stated that buses should not be traveling in the wrong lane and that he would check into the situation.

Commission Member Lashley asked where was the funding coming from for the career and education center.

Mr. Yarbrough stated that construction costs would come from federal stimulus bonds provided by the county government and school system, state lottery proceeds and the school system.

Commission Member Millspaugh commented that the new school could generate more business on that side of town.

Mrs. Lashley asked how soon would construction begin.

Mr. Yarbrough stated that school system hopes to begin construction in early spring and open for the start of the 2011-2012 school year.

Mr. Miller suggested the possibility of the school system providing a different exit point than those proposed on Buckingham Road. He noted that there were five acres for sale next door to the east and suggested funneling traffic through the Winn-Dixie site to the other existing traffic light.

Mr. Yarbrough stated that the cost (approximately five million dollars) of the five acres prohibits the school system from purchasing it. He also pointed out that the property is in the jurisdiction of Haw River. Mr. Miller responded that it was still in Alamance County.

Mr. Yarbrough noted that there is not a stoplight at the entrance to the five acres, which is the location of the former Winn-Dixie. He stated that the school system could not cut through and use the private property as a driveway.

Mr. Erik Nivolo, 207 Woodhaven Drive, questioned how much does the school system consider a child's life is worth – less than half a million dollars. Mr. Nivolo pointed out that a multifamily development northwest of the proposed school has already been approved and thus will add additional traffic to the area.

Commission Chairman Byrd asked for staff's recommendation.

Planning Director Harkrader stated that staff recommends approval of the rezoning request with the Use and Development Conditions submitted by the petitioner.

Mr. Tom Boney asked why DOT would object to left turns at the proposed entrance on Highway 70 since there was already a dedicated left turn lane there.

Mr. Yarbrough stated that DOT did not recommend left turns there and that a driveway permit would be issued by DOT on the assumption that there would be no left turns there.

Mrs. Miller suggested that since very little could be done about the existing and future traffic, that a speed bump be placed on Buckingham Road to at least slow down the traffic. She also suggested that when the school system begins to excavate the property for the new school, that the dirt removed be used to fill in the front of Andrews Elementary rather than hauling the dirt off to another location. With the backfill in place in front of Andrews Elementary, she suggested that the area be leveled off enough to make a double lane for traffic to assist in the congestion of parents dropping off and picking up students.

Commission Member Jagers asked if signage as well as flashing lights would be placed on US Highway 70 warning motorists of the school zone, and was told that they would.

Commission Member Millspaugh asked if the speed limit on US 70 in the school zone would be lowered and was told that the applicant must petition NCDOT to lower the speed limit.

Commission Member Black stated that he thought that the request should be added to the development conditions on the rezoning application.

Commission Secretary Cobb made a motion to recommend approval of the rezoning request with the Use and Development Conditions submitted by the petitioner and contingent upon the applicant petitioning NCDOT to lower the speed limit on US Highway 70 in the school zone. Rebecca Lashley seconded the motion. The Commission voted unanimously to recommend approval of the rezoning request with the Use and Development Conditions submitted by the petitioner and contingent upon the applicant petitioning NCDOT to lower the speed limit on US Highway 70 in the school zone. The Commission also 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 applicant and an additional Development Condition suggested by the Commission:

Use Conditions

Public career and technical education center.

Development Conditions

1. There shall be an enhanced landscape buffer provided along the western property line.
2. Applicant shall request voluntary annexation into the City limits of Burlington prior to a Certificate of Occupancy being approved.
3. Applicant shall petition the North Carolina Department of Transportation to reduce the speed limit on North Church Street in the school zone.

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 8:25 p.m.

George A. Byrd, Jr., Chairman

Paul E. Cobb, Jr., Secretary