

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

December 13, 2010

Council Chamber, Burlington Municipal Building

CITY MEMBERS:

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

EXTRATERRITORIAL MEMBERS:

Bill Abplanalp, Present
Bud Apple, Present
Richard Franks, Absent
Earl Jagggers, Present
Jim Johnson, Present
Rebecca Lashley, Present

STAFF PRESENT:

Robert R. Harkrader, Planning Director
David Beal, Assistant Director of Planning Services
Michael Willets, Deputy Fire Chief
Dianne Fogleman, Office Assistant

ITEM NO. 1: Chairman Byrd called the meeting to order at 7:01 pm.

ITEM NO. 2: Minutes of the meeting held November 22, 2010, were unanimously approved. This was a City and extraterritorial item.

ITEM NO. 3: At the November 22, 2010, meeting, Mr. Daniel Dorn with Smith Packett, representing Alamance AL Investors, LLC, presented an application to rezone from R-15, Residential District, to CO-I, Conditional Office-Institutional District, to allow the development of an assisted living facility. The property is located on the south side of Grand Oaks Boulevard approximately 1,100 feet east from the corner of Grand Oaks Boulevard and Kirkpatrick Road as shown on Alamance County Tax Map 3-22D, a portion of Lot 34, consisting of 4.05 acres. Staff recommended approval and the Commission unanimously recommended approval of the rezoning with the Use and Development Conditions submitted by the petitioner.

Planning Director Harkrader stated that following the November Planning and Zoning Commission meeting, he had discussions with Burlington Fire Chief Jay Smith, Deputy Chief Michael Willets and Mr. Chuck Edwards with NCDOT as well as the petitioner regarding access for emergency vehicles to the proposed assisted living facility. After the discussions, it was determined that a modification could be made to the site plan to provide a left over in the median on the new Grand Oaks Boulevard

extension. The new proposed left over would provide direct access into the facility. Mr. Harkrader stated that it was staff's opinion that this would create a much better situation and he felt that this modification was important enough and big enough to bring it back to the Commission for consideration and in case there was a question in the future.

Mr. Harkrader compared the proposed access to the one at the Shoppes at Waterford on University Drive where vehicles cannot turn left out of Dunleigh Drive.

Commission Member Johnson asked if this would be the only entrance to the assisted living facility and was told that there would be only one driveway.

Commission Member Abplanalp questioned if emergency vehicles could turn left when leaving the facility and was told that they could not. Mr. Harkrader stated that he was told it was important for emergency personnel to be able to access a site as quickly as possible.

Commission Member Jagers asked if there was an elevated grade at the entrance that could create blind spots and was told that the grades were level.

Commission Member Black commented that this was a "no brainer" in his opinion unless there was something hidden that the Commission could not see. The proposed access modification was an improvement.

Commission Member Apple made a motion to recommend approval of amending the site plan that was previously recommended for approval based on transportation improvements. Earl Jagers seconded the motion. The Commission voted unanimously to recommend approval of amending the site plan that was previously recommended for approval.

This was an extraterritorial item.

The following Use and Development Conditions were previously recommended for approval by the Commission:

Use Conditions

Home for the ill or aged/assisted living facility.

Development Conditions

- 1) Portion of access isle and parking in the rear may encroach 40 feet into the landscape buffer, if necessary.
- 2) Applicants shall provide for a cross access easement to the property to the west that shall allow emergency vehicles access. The development to the west shall be required to be tied into Alamance AL Investors 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.

There being no further business to discuss, the meeting was adjourned at 7:14 p.m.

George A. Byrd, Jr., Chairman

Lynn Cowan, Secretary