



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

August 28, 2017

Council Chamber, Burlington Municipal Building

CITY MEMBERS:

Richard Parker, Present
John Black, Present
Early Kenan, Jr., Absent
Ryan Kirk, Present
James Kirkpatrick, Present
Nicole Enoch (Alternate), Absent
Matthew Dobson (Alternate), Present

EXTRATERRITORIAL MEMBERS:

Earl Jagers, Present
Bill Abplanalp, Present

STAFF PRESENT:

Amy Nelson, Planning Director
Joey Lea, Zoning Administrator
Kelly Peele, Commission Secretary

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

ITEM NO. 2: Nomination and elections of 2017-2018 Commission Chair and Co-Chair.

Commission Member Mr. Bill Abplanalp made a motion to re-elect Commission Member Mr. Richard Parker for Chairman. Commission Member Mr. James Kirkpatrick seconded the motion. The Commission unanimously voted for Commission Member Mr. Richard Parker for Chairman.

Commission Member Mr. Earl Jagers made a motion to re-elect Commission Member Mr. John Black for Vice Chairman. Commission Member Mr. James Kirkpatrick seconded the motion. The Commission unanimously voted for Commission Member Mr. John Black for Vice Chairman.

ITEM NO. 3: Minutes of the meeting held June 26, 2017, were unanimously approved.

ITEM NO. 4: Ms. Denise Marti to present an application to rezone from R-9 Residential District and I-1 Planned Industrial District to CR Conditional Residential District for the use of an existing Church with the addition of a child Day Care with 70 children and an Elementary School with 35 students. The property is located at 1935 Hanford Road referenced as Alamance County tax identification number 132796.

Ms. Denise Marti stated, the church is looking at putting a daycare and school in the World of Pentecostal Church

Planning Director Mrs. Amy Nelson stated, this request would have a lesser impact than some other use such as industrial and shouldn't cause any major changes to existing land use.

Vice Chairman Mr. John Black asked, any phone calls?

Zoning Administrator Mr. Joey Lea stated, there were 3 phone calls on this item, they were inquiries only. Staff recommended approval of the rezoning.

Ms. Virginia Eames stated, there is a pending lawsuit between the Montessori School and Ms. Marti and that there is a non-compete clause that Ms. Marti cannot teach at any school within 30 miles, this church is 5 miles away.

Chairman Mr. Richard Parker stated, we are here to hear the rezoning request and we will not get involved in any litigation.

Vice Chairman Mr. John Black asked, what about Ms. Marti's signature on the application?

Zoning Administrator Mr. Joey Lea stated, Ms. Marti signed as a representative for the church. The church is asking for the rezoning.

Vice Chairman Mr. John Black stated, in light of this situation between the school and Ms. Marti this item should be tabled.

Ms. Kathy Cole stated, I find it very ironic that Ms. Marti is representing the church. This is a very serious legal situation and I would also like to see it tabled.

Chairman Mr. Richard Parker stated, we are an advisory Board; we are here just for the rezoning. We will take a vote.

Commission Member Mr. James Kirkpatrick made a motion to approve the rezoning. Commission Member Mr. Earl Jagers seconded the motion. The Commission voted 6-1 recommending approval of the rezoning. Voting to approve the rezoning request were Commission Members Kirk, Kirkpatrick, Abplanalp, Richards, Dobson, and Jagers. Voting against the motion was Commission Member Black.

ITEM NO. 5: Mr. Chad Huffine to present an application to rezone R-9 Residential District to CR Conditional Residential for the use of an Elementary School and High School. The property is located at 1615 Greenwood Terrace referenced as Alamance County tax identification number 123243.

Mr. Chad Huffine stated, the school is adding a high school with associated parking. If you have any questions I will be glad to answer them.

Chairman Mr. Richard Parker asked, is the stormwater adequate?

Mr. Chad Huffine stated, stormwater regulations have met City and State guidelines. The post water runoff should be less than what is actually accruing there now.

Planning Director Mrs. Amy Nelson stated, as far as the Comprehensive Plan goes, this expansion of the school is consistent and representative of the type of use that's generally considered good in a neighborhood.

Zoning Administrator Mr. Joey Lea stated, there were 6 calls on this item all just inquires and one couple came into the office with concerns about the road widening. No roads will be widened for this. Staff recommended approval of the request for rezoning.

Commission Member Mr. James Kirkpatrick made a motion to approve the rezoning. Commission Member Mr. Ryan Kirk seconded the motion. The Commission unanimously recommended approval of the rezoning.

ITEM NO. 6: Mr. Dan Danieley to present an application to rezone from O&I Office and Institutional District and R-9 Residential District to CI Conditional Industrial for the continued use and expansion of the Airport. The properties are located on the east side of Alamance Road and the north side of Rocklane Drive referenced as Alamance County tax identification numbers 120215 and 120216.

Mr. Dan Danieley stated, this is a continuing effort of the expansion of the airport and in the future that includes more properties. The actual expansion is years away.

Planning Director Mrs. Amy Nelson stated, the airport is a growing use in our City and is one of the main components of the area the Comprehensive Plan named the Carolina Corridor Commerce Park.

Zoning Administrator Mr. Joey Lea stated, there were 4 calls on this item all just inquiries. Staff recommended approval of the rezoning.

Commission Member Mr. Bill Abplanalp made a motion to approve the rezoning. Commission Member Mr. Earl Jagers seconded the motion. The Commission unanimously recommended approval of the rezoning.

There being no further business to discuss, the meeting was adjourned at 7:40 p.m.

Richard Parker, Chairman

John Black, Vice Chairman

Kelly Peele, Secretary