



**MINUTES OF THE CITY OF BURLINGTON  
CITY COUNCIL WORK SESSION  
Monday, June 3, 2019**

The City Council of the City of Burlington held a regularly scheduled work session in the Municipal Conference Room, 425 South Lexington Avenue, Burlington, N.C., on June 3, 2019, at 5:00 p.m.

**Council Members Present:**

Mayor Ian Baltutis  
Mayor Pro Tem Kathy Hykes  
Council Member James Butler  
Council Member Robert Ward  
Council Member Harold Owen

**Council Members Absent:** None

**Staff Present:**

City Manager, Hardin Watkins  
City Attorney, David Huffman  
Interim City Clerk, Beverly Smith

Rachel Kelly, Nolan Kirkman, Bob Patterson, Scott Bibler, Peter Bishop, Al Cablay, Amy Cameron, Jaime Joyner, Todd Lambert, Morgan Lasater, Matt Lawrence, Tony Laws, David Beal, Joey Lea, Jay Mebane, Blake Moyer, Mike Nunn, Jay Smith, Jeff Smythe, Peggy Reece, Lisa Wolff, Wanetta Mallette

**Media Present:** Kate Croxton, Times-News, Tomas Murawski, Alamance News

**A. Renew Maple Avenue Corridor Plan**

*Presentation by: Ernie Boughman, AICP – Toole Design Group*

Director of Transportation and Interim Planning and Community Development Director Mike Nunn provided background and introductions of Ernie Boughman, Toole Design Group consultant and Kathleen Rose of Rose Associates, a real estate marketing consultant, and stated with the help of the Toole Design Group, City staff, a steering committee of community stakeholders and the public a draft plan has been developed with a strategy for beautification, infrastructure improvement, and concepts to drive economic growth in the Maple Avenue Corridor. He mentioned over thirty stakeholder involvement opportunities, four steering committee meetings were held, and three public input meetings held during the process of developing the draft plan, with the most recent public meeting on April 23, 2019, that included a presentation outlining the draft being presented. He introduced Ernie Boughman of Toole Design Group who will provide a presentation to City Council to receive feedback and guidance for completion of the plan.

Mr. Ernie Boughman explained the Renew Maple Avenue draft plan development was a very intensive yet successful planning addition within the community. He stated this draft was an outcome of Destination Burlington, the city's comprehensive plan, and the Maple Avenue Corridor was noted as one of the highest-ranking critical corridors coming into the City of Burlington in that plan.

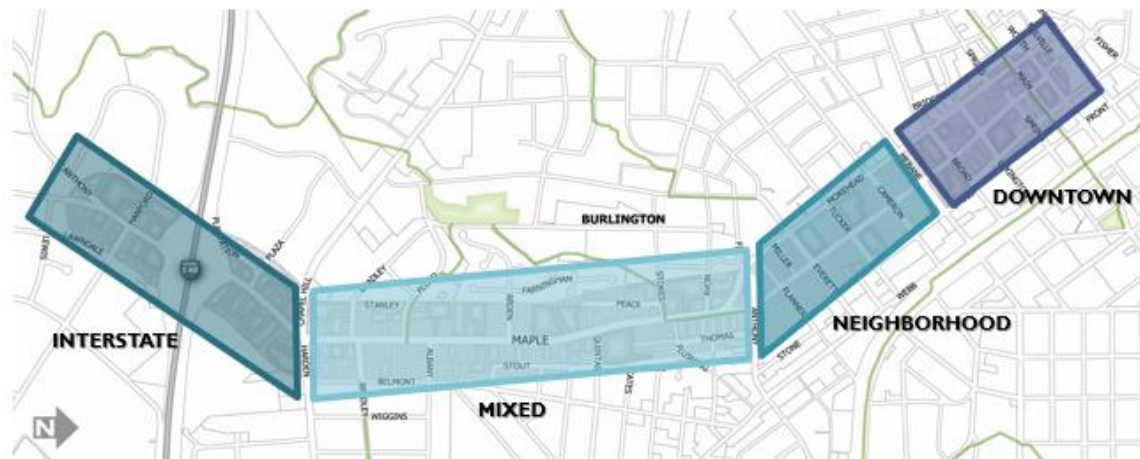
Mr. Boughman provided an overview of the process in creating the plan and explained its design making people the priority using the great streets approach. He provided the key elements of the plan which include the following:

- Transportation improvements
- Market and Site-Specific Analysis and Economic Strategies
- Pedestrian and bicycle safety and amenities
- Streetscape/landscape enhancements
- Adjacent land uses and development standards
- Redevelopment strategies
- Wayfinding signage programs
- Infrastructure development coordination

Mr. Boughman reported the Maple Avenue Corridor draft plan includes 2.7 miles beginning just south of Interstate 85 at Anthony Road and runs into the downtown Burlington area to Church Street.



Mr. Boughman noted one of the key recommendations was to make this area more walkable. He explained the land use context which revealed four district recommendations as pictured below; *Interstate, Mixed, Neighborhood, and Downtown*.

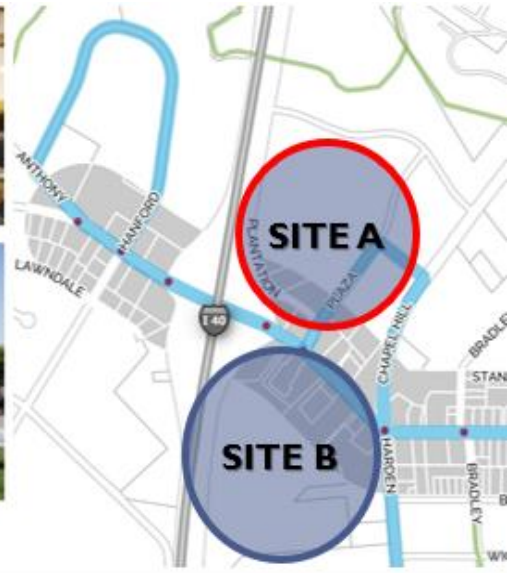


Mr. Boughman reported the primary drivers for renewing the corridor include transportation and mobility, economic development, real estate and land use. He provided details of two catalyst sites near the interstate.

Site A, the former BMOC property and Site B, the area that currently has Granddaddy’s Antiques and other retail shops.

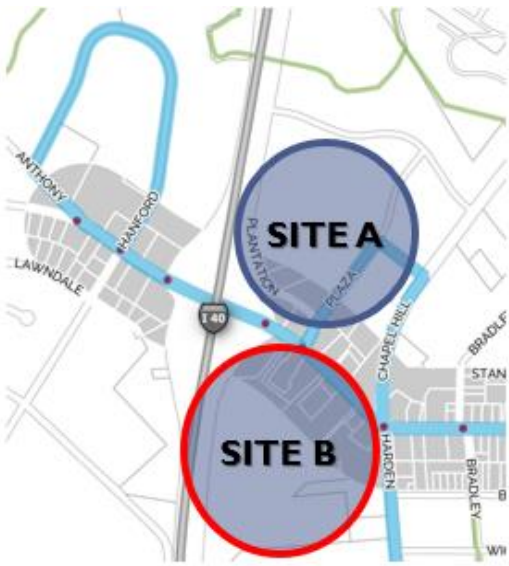
**SITE A**

- Educational anchor
- Retention of strong uses
- Flexible office space/ research/light industrial
- Dining/retail
- Consolidation and rebranding of existing businesses
- Strong public realm and multimodal network



**SITE B**

- Mix of uses
- Retention of strong uses
- Retail/dining
- Market-rate housing
- Entertainment/ public gathering
- Strong public realm and multimodal network



Kathleen Rose reported on the catalyst sites uses and factors used to establish “gateway destinations” designed to draw visitors into the City. She described Site A, which already has a community college satellite campus, would continue to revolve around education and encourage more office and light industrial development in that area. She described Site B, which has mostly retail use would continue to be retail, possibly living space and types of development to allow that area to become a more public space.



Mr. Boughman shared recommendations on the catalyst sites master plan which is conceptual in this plan and apt to change upon future developers review and determination of best use.



Mr. Boughman explained the intersection challenges and site distances issues that occur at the intersection of Chapel Hill Road and Maple Avenue and provided examples of the plan that includes redirection of traffic, stop lights and provided solutions to some of the ongoing issues in this area.



Mr. Boughman briefed Council on the implementation plan and the role of Renew Maple Avenue. He stated the Maple Avenue Corridor Plan document gives a good idea on paper of what you have within this area. He reported the plan includes details on project phasing, potential funding and in-kind sources. He stated the plan includes several early actions to keep the momentum going to

look for funding opportunities such as eligible NCDOT projects and application for federal funds such as BUILD grant.

Mr. Boughman reported the plan includes potential return on investment projects like Renew Maple Avenue have such as health, equity, safety, environment, quality of life and economics. He described how similar projects had crash reduction outcomes, walkability and property values increases.

In conclusion, Mr. Boughman stated the next step would be to adopt the Renew Maple Avenue Plan. He reminded Council approval of the conceptual plan does not commit the City to doing anything financially but indicates that you believe in what the plan details provide and provides a blueprint and road map of a vision for use of that area.

Mayor Baltutis opened the floor to questions.

Council Member Ward asked to move onto the next item to learn more about the BUILD grant funding and then have more discussion and take questions.

## **B. BUILD Grant Funding Opportunity**

*Presented by: Nolan Kirkman, Assistant City Manager Development Services*

Nolan Kirkman provided Council an overview of BUILD Grant (Better Utilizing Investments to Leverage Development), formerly known as TIGER Grant, and how it is a funding opportunity for the projects identified like the Maple Avenue Corridor's scale for municipalities seeking financial assistance with the Federal Government.

Mr. Kirkman stated this grant award opportunity could be up to \$25 million per project has a deadline of July 15, 2019, to apply for consideration this year. He reported the BUILD grant opportunity is typically an annual application and could be applied for in the future. He explained an adopted plan like Renew Maple Avenue, supports this grant application. He stated city staff would work with Ernie Boughman to apply, and if the plan is not adopted, the staff will still apply or take the work used to apply and save it for another time.

Council Member Butler asked if changes could be made to the plan even after its adopted, application is made for BUILD funding and funding is received.

Ernie Boughman responded the federal funds come from the Federal Highway Administration which will requires another realm of requirements that may slightly or majorly change the plan, so it is acceptable that the plan may change in those planning phases.

Council Member Ward asked Mr. Kirkman to confirm if the grant award in this application is a no match award for funding.

Mr. Kirkman responded the BUILD grant is a no match award as Burlington is in a federally designated urbanized area with a population of less than 200,000 and is considered rural and USDOT intends to award up to 50% of this year's funds to rural areas.

Mayor Baltutis asked staff if there is a penalty for applying multiple times.

Mr. Kirkman responded there are no penalties and sometimes it takes multiple applications before any funding is awarded.

Mayor Pro Tem Hykes asked, if declined, would the federal government provide staff with feedback of their findings.

Mr. Boughman responded that a debriefing is provided for staff to receive some feedback from the application that could help strengthen the next application.

Council Member Butler asked Mr. Boughman what the timeline to start on the projects applied for and getting the first installment.

Mr. Boughman responded the timeline to break ground is usually within two years of award.

Council Member Owen asked Mr. Kirkman if City staff would have a realistic time frame to apply for the BUILD grant and provide the necessary documentation by this year's deadline.

Mr. Kirkman responded the Renew Maple Avenue plan provides many of the project details needed to help with application details, leaving support letters and elected delegation communication the other steps but applying within the timeline is doable.

Council Member Owen asked if the City would be eligible for additional funding if a smaller amount of funding was awarded in response to this application.

Mr. Boughman responded other cities have been given less than they needed, and some awarded an insignificant amount which they declined. He stated in those cases it was forgiven and you can re-apply with a response including why the funds were not enough to implement a project, but it would be best to only apply for an amount up to what is being awarded and nothing over that amount.

Following a brief discussion between Council and staff, Council Member Ward suggested Council hold a public hearing before adopting the Renew Maple Avenue plan. Consensus was to place an addition to the June 4, 2019 consent agenda to adopt a Resolution to set a date of public hearing for the June 18, 2019. Council also agreed to consider pursuing the BUILD grant application at the June 18<sup>th</sup> meeting.

City Manager Watkins thanked Ernie Boughman for his dedication to the City and work on this project and appreciation for the pleasurable experience working with him.

### **C. Unified Development Ordinance Update – Module Three**

*Presentation by: Chad Meadows, Codewright*

Mr. Chad Meadows, consultant for CodeWright Planners, LLC presented Module Three of the Unified Development Ordinance (UDO). He explained the key changes of module three in Chapter 5 - Standards; Chapter 6 - Subdivisions; Chapter 7 - Environment and Chapter 8 - Measurements and Definitions. He reported the draft of UDO Module Three has been reviewed by the UDO Advisory Committee and city staff and is still in the review process and is still open for discussion and revisions in order to meet the goals of the City.

Mr. Meadows reviewed the following key changes from the existing Development Ordinance to the proposed Module Three of the Unified Development Ordinance.

- Consolidation of all development configuration standards into a single chapter.
- Numerous revisions to the off-street parking standards, such as comprehensive table that lists the parking requirements for every listed use type, new parking maximums for large retail uses, new limitations for parking on yards in residential districts, new bicycle parking requirements for nonresidential, mixed-use, and multi-family uses, increased guidance on configuration and maintenance, and a more robust approach to flexibility through an alternative parking plan.
- Removal of requirements for provision of loading spaces (which are left up to the applicant), but retention of loading facility configuration standards when an applicant chooses to include loading spaces.
- Addition of new consolidated on-site access and circulation standards that address lot access, stem length for parking lots, driveway standards, sight distance triangles, parking lot connection requirements for commercial uses on major roadways, and on-site pedestrian walkway requirements that ensure safe movement around a site and pedestrian connections to the off-site sidewalk system.
- New landscaping standards that remove the existing 15% cap on landscaping and reorganize the landscaping standards in parking lot landscaping, perimeter buffers, streetscape buffers, and street trees. The parking lot landscaping standards are enhanced with new required interior and perimeter planting requirements as well as requirements for shade trees. The standards establish four levels of perimeter buffer that are applied based on zoning district instead of use type. There are new streetscape standards that require trees to be planted within front yards of lots along major streets, and street tree standards for the downtown and gateway corridor areas. The standards include new detailed landscaping area configuration standards and an alternative landscape plan procedure for added flexibility on difficult sites. The standards provide incentives (but not requirements) for the retention of existing trees for use in meeting landscaping requirements.
- There are new comprehensive screening standards that establish a tiered system of minimum screening requirements and techniques for various site activities or features, including ground-based, wall-mounted, and roof-mounted equipment or site features. The system establishes 10 levels of screening with increasing levels of opacity and specifies the minimum required screening level for differing site features (e.g. refuse collection areas, outdoor storage, etc.) based on the zoning district where the use is located.

- Chapter 5 includes a new set of design standards (like those found in the current Western Loop Overlay) that address building orientation, massing, exterior materials, windows, and off-street parking placement on new commercial, mixed-use, and multi-family developments. There are also new design guidelines for single-family and duplex development that are applied subject to developer consent and that address materials, street-facing garages, and requirements for architectural variability in houses in new residential subdivisions to prevent the establishment of monotonous neighborhoods where every house looks the same or very similar.
- New signage standards that have been revised to remove content-based provisions in recognition of the recent Reed case ruling by the US Supreme Court. The standards include a set of general signage standards applicable to all sign types as well as new provisions for removal of dilapidated or obsolete signs. Signage standards have been standardized in table form and are supplemented with images and diagrams. The new standards propose to remove pole or freestanding signs and a sliding scale approach to ground based signage where ground signs may increase in size and height with increased distance from the adjacent street. The total square footage of sign area per lot by zoning district has been removed in favor of new sign count and maximum face area standards by individual sign type.
- New exterior lighting standards applied to multi-family, nonresidential, and mixed-use development. The standards require preparation of a lighting plan for developments illuminating 10,000 square feet or more. There are new standards for shielding of illumination sources, new fixture heights of between 15 and 30 feet, and maximum illumination standards at the lot line.
- Updated fence and wall standards that establish new locational standards, maximum height standards, materials provisions, and requirements for the finished side of an opaque fence or wall to face outwards. These fence and wall standards will be relocated to the accessory use provisions in Chapter 4 in accordance with staff requests

Mr. Meadows reviewed and described the key purposes and intents of Chapters 5, 6, 7, and 8. Following the presentation of Module Three, he asked for direction from Council on how to proceed with the next steps for final preparation of the UDO document to consider adoption. He stated, if ready, this can be provided to Planning and Zoning Commission by June 24, 2019 to seek recommendations and would like to come back to City Council on July 16, 2019 for public hearing and consideration of adoption on the final drafted document.

Mr. Meadows advised Council that adoption of the document allows the City to have a living and breathing document that may have amendments in the future after it's adopted, and it is designed to allow for adjustments should there be additional recommendations for future development.

Mayor Baltutis opened the floor for comments.

Council Member Owen commended everyone involved for the years of commitment and dedication to the production of the UDO.



Mayor Pro Tem Hykes asked Chad Meadows if the Planning and Zoning Commission public hearing would have access to the comments that were received from the Advisory Committee as well.

Mr. Meadows responded the steering committee was stocked with members from Planning and Zoning so their knowledge could be anticipated for what came about in this document and will have access to all information.

Mayor Baltutis mentioned the minimum parking requirements and prefers more review in detail with the uniqueness of Alamance County, for example, the emphasis on stormwater prevention, and from an economic development standpoint. He stated we have a neighboring community, Graham, that has removed minimum parking requirements for commercial development, handing control over to the market to allow the market to best understand that building use and what the parking should be used for.

Council Member Butler commented Council has an obligation regarding the impact of a document like this and the impact it may have for future members and any radical changes to the footprint on commercial development management which could create more problems for future municipal bodies. He stated residential parking requirements could benefit from some assistance by creating a stormwater fee to help offset some of the cost with the creation of impervious surface.

With no further comments, consensus was to proceed with the next steps of creating a single public review draft UDO document that goes to Planning and Zoning Commission for a recommendation for Council consideration.

Mr. Chad Meadows commended staff and everyone involved in the work and in the production of this document and his pleasure in working with the City of Burlington.

#### **FIVE MINUTE RECESS:**

Mayor Baltutis asked for a five-minute recess.

The meeting was adjourned for a five-minute recess and reopened for the following reports.

#### **D. NC62 Widening Project Update**

*Presentation by: Mike Mills, NCDOT Division 7 Engineer*

NCDOT Division 7 Engineer Mike Mills provided an overview of a project the North Carolina Department of Transportation funded for a widening project on Alamance Road from Interstate 40-85 to U.S. 70, South Church Street. He stated this project is funded and the project is scheduled for right-of-way acquisition in 2020 and construction in 2021.

Mr. Mills presented the project plans which begins at Ramada Road and includes a two-lane section with a grass median on South Church Street. He explained the purpose of the project is to improve traffic flow, relieve congestion, support regional mobility and accessibility, accommodate bicyclists and pedestrians and enhance safety for all roadway users. He reported the plan is to stop the improvements on Alamance Road at U.S. 70.

Following a brief discussion with Council, Mr. Mills and staff, consensus was to recommend continuing the project with major improvements to Trail Six, the two-lane section with the grass median and bike improvements on Church Street and minor improvements to the turn lanes on U.S. 62.

#### **E. Annexation Request**

##### **3530 Harris Road Contiguous Voluntary**

*Presented by: David Beal, Principal Planner – Long Range Planning*

Principal Planner – Long Range Planning, David Beal reported on a contiguous voluntary annexation request received for two parcels owned by Wilson Homes Inc, at Harris Road. He stated one parcel is 0.73 acres at 3530 Harris Road, and includes a 0.29-acre septic easement for the property. He reported this was brought to the City as a request for water service and has been recommended with approval of City staff and meets requirements of the City's Utility Service Request procedures. He stated a valid petition has been received by the City Clerk. He provided the associated fees included with this request and would include a monthly payment of \$13.43 for street lighting, a monthly payment of \$38.40 for sanitation, and a one-time debt service to the Elon Fire Department of \$27.75.

Mr. Beal confirmed these parcels are contiguous with the current city limits. He asked Council to consider adopting a Resolution at the June 4, 2019, City Council Meeting setting a date of public hearing for June 18, 2019, City Council Meeting.

#### **F. Carousel House Design and Amusement Area Planning Update**

*Presented by: Rachel Kelly, Assistant City Manager Administrative Services*

Assistant City Manager Rachel Kelly provided a project update on the selection process seeking an architecture firm to design a structure for the restored Dentzel Carousel and the proposal details.

Ms. Kelly provided background related to the project. She stated a contract for carousel restoration was awarded to Carousels & Carvings by City Council on January 15, 2019, and following that award, there was discussion at the February 2, 2019, Work Session. She explained Council provided direction to staff at the March 8, 2019 Goal Review Workshop to move forward with design of an enclosed structure and attached event space.

Ms. Kelly explained staff performed a qualifications-based selection process seeking architecture firms with experience in historic properties, park facilities, and carousels and has identified Clearscapes Architecture as the most qualified firm for the project. She advised Council that contract negotiations were underway and plans to ask Council to consider awarding the contract at the June 18, 2019, City Council Meeting. She described the scope of the project and explained Clearscapes design will include the carousel location being in the City Park amusement area, outside of the 100-year floodplain. She stated it would be visible to South Church Street and visible while not in operation. She shared this design will allow for year-round use and will also include an event space. In addition to the house design, the firm will also perform a "mini" master

plan for the amusement area of City Park as part of the contract that will fit together with the FY 19-20 City Park Comprehensive Master Plan preparing for the future of City Park.

Ms. Kelly provided a timeline in order to prepare for the return of the restored Carousel in March of 2021.

- **June 18:** Council consider contract with Clearscapes & BA
- **June:** Craft outreach strategy. Determine audience, tactics, and dates.
- **July – August:** Public outreach performed at *July 3<sup>rd</sup> in the Park*, conduct focus groups and other outreach sessions.
- **August – September:** Design Team to work on concept design options.
- **September:** Design Team to bring conceptual design, renderings, and rough cost estimates to City Council for approval.



City Manager Watkins commented Carousels and Carvings staff are in town to remove the animals from the carousel and invited them to visit.

Ms. Kelly shared that Clearscapes plans to visit and discuss humidity needs for the restored pieces.

There were no further comments. Consensus was to proceed as planned.

### **G. Boards and Commissions Reports**

- Planning and Zoning Commission - **None**
- Traffic Commission – **None**
- Public Transit Advisory Commission (PTAC) - **None**

### **H. City Manager Comments**

City Manager Watkins suggested postponing Item A on the June 18, 2019 City Council consent agenda for proposed amendments related to article 6 - Personnel System to allow elected officials more time to review. Council consensus was to remove Item A and consider at a future meeting.

Mayor Baltutis shared notes and feedback from the recent CityVision Conference he attended in May 2019.

**ADJOURN** Meeting adjourned at 7:53p.m.

Beverly D. Smith  
Beverly D. Smith  
Interim City Clerk

June 3, 2019 - Work Session