



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

April 22, 2019 – 7:00 pm

Council Chamber, Burlington Municipal Building

CITY MEMBERS:

Richard Parker, Chairman
John Black, Vice-Chairman (Absent)
James Kirkpatrick (absent)
Nicole Enoch
Ryan Kirk
Nancy Rosborough (Alternate)
Matthew Dobson (Alternate) (Absent)

EXTRATERRITORIAL MEMBERS:

Earl Jagers
Bill Abplanalp

STAFF PRESENT:

Amy Nelson, Planning Director
Joey Lea, Zoning Administrator

ITEM NO. 1:

Commission Chairman Mr. Richard Parker called the meeting to order at 7:00 p.m. We ask that everyone turn off their all electronic devices. This commission is approved by city officials and has 7 regular members and 4 alternates. This is a public meeting and you will be given a chance to speak, please sign your name when you come forward to speak and give your name and address. Before we start the meeting does anyone have a conflict of interest with this item?

ITEM NO. 2:

Approval of the minutes of the meeting held January 28, 2019.

Our first order of business is to approve the minutes from January 28, 2019. Do I have a motion to approve the minutes?

1st Motion Commission Member Earl Jagers

2nd Commission Member Ryan Kirk

Approved Unanimously

ITEM NO. 3:

Mr. Stephen Troutman to present an application to rezone from R-15 Residential District to CR Conditional Residential District for the use a church with future phased expansions. The property is located at 1230 St. Marks Church Road, referenced as Alamance County tax identification numbers 106999, 106994, 107065, 107067, 107069, 107073, 107068, 107071 and 107070.

Applicant Stephan Troutman stated I am with the architect working on a project for Saint Marks Church. We have been working with city planning and zoning Joey Lea (Zoning Administrator) and his team. We have some overall concept plans we are seeking to get approved. The first one which has some orange in it, this is our phase 1 plan, as mentioned the project is located on the corners of Garden Rd and Saint Marks Church Rd. In phase 1 what we are looking to do is essentially provide a couple of small building additions to the existing campus, everything that is greyed out are the existing campus. One of the biggest goals is right in the center it is labeled new lobby and we are looking to make that focal point a little more obvious for the church. The current entry is sort of recessed in between all the other buildings. We are trying to bring that out and we are also incorporating a plaza space that we have termed entry plaza. There will be a little modification to the existing parking lot with no real parking expansions in the immediate phase 1. There are 2 areas there to the North that is marked off garden road that are marked parking expansions. We think these will be in a slightly later phase of part 1. We would get fully engineered civil plans approved by TRC with those. They are included on this application because we included a condition that calls for a little bit of paving acceptance in that little drive with the condition that we wouldn't have any further than the adjacent existing parking areas that are there to the South.

Chairmen Mr. Richard Parker Asked Wait a minute, can you say that again?

Mr. Stephan Troutman stated The 2 parking areas on Garden road to the very north of the drawing we included a developing condition because there is a setback that would prevent parking, that's our understanding that would prevent that edge of pavement from getting close to where it is shown on Willow Oak Dr. So we just asked for a condition that would allow us to pave within that only to a point that's in line with some of the existing edge of pavement to the south like on that right side of Willow Oak Dr. for example, basically just saying that we aren't going to pave right up to the road. The very last two pieces of phase going south of the drawing we have about a 4000sq ft. expansion off the south east building it is a very small classroom expansion that will just help the church with classroom space and displacing with the new lobby creating a large group room where kids worship. Lastly, we will be proposing to install the Peeler St. multi-use path, along that property line to the south. This is something we have been working through with our civil engineer as well. We've had some initial reviews with TRC with all the details for that and the cross ways with Willow Oak so that is something we certainly intend to get done with our phase 1 concept plan. That's the extent of the first phase, we can also walk through the second phase but does anyone have any questions before I continue.

Commission Member Mr. Bill Abplanalp asked, the new parking areas will they be paved or gravel?

Mr. Stephan Troutman asked, up there to the north?

Commission Member Mr. Bill Abplanalp stated, yes.

Mr. Stephan Troutman stated, yes I think we would definitely want to or seek to have them paved. The one on the left where the commentary is currently is gravel but that is something we would try to get paved.

Commission member Ryan Kirk asked Willow Oak Rd. is a public road?

Mr. Stephan Troutman stated, yes sir

Commission Member Ryan Kirk asked, so the setbacks that you are talking about of these new parking lots are adjacent to Willow Oak Rd. the existing setbacks to Garden Rd. there are no conditions to those setbacks to the busy road Garden Rd.

Mr. Stephan Troutman stated, we didn't outline any of those in our existing conditions but I think we would try to stay a very reasonable amount from the road, we can make sure to meet those in an engineered site plan.

Commission Member Ryan Kirk asked, that would be for the Technical Review committee it would be a concern for them, the setbacks on Garden Rd. are met.

Zoning administrator Joey Lea stated, Correct.

Commission Member Ryan Kirk asked so this will be accounted for in the process?

Zoning administrator Joey Lea stated, that is right.

Chairmen Mr. Richard Parker asked, what is the setback for that Joey?

Zoning administrator Joey Lea stated, off of garden I believe that would be 20ft.

Chairmen Mr. Richard Parker asked, would that be the same for Willow Oak?

Zoning administrator Joey Lea stated, Willow Oak is going to be 40ft but they are going to be inside of that.

Chairmen Mr. Richard Parker asked, so it won't be 40ft, that is the requirement but they want to knock it down to 30ft or 35ft?

Zoning administrator Joey Lea stated, it is a conceptual plan so we don't know that yet, there is more to it in phase 2.

Commission Member Nancy Rosborough asked, you said that the current parking lot next to the cemetery is gravel and you want to pave that so that means you have no design on the cemetery area?

Mr. Stephan Troutman stated, no

Pastor Jarm turner stated, no we have no plans to expand the cemetery.

Mr. Stephan Troutman stated if we move to the second page the blue areas shown for phase 2 and we kind of marked the center of the plan block where there will be a proposed phase 2 future building expansion. Some of the items in our master plan included a gym and some potential relocated office space.

Chairmen Mr. Richard Parker asked, where is all that going?

Mr. Stephan Troutman stated it's in this area here in the center. Basically we would be removing some existing construction to expand to the north of the phase one new lobby. So it's just marked as a new building expansion on that blue area.

Chairmen Mr. Richard Parker asked, are you going to tear some the existing building down?

Mr. Stephan Troutman stated yes sir that is the church's desire long term as of right now. Not the full campus, we will definitely be maintaining that original sanctuary off of Saint Marks Church Rd.

Chairmen Mr. Richard Parker asked, I understand that but the existing building has been there a long time. Will you go higher with the new building or still 2 stories?

Mr. Stephan Troutman stated two stories would be the limit that we discussed with the church.

Commission Member Ryan Kirk asked, 28ft is what's in the condition which would be two stories right?

Mr. Stephan Troutman stated, initially in the phase two development conditions we state not larger than 42ft just to account for a gym. I really don't think we would be approaching something monstrous or anything really tall. We haven't fully detailed the phase 2 building but that's just kind of some programmatic things we have discussed originally with the church concept. Not more than 2 stories for the classroom and office space that we would be replacing. We have shown the west side of Saint Marks Church Rd. a plan to include the multiuse path with that segment. We worked with Joey's team and Todd Lamberts team on how that might unfold on the west side. On the east side we have some challenges with grade and the existing edge of the cemetery to the north near Garden Rd. That is something we would certainly want to include in phase 2 is that multiuse path. Then another item we may potentially have in phase 2 is some shifts in parking, now our understanding is that there is a road widening project potentially planned for Saint Marks Church Rd. One of the churches goals long term is to transition part of their campus to the east side so it's all kind of contained around this Willow Oak Dr. So if the church were to potentially think of selling the parcels on the west side of Saint Marks Church Rd. they would look to create some more parking at the southern end of Willow Oak Dr. That is the same idea with the Garden Rd. parking expansions definitely conditioned with our plans for that would be fully engineered and approved by TRC (technical review committee) for drainage and landscaping. Landscaping is required for a buffer and we would certainly maintain buffers around all neighboring properties and residences off Peeler St. There is an existing gravel lot to the southwest side so long term the church just wants to complete that paved area as kind of a finished campus that's what we are showing for our full phase 2. Then finally, one item that we are kind of exploring as a phase 2 option is the area marked as an east campus walkway/ side walk. In our concept design we have shown the side walk crossing over Willow Oak Dr. and also having that round space you see that will have some landscape access there and some low side walls to add some campus walk way character there. As we worked with the city we would need to get city councils approval to publicly abandon that right of way and there are some lists of developmental conditions that we would uphold in taking over that road if it was approved by city council but if that is not pursued by the church which would be driven by budget or any kind of shifts or that side work need, we would just suggest a simple sidewalk crossing. This should all be listed in our development conditions we would not be proposing any reductions in egress

width of the road or any closings or really any huge changes at all would not be proposed with that. It will just allow us to landscape and embellish at that crossing.

Commission member Nancy Rosborough asked, it will still be open to vehicular traffic?

Mr. Stephan Troutman stated Yes Mama, no changes proposed there. I know it's a lot but are there any other questions?

Commission member Bill Abplanalp asked, could you give us some idea of the timing?

Pastor John Turner stated, as far timing is concerned that is to be determined we are not sure when phase 2 will begin. We have a master plan but as you know it is really going to be determined by budget and how we will be able to complete the current phase. If we are able to financially, finish strong then we will be able to roll over earlier than we are thinking about right now. It is really difficult for me to give you a number of years. We are hoping to break ground on this phase one in June in the beginning of this summer and then finishing that we are looking at probably 18 months, Stephan is that right?

Mr. Stephan Troutman stated, yes the contractor is estimating about 14 months total construction time.

Commission member Earl Jagers asked, I have a question not an issue. On your proposal of the phase two abandonment of the existing parking lot, are you going to do away with the ball field at the same time?

Pastor Jarm Turner stated, we aren't certain, if we were to sell those two properties on the other side of Saint Marks Church Rd. we would probably sell both of them.

Commission Member Earl Jagers stated, I understand that but just doing away with the parking lot and leaving the ball field for people to come over and play ball they are going to be walking across Saint Marks Church Rd. which is an issue right now on multiple occasions.

Pastor Jarm Turner stated, yes that's definitely an issue for us right now, just this last Sunday it was pretty crazy out there with people trying to cross that road. So if and when Saint Marks Church Rd. is widened that's going to be really dangerous, it already is a dangerous situation for folks. We always have an officer out there pretty much every Sunday trying to help that. Currently we do not use the ball field for recreational purposes we do allow all types of different teams and different groups to use that field. We are not currently running any leagues so there is not a whole of back and forth from the church to the ball field.

Commission Member Earl Jagers stated, if you do away with that parking lot there is going to be a whole lot of walking from somewhere because there won't be any parking there. That was my issue, I drive by their multiple times a day and I'm thinking if you do away with that parking lot you better do away with the ball field at the same time.

Pastor Jarm Turner states I'm not very sure what the leadership of the church will want to do, but I am certain they would be very particular about who they sell that property to and for what purposes, being that it is right across the street from the church.

Commission Member Ryan Kirk asked, what are the intentions of the multiuse trail, what kind of trail and who will it serve.

Pastor Jarm Turner stated, actually that's a continuation of a larger plan from the city that is what we have been negotiating with them. It will be a continuation of that bike path that is currently in existence on the back side of our property there between the apartments and our road. Mr. Lea could probably speak to this better than I could the plan is to continue the path all the way across the street to Joe Davidson Park.

Commission Member Ryan Kirk asked, over to the multiuse trail in Joe Davidson to expand the network?

Pastor Jarm Turner stated, yes from my understanding they want to create it all the way from Elon to Alamance Crossing of which our property would be a part of on Saint Mark's church road.

Commission Member Ryan Kirk asked, so this a development condition requested by the city then?

Pastor Jarm Turner stated, that is correct.

Chairmen Mr. Richard Parker asked did you have a neighborhood meeting?

Applicant Pastor Jarm Turner stated, yes sir we had one just this last week.

Chairmen Mr. Richard Parker asked, how did that turn out?

Pastor Jarm Turner stated, it turned out good; we had a few questions mostly on water run off concerns. There are a couple of properties, in fact I went walking around to some of the properties with some home owners to hear a little bit of their concerns. There are some properties that are experiencing some changes with the water runoff and some flooding in there ditches in the front yard and back yard especially this last year I think it has been tough for everybody.

Chairmen Mr. Richard Parker asked, Mr. Lea would these new parking lots require any storm water devises?

Zoning Administrator Joey Lea stated, they will have to meet storm water requirements for the entire development.

Chairmen Mr. Richard Parker asked, so where is your bike storage for anyone that wants to ride a bike to your church?

Pastor Jarm Turner stated well we would certainly be open to ideas there if we would like some bike storage but no we do not currently have any plans for bike storage.

Chairmen Mr. Richard Parker stated, well that is part of the multimodal analysis to have storage for bikes on your property.

Planning director Amy Nelson stated, that would be bike racks to an extent.

Pastor Jarm Turner asked, are we talking about for people who are driving their bikes through the property.

Chairmen Mr. Richard Parker stated, yes to the church, you have paths all over the place so if I were a living out in this neighborhood I might prefer to ride my bike rather than to drive and fight for one of those parking spaces.

Pastor Jarm Turner stated, I would totally agree with you. That's a great idea, and as we continue with phase 2 and some more paths and multiuse paths popping up around town the church would be very open to that. We are very excited for the city's plan for a lot of those multiuse paths that are happening around town.

Chairmen Mr. Richard Parker stated, well we are asking everyone about bike storage.

Pastor Jarm Turner stated, okay so we are talking about more than just racks.

Chairmen Mr. Richard Parker stated, yes covered storage, so you can ride over and lock it up in a nice little space out of the way from everywhere else and not just a bike rack in City Park or something.

Planning director Amy Nelson stated, those are becoming fairly common if you are interested just let me know.

Pastor Jarm Turner stated, I would love to see one of those. In fact one of the earlier plans for the other side of the property was moving away from a ball field instead of joining with what Joe Davidson Park is doing and has been doing for many years and actually try to accent and be a part of more of a park type of concept so who knows what's going to happen whether we sell those properties, we would prefer that it would be used for something in line with Joe Davidson park and not commercial property but if we were to maintain it we would want to a part of the parks feel. So that might be it especially looking at where the future bike path is going to be on Saint Marks Church Rd.

Commission Member Bill Abplanalp stated, this multiuse path is that paved?

Zoning Administrator Joey Lea stated, yes.

Commission member Ryan Kirk asked have you seen the ones in Joe Davidson Park? It is a wide asphalt path.

Mr. Stephan Troutman stated, our proposal for phase 1 is a 10ft wide paved multiuse path and we will connect to the existing path.

Ms. Mary Ann Butler stated, I live at 1321 Willow Oak Dr. My questions are concerning phase 2. Under the public right of way abandonment if pursued by Saint Marks Church, would this have to be another public hearing or public process as this?

Zoning Administrator Joey Lea stated, yes the abandonment of the right of way has to go through a public hearing in front of City Council.

Chairmen Richard Parker asked not before us we wouldn't hear it, it would go to city council?

Zoning administrator Joey Lea stated no, it would start in engineering and then it goes to city council who would decide to abandon it. On that note, the abandonment helps them move the parking a little closer because the right of way would not be there. There is some water and sewer in there but the church will be responsible for the upkeep of the road and the infrastructure.

Ms. Mary Ann Butler stated, okay under the bullet point no parking along drive aisle so public access vehicles are not impeded and signage. Public access vehicles, I would like a definition of that. Does that mean private citizens vehicles or just vehicles own by the city, and county emergency vehicles?

Zoning Administrator Joey Lea stated no, that means any one from the public, it's going to still be treated like a public road it's just not going to have a public right of way. Anyone can access it from Garden Rd. or Peeler.

Planning director Amy Nelson stated, so essentially that road would still be open to public.

Zoning Administrator Joey Lea stated there will be signage along the side that will stipulate no parking.

Ms. Mary Ann Butler stated, the next bullet says private drive delineated with parking aisle, slash curb and private drive sign where exactly are you talking about putting the sign?

Stephan Troutman stated Joey I don't know if you have more information that was one that came from Todd Lambert as provision requested by the city.

Zoning administrator Joey lea stated that just means that it will be curbed along the parking area.

Ms. Mary Ann Butler asked if the curbing is along the parking area what about the private drive signs?

Zoning administrator Joey Lea stated, that would just mean opposed to a public sign there will just be a sign saying this is a private road.

Ms. Mary Ann Butler asked, well if it is private how it can it have public access if it is private?

Zoning administrator Joey Lea stated, good question. It is taken off of the public right of way grid and it is no longer a public road so it would be private but it could still be accessed by the public.

Planning Director Amy Nelson stated, there won't be city maintenance.

Mary Ann Butler stated, I understand the maintenance but to me private means that only a certain group can access it.

Zoning administrator Joey Lea stated, that is not what that means. Private means owned privately, it's not publicly owned but the public can still access it.

Ms. Mary Ann Butler stated, I just want to make sure I understand since I am and other people on Willow Oak are impacted by this and I just want to make sure.

Planning Director Amy Nelson stated, that's why we wanted to make sure that it will still be accessible.

Ms. Mary Ann Butler asked, so accessible 24/7, 365 days nothing will change?

Chairman Richard Parker stated, it is just the ownership of the road that will be changing. If they abandon the right of way then just the church will have to maintain the road and all of the utilities there, if city council approves that but the look of it will be same as it is today. You will still get to ride up and down trucks and cars, anybody can go on the road, it is just privately owned now by the church but it is still a public road. The private signs are a little confusing but it doesn't mean they can't go down there.

Ms. Mary Ann Butler asked, so why are they necessary?

Chairman Richard Parker stated to let the public know that the church owns the road and not the city.

Zoning Administrator stated, it is not uncommon to label private drives with a sign that says private. A lot of places use it to distinguish between public right of way and private right of way. That has a lot to do with addressing if there is an address off of it. Physically nothing will change, private you are right, in a lot of cases private does mean for particular individuals in this case it does not mean that. That is part of the condition that they leave this road open to the general public

Ms. Mary Ann Butler asked, so as far as surface run off during and after construction that goes to TRC is that right? Is that open to the public as well?

Zoning Administrator Joey Lea stated, the technical review committee is a staff only committee it is not open to the public.

Ms. Mary Ann Butler asked, will their plans be available for review?

Zoning administrator Joey Lea stated, they will.

Chairman Richard Parker asked, what is staff's recommendation?

Planning Director Amy Nelson stated, with the comprehensive plan we don't see a problem with this. For one thing it is already there but these are allowed, churches are allowed, religious use buildings are allowed by special use permits or through conditional zoning. A lot of churches are in neighborhoods so there is no problem in the comprehensive plan.

Zoning administrator Joey Lea stated, with the conditions outlined by the applicant, staff recommends approval.

Commission Member Bill Abplanalp asked, were there any other questions raised?

Zoning administrator Joey Lea stated, I had a few phone calls. One of those was a lady that came in and we talked about the project but that was all and nothing negative.

Chairman Richard Parker stated asked are there any other questions or concerns from this commission?

Commission Member Ryan Kirk stated, I just wanted express support, to me one of the big issues of this area is the stress on Saint Marks Church Rd. and this is a long term plan that reduces the stresses on that road, everything will be self-contained on the property and I think it is a wonderful plan.

Chairman Richard Parker stated, yes that does make sense to me so I will ask now for a motion to approve you has one or two options but you have to read the whole thing. So who wants to make a motion.

Commission Member Ryan Kirk stated, I move we recommend approval of this request, with the revised conditions, to rezone from R-15 Residential District to CR Conditional District. The property is located at 1230 St. Marks Church Road, referenced as Alamance County tax parcel identification numbers 106999, 106994, 107065, 107067, 107069, 107073, 107068, 107071, and 107070.

The motion is based upon the consistency of the proposed rezoning with the Comprehensive Plan, in that:

- The Future Land Use Map in Section 4 “Land Use” of the Comprehensive Plan calls for this area to have traditional residential and suburban residential uses
- The request is in a zoning district that allows religious institutions by Special Use Permit or through Conditional Zoning
- The development incorporates requirements identified in both the Greenways & Bikeways Plan (Map 3.4A Comprehensive Network (Northwest Burlington) and the Pedestrian Master Plan (Map 3.4 – Pedestrian Network Recommendation Map, Southwest Grid)

This action is reasonable and in the public interest in that:

- The Comprehensive Plan calls for residential uses in the area and this use was approved by a Special Use Permit in 2000, making it a compatible use in the area
- The request is compatible with the existing zoning in the area
- Connections will be made to the existing pedestrian/greenways network

Commission member Earl Jagers seconded the motion.

Motion approved unanimously.

Chairman Richard Parker stated the motion is approved, your request is approved. So now you have to go to city council and do it all over again. Is there any other business to come before the commission.

Planning Director Amy Nelson stated, I just want to remind everybody that tomorrow from 5 to 7 at the senior center we are reviewing the final recommendations for the Maple Ave corridor

plan. It's an open house format. The consultant is going to give a 30 minute presentation in the beginning and then its open house after that.

Chairman Richard Parker asked, okay have you seen it?

Planning Director Amy Nelson stated, yes of course I have.

Chairman Richard Parker asked, do you like it?

Planning Director Amy Nelson stated, yes sir I've been working on it for over 2 years. I think it is a very good plan.

Chairman Richard Parker stated , okay well I'm very anxious to see it. Now where is Chad?

Planning Director Amy Nelson stated, he is to get us more material very soon, hopefully will receive that material this week and then we will wrap up our review. We have reviewed everything he has given us so far and we are just waiting for the rest of the material and then hopefully that will proceed to you all.

Chairman Richard Parker asked, alright any other business?

Commission Member Earl Jagers motioned to adjourn.

Commission Member Ryan Kirk seconded.

There being no further business to discuss, the meeting was adjourned at 7:42 p.m.

Richard Parker, Chairman

John Black, Vice Chairman