



**CITY OF BURLINGTON PLANNING AND ZONING COMMISSION  
SPECIAL MEETING**

**October 10, 2022 - 7:00 p.m.**

*Meetings are being held in person at the City Municipal Building in the  
Municipal Conference Room (lower level) located at 425 S. Lexington Ave., Burlington, NC 27215*

<https://youtu.be/xTH4LaUVywE>

**CITY MEMBERS:**

James Kirkpatrick, Vice-Chairman  
Charles Beasley  
John Black  
Lee Roane  
Patricia Gamble (Alternate)

**EXTRATERRITORIAL MEMBERS:**

Ethan Raynor (Alternate)

**MEMBERS ABSENT:**

Richard Parker, Chairman  
Joan Zec Nelson  
Amber Wright

**CITY STAFF:**

Jamie Lawson, Planning Director  
Conrad Olmedo, Planning Manager  
Brianna Smith, Planning Office Manager

**AGENDA**

**ITEM NO. 1:**

Mr. James Kirkpatrick, Vice-Chairman called the meeting to order at 7 p.m.

Mr. James Kirkpatrick was serving as Chairman for the Planning and Zoning Commission meeting due to Chairman Mr. Richard Parker being absent.

**ITEM NO. 2:**

REZONING-22-015: Mr. Darren Lucas, applicant, to present a request to rezone property from Medium Density Residential (MDR) to General Business – Limited Use (GB-LU). The property is located at the terminus of Whitesell Dr., west of the intersection of Whitesell Dr. and Huffman Mill Rd., addressed as 0 Whitesell Dr. and consisting of Alamance County Tax Identification Number 107165.

Mr. Kirkpatrick called for conflicts of interest amongst commissioners. There were none.

Mr. Ryan Moffit, Vernon Law Firm, was representing Mr. Darren Lucas, Applicant, who was also present at the meeting. Mr. Moffit stated that Mr. Lawson Brown presented the item at the meeting on September 26, 2022.

Mr. Moffit gave a brief overview of the rezoning project and gave reasoning for the applicant requesting the rezoning.

Mr. Kirkpatrick called for public comment. There was no one present to speak on the item.

**Staff Recommendation:**

Ms. Jamie Lawson, Planning Director, stated that staff recommends the proposed General Business – Limited Use (GB-LU) zoning district as it is consistent with the Land Use Plan, which calls for this area to be Regional Commercial. Staff recommends approval of the rezoning request based on the Land Use Plan, per Option 1, as provided in the Consistency Statements Sheet.

Ms. Lawson requested Mr. Ethan Raynor, Commission Member and Mr. Lee Roane, Commission member to affirm that they had watched the September 26, 2022 video. Mr. Raynor and Mr. Roane affirmed that they had watched the video.

**Motion:**

Mr. Charles Beasley, Commission Member, made a motion to recommend approval of the request to rezone property from Medium Density Residential (MDR) to General Business – Limited Use (GB-LU). The property is located at the terminus of Whitesell Dr., west of the intersection of Whitesell Dr. and Huffman Mill Rd., addressed as 0 Whitesell Dr. and consisting of Alamance County Tax Identification Number 107165.

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 Regional Commercial uses.
- The request is compatible with the adjacent residential and commercial uses.

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

- The Comprehensive Plan calls for residential and commercial uses in the area.
- The request is compatible with the existing zoning and land uses in the area.

Mr. John Black, Commission Member, seconded the motion.

**Vote (6-0):**

Approved by (Kirkpatrick, Beasley, Raynor, Black, Roane, and Gamble)

The motion was passed unanimously.

**ITEM NO. 3:**

REZONING-22-016: Mr. Frank Longest, applicant, to present a request to rezone property from Light Industrial (LI) to Mixed Use – Limited Use (MX-LU). The property is located north of the intersection of Interstate 40 and Maple Ave., addressed as 2444 Maple Ave. and consisting of Alamance County Tax Identification Number 132806.

Mr. Kirkpatrick called for conflicts of interest amongst commissioners. There were none.

Mr. Frank Longest, Holt, Longest, Wall, Blaetz & Moseley, P.L.L.C., gave a brief overview of the proposed project. Mr. Longest reiterated that the property was a 5 ¼ acre estate. Mr. Longest stated that the applicant planned to convert the motel into 135 Multi-Family Apartments, targeting the millennial population. Mr. Longest stated they still don't have an exact rent projection but based on two similar projects in Fayetteville, the rent is estimated to be around \$1,000. Mr. Longest stated that the applicant is not planning for low-income housing. Mr. Longest stated that the amenities at the property would include a pool, restaurant, and a gym. Mr. Longest stated that he believed this to be a good project for Burlington.

**Public Comment:**

Mr. Harmenbhai Patel, 2412 Maple Avenue, came to hear about what was going to happen at this project location and to ensure it would not affect his property. Mr. Patel also owns another motel in the area.

Ms. Lawson responded that the proposed project was only for the highlighted area.

**Staff Recommendation:**

Ms. Lawson stated that staff recommends the proposed Mixed Use – Limited Use (MX-LU) zoning district as it is consistent with the Land Use Plan, which calls for this area to be Regional Commercial. Staff recommends approval of the rezoning request based on the Land Use Plan, per Option 1, as provided in the Consistency Statements Sheet.

Ms. Lawson requested Mr. Ethan Raynor, Commission Member and Mr. Lee Roane, Commission member to affirm that they had watched the September 26, 2022 video. Mr. Raynor and Mr. Roane affirmed that they had watched the video.

**Motion:**

Mr. Black made a motion to recommend approval of the request to rezone property from Light Industrial (LI) to Mixed Use – Limited Use (MX-LU). The property is located north of the intersection of Interstate 40 and Maple Ave., addressed as 2444 Maple Ave. and consisting of Alamance County Tax Identification Number 132806.

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 Regional Commercial uses.
- The request is compatible with the adjacent residential and commercial uses.

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

- The Comprehensive Plan calls for residential and commercial uses in the area.
- The request is compatible with the existing zoning and land uses in the area. Mr. Black made a motion to approve.

Mr. Roane seconded the motion.

**Vote (6-0):**

Approved by (Kirkpatrick, Beasley, Raynor, Black, Roane, and Gamble)

The motion was passed unanimously.

**ADJOURNMENT:**

Mr. Roane made a motion to adjourn the meeting. Mr. Black seconded the motion.

The motion was passed unanimously.

*Meeting ended at 7:15 p.m.*