



CITY OF BURLINGTON PLANNING AND ZONING COMMISSION

February 27, 2023 - 7:00 p.m.

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

Meeting Video Link: <https://youtu.be/zEeHtfy0FNA>

CITY MEMBERS:

Richard Parker, Chairman
James Kirkpatrick, Vice-Chairman
Charles Beasley
John Black
Lee Roane

EXTRATERRITORIAL MEMBERS:

Joan Zec Nelson

MEMBERS ABSENT:

Amber Wright (Alternate)
Patricia Gamble (Alternate)
Ethan Raynor (ETJ)

CITY STAFF:

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

AGENDA

ITEM NO. 1:

Mr. Richard Parker, Chair called the meeting to order at 7:00 pm.

Mr. Parker inquired Staff if there was a Quorum. Mr. Conrad Olmedo, Planning Manager, confirmed that there was a Quorum.

ITEM NO. 2:

Approval of the minutes of the Planning & Zoning Commission meeting held on December 19, 2022.

Mr. James Kirkpatrick, Vice-Chair made a motion to approve, and Mr. Charles Beasley seconded the motion.

All were in favor.

ITEM NO. 3:

REZONING-23-001: Mr. Rob Sessoms, applicant, to present a request to rezone property from Light Industrial (LI) to General Business – Limited Use (GB-LU). The property is located on the north side of N. Mebane St., east of the intersection of S. Graham Hopedale Rd. and N. Mebane St., addressed as 2002 N. Mebane St. and consisting of Alamance County Tax Identification Number 171022.

Mr. Parker inquired the commission if there were any conflicts of interest. There were none.

Ms. Andreea Gonzales, representative and co-worker of Rob Sessoms, stated they are affordable housing developers with plans to have Multi Family use at the property.

Mr. Lee Roane, member, inquired if the property was a part of the Fairchild Runway. Ms. Gonzales answered that she was unaware.

Mr. John Black, member, inquired about how many floors the building would be. Ms. Gonzales stated there would be two resident buildings and one clubhouse with the resident buildings having three floors and they are hoping the building to be like a community.

Mr. Black inquired if the community would have an elevator and a pool. Ms. Gonzales responded no to both.

Mr. Kirkpatrick inquired about what their definition of affordable housing meant. Ms. Gonzales stated that their affordable housing residents would be required to income qualify to live there and that their target market will be a mixture of 60% area median income and 40% area median income.

Mr. Kirkpatrick inquired where they had other developments similar to this one. Ms. Gonzales stated that they had communities all across the southeast.

Mr. Kirkpatrick inquired where in North Carolina they had developments. Ms. Gonzales responded they were currently building in Whiteville, have properties in Charlotte, and all over the state.

Ms. Jamie Lawson, Planning Director, clarified that what Mr. Kirkpatrick was inquiring was if a resident wanted to visit a previously created property, where could they see one in NC. Ms. Gonzales stated that she would be happy to provide a list to the commission of previously developed properties.

Mr. Parker inquired if they had any other developments in Burlington. Ms. Gonzales responded that they did not. Mr. Kirkpatrick inquired about where the closest development to Burlington would be. Ms. Gonzales stated that she did not know right off but she would get a list.

Ms. Lawson reminded the commission that nothing provided in the conceptual plans or preliminary site plans can be committed to and reiterated the rezoning request to Limited Use (LU).

Ms. Gonzales stated the company was Fitch Irick and stated that the commission could view all of their portfolios on their website.

Ms. Nelson inquired what aspect of their plans required the rezoning. Ms. Gonzales stated that Multi-Family uses were not allowed in the Light Industrial Rezoning.

Ms. Lawson reiterated that the current zoning doesn't allow for Multi-Family zoning for being the reason for the rezoning.

Ms. Nelson inquired about the Restaurant with Drive Thru use and if that meant there was going to be a fast-food restaurant. Ms. Gonzales stated that they are Multi-Family developer but they are purchasing the property from a retail developer and are the uses open in case they don't get tax credits they apply for with the state.

Ms. Nelson inquired about all the other uses besides the Multi-Family being business. Ms. Gonzales confirmed. Ms. Nelson inquired if that was for the person they were buying the property from. Ms. Gonzales affirmed that they were consulted to do so through the realtor to the seller.

Ms. Nelson inquired why the developer chose this property. Ms. Gonzales stated that the property was in a great location and close to public transportation which is ideal for their clientele.

Mr. Black inquired how many bedrooms the units would have. Ms. Gonzales stated there would be a combination of 1-4 bedrooms.

Mr. Black inquired who dictates what individuals go into the apartments and how they limit how many individuals can go into the apartments. Ms. Gonzales explained the income qualifying through their management company.

Mr. Black inquired about how long the company had been in business and inquired about what they foresaw in 10 years at that location. Ms. Gonzales stated it the property would remain affordable housing. Ms. Gonzales also stated that she had been working with the company for a little over 10 years. Ms. Gonzales stated that for all their properties they put land use restrictions on to only be used for affordable land use. Ms. Gonzales stated that they pride themselves on becoming a part of the community.

Mr. Black inquired about what the company looks at in regard to schools in the area. Ms. Gonzales stated she couldn't say due to each development being different and having different goals in mind. Ms. Gonzales stated that this development is focused on families instead of seniors.

Mr. Black inquired how many parking spaces were going to be available. Ms. Gonzales responded 98 parking spots for fifty-six units. Mr. Parker stated that it was about 1.5 spots for each unit.

Ms. Gonzales stated that of the fifty-six units only six units would be four bedrooms, ten units would be one bedroom, twenty-two units would be two bedrooms, and eighteen would be three bedrooms.

Mr. Roane inquired about utility billing and how according to their website they keep costs low, and inquired about what they did to be able to help with it. Ms. Gonzales stated they use third party green energizing companies, energy star products, and other energy effective products.

Mr. Roane inquired if they had plans to utilize solar technology. Ms. Gonzales stated they were not.

Ms. Nelson inquired about the typical amount that rent would be in this development. Ms. Gonzales stated that rent would be 60% of area the median income as dictated by HUD. Ms. Gonzales gave a brief breakdown of how that rent would work.

Mr. Beasley inquired city staff about UDO requirements or limitations for Multi-Family apartments. Ms. Lawson responded that the UDO dictates 24 units per acre.

Mr. Roane inquired about the type of HVAC units the development will have. Ms. Gonzales responded the different things they take into consideration into deciding that.

Mr. Black stated concern about there not being enough parking spots for all the potential people in the apartment community. Ms. Gonzales responded and clarified how many units and parking spots that would be available. Mr. Parker stated that in his experience there are always vacancies of people in the apartments, therefore all the spots may not be used.

Ms. Lawson stated that the UDO has standards for how many parking spots are required.

Mr. Parker inquired staff if they had received any calls about the property. Ms. Lawson stated there were no calls received.

STAFF RECCOMENDATION:

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

PUBLIC COMMENTS:

There was no public comment.

MOTION:

Mr. Kirkpatrick made a motion to recommend approval of the request to rezone property from Light Industrial (LI) to General Business – Limited Use (GB-LU). The property is located on the north side of N. Mebane St., east of the intersection of S. Graham Hopedale Rd. and N. Mebane St., addressed as 2002 N. Mebane St. and consisting of Alamance County Tax Identification Number 171022.

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 Mixed Use uses.
- The request is compatible with the adjacent 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. Roane seconded the motion.

VOTE (6-0):

Approved by (Parker, Kirkpatrick, Zec-Nelson, Beasley, Black, and Roane)

The motion passed unanimously.

ITEM NO. 4:

REZONING-23-003: Mr. Richard Angino, applicant, to present a request to rezone property from Light Industrial (LI) to General Business – Limited Use (GB-LU). The property is located on the northeast corner of the intersection of S. Graham Hopedale Rd. and Hanover Rd., addressed as 804 S. Graham Hopedale Rd. and consisting of Alamance County Tax Identification Number 172001, excluding the existing area zoned Conditional Industrial (CI 784) and the portion located within the City of Graham’s jurisdiction.

Mr. Parker inquired the commission if there were any conflicts of interest. Mr. Parker had a conflict of interest due to his employment with the owner of the property, Carolina Hosiery Mill and the Koury’s and recused himself from this item.

Mr. Kirkpatrick, Vice-Chair will be acting chair for the item.

Mr. Richard Angino, applicant, stated that he has worked in the City of Burlington for years and stated that he has worked with historic properties and new build properties. Mr. Angino stated that the rezoning to Light Industrial is due to the need for Multi-Family that the current zoning does not allow.

Ms. Nelson inquired that if the property is old and/or historic if there were plans to build lofts. Mr. Angino stated that the property was currently a vacant lot, and the parking lot is still there. Mr. Angino stated that the area is great and has great schools in the area.

Mr. Kirkpatrick inquired where else Mr. Angino had properties. Mr. Angino stated they did work on Oneida Mill in Graham. Mr. Angino stated that this project was very similar project and that they would be using the rehab builders did work on May Hosiery and Burlington Food Hall. Mr. Angino stated that they work with local companies and builders. Mr. Angino stated that they planned to utilize the areas amenities with the project.

Mr. Beasley inquired about the southeast corner that is zoned in Graham and if Mr. Angino would have to rezone that part of it as well. Mr. Angino stated that they did not have plans to change it and it is zoned differently due to cell phone tower being there.

Mr. Black inquired about how many Multi-Family units would be at the property. Mr. Angino responded there would be 190 multi-Family units.

Mr. Roane inquired about the total size of the property. Mr. Black responded that the property was 17.5 acres.

Mr. Beasley inquired about how many floors the project would be. Mr. Angino answered that there would be three floors.

Mr. Black inquired if the community would have an elevator and a pool. Mr. Angino responded that there would not be elevators but there may be a pool.

Mr. Roane inquired if there was anything in place to hoist heavy items to the higher floors. Mr. Angino stated no and stated that most of their tenants are elderly.

Mr. Black inquired about how many bedrooms would be in the units. Mr. Angino stated that they would have 1 bedroom and 2 bedrooms units available. Ms. Angino stated the demographics of families are changing and getting smaller.

Mr. Black inquired if there would be entrance and exits on both access roads. Mr. Angino stated yes they would but they may have two phases of when the entrances would be available to be accessed.

Ms. Nelson inquired if the reason they were not planning to install elevators was due to cost. Mr. Angino stated affirmed that they were not planning to have elevators due to cost and maintenance costs.

Ms. Nelson inquired if elevators were more marketable than no elevators. Mr. Angino stated that it depended on the area and that it also depended on what you were charging for rent if you would be able to have elevators.

Ms. Nelson inquired if they had a range that they were planning to charge for rent. Mr. Angino stated that they did not have the rent range set.

Ms. Black inquired about the estimated senior population and if Mr. Angino estimated that number due to his past experience. Mr. Angino affirmed that he estimated that amount due to other properties and past experience.

Mr. Tom Boney, Alamance News, inquired if the units were going to be based on market rates. Mr. Angino stated that it had not be decided yet and gave example of previous properties and stated that they had used different types of rent pricing in the past.

Mr. Black inquired about their recommendation and if there had been any discussion about the weight on the school system and the traffic. Ms. Lawson responded that you don't typically see traffic analysis at this stage of the rezoning and that they don't typically get advice from the school systems. Ms. Lawson stated that due to the nature of the Limited Use zoning there is a menu of uses to choose from and that the applicant comes before the commission to express what they would like to do with the property but there is no commitment.

Mr. Olmedo stated that typically the school system will reach out regarding enrollment and that the school system is not a part of the review process.

Mr. Kirkpatrick inquired about when traffic is involved. Mr. Olmedo explained that once the applicant has another Pre-Application Conference with revised plans, that then the Traffic Analysis and the Transportation Department is involved.

Mr. Boney inquired about how many parking spots would be available. Ms. Lawson reminded Mr. Boney that nothing given to the commission can be committed to. Mr. Kirkpatrick stated that apartment projects are required to have 1.5 parking spots per unit. Mr. Angino stated that they typically have too many parking spots instead of not enough.

Mr. Boney inquired about who will be the management company for the property. Mr. Angino responded that it would be Partnership Property Management out of Greensboro, NC. Mr. Angino stated that it was

the same management company as Oneida Mill and they have 250 properties that they manage in North Carolina.

Mr. Boney inquired if Mr. Angino was purchasing the property. Mr. Angino affirmed.

Mr. Kirkpatrick inquired staff if they had received any calls about the property. Ms. Lawson stated there were no calls received.

PUBLIC COMMENTS:

There was no public comment.

MOTION:

Mr. Beasley made a motion to recommend approval of the request to rezone property from Light Industrial (LI) to General Business – Limited Use (GB-LU). The property is located on the northeast corner of the intersection of S. Graham Hopedale Rd. and Hanover Rd., addressed as 804 S. Graham Hopedale Rd. and consisting of Alamance County Tax Identification Number 172001, excluding the existing area zoned Conditional Industrial (CI 784) and the portion located within the City of Graham’s jurisdiction.

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 Neighborhood 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. Kirkpatrick seconded the motion.

VOTE (5-0):

Approved by (Kirkpatrick, Zec-Nelson, Beasley, Black, and Roane)

Mr. Parker recused himself from this vote due to conflict of interest.

The motion passed unanimously.

DISCUSSION:

Mr. Boney inquired about what was currently on the property. Mr. Angino responded shed sales currently on the property.

NEW BUSINESS:

Mr. Parker stated to the commissioners that they needed to ensure that staff has the correct contact information for them.

Mr. Olmedo stated that the need for correcting contact information is due to quorum requirements and alternate member consideration. Mr. Olmedo also requested the commission that when they receive communication from staff about the meetings, that they are respond, due to attendance requirements.

Mr. Parker inquired staff about when new terms were for the commissioners. Mr. Olmedo stated that commissioners are appointed in June and new terms start in July. Mr. Olmedo stated that he has term expirations for commissioners to look over.

ADJOURNMENT

Mr. Kirkpatrick made motion to adjourn the meeting. Mr. Beasley seconded the motion.

All were in favor.

Meeting was adjourned at 7:48 p.m.