



Burlington City Council Meeting

May 1, 2018

Municipal Building Council Chamber

7:00 p.m.

CALL TO ORDER: Mayor Ian Baltutis

INVOCATION: Councilman Bob Ward

PROCLAMATIONS:

- National Small Business Week – April 29 – May 5, 2018
- National Police Week – May 11 – 17, 2018

CODE OF ETHICS–DISCLOSING CONFLICTS OF INTEREST: City Clerk, Renee Ward

APPROVAL OF MINUTES:

- April 3, 2018 – Work Session
- April 17, 2018 – City Council Meeting

ADOPTION OF AGENDA

CONSENT AGENDA:

A. To adopt an Ordinance approving the following Traffic Commission recommendations:

- Request for the conversion of parking space to a loading zone on the west side of East Davis Street from a point 42 feet northwest from the intersection of East Davis Street and South Spring Street to a point 62 feet northwest from the same
- Request to install a stop sign on Glenfield Lane at Cardross Street
- Request to install a stop sign on Cardross Street at Loch Ridge Parkway

B. Budget Amendment 2018-33 –Transportation – Public Transportation Shelter Donation

BA2018-33

Increase Revenues:

021104491-30132 Donations/Reimb. of Costs \$ 10,000

Increase Expenditures:

021146000-47200 Capital – Other Improvements \$ 10,000

NEW BUSINESS:

1. City Council will consider a request to set a date of public hearing for an application to rezone from R-15 Residential District to CR-Conditional Residential District for the use of a 241 lot single family subdivision. The property is located at 1722 Shamrock Drive (currently Shamrock Golf Course), referenced as Alamance County tax identification number 130754.

PUBLIC COMMENT PERIOD

CITY COUNCIL COMMENTS

ADJOURN



PROCLAMATION

Commemorating

NATIONAL SMALL BUSINESS WEEK

April 29 – May 5, 2018

WHEREAS, America's progress has been driven by pioneers who think big, take risks and work hard; and

WHEREAS, from the storefront shops that anchor Main Street to the high-tech startups that keep America on the cutting edge, small businesses are the backbone of our economy and the cornerstones of our nation's promise; and

WHEREAS, small business owners and Main Street businesses have energy and a passion for what they do; and

WHEREAS, when we support small business, jobs are created and local communities preserve their unique culture; and

WHEREAS, because this country's 30 million small businesses create nearly two out of three jobs in our economy, we cannot resolve ourselves to create jobs and spur economic growth in America without discussing ways to support our entrepreneurs; and

WHEREAS, the President of the United States has proclaimed National Small Business Week every year since 1963 to highlight the programs and services available to entrepreneurs through the U.S. Small Business Administration and other government agencies; and

WHEREAS, the City of Burlington, North Carolina supports and joins in this national effort to help America's small businesses do what they do best – grow their business, create jobs, and ensure that our communities remain as vibrant tomorrow as they are today.

NOW, THEREFORE, I, Mayor Ian Baltutis and the Burlington City Council, do hereby proclaim April 29 through May 5, 2018, as **NATIONAL SMALL BUSINESS WEEK** in the City of Burlington, North Carolina.

This the 1st day of May 2018.

Ian Baltutis
Mayor, City of Burlington, NC



PROCLAMATION

Proclaiming May 11 – 17, 2018

as

National Police Week

To recognize National Police Week 2018 and to honor the service and sacrifice of those law enforcement officers injured and killed in the line of duty while protecting our communities and safeguarding our democracy.

WHEREAS, there are approximately 800,000 law enforcement officers serving in communities across the United States, including the 137 dedicated members of the Burlington Police Department; and

WHEREAS, nearly 50,000 assaults against law enforcement officers are reported each year, resulting in approximately 15,000 injuries; and

WHEREAS, since the first recorded death in 1791, more than 20,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty, including 135 officers who died in 2016 and the 46 that have been killed thus far in 2018; and

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.; and

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 30th Annual Candlelight Vigil, on the evening of May 13, 2018; and

WHEREAS, we also honor the memory of the only Burlington Police Officer killed in the line of duty, Officer Sonnie W. Vaughn, End of Watch, December 7, 1938; and

WHEREAS, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff.

THEREFORE, BE IT RESOLVED that the Burlington City Council formally designates May 11-17, 2018, as Police Week in the City of Burlington, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

This the 1st day of May 2018.

Ian Baltutis
Mayor, City of Burlington



MINUTES OF THE CITY OF BURLINGTON CITY COUNCIL WORK SESSION

APRIL 3, 2018

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 April 3, 2018, at 5:30 p.m.

Councilmembers Present: Mayor Ian Baltutis and Mayor Pro Tem Kathy Hykes
Councilmembers Robert Ward, James Butler and Harold Owen

Councilmembers Absent: *None*

City Manager: Hardin Watkins, *present*

City Attorney: David Huffman, *present*

City Clerk: Renee Ward, *present*

A. Youth Solutions Forum Follow-Up

Hardin Watkins
City Manager

City Manager Hardin Watkins shared the below summary and recommendations:

During the March 5, 2018, Work Session, City Council heard a report from the Youth Solutions Forum process led by Rachel Kelly. The conversation was informative, productive, and beneficial. As the discussion transitioned to next steps and action items moving forward, Mayor Baltutis, Mayor Pro Tem Hykes, and the City Manager attempted to summarize and gain agreement on the next steps to continue moving this effort forward. Staff was asked to review and consider the many discussion points and report to Council during the April City Council Work Session.

Many in the community are eager to see some immediate action taken and the City currently offers a number of helpful services, programs, and facilities through the Recreation & Parks

Department, Police Department, and the Community Development Division of the Planning Department. There are a number of quick-hitter ideas, such as late night basketball, mobile playground camp programs, mentoring, and similar initiatives that can start fairly soon once resources and facility availability are evaluated and allocated. The community involvement portion

and coordination of existing programs and resources will take longer due to the number of organizations and individuals that could potentially be involved.

“Getting the word out” and sharing information about what is available amongst those who can best utilize the services and programs is a key strategy that will also take months to synchronize and harmonize.

City staff is committed to work to solve the problems that have been identified by the community over the past few months. Citizens seem to be interested in the amalgamation of more resources and programs to fill the gaps of the unmet needs. Local government will provide some of these and some will be provided by non-governmental organizations, the faith community, and good-hearted citizens.

Mayor Pro Tem Hykes asked City staff to determine resources currently available from all sources and to make recommendations about what types of non-local government organizations and resources can be utilized and included in our community response. City staff will complete this task as budget season demands wane during spring 2018.

It is clear that different strategies are needed for different age groups and different geographic regions. The best solution will have multiple components and parts managed and organized by a multitude of different organizations and individuals.

Suggested Immediate Action Steps:

1. Designate a Youth Solutions Coordinator

I would like to suggest that the City designate or select a person (or persons) to serve in this capacity. I believe that the community would benefit from tapping someone to take the reins and be responsible for coordinating, synthesizing, advocating, cajoling, encouraging, fostering, connecting, developing and promoting solutions. One of my mentors advised me years ago that if you want to make sure that something gets done, you should put someone in charge. I believe this is true.

Accordingly, we need a coordinator that will clearly help us identify what success looks like for City Council, our various partners, and the citizens of Burlington. The community must help us define the goals and outcomes over a 1-5 year timeframe.

- It will be important to have someone that can focus on this initiative and not be constantly juggling other projects and demands. It needs to be on the top of someone’s priority list instead of (or in addition to) their regular work demands and tasks.
- It will be important to have someone that understands community resources and demonstrates and ability to work with people towards common goals.
- It will be important to have a clear leader of the project that is motivated, empowered, and committed to success. We will need to give this person enough latitude to make pertinent, independent decisions to be successful and deliver results.
- It will be important to provide adequate resources (connections, funds, materials, technology, cooperation, and encouragement) to ensure success.

- It will be important to provide clear guidance on the resources available and timetable for seeing measurable results.

2. Compile a Comprehensive List of All City of Burlington, Alamance County, ABSS, State of North Carolina, and Area Non-Governmental Programs that Contribute Positively to Youth Quality of Life

This step can be initiated quickly using existing City staff resources. The findings of this research will help guide and inform the work to follow.

3. Evaluate the Usefulness and Value of a Task Force or Advisory Committee to Serve as a Sounding Board and Source for Advice and Recommendations

This could materialize as: 1) a newly City-appointed group, 2) utilization of an existing organization (non-City) already organized and functioning, or 3) be drawn in an entirely different manner. I envision this as operating similar to one of the City's existing advisory boards (Traffic Commission, Recreation & Parks Commission, etc.) or a typical non-profit committee structure (United Way, etc.). If this action step is pursued, we will need to establish firm guidelines defining the duties and responsibilities of the task force. It is critical to determine how the members will be selected, duration of terms, etc.

Mayor Pro Tem Hykes said that the Manager's suggestions were good and that someone needed to be responsible for this project. She said that she felt pressure from the community that something needed to be done right away. She said that with summer coming there were things the City could do. She suggested creating activities available for kids this summer to acknowledge the fact that the City is serious about this program. She suggested late night basketball, access to sports this summer so kids can get involved in something that is worthwhile.

Councilman Ward asked if Ms. Hykes would like a list of quick hitters. He said that this list would be beneficial and suggested that someone coordinate this program and give Council feedback.

Mayor Baltutis said that this was a start in the right direction and better to understand what we have before charging forward. He suggested community asset mapping and a designated person to be responsible for the program.

Mayor Baltutis asked if any of the community partners who were present, would like share any thoughts.

Councilman Butler said that obviously we needed to commit resources and that there were many programs in place that could be expanded upon, where the infrastructure and leadership existed through programming alternatives. He said that to make a difference, the City would need to put dollars with it. He said that budget meetings were coming up and that Council should begin working on the funding and then action.

Mayor Baltutis asked if there were any objections to requesting staff to include those budgetary numbers in the proposed budget.

Councilman Owen voiced concerns with hiring a full-time person as a designated youth solutions coordinator before we determine what was needed and what such person was to accomplish. He suggested challenging existing staff to determine if current staff could modify their duties in order to be more effective.

Mayor Pro Tem Hykes said that there could be staff available within the organization. She voiced concerns about not having a point person who could keep the conversation going with the community, police and recreation and parks.

Councilman Ward suggested a quick hitter list that could be reasonably accomplished.

Councilman Owen shared that the Library was bringing back the book mobile. He suggested involving the library system as a way to get into neighborhoods.

Mayor Baltutis said that as Item 3 stated above, a new board and commission could be created.

Mayor Pro Tem Hykes said that we asked the community to come together along with those affected by youth violence to look at solutions, but what was not considered was who was doing what, when, where, how. She said her concern was giving this project to people who already had full-time jobs. She suggested having a meeting with the organizations who are engaged in this work and talk to them about how to do this.

Councilman Owen said that the task force could determine the need for a youth solutions coordinator and that person would need to reach out to all the existing groups who know what the problems were. He said that there were things the City could do this summer.

Councilman Butler said that it was important to get in front of the community to receive feedback and those were the ones that the task force needed to derive from. He said that the community needed to be involved and we needed its support and that is where the solutions would come from.

Councilman Owen said that it would take time, but this would build a solid foundation that would grow into something that would be effective for a long period.

Councilman Butler said that there was a good framework of thoughts and ideas and that group could tell us what would be the most impactful quick hitting items.

Council consensus was to pull together a list of quick hitters and bring back to the April 30, 2018, work session and to have staff begin forming a steering committee with community partners and sketch out the role of a coordinator with feedback from the steering committee. Council also agreed to compile a comprehensive list of programs currently offered to youth and to create a community asset map.

Ms. Dorothy Yarborough asked about a mission statement.

Mayor Baltutis said that a mission statement would be a task for community partners who would be serving on the steering committee.

Mr. Jim Albright, Director, NC Behavioral Health Equity Initiative for Alamance County, Alamance Citizens for the Prevention of Youth Violence, said that his team could begin working on quick hitters using the resources they had and would share with Council. He also invited a member of Council or staff to attend the 13th Annual Youth Violence Conference scheduled for May 4, 2018, in Charlotte.

Heidi Norwick, Executive Director, United Way of Alamance, shared that United Way's 211 could assist in the asset mapping.

April Durr, United Way of Alamance, said that it was important to take a collective impact approach, by bringing everyone together around the same goal, forgetting about logos and who gets credit for the success. She said that in order to do that, it had to be intentional about who was at the table, who was not at the table, what's working, what's not working, and that the process needed to be thought out in a way that its very inclusive.

B. Boards and Commissions Reports

- Planning and Zoning Commission – 1 Request
- Traffic Commission – 6 Recommendations
- Public Transit Advisory Commission (PTAC) - None

Amy Nelson, Director of Planning and Community Development, shared a rezoning request for an existing inert debris landfill with a proposed expansion. The property is located on the south side of West Old Glencoe Road and the property owner was requesting the property be rezoned from I-1A, Planned Industrial Residential, to CI, Conditional Industrial. Staff and the Planning and Zoning Commission recommended approval of the rezoning.

Jason Geary, City Traffic Engineer shared that the Traffic Commission recommended that Council consider approval of the following requests at the April 4, 2018, City Council meeting:

- Request to install a speed table on Trollinger Street between W. Davis Street and W. Front Street. (*This is not a primary emergency route for police and fire.*)
- Request to establish a No Parking Zone on the west side of Colony Avenue from Grand Oaks Boulevard to the dead end.
- Request for the conversion of a loading zone to (2) 2-hour parking spaces on the south side of S. Worth Street from a point 58' northeast from the intersection of S. Worth Street and E. Davis Street to a point 106' northeast from the same.

- Request for a restricted left turn on Broadview Drive turning onto Sellars Mill Road.
- Request to install a mid-block crosswalk on Front Street approximately 100' west of the intersection of Front Street and Saddleclub Road.
- Request to convert (9) employee only spaces and (6) 2-Hour parking spaces in Municipal Lot #5 to All Day spaces.

Police Chief Smythe shared that a potential four-way stop at Cameron and Avon did not make the above list. He said that the traffic study performed at this intersection showed it did not meet the traffic flow count. He said that Council could take action at the request of the police department.

Mayor Pro Tem Hykes said that it would certainly slow the traffic down in that neighborhood and asked if Council would like to place it on the agenda.

Councilman Butler said that he would like to go out and view the intersection.

Council consensus was to discuss a four-way stop at Cameron and Avon at the April 30, 2018, Work Session.

Council Comments:

Mayor Baltutis shared that he and Councilman Owen attended the National League of Cities recently and meet with delegates. He thanked staff for helping prepare city initiatives and issue areas.

Councilman Owen said that each legislator spoke about the pending budget and that HUD financing had increased, transportation stayed solid and e-fairness as it relates to sales tax.

Mayor Baltutis shared the Racial Equality program that he would be attending on April 23rd and 24th. He encouraged Council to look at what the Racial Equality Institute was doing in the community.

ADJOURN

Meeting adjourned at 6:35p.m.

Renee M. Ward

Renee M. Ward
City Clerk

April 3, 2018
Work Session



**MINUTES OF THE CITY OF BURLINGTON
CITY COUNCIL MEETING
APRIL 17, 2018**

The City Council of the City of Burlington held a regularly scheduled meeting in the Council Chamber, Municipal Building, 425 South Lexington Avenue, Burlington, NC, 27215, on April 17, 2018, at 7:00 p.m.

Mayor Ian Baltutis presided

Councilmembers Present: Mayor Ian Baltutis, Mayor Pro Tem Kathy Hykes
Councilmembers Robert Ward, James Butler and Harold Owen

Councilmembers Absent: None

City Manager: Hardin Watkins, Present

City Attorney: David Huffman, Present

City Clerk: Renee M. Ward, Present

CALL TO ORDER: Mayor Ian Baltutis

INVOCATION: Mayor Pro Tem Kathy Hykes

RECOGNITION: Council recognized the Burlington Woman's Club for their 80 years of service to the community.

PRESENTATION TO COUNCIL: Cone Health presented a check for \$10,000 for the construction of a Link Transit Bus Shelter

CODE OF ETHICS–DISCLOSING CONFLICTS OF INTEREST: City Clerk, Renee Ward

There were no conflicts of interest reported.

APPROVAL OF MINUTES:

- March 19, 2018 – Special Work Session
- April 4, 2018 – City Council Meeting

Upon motion by Councilman Ward, seconded by Mayor Pro Tem Hykes, it was resolved unanimously to approve the above listed minutes.

ADOPTION OF AGENDA

Upon motion by Councilman Butler, seconded by Councilman Owen, it was resolved unanimously to adopt the agenda.

PUBLIC HEARINGS:

ITEM 1: PERMANENT CLOSING – PORTION OF RIGHT-OF-WAY – ISELY PLACE CUL-DE-SAC

Mayor Baltutis announced that a public hearing had been set to consider adopting a Resolution to permanently close an irregular-shaped portion of the City's right-of-way adjoining the Isley Place cul-de-sac.

City Engineer Todd Lambert stated that at the March 6, 2018, City Council Meeting, Council adopted a Resolution of Intent to consider closing an irregular-shaped portion of the City's right-of-way adjoining the Isley Place cul-de-sac and set the date for a public hearing for April 17, 2018.

He stated that City staff had reviewed this request and supports the street closing in the form of right-of-way abandonment.

The public hearing was opened and there were no comments.

Upon motion by Councilman Owen, seconded by Mayor Pro Tem Hykes, it was resolved unanimously to close the public hearing.

Councilman Butler moved for the adoption of the following resolution:

Resolution #: 18-07

RESOLUTION AND ORDER BY THE CITY COUNCIL OF THE CITY OF BURLINGTON PURSUANT TO N.C.G.S. SECTION §160A-299 TO PERMANENTLY CLOSE AN IRREGULAR SHAPED PORTION OF THE CITY'S RIGHT-OF-WAY ADJOINING THE ISLEY PLACE CUL-DE-SAC.

WHEREAS, pursuant to North Carolina General Statutes, Section 160A-299, the City Council of the City of Burlington held a public hearing on April 17, 2018, to consider permanently closing an irregular-shaped portion of the City's right-of-way adjoining the Isley Place cul-de-sac.

WHEREAS, after full consideration of this matter, the City Council does hereby deem it to be in the best interest of the City of Burlington to permanently close an irregular shaped portion of the City's right-of-way adjoining the Isley Place cul-de-sac according to N.C.G.S. 160A-299.

WHEREAS, in 1968, the property bordering the rear lot lines of properties fronting on Central Avenue, West Davis Street, Fountain Place and Kime Street was initially developed as the Inglewood Apartments complex by Stephen Moore, Jr., and Randolph Ingle Isley, Sr. whereby two roads into the development were dedicated for public use, those being (1) Isley Place, running from Kime Street northward the length of the development, ending in a cul-de-sac and (2) Moore Lane, running easterly from Central Avenue into the development, dead-ending into Isley Place. The plat to said development is found in the Alamance County Register of Deeds, Plat Book 17, Page 58. Said Inglewood Apartments were subsequently converted to condominium ownership.

WHEREAS, in 1990, Randolph Ingle Isley, Jr. and wife Clara W. Isley sought to develop the .792 acre tract of real property situated north of and adjoining the existing Inglewood Apartments/Condominiums tract.

WHEREAS, as a part of said proposed 1990 development, the Burlington City Council voted to extend the then existing cul-de-sac at the north end of the public road Isley Place, which required the City's acquisition of additional real property by way of condemnation pursuant to North Carolina General Statutes, Chapter 40A, Eminent Domain.

WHEREAS, following the City's acquisition of the necessary property in 1991 and extension of the Isley Place cul-de-sac, the .792 acre tract owned by Randolph I. Isley, Jr. was subdivided and were developed into eight (8) condominium units as the Windsor Townhome Condominiums at Isley Place with its entrance onto the newly extended Isley Place cul-de-sac.

WHEREAS, following the City's acquisition of the necessary property in 1991 and extension of the Isley Place cul-de-sac, the portion of the tract owned by Jean Hunnicutt was subdivided and developed into four (4) condominium units as the Match Point Condominiums with its entrance onto the newly extended Isley Place cul-de-sac.

WHEREAS, following the City's acquisition of the necessary property in 1991 and extension of the Isley Place cul-de-sac, the 1.79 tract of real property adjoining the newly extended Isley Place roadway located immediately to the south of and adjacent to the Jean Hunnicutt/Match Point Condominium tract, has remained undeveloped until this time, said property being having been acquired by the current owner Cook-Moore Properties, LLC, as shown in Deed Book 3614 at page 952 of the Alamance County Register of Deeds.

WHEREAS, Cook-Moore Properties, LLC has indicated that it now desires to develop said 1.79 acre tract or sell the property for development.

WHEREAS, said 1.79 acre tract is zoned MFA, for Multi-Family use.

WHEREAS, Cook-Moore Properties, LLC., has requested that the City abandon that portion of the pre-1991 cul-de-sac right-of-way (hereinafter referred to as "irregular shaped portion of the Isley Place cul-de-sac") that has not been utilized by the City following the extension of the Isley Place cul-de-sac in 1991, that being 1,099 square feet or .025 acres as shown on the February 16, 2018, plat by Borum, Wade and Associates, P.A., captioned "Right-of-way Closure Isley Place" attached hereto and incorporated herein.

WHEREAS, the abandonment of said irregular shaped portion of the Isley Place cul-de-sac right-of-way by the City will allow for an increased buildable area of the 1.79 acre tract.

WHEREAS, the City Council will hold a public hearing on said proposed abandonment and closing on April 17, 2018 at 7:00 p.m. in the Council Chamber, Municipal Building.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Burlington pursuant to N.C.G.S. §160A-299;

Sec. 1. That the City Council, after full discussion of this matter at the public hearing held on April 17, 2018, and upon the terms and conditions hereinafter set forth, does hereby order to permanently closing an irregular shaped portion of the City’s right-of-way adjoining the Isley Place cul-de-sac and being more particularly described as follows:

Being a certain tract or parcel of land located in Burlington Township, Alamance County, North Carolina, adjoining the property of Cook-Moore Properties, LLC and being more particularly described as follows:

BEGINNING at a computed point at the intersection of the new northern margin of Isley Place with the old northern margin of said Isley Place to be closed having NAD 83/NSRS 2011 Grid Coordinates of North 853615.0339 and East 1867596.5409, said beginning point being located along a curve to the right having a radius of 45.00 feet and an arc length of 24.16 feet, a chord bearing and distance of South 21°48’11” West 24.16 feet from a computed point marking the southwestern corner of Match Point Condominiums as shown on a map recorded in Plat Book 64 Page 294 in the office of the Register of Deeds, Alamance County, North Carolina; thence running along said old northern margin of Isley Place to be closed along a curve to the right having a radius 45.0 feet and an arc length of 75.48 feet, a chord bearing and distance of South 23°22’09” West 66.94 feet to a computed point in the existing northern margin of said Isley Place; thence along said new northern margin of said Isley Place the following two (2) courses and distances: 1) North 07°01’38” East 46.66 feet to a computed point; thence 2) along a curve to the left having a radius of 45.0 feet and an arc length of 26.13 feet, a chord bearing and distance of North 54°00’30” East 25.76 feet to the point and place of BEGINNING.

Containing 1,099 square feet or 0.025 Acres+-, according to a survey by Borum, Wade and Associates, P.A. entitled “Right-of-Way Closure Isley Place” dated February 16, 2018, and based on NC Grid North meridian.

Sec. 2. That notice of said public hearing was published on March 22, 29, April 5 and April 12, 2018.

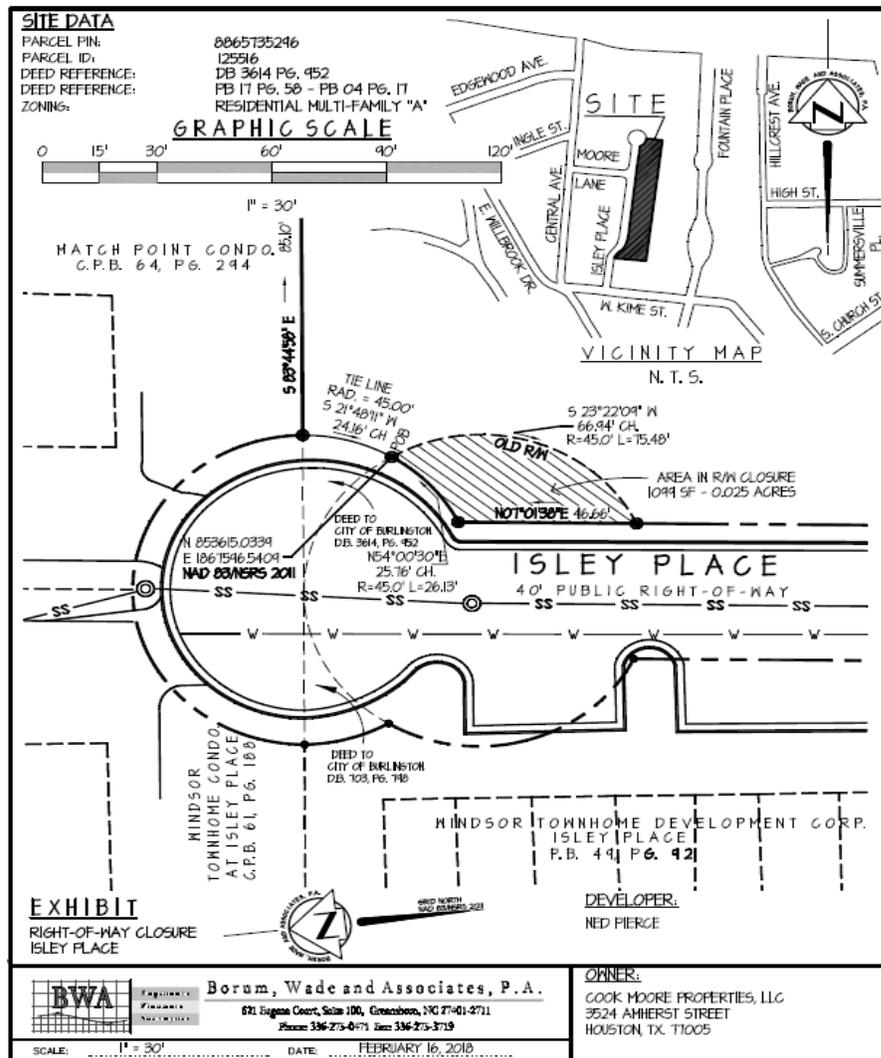
Sec. 3. That a copy of this resolution and order shall be mailed to all owners of the property abutting said street as more particularly described above.

Sec. 4. That a notice of this closing was prominently displayed and posted in at least two places along said streets.

Sec. 5. That the North Carolina State Highway Commission has not accepted any portion of said street for maintenance.

- Sec. 6.** That after full consideration of this matter at said public hearing, it appears to the satisfaction of the City Council of the City of Burlington to permanently close an irregular shaped portion of the City's right-of-way adjoining the Isley Place cul-de-sac and that no person owning property in the vicinity of said existing street will be deprived of reasonable means of ingress and egress to his property.
- Sec. 7.** That this resolution and order closing the above-described street shall be made effective as of the adoption of this resolution and order.
- Sec. 8.** That a copy of this resolution and order shall be filed in the office of the Register of Deeds, Alamance County, North Carolina.
- Sec. 9.** That this resolution shall take effect upon passage.

The foregoing resolution was seconded by Councilman Owen, and it was passed unanimously.



ITEM 2: REZONING – WEST OLD GLENCOE ROAD

Mayor Baltutis announced that a public hearing had been set to consider an application to rezone from I-1A, Planned Industrial Residential District, to CI, Conditional Industrial District, for the use of an Inert Debris Recycling/Landfill and all uses allowed in the I-1A, Planned Industrial Residential District. The properties are located on the south side of West Old Glencoe Road referenced as Alamance County tax map 12-50, lots 43 and 56.

Planning and Community Development Director Amy Nelson stated that this zoning request was recommended by staff and that the Planning and Zoning Commission unanimously recommended approval.

Ms. Nelson stated that this request was to allow the continuance of the property's current use, which was as an LCID, Land Clearing and Inert Debris landfill, with allowance for future expansion. She stated that the Comprehensive Plan called for Rural Residential/Agriculture in this area however, staff recommended the current use, which was ongoing while the Comprehensive Plan was being written. This use was consistent with the industrial uses in the area.

Ms. Nelson stated that a permit through N.C. Division of Waste Management, Solid Waste Section – Permitting Branch was required in order to operate. She stated that the permit would ensure the site and the construction and operation of solid waste management facilities met all applicable federal and state regulatory requirements.

Mr. Carl Buckland, property owner, asked Council to approve the rezoning so that his property would be in compliance in order to obtain proper permits from NCDENR.

The public hearing was opened and there were no comments.

Upon motion by Mayor Pro Tem Hykes, seconded by Councilman Owen, it was resolved unanimously to close the public hearing.

Councilman Ward moved to adopt the following ordinance approving this request as an amendment to the Comprehensive Plan. Although inconsistent with the Plan, this request represents a needed change in the area, thus making this request reasonable and in the public interest.

Ordinance #18-09

ORDINANCE TO AMEND OFFICIAL ZONING MAP (Rezone properties located on the south side of West Old Glencoe Road.)

BE IT ORDAINED by the City Council of the City of Burlington, North Carolina:

Section 1. That the official zoning map, an element of the Burlington Zoning Ordinance, and the Comprehensive Land Use Plan are hereby amended by rezoning from I-1A, Planned Industrial Residential District to CI, Conditional Industrial District, for the use of an Inert Debris Recycling/Landfill and all uses allowed in the I-1A, Planned Industrial Residential District, subject to the conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance. The area is described as follows:

Properties are located on the south side of West Old Glencoe Road; referenced as Alamance County tax map 12-50, lots 43 and 56.

Section 2. That the rezoning from I-1A, Planned Industrial Residential District, to CI, Conditional Industrial District, for the use of an Inert Debris Recycling/Landfill and all uses allowed in the I-1A, Planned Industrial Residential District, is hereby authorized subject to the following Use and Development Conditions:

Use Conditions

1. Recycling and Landfill for Inert Debris
2. All uses allowed in I-1A Zoning District

Development Conditions

1. Existing vegetation will remain with no additional landscaping required for the recycling and landfill use
2. All future development, with the exception of the recycling and landfill, will adhere to the requirements of the I-1A District and be approved by the Technical Review Committee

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed including site plans and other submissions, unless subsequently changed or amended as provided for in the City of Burlington Zoning Ordinance.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in the City of Burlington Code of Ordinances and Zoning Ordinance.

Section 5. That all ordinances or parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed.

Section 6. That this ordinance shall take effect upon passage.

The foregoing ordinance was seconded by Councilman Owen, and after full discussion, the same was voted upon and declared duly adopted, no amendments having been offered and consent having been given to place the same upon its immediate passage. Councilmembers voting in favor of the motion to adopt the foregoing ordinance were Baltutis, Hykes, Ward, Butler and Owen.

CITY MANAGER REPORT: MUNICIPAL OCCUPANCY TAX:

Discussion was had to gauge interest in pursuing local legislation that would allow a City of Burlington municipal occupancy tax of 3% in the city limits.

City Manager Hardin Watkins stated the following:

Chapter [160A-215](#) of the North Carolina General Statutes outlines the provision of room occupancy tax to be levied by municipalities as authorized by the General Assembly. The current maximum room occupancy tax levy allowed by municipalities is 3%.

North Carolina General Statutes permit Cities and Counties to levy a combined 6% room occupancy tax. Alamance County currently levies a 3% room occupancy tax, allowing the City to request a maximum levy of 3%.

The revenue generated from such levy cannot be used for construction of lodging facilities. Typically, revenues generated by room occupancy taxes are used by municipalities to bolster tourism and promote economic and industrial growth.

To be permitted to levy a room occupancy tax, a municipality must request local legislation authorizing such by the North Carolina General Assembly.

If Council has interest in pursuing a local bill this year, staff is prepared to work with Burlington's local delegation in the NC General Assembly to ask for a local bill permitting the City of Burlington to levy a room occupancy tax to be introduced during the legislature's short session, beginning on May 16, 2018. Final approval to enact room occupancy tax must then be approved by City Council at a future date.

Councilman Ward asked would this be subject to a public hearing, if so he would be interested.

City Manager Watkins stated that a public hearing was not required but would be beneficial and that staff could begin reaching out to our legislators. He stated that there was no need to rush that this could wait until the long session in 2019.

City Manager Watkins stated that it was determined that there were 15 hotels in Burlington City limits and learned that 72% of the occupancy tax that was collected in Alamance County was generated within the City limits of Burlington.

Councilman Butler stated that would be 72% of the \$876,000.

Councilman Owen stated that this was a concern of the Tourist Development Authority, (TDA) and where does that money support. He stated that Mark Cryan was present and asked him to speak on the subject.

Mr. Mark Cryan, President, Tourist Development Authority, shared the following points:

- TDA already does a lot to promote tourism in our County and to bring in events.
- Burlington Recreation and Parks works with the TDA to bring in events.
- Concerned of tourism efforts becoming fragmented (Burlington TDA, Mebane TDA, etc.)
- TDA is currently promoting tourism county-wide
- Many events that come to the City of Burlington, TDA supports and generates hotel rooms and restaurant visits all over the County.
- This is a function that is best as a county-wide effort.
- TDA was not in the process of advocating for an increase, however if it's going to be advocated it needed to be done County-wide with everyone working together.
- Suggested slowing the process down and come together and talk about this issue to show transparency.

Mr. Cryan was asked to list activities and events that the TDA supports in the community.

Mr. Cryan stated the following:

- Supports sport events:
 - ✓ USA South Conference – generates a ton of hotel and restaurant business, financially supports and facilitates the national softball tournament
 - ✓ Website that markets all tourism destinations county-wide
 - ✓ Advertises in Southern Living Magazine and others
 - ✓ Working on a new brand and working on communicating better with all cities and towns who have a stake in this and what TDA does for them.

Councilman Butler asked for a formal presentation of all the services and support TDA offers to all cities and towns. He stated that if there was \$876,000 being generated and 72% comes from the City of Burlington, he wanted to know what that money was being used for. He

stated that it was worth a discussion if the City was to move forward with the increase in occupancy tax and if it would still be funneled through the TDA specifically for the City of Burlington. He stated that if we have the opportunity to expand what we already have available to the City it may help Burlington with initiatives that we are already working on that we would have to seek funding for.

Mr. Cryan stated that the TDA was planning to move towards a large grant program available to municipalities or others who present a great event and needed financial support. He stressed that an additional occupancy tax increase would be beneficial County-wide.

Councilman Owen asked what the County's role was.

City Attorney David Huffman stated that for the purpose of collecting the tax, the County receives 3% off the top from the first \$500,000, and then an additional 1% beyond that. In addition, the County receives 1/3 of the net proceeds. He stated that Ms. Susan Roberts, Finance Director for Alamance County shared a document that stated the \$251,230 for fiscal year 2016-17, represented the County Commissioners portion that they received from this tax; Alamance County Historic Museum received \$84,000, Sword of Peace received \$12,500, Alamance County Arts Council received \$80,000, and Alamance County Parks received \$25,123. An unallocated amount was a 20% retainage of \$49,607. He stated that the County used their 1/3 for things outside the corporate limits of Burlington.

Councilman Owen stated that from Burlington and Elon's standpoint, that most of the business was generated by the University and Burlington's Parks and Recreation. He asked that if the City pursued this matter and received the Legislature's approval, would the additional 3% come directly to the City.

City Attorney Huffman stated that, that was correct with the exception of the 3% collection fee. He stated that at that point Burlington could set up its own TDA or have the current TDA appropriate the funds for Burlington purposes.

City Manager Watkins stated that the City could retain 1/3 of the proceeds that could be used for projects such as Alamance County had administered to the Historic Museum, Sword of Peace, Arts Council and Alamance County Parks and that 2/3 would go to bolstering tourism.

City Attorney Huffman stated he had calculated the City's portion of additional 3%; 97% of the amount generated in Burlington equaled to \$613,238.16 and 33% of that would come to the City and not the TDA, in the amount of \$204,208.31 per year.

Councilman Owen stated that the hotels could benefit because monies would go into different facilities that could then draw more people. He stated that it made perfect sense to do this but that it should be done in the open and he was not sure this could all be done by the May 16, 2018, short session.

Mr. Cryan stated that the TDA was trying to make a public statement asking municipalities to slow down and and come together and have discussions. He stated that all the municipalities are influenced but that tourism was really a County-wide phenomenon and was linked together. He stated that the TDA was inviting everyone to get together and have transparent discussions and not to rush this through. He stated that he understood that this Council needed to think about the City of Burlington and that additional revenue was very tempting, but he felt they could be stronger together.

Councilman Butler stated that the City could get approval from the legislature but not act on it. He suggested moving forward to at least have the opportunity to make a decision based on future input meetings.

Mayor Baltutis stated that Mr. Cryan had suggested holding a working group meeting with hoteliers, TDA, and Municipalities.

Mr. Cryan stated that the taxes are collected by the County and that TDA was connected to the County for administrative purposes only but that it was an independent group with a governing board designated by legislation. He stated that the board represents different segments of the industry and operates independently. He stated that the TDA was not a County agency but an independent group that operates within the confines of the County to promote tourism and to help municipalities develop their inventory. He stated that the City of Burlington had received grants from the TDA in the past to improve facilities along with financial support for events and that there was a strong existing relationship.

Mr. Cryan asked to take up the offer of presenting at a work session or a meeting to provide more information about what was currently happening. He stated that they were in the process of rolling out a new strategic plan and new branding and it would be a good opportunity to cover all three items at one time.

Mayor Pro Tem Hykes asked Mr. Cryan if he was speaking against raising the tax to 6%.

Mr. Cryan stated that it had not been on the Board's radar but that the alternative was if the Municipalities started to do things piece-mill that the TDA would be better off doing it as a County and preferably as a unified community and go ahead and implement the 6% cap. He stated that Alamance County had the lowest occupancy tax. He stated that if the County goes to 6%, the City of Burlington would get significant benefits from that. It would be a chance to take those additional monies and give them as grants to improve recreation facilities, event facilities and maybe help host events that draw people to towns.

Mayor Baltutis asked if Council would like to see a presentation regarding the TDA.

Councilman Ward stated that he would like to hear the history of the occupancy tax included in the presentation.

Council agreed to have staff begin working with our legislative delegation to understand what needs to be brought forward and the timing to lobby for the additional occupancy tax.

Councilman Butler asked to retrieve data from our neighboring cities and counties relating to the occupancy tax and their occupancy tax percentage. He also asked to see how the TDA funds were distributed over the past fiscal year.

City Attorney Huffman asked if the TDA budgets allocations at the beginning of the year and did they know where the funds were going.

Mr. Cryan stated that there was an operating budget and there was money to be allocated for grants and support of events. He stated that they did not always know what was going to come along, such as someone proposing a great event and needing support, or it could be the City or some other municipality such as the support to the City of Graham in the past for equipment and temporary fencing to help them host different types of softball tournaments. He stated that the TDA was in the process of setting up a way to take proposals for larger grants and hoping to give more to make larger impacts.

City Attorney Huffman noted that in his copy of the financials the City was budgeted \$1,000 and asked if there was another line item he should be looking for and was that the entire amount the City received.

Mr. Cryan stated that it may have been or it may have been all that was requested. He stated that something like the Carousel Festival, unless it's inventory development, typically the money has to be spent by something that promotes tourism to out of town visitors. He stated that there would be an opportunity to begin giving larger grants.

Recreation and Parks Director Tony Laws stated that TDA funded CVB, Convention and Visitors Bureau, and all the money from the CVB comes through the TDA and the Sports Development Council was another off-shoot of the CVB and the TDA, which they fund each year, goes to events such as the National Softball Tournament and Carolina Conference Tournament.

Mayor Baltutis stated that the Council looked forward to receiving more information at the April 30, 2018, work session.

PUBLIC COMMENTS:

Ms. Pamela Burney, 227 Emerson Drive, Mebane, NC, spoke in reference to 1618 Cadiz Street who were dumping human waste in a vacant lot and terrorizing her elderly parents.

Councilman Butler asked for a summation of action taken against the residents at 1618 Cadiz Street and what were the options that could be pursued to help or alleviate this issue.

COUNCIL COMMENTS:

Mayor Baltutis:

- Spring cleaning continues – Free bulk waste pick-up until April 27th.

- NCDMV – REAL ID Program is single form of identification to:
 - ✓ Travel on commercial airlines
 - ✓ Enter military bases
 - ✓ Enter federal facilities
 - ✓ Enter nuclear power plantsAn ID with “Not for Federal Identification” will require additional documentation for flying and entering military bases, nuclear power plants and other federal facilities. (Get the complete list of requirements at – NCREALID.gov)
- North Park Farmer’s Market has kicked off – Tuesday’s from 3:00 – 6:00pm at North Park
- April 28 – Allied Churches of Alamance County - 1st Annual The Ride Home fundraiser – 8:00 a.m.
- Annual Maker Faire – Holly Hill Mall – 10:00am – April 28
- World Tai Chi Day – Village at Brookwood – 9:30am
- Active City Streets – May 5 – Downtown Burlington – 10:00am – 3:00 p.m.

ADJOURN:

Upon motion by Mayor Pro Tem Hykes, seconded by Councilman Butler, it was resolved unanimously to adjourn.

Renee M. Ward

Renee M. Ward
City Clerk

April 17, 2018
City Council Meeting

MEMORANDUM

TO: Hardin Watkins, City Manager
FROM: Jason Geary, PE, City Traffic Engineer
DATE: April 23, 2018
CC: Mike Nunn, Transportation Director
SUBJECT: City Council Agenda – May 1, 2018
Traffic Commission Approval Items

Please place the following Traffic Commission approved items on the agenda for the May 1, 2018, City Council meeting.

- 1. Request for the conversion of a parking space to a loading zone on the west side of E. Davis Street from a point 42' northwest from the intersection of E. Davis Street and S. Spring Street to a point 62' northwest from the same.**
- 2. Request to install a stop sign on Glenfield Lane at Cardross Street.**
- 3. Request to install a stop sign on Cardross Street at Loch Ridge Parkway.**

Enclosed you will find a copy of the Traffic Commission agenda, map, and minutes for the April 12, 2018, meeting.

Please advise if you need any further information or have any questions regarding this matter.

MEMORANDUM

April 12, 2018

To: Members of the Burlington Traffic Commission

From: Michael Snyder, Chairman

Subject: Traffic Commission Meeting – April 19, 2018

The regular monthly meeting of the Traffic Commission will be held at 7:00 p.m., April 19, 2018, in the Burlington Municipal Building Council Chambers. The following items will be discussed:

- 1) Approval of the Minutes from the March 15, 2018, meeting.
- 2) Request for the conversion of a parking space to a loading zone on the west side of E. Davis Street from a point 42' northwest from the intersection of E. Davis Street and S. Spring Street to a point 62' northwest from the same.
Request by: Tracey Grayzer, 101 N. Main Street, Suite 105
- 3) Request to install a stop sign on Glenfield Lane at Cardross Street.
Request by: City Staff
- 4) Request to install a stop sign on Cardross Street at Loch Ridge Parkway.
Request by: City Staff

If you will be unable to attend this meeting, please notify Jason Geary at 336 570-6156 by Tuesday April 17, 2018.

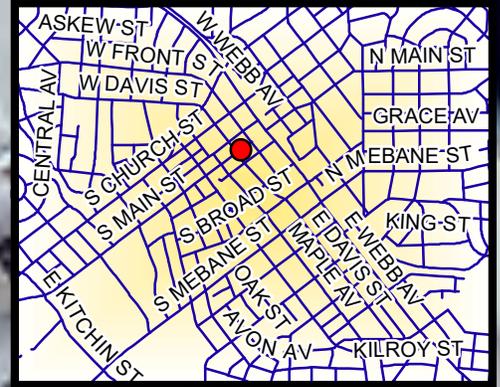
cc: Hardin Watkins, City Manager
Nolan Kirkman, PE, Director of Development & Technical Services
Amy Nelson, Planning Director
Dean Coble, Traffic Supervisor
Walter Hartman, Traffic Lead Technician
Jason Geary, PE, City Traffic Engineer
Todd Lambert, PE, City Engineer
Brian Isley, Traffic Operations Engineer
Sgt. Sam Epps, Traffic Unit Supervisor
Mike Nunn, Transportation Director
Rachel Kelly, Director of Public Policy

Traffic Commission Map

Convert (1) Parking Space to a Loading Zone - Davis Street

Parking Counts

| | Saturday AM | PM | Weekday AM | PM |
|---|-------------|-----|------------|-----|
|  | 1/1 | 1/1 | 0/1 | 0/1 |



VICINITY MAP

Additional signage designating Loading Zone usage only from 8:00 AM to 6:00 PM to be added to this existing loading zone space.

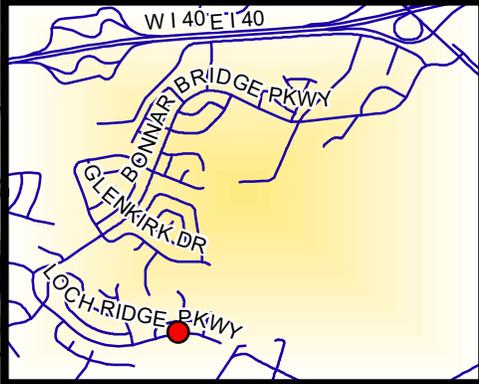
(3) 2 Hr Limit Parking Spots are to Remain

Request to Convert First Parking Spot to a Loading Zone with a 30 Min. Time Limit. Spot to be Signed designating Loading Zone usage only from 8:00 AM to 6:00 PM.



Traffic Commission Map

Stops Signs for Mackintosh on the Lake



VICINITY MAP

Stop Sign Requested on
Glenfield Lane at Cardross Street

Stop Sign Requested on Cardross Street
at Loch Ridge Parkway



NC OneMap, NC Center for Geographic Information and Analysis, NC 911 Board

City of Burlington Traffic Commission

Meeting Minutes – April 19, 2018

The regularly scheduled meeting of the City of Burlington Traffic Commission was held on Thursday, April 19, 2018 in the Burlington Municipal Building Council Chambers.

Members Present:

- Michael Snyder, Chairman
- Nathan Page
- Martha Ann Lipsky
- Antonio Timmons
- Cindy Parks
- Nathan Humphries

Members Absent:

- David Sellers, Vice Chairman
- Scott Hrinko, Secretary
- Coleman Rich

Others Present:

- Jason Geary, City Traffic Engineer
- Sgt. Sam Epps, Burlington Police Department

Chairman Snyder called the meeting to order at 7:05pm. The Pledge of Allegiance was recited.

The minutes of the March 15, 2018 meeting were approved as distributed.

Agenda Items:

#2 Request for the conversion of a parking space to a loading zone on the west side of E. Davis Street from a point 42' northwest from the intersection of E. Davis Street and S. Spring Street to a point 62' northwest from the same was introduced by Chairman Snyder. Commissioner Page recused himself from discussion and voting on the grounds that his employer receives funding from the requestor's organization. There were no objections to Commissioner Page's request. Mr. Geary had researched the ordinances related to loading zones and discovered that there are allowances for public parking in loading zones from 6pm to 8am. Recommendation by the City was to convert the first parking spot on E. Davis St. to a loading zone, and to note the public parking allowances on that loading zone sign as well as the loading zone sign on S. Spring St. Both business parties (Ms. Tracey Grayzer, President of Impact Alamance; and Ms. Angie Ball, various properties in the subject area) were in agreement of that proposal. Mr. Geary also noted that the City is considering changing loading zone signing downtown since the ordinance allows for it. **A motion was made by Commissioner Lipsky to approve the proposal; seconded by Commissioner Parks. The motion carried unanimously.**

#3 Request to install a stop sign on Glenfield Lane at Cardross Street was introduced by Chairman Snyder. Mr. Geary discussed adding stop signs on Glenfield Lane at Cardross Street and on Cardross Street at Loch Ridge Parkway to establish right of way since homes are being built in the area. Commissioner Page inquired as to how many houses will be off Cardross Street. Mr. Geary responded that there would be 7-8 lots, then another 7-8, and it would curve back onto Lockridge, with a potential

total of approximately 30 lots. Mr. Snyder inquired about other cul-de-sacs besides the one on Glenfield Lane. Mr. Geary replied that there would be one other cul-de-sac off Cardross Street further east. **A motion was made by Commissioner Page to approve the proposal; seconded by Commissioner Timmons. The motion carried unanimously.**

#4 **Request to install a stop sign on Cardross Street at Loch Ridge Parkway** was introduced by Chairman Snyder. **A motion was made by Commissioner Timmons to approve the proposal; seconded by Commissioner Lipsky. The motion carried unanimously.**

Having no other business, the meeting was adjourned by Chairman Snyder at 7:12 PM.

A summary of all votes during this meeting is contained in the following table:

| | | | Vote Summary | |
|--------------------|---|----------------|---------------------|--------------------------|
| Agenda Item | FOR | AGAINST | ABSTAIN | NOT PRESENT |
| #2, as presented | Snyder, Lipsky, Timmons, Parks, Humphries | [None] | Page | Sellers, Hrinko, Rich |
| #3, as presented | Snyder, Page, Lipsky, Timmons, Parks, Humphries | [None] | [None] | Sellers, Hrinko, Rich |
| #4, as presented | Snyder, Page, Lipsky, Timmons, Parks, Humphries | [None] | [None] | Sellers, Hrinko, Rich |

Respectfully Submitted,

Nathan Humphries
City of Burlington Traffic Commission

AMENDMENT TO THE CITY OF BURLINGTON TRAFFIC ORDINANCE

BE IT ORDAINED by the City Council of the City of Burlington:

- Request for the conversion of a parking space to a loading zone on the west side of E. Davis Street from a point 42' northwest from the intersection of E. Davis Street and S. Spring Street to a point 62' northwest from the same.
 - Request to install a stop sign on Glenfield Lane at Cardross Street.
 - Request to install a stop sign on Cardross Street at Loch Ridge Parkway.
- A) That all ordinances or parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed.
- B) That this ordinance shall take effect upon passage.

INTEROFFICE MEMORANDUM

FINANCE & RISK MANAGEMENT DEPARTMENT

TO: Mr. Hardin Watkins, City Manager

FROM: Peggy Reece, Director of Finance & Risk Management

SUBJECT: Budget Amendment 2018-33 - Public Transportation Shelter Donation

DATE: April 20, 2018

At the April 17, 2018 Council Meeting, the Council heard a presentation regarding an upcoming donation from Cone Health. The donation of \$10,000 will be used to install a bus shelter at 319 North Graham Hopedale Road. This will be located adjacent to the Alamance County Social Services and Health Department building and will allow Link Transit to better serve those whom ride the Purple Route.

This budget amendment is to recognize the funds received from Cone Health. Please see attached memo from Mike Nunn, Director of Transportation.

Please ask the City Council to amend the 2017 -18 Budget at its May 1st meeting as follows:

BA2018-33

Increase Revenues:

| | | |
|-----------------|---------------------------|-----------|
| 021104491-30132 | Donations/Reimb. of Costs | \$ 10,000 |
|-----------------|---------------------------|-----------|

Increase Expenditures:

| | | |
|-----------------|------------------------------|-----------|
| 021146000-47200 | Capital - Other Improvements | \$ 10,000 |
|-----------------|------------------------------|-----------|

Attachment

cc:

Nolan Kirkman, Director of Development & Technical Services
Hal Hayes, Purchasing/Facilities Manager
Sonjia Cross, Senior Buyer
Mike Nunn, Director of Transportation
Renee Ward, City Clerk
Beverly Smith, Deputy City Clerk



CITY OF BURLINGTON

“Connecting the Triad & the Triangle”

Michael R. Nunn, AICP
Director of Transportation

April 5, 2018

TO: Hardin Watkins, City Manager

FROM: Michael R. Nunn, AICP
Director of Transportation

CC: Nolan Kirkman, PE, Director of Development & Technical Services
Peggy Reece, Director of Finance & Risk Management

SUBJECT: **Cone Health Donation for Link Transit Bus Shelter**

I am pleased to announce the donation of \$10,000.00 from Cone Health to install a Link Transit bus shelter at the Alamance County Social Services and Health Department building. The bus shelter will be located on the Purple Route at 319 North Graham Hopedale Road. I would like to request the item be placed on the April 17, 2018 City Council meeting to allow Cone Health representatives make the formal award to the City Council. Kathy Colville, Healthy Communities Director, and Maryn Hayward of Cone Health will be at the meeting to present the funds to the city.

I also will request Finance to prepare a budget amendment to receive these funds and apply towards the purchase and installation of the bus shelter.

Please let me know if you have any questions or need additional information.

Thank you.

MEMORANDUM

TO: Hardin Watkins, City Manager

FROM: Joey Lea, Zoning/Subdivision Administrator
Amy L. Nelson, Director of Planning & Community Development

DATE: April 25, 2018

SUBJECT: City Council Agenda – May 1, 2018
Request to set a date of public hearing to rezone property located at 1722 Shamrock Drive (currently Shamrock Golf Course), for the use of a 241 lot residential subdivision.
Alamance County tax identification number 130754

At the April 23, 2018 meeting of the Burlington Planning and Zoning Commission, Mr. Lawson Brown presented an application to rezone from R-15 Residential District to CR-Conditional Residential District for the use of a 241 lot single family subdivision. The property is located at 1722 Shamrock Drive (currently Shamrock Golf Course), referenced as Alamance County tax identification number 130754.

Staff recommended approval of the request for rezoning with the use and development conditions submitted by the petitioner. The Commission heard concerns from residents regarding lot sizes being a minimum of 7,000 sq. ft. in size with lot widths of 60 feet. The residents were concerned about the development being too dense, creating more traffic and possible reduction in property values.

Commission member Mr. Ryan Kirk made a motion to deny the rezoning request. The Commission voted 6-1 and the rezoning request was denied. Voting to deny the rezoning request were Commission members Kirk, Kirkpatrick, Abplanalp, Parker, Enoch, Black. Voting against the motion was Commission Member Jagers.

If you have any questions concerning this item, please advise.

ALN/kp



522 SOUTH LEXINGTON AVENUE ■ BURLINGTON, NORTH CAROLINA 27215-5827
MAILING ADDRESS: P.O. DRAWER 2958 ■ BURLINGTON, NORTH CAROLINA 27216-2958
TELEPHONE: (336) 227-8851 ■ FACSIMILE: (336) 226-3866 ■ WWW.VERNONLAW.COM

JOHN H. VERNON, JR. (1911-1986)
JOHN H. VERNON, III
WILEY P. WOOTEN
E. LAWSON BROWN, JR.
MARK A. JONES
BENJAMIN D. OVERBY
JENNIFER L. BOGACKI*

LINDA M. MALONE
THOMAS S. WHITAKER**
RYAN D. MOFFITT
PATRICIA A. MCALLISTER
ASHLEY L. CARTER
KRISTEN L. DELFORGE

April 24, 2018

*ALSO ADMITTED IN MASSACHUSETTS
**CERTIFIED SUPERIOR COURT MEDIATOR

Via Email to hwatkins@ci.burlington.nc.us

Mr. Hardin Watkins, City Manager
City of Burlington
425 S. Lexington Avenue
Burlington, North Carolina 27215

Re: Appeal of Rezoning Request of Henson Realty, LLC
Our File: 22336A-02

Dear Mr. Watkins:

As you know, our firm represents Henson Realty, LLC, the applicant in the above-styled rezoning request which was heard by the Planning and Zoning Commission on Monday, April 23, 2018. The Commission voted to recommend to the City Council that the same be denied. Because we believe that the request is meritorious, and because of the procedural rules of the City of Burlington, we hereby request that this matter be placed on the May 1, 2018, City Council meeting agenda for the setting of a public hearing on the underlying rezoning request.

Please confirm the May 15, 2018, date for the public hearing on our request.

If you should have any questions, please do not hesitate to contact me. In any event, I look forward to hearing from you.

Very truly yours,

E. Lawson Brown, Jr.

ELB,JR:RDM

Cc: Mr. Paul Milam, Henson Realty, LLC;
Ms. Renee Ward, City Clerk, City of Burlington;
Mr. Joey Lea, Zoning Administrator, City of Burlington

22336A-000001/423838 v1