

TOWN OF ELON PLANNING BOARD MINUTES

Town of Elon Town Hall, 104 S. Williamson Ave., Elon, NC 27244

April 18th, 2023, at 6:00 PM

Board members present: Clark Bennett, Rachael Dimont, Diane Gill, John Harmon, Aiesha Leath, and Philip Owens.

Staff present: Lori Oakley and Mary Kathryn Harward

Item A- Vice Chairman Bennett called the meeting to order at 6:01 pm as acting Chairman.

Item B- New Business

Item B-i- Swearing in of new Planning Board member.

- Mrs. Oakley swore in new Planning Board member Rachael Dimont

Item B-ii- Approval of Minutes

Ms. Harward presented the board with minutes from the March 21st, 2023, meeting for approval.

- Ms. Gill made a motion to approve the March minutes; Mr. Owens seconded the motion; the motion was approved unanimously by the board (6-0).

Item B-iii- Petition CRZ-2022-04 – Parc East

Ms. Harward presented CRZ-2022-04 to the board. Petition CRZ-2022-04 is a request by the applicant Tony Tate, TMTLA Associates, on behalf of the property owner, Cable Murray LLC, for Conditional District Rezoning from NR-TND-O, VC-TND-O, and SR to UR-CPD for a residential development project on parcels #110296, #116972, and portion of #116971 at the intersection of University Drive and Shallowford Church Road.

The project property is currently surrounded by vacant land, single-family dwellings, and wooded land with a plot of university parking. The parcel is currently located within the ETJ of the Town of Elon. Should the property owner decide to utilize town utilities and services, they will need to submit a petition to the Town of Elon for Annexation. The parcel currently contains an existing Stream Protection Overlay, which shall remain. The project will consist of two phases. Phase one includes 44 single-family dwelling units and 25 single family attached dwelling units. Phase two will include an additional 60 single family attached dwellings units on the west side of the property. The project will also include 14.9 acres of common open space. This will be comprised of a 10,800 square-foot courtyard, a 21,500 square-foot courtyard, a 40,000 square-foot park, and a greenway running vertically through the development from the 40,000 square-foot park to the northern boundary of the property.

Ms. Harward then reviewed the requested LDO deviations, additional listed development standards, and zoning proffered conditions offered by the developer that were listed on the plans and in the packets. The Technical Review Committee (TRC) reviewed CRZ-2022-04 at their February 23rd, 2023, March 8th, 2023, and March 23rd, 2023, meetings. Some concerns included, but were not limited to, variation in current versus proposed zoning, traffic safety, pedestrian safety for families, road conditions through the Spanish Oaks neighborhood, buffers in between the communities, and potential stormwater and drainage issues. After concerns were addressed, the TRC approved the conditional district rezoning plans.

The Town's Future Land Use Plan, Envision Elon 2040, identifies the parcels as Neighborhood Living, Parks and Open Space, and Conservation Area. Harward identified the goals that this plan supports, including expanding housing choices and supporting thriving, diverse, and sustainable neighborhoods where residents are connected, engaged, active, and healthy. It was also stated that when presented with the 2017 Town of Elon Bicycle, Pedestrian, and Lighting Plan, the applicant and their team discussed ways for the project to be improved in accordance with the outlined goals and objectives. As a result, a greenway was added to the plan that extends from the 40,000-sf park located in the south of the project to the northern-most property boundary in accordance with the "Proposed Pedestrian Facilities" map in the Plan. This greenway will be built according to LDO standards and will be initially maintained by the HOA, with maintenance transferred over to the Town of Elon after 2 years' time. The greenway will also be accessible to the public.

Staff recommends approval of the proposed Conditional District Rezoning, CRZ-2022-04, for the Parc East residential development project and proffered site plan conditions as the proposed plan meets the requirements outlined in the Town's LDO. Staff recommends that the Planning Board consider this Conditional District Rezoning application, accept public comment during the scheduled meeting, and consider a recommendation to the Town Council on the proposal at their earliest convenience.

After Ms. Harward's presentation, the applicant, Mr. Tony Tate, gave a presentation to the board as well. He reiterated the facts that Harward had presented and presented new proffered conditions that the applicant and his team had brought to the meeting. Those included an undisturbed 30' buffer yard along the frontage of Cable Road with supplemental evergreen plantings, barricading the access to Cable Road during construction, and providing an 8" public waterline on the west side of Cable Road from the proposed access road north to the extent of the development frontage. The Board then addressed the development team with questions. Mr. Owens asked for a projected timeline, and Mr. Jeremy Medlin stated that the case would go before Town Council in May or June, and conditioned upon approval, would start the development process April of 2024. Mr. Bennett asked if the turn arounds were a concern during the TRC process, and Mr. Tate stated that the concerns from the Fire Department were addressed and the roads were widened, along with the modification of cull de sacs and a hammerhead turn around addition.

The Board then opened the meeting to public comment. From the Spanish Oaks community spoke Mr. Justin Culbertson. He made multiple points regarding traffic and safety concerns because of the layout of Cable Road and Spanish Oak Road and explained his position that the proposed plan does not meet what is called for in the Town's Future Land Use Plan. Culbertson, and other neighborhood members in attendance were also greatly concerned that the street connection and incurred traffic would change the dynamics of their neighborhood and impact quality of life. Ms. Marion Christian and Mr. Mark Luck then addressed the board bringing up the current condition and capacity of Cable Road and Spanish Oak Road, saying that the roads were in poor condition and could not handle the extra traffic. The curve on Cable Road was also suggested to be a safety hazard that would get worse with extra traffic. Ms. Christian stated that construction traffic will damage the streets and Mr. Luck questioned why the main road in Parc East could not be made into a cul-de-sac on the eastern end. Mr. Bill Mann then addressed the Board, bringing up cost concerns about the needed road improvements and increased traffic concerns.

Mr. Medlin, as a retort to previous citizen comments, stated that Parc East's layout was done in such a way that it followed a logical transition of product so that the existing community could keep their way of life. He also stated that they could open Parc East amenities for that community, and that construction traffic would be cut off from the Cable Road access until the initial lift of asphalt was installed.

Mr. Luck questioned why the road connection could not be gated and Ms. Harward read Section 5.7.5 of the LDO which prohibits gating a public street. Jim Etheridge, Bernie Bryant, and Robert Young all raised concerns about the safety of pedestrians with increased traffic on Cable Road and questioned why a connection to University Drive could not be used in place of Cable Road. Mr. Medlin cited that both Cable Road and Spanish Oak Road are DOT-owned and maintained roads, and that DOT would not approve a driveway access onto University Drive.

Mr. Robert Young stated that more traffic into the neighborhood would increase the crime in the neighborhood. Mr. Luck stated that while the existing roads are DOT maintained, they cannot handle an additional 400 cars per day, which would be generated by Parc East.

Mrs. Oakley stated that she could follow up with DOT and ask about the maintenance schedule for Cable Road and Spanish Oaks Road. Mr. Tom Boney asked if the developer was currently proposing any improvements on Cable or Shallowford Road, and it was stated by Mr. Chad Huffine that there will be improvements yet to be determined on Shallowford but none on Cable Road. DOT would have to require the improvements. Mr. Bennett then closed the public comment period.

Ms. Gill stated that in her experience living in the ETJ, it is better to have more access points within a development so that traffic does not build up in one place. Mr. Bennett mentioned that DOT was cited multiple times but asked when the last time they had physically visited the road sites. Mr. Owens stated that he felt like he could not vote on this issue yet, because he would want more information gathered to address citizen concerns and current road conditions and conduct a site visit for board members. He would also like information from DOT on how often the road is serviced and if the width and turn radius are adequate.

Staff were tasked with reaching out to DOT to gather additional information to aid Board Members in making their final recommendation decision.

Motion

- Mr. John Harmon made a motion to table the recommendation decision for CRZ-2022-04 until the May 16th, 2023, meeting; Mr. Philip Owens seconded the motion; the motion was approved by unanimous vote (6-0). This would allow the board members time to visit Cable Road and Spanish Road and allow staff time to gather additional information from DOT.

Item C- Planning Board Member Updates

- There were no updates from individual Planning Board members.

Item D- Planning Director Updates

- Mrs. Oakley updated the Planning Board on the Town Council's approval of MDP-2022-04 for Parc Northwest.
- Mrs. Oakley also updated the board on several projects including:
 - The May 3rd LMO meeting from 1pm-8pm at Town Hall. The meeting is meant to address final concerns and work on producing the LMO in draft form for public review.
 - Elon's Multimodal Committee will continue to meet and will work with consultants to gather public input with a survey and a booth at the April 27th Elon Farmers Market from 3pm-5pm. There will also be an open house that same night at the Town Hall.
 - Elon will be having its first Block Party on the night of April 21st to kick off the new social district in the downtown area.


- A Committee Member Appreciation dinner will be held on May 8th at 6pm at Beth Schmidt Park.

Item E- Motion to Adjourn

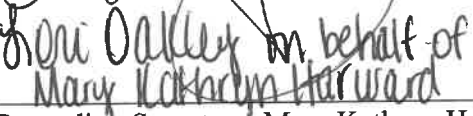
A motion to adjourn was made by Ms. Gill and seconded by Mr. Owens. The motion was approved by a unanimous vote (6-0).

The meeting was adjourned at 7:50pm.

Respectfully Submitted,



Acting Chair Clark Bennett



Recording Secretary, Mary Kathryn Harward
Town of Elon Planning Department – Planner I

9-19-23

Date

9-19-23

Date