

TOWN OF ELON PLANNING BOARD MINUTES

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

May 16, 2023, at 6:00 PM

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

Staff present: Lori Oakley

Item A- Chairman Beasley called the meeting to order at 6:00 pm.

Item B- New Business

Item B-i- Approval of Minutes

Oakley presented the board with minutes from the April 18, 2023 meeting for approval

- Bennett made a motion to approve the April minutes; Owens seconded the motion; the motion was approved unanimously by the board (7-0).

Item B-ii- Petition MDP-2023-01 – Hillel Pavilion

Oakley presented MDP-2023-01 to the board. Petition MDP-2023-01 is a request by the applicant Brad Moore on behalf of the property owner, Elon University, for major development plan review for a 1,766 square-foot open-air pavilion and unconditioned furniture storage space on parcel #115425 located at the southeast corner of North Antioch Avenue and East College Avenue.

The Technical Review Committee (TRC) recommended approval of MDP-2023-01. Staff also recommends approval of the proposed major development plan, MDP-2023-01 as the proposed plan meets the requirements outlined in the Town's LDO.

Chair Beasley asked if the two adjacent properties to the south were owned by the University and Moore stated no.

Jean Lowe, an adjoining property owner to the south, then addressed the board and stated that the proposed building is too large and too close to her property. She went on to state that the buffer provides her with no protection, and she rarely recalls the University ever using tents on this property for events.

Bennett asked about adherence to a noise ordinance and Oakley stated yes, the Police Dept. enforces the town's noise ordinance.

Beasley asked about the height of the structure and Moore stated that it would be 17' with the unconditioned storage area on the rear side of the structure, which would also provide a buffer to Ms. Lowe's property. Lowe questioned the capacity of the building and Moore stated that it would hold a maximum occupancy of 68 people.

Bennett questioned what type of functions would be held in the pavilion and Moore stated it would primarily be for holidays and special events.

Gill asked about screening and Moore stated that there would be a 15' buffer per code and the storage area would also act as a buffer. There was some concern among the board members about the screening

and Oakley suggested modifying the buffer requirements to state that it will be planted with primarily evergreen trees and shrubs. Moore agreed to the condition.

Motions

- Dimont made a motion to approve MDP-2023-01 with the condition that the 15’ buffer be planted primarily with evergreen trees and shrubs. Bennett seconded the motion and the motion was approved unanimously (7-0).

Item C- Old Business

Item C-iii – Petition CZ-2023-04 – Parc East

Chair Beasley turned the case over to Bennett to preside as Chair since he chaired the previous meeting when this case was heard. Oakley gave an updated presentation to the board including information from NCDOT about the roads in the adjacent subdivision being able to handle the additional traffic from the proposed Parc East subdivision. She also provided the board with the history of Cable Road. Oakley also mentioned Appendix D of the NC State Fire Code, which requires two points of ingress and egress for the subdivision.

Gill stated that resurfacing in the area was slated for 2025 and the Town might get a bike lane at that time.

Tony Tate, the applicant, and architect for the project gave a brief overview of the project.

Beasley asked about the timeframe for the project and Jeremy Medlin, developer with Greenhawk Corp., stated that if they receive Council approval, they will spend the summer and fall working on construction plans. Then there will be land clearing and land development. Land development and clearing typically takes about 8-12 months and then plats would be recorded and permitting would begin. Medlin went on to state that they tried to be a good neighbor with the existing development next door and that is why they requested a lesser intense zoning for the site.

Lydia Bryan expressed concerns about the traffic from the new development using Shallowford Church Rd. and all of the congestion it will create on that road, especially once you account for the traffic from the new Parc Northwest development. Tate stated that a TIA was conducted for Parc Northwest and that they would be making improvements to the intersection as part of the approval for that project from NCDOT.

Owens asked about the location of the new entrance to Shallowford Church Rd. and how far it would be from the split of Shallowford Church Rd. and Elon Ossipee Rd. Tate estimated that it is 200’ from centerline to centerline.

Gill expressed concerns about the additional traffic and safety through the adjacent neighborhood and asked if there was any consideration for additional buffers. Tate responded that the project proposes a 30’ buffer, which is twice the amount required by the LDO. The developer is also leaving a lot of the perimeter areas undisturbed.

Beasley asked if there would be a sidewalk along Cable Rd. and Medlin stated that there would be along the project frontage.

Marion Christian expressed concerns about Cable Rd. and how it will become a shortcut to the elementary school. Lydia Bryant reiterated Marion Chamber's sentiments. She also stated that the trees along Powerline Rd. need to be maintained to provide good site distance.

David Emmig, resident of Cable Square, stated that he was happy to see that the new development had a lower density than Parc Northwest; however, traffic will be horrible at the intersection from both developments being built if this one is approved. He then talked about a recent incident in Cable Square and how emergency vehicles needed proper access to everyone and not be negatively impacted by cars parking on the street.

Jim Sykes mentioned that safety should be the highest priority and reminded the Board that Chad Huffine, engineer for the project, estimated that there will be 400 cars per day on Cable Rd. He stated that he also talked to Chuck Edwards, with NCDOT, about the project. Walker Rd. was part of the STIP program and was supposed to be widened back in 1987 along with a connection being added to Hwy. 87. Unfortunately, that never occurred. Previous DOT officials suggested a right turn only out of Cable Rd. on to Powerline Rd and that never happened as well. 34.7% of Elon is made up of folks who do not pay taxes, which is 34% of the Town's General Fund. The town is losing approximately 2 million dollars each year in taxes.

Lydia Bryan mentioned another development on Powerline Rd. and Walker Rd. and Oakley stated that the project she was referring to has not been submitted to staff yet.

Douglas Bryant stated that Powerline Rd. is not safe, and he is concerned about the proposed lot widths in the project. He is not sure how NCDOT came up with the traffic numbers. He also did not care for the 2 ½ story homes being proposed.

Raymon Edward Pruitt stated that safety is his top concern. If you widen Cable Rd. around the curve, folks will go just go faster.

Beasley asked the development team which portion of the project would be constructed first and Medlin stated that the eastern portion will be developed first, which consists of clearing, grading, erosion control and asphalt installation. Once the asphalt is laid, the barricade would come down.

Chair Bennett asked staff about the connection in Ashley Woods and this project could mimic it with some type of breakaway traffic barrier. Oakley stated that the Ashley Woods development predates the current LDO and the LDO is very specific about not allowing barricades.

Kaye Sykes expressed concerns about traffic and stated that stop signs do not control traffic. Rather, they create gridlock.

Robert Young asked why there was not a direct access on to University Dr. and Oakley stated that University Dr. is a controlled access highway per NCDOT.

Dimont asked the development team if they would be willing to use evergreen trees in their buffers and Tate stated yes.

Oakley reminded the Board of all of the proffered conditions listed on the site plan.

Beasley made a motion to approve the project with the seven additional conditions that were brought before the Planning Board and Dimont seconded the motion. The motion failed 3-4 (Beasley, Dimont and Harmon in favor; Bennett, Gill, Owens and Leath opposed).

Owens made a motion to deny the project as it is not in keeping with the Comprehensive Plan, and Leath seconded the motion. The motion passed 5-2 (Harmon, Leath, Owens, Bennett and Gill in favor of denying the project; Beasley and Dimont opposed the motion).

Several board members went on to state the reasoning as to why they voted a certain way:

- Owens (opposed to the project) stated that the rezoning was not in the public interest and that it would not have a positive impact on the Cable Road community. Growth is occurring too quickly in Elon.
- Clark (opposed to the project) expressed safety concerns with the impact of the traffic and was concerned about possible additional traffic on Powerline Road.
- Gill (opposed to the project) stated that the integrity of Elon is important to her, and that the town had the third most beautiful college campus in the US. There are no bike lanes proposed in the project and Elon needs to be protected.
- Leath (opposed to the project) stated that the location is not the proper location for that type of development.
- Dimont (in favor of the project) stated that the proposal was a downzoning, and that the petitioner could do a lot more intense uses by right with their current zoning. The proposed project would have less of an impact on the community than what is allowed by right under the current zoning and that is why she was in favor of the requested rezoning.

Interim Chair Bennett turned the meeting back over to Chair Beasley for the remainder of the meeting.

Bennett asked about raised crosswalks for the project and Oakley stated that she had a diagram that was given to her from the Town Engineer about raised crosswalks/speed tables. She shared it with the Planning Board. Bennett asked if she would share that diagram with the Town Council and Oakley stated that she would do so.

Item D - Items from Board Members

- There were no updates from individual Planning Board members.

Item E - Planning Director Updates

- Oakley updated the Planning Board on the new Land Management Ordinance process. She let them know that there was also some discussion about a planned joint meeting with the Planning Board and Town Council members together. Once a draft is in place, there will be a public workshop to receive comments from residents.
- Oakley also updated the board on several projects including:
 - Ezrine
 - Extension of Neal Street with 4 planned duplexes and 4 duplexes on South Williamson Ave. It is a conditional rezoning requesting a parking waiver.
 - Hezar Property
 - 2 duplexes on Manning Avenue on an annexed property. It is a conditional rezoning requesting parking waiver.
- Link Transit would begin service in Elon in May and Oakley encouraged ridership.
- The Town's Multimodal Committee is continuing to meet, and she thanked the Planning Board members who are serving on that committee.
- The Downtown Master Plan's community meetings just wrapped up and the consultant was continuing to work on the plan.

Item E- Motion to Adjourn

A motion to adjourn was made by Bennett and seconded by Leath. The motion was approved by a unanimous vote (7-0).

The meeting was adjourned at 8:16 pm.


Respectfully Submitted,



Chair Jim Beasley



Date



Interim Recording Secretary, Lori Oakley



Date