

**Minutes
Regular Meeting of the
Elon Planning Board**

**October 20, 2020
Tuesday, 6:00 p.m.**

**Conducted via Zoom
Elon, North Carolina**

Attendees: Jim Beasley, Clark Bennett, Diane Gill, John Harmon, Karla Leath, Phil Owens, Mark Podolle. Also present were Walt Teague, Brian Carroll, Pam Fox, and Renay Welborn.

Staff present: Pamela DeSoto

Item A - Chairman Beasley called the meeting to order at 6:04 pm.

Item B-i – Review and Recommendation: Special Use Permit SU 2020-02 Submitted by Twin Lakes Communities for a Building Proposal That Will Exceed Three Stories in Height

Chairman Beasley introduced the item and Ms. DeSoto proceeded with a presentation, a summary of which follows.

Lutheran Retirement Ministries/Twin Lakes Community, has submitted an application for a special use permit to allow for the construction of a building exceeded three stories in height in the Public Institutional (PI) Planning District. The specific use is for a five-story independent living apartment building on the site where the Coble Creek Skilled Healthcare Building now sits. The skilled healthcare facility is being replaced by a new center, currently under construction in Burlington’s jurisdiction. The project is proposed to be constructed in two phases, with thirty-four residential units. The plan calls for parking to accommodate 123 vehicles onsite and an additional 104 spaces in an overflow parking lot. Elon’s Technical Review Committee (TRC) has made a preliminary review of the plans and will continue to review as plans develop. Staff recommends that the special use permit be contingent upon final approval of the development plans by the TRC.

The proposed use for the project falls under the category of Congregate Care Homes, which is a use permitted with specific requirements in the PI District. The proposal is fully compliant with these requirements, and the sole component of the proposal that requires a special use permit is the building height. Elon’s LDO requires a special use permit for buildings greater than three stories in height in the PI District. The proposed building is designed with five stories to meet market demand and due to the limited area within the Twin Lakes Community for additional new development. The consideration of this special use permit is a precursor to the major development plan review and recommendation, where additional detail regarding the project will be available.

Ms. DeSoto then overviewed the considerations for approval of a special use permit, which is intended to allow for conditions to be imposed in order to ensure that a proposal meets all specifications of the LDO, as well as the following provisions regarding the project (staff assessment of the proposal’s response to these provisions is offered in italics):

- The use, if developed according to the plan submitted and approved, will be visually and functionally compatible with the surrounding area. *The proposal’s supporting narrative states that the project’s design and central location eliminate visibility from streets outside of the Twin Lakes Community. The elevation of the ground*

floor is proposed to be at street level, creating the appearance of a four-story building. Additional design features have been selected to complement the existing character of the Twin Lakes campus, including building materials, colors, and façade articulation.

- *The use will not materially endanger the public health or safety and will not substantially injure the value of adjoining property if located where and how it is proposed. The proposed use is compatible with existing uses in the community, which are identified as residential and support uses typical to a continuing care retirement community. All adjacent properties are owned by Twin Lakes, and no evidence has been presented that properties in the immediate or more general vicinity will experience harm to their value as a result of this development. Additionally, the five-story height will be required to meet all building and fire codes, and the Town's Fire Chief has stated that his department's 95' aerial truck is designed to serve a building of this height. Elon's Fire Department would be assisted by neighboring departments, consistent with mutual aid agreements in place.*

Ms. DeSoto added that the applicant has provided a statement of development intent, which states the following:

- Phase 1 of the project is expected to begin construction in 2022.
- Studies indicate that multi-story apartment buildings with parking at the ground level is a concept in increasing demand.
- Twin Lakes' campus is mostly either built-out, or with plans in place for undeveloped areas, leaving limited area for additional housing. The higher density proposed for this project creates an opportunity to meet the identified demand.
- The site's central location on campus was selected specifically to facilitate connectivity and proximity to the locates of most of the services and amenities available to residents. Additionally, this location is not visible from neighboring properties outside of the Twin Lakes Community.
- The narrative goes on to address each of the four findings of fact that must be considered for special use permits.

An aerial image of the vicinity was displayed, followed by a series of exhibits provided by the applicant as part of their submittal package. Ms. DeSoto then advised the Board that staff recommends approval of the request, contingent on the following conditions being met:

1. The proposed use is authorized by the Special Use Permit, however, approval of SU #2020-02 is contingent on final approval of plans by Elon's Technical Review Committee to ensure that the development has met all Federal, State, and local regulations and permitting requirements, as well as any conditions attached to the SU approval. The plan review shall include, but not be limited to, utility locations including size, material, and vertical alignment of water and sanitary sewer lines, engineering calculations assuring that the proposed stormwater measures meet or exceed all local and state requirements, and an exterior material list and façade-coverage calculations indicating compliance with LDO requirements for multi-family residential development.
2. Any and all required permits and/or approvals from other regulatory agencies must be in place prior to issuance of a Notice to Proceed by the Planning Department.

3. All additional conditions or requirements as provided by the LDO are enforceable with regards to SU 2020-02.
4. A valid Planning/Zoning Permit must be issued for any activity authorized by SU 2020-02 within 24 months of the approval date of the special use permit.

Mr. Bennett then made a motion recommending approval with conditions as indicated. The motion was seconded by Karla Leath and was approved by unanimous vote.

Item B-ii – Reconsideration of Land Development Ordinance Text Amendment LDO 20-05 Regarding the Definitions for Minor and Major Development Plans

Chairman Beasley introduced this item and a brief presentation was provided by Ms. DeSoto. The item was described as a reconsideration of a text amendment, following a proposed revision made by the Board of Aldermen. The Aldermen directed staff to present the revised version to the Planning Board for consideration. The original draft of the amendment had previously been recommended for approval by the Planning Board. The revision was limited to the threshold for the number of lots that may be approved administratively, as opposed to requiring approval by the Board of Aldermen. The LDO currently states that any subdivision of land into less than ten lots is considered a Minor Subdivision and may be approved by staff, and subdivisions of land into ten or more lots is considered a Major Subdivision, requiring Board approval following a recommendation by the Planning Board. The Board of Aldermen suggested that the number be reduced to five. All other language in the proposed amendment was deemed acceptable.

Ms. DeSoto stated that the previously drafted Land Use Plan (LUP) consistency statement is still applicable, and that additional support from the LUP can be found for the revision. Therefore, the consistency statement recommended by staff reads as follows:

The proposal is reasonable and in the public interest because it is consistent with the following provisions of the Town's Comprehensive Land Use Plan:

1. *The Goal and Objective of promoting and ensuring quality governance, stewardship of public resources, and sustainability of services by carefully managing growth, providing adequate public services and public infrastructure, and using existing infrastructure investments efficiently.*
2. *Recommendations to improve the accessibility and user-friendliness of the ordinance, and contribute to a favorable development environment.*

Chairman Beasley asked if the Board expressed a reason for the change. Ms. DeSoto replied that, though the ten-lot threshold had been in place for some time, she had advised the Board that it was relatively high based on her experience, and that if they had an interest in lowering it, it could easily be accomplished with a simple revision. Some Board members did express such interest, and requested that the item be returned to the Planning Board for input on the threshold revision.

Chairman Beasley then asked if the Board was prepared to consider a motion, according to the following format:

Motion 1: LDO #20-05 (is/is not) consistent with comprehensive plans adopted by the Town of Elon. Mr. Podolle moved that the proposal was consistent; the motion was seconded by Ms. Gill and approved by unanimous vote.

Motion 2: LDO #20-05 (is/is not) reasonable and in the public interest. Mr. Harmon moved that it was in the public interest. The motion was seconded by Mr. Owen and approved by unanimous vote.

Motion 3: The Town of Elon Planning Board recommends (approval/denial) of LDO #20-05 to the Elon Board of Aldermen. Ms. Gill moved for approval of the proposed amendment. Mr. Bennett seconded and the motion was approved by unanimous vote.

Motion 4: The Town of Elon Planning Board makes the following recommendation to the Elon Board of Aldermen with regard to this decision's consistency with adopted plans.

The proposal is reasonable and in the public interest because it is consistent with the following provisions of the Town's Comprehensive Land Use Plan:

- 1. The Goal and Objective of promoting and ensuring quality governance, stewardship of public resources, and sustainability of services by carefully managing growth, providing adequate public services and public infrastructure, and using existing infrastructure investments efficiently.*
- 2. Recommendations to improve the accessibility and user-friendliness of the ordinance, and contributes to a favorable development environment.*

This motion was made by Mr. Harmon, seconded by Mr. Podolle, and approved by unanimous vote.

Item C – Items from Board Members

Chairman Beasley thanked Mr. Owen for his patience in having an opportunity to participate in the meetings.

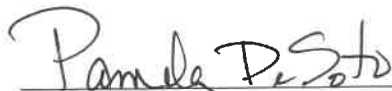
Item D – Board of Aldermen Updates

Ms. DeSoto advised that she had included information in the packet regarding recent actions taken by the Board of Aldermen.

Item E - Motion to Adjourn

A motion to adjourn was offered by Mr. Owen and seconded by Mr. Podolle. The motion was approved by unanimous vote. Chairman Beasley thanked everyone for their participation.

Meeting was adjourned at 7:02 p.m.



Pamela DeSoto, Planning Director
Minutes were completed in
Draft form on December 1, 2020



Jim Beasley, Planning Board Chair
Minutes were approved on
December 21, 2020

