

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

**August 18, 2020
Tuesday, 6:00 p.m.**

**Conducted via Zoom
Elon, North Carolina**

Attendees: Jim Beasley, Clark Bennett, Diane Gill, John Harmon, Ralph Harwood, Karla Leath, Mark Podolle. Phil Owens attended as an Alternate Member. Also present were Ryan Moffitt and Brian Wagoner.

Staff present: Pamela DeSoto

Item A - Chairman Beasley called the meeting to order at 6:03 pm.

Item B – Approval of Minutes of the April 21, 2020 and May 19, 2020 Planning Board Meetings

Mr. Harwood made a motion to approve the Minutes of the April 21, 2020 meeting; the motion was seconded by Mr. Bennett and approved by unanimous vote. Mr. Harwood made a motion to approve the Minutes of the May 19, 2020 meeting; the motion was seconded by Mr. Bennett and approved by unanimous vote.

Item C-i – Review and Consideration: Major Development Plan MDP 2020-01 for Subdivision of Property for Non-residential Use Located at the Intersection of Cook Road, University Drive, and Sonoco Drive

Chairman Beasley introduced the item and Ms. DeSoto proceeded with a presentation, summarized as follows:

Mr. Ryan Moffitt of the Vernon Law Firm has submitted an application for a major subdivision on behalf of Brian C. Wagoner, prospective purchaser of a .72 acre portion of property owned by Sonoco Products Company. The parent parcel property houses the Sonoco Products manufacturing facility, and was physically divided as a result of the construction of University Drive. The .72 acre piece of land lies between Cook Road, University Drive, and the Norfolk Southern Railroad right-of-way and is currently vacant.

The current request is for a subdivision of land from one lot into two, and with no development proposal for the property. When and if a development proposal comes forward under the current Industrial zoning, the LDO requires that the process be repeated for Planning Board and Board of Aldermen review of the plans. Additionally, review and approval by the Technical Review Committee (TRC) will be required. Elon's Land Development Ordinance (LDO) Section 6.3 requires that all subdivision of land into non-residential lots, regardless of number, be classified as a Major Subdivision and follow the Major Development Plan approval process. Included in this process is a Planning Board review and recommendation and final decision by the Town Board of Aldermen. No development project has been proposed to Elon in association with this subdivision plat. Ms. DeSoto then displayed the subdivision plat showing the division of a single parcel into two. She described the subject property as being wooded and heavily encumbered with NCDOT

and Norfolk Southern RR rights-of-way. The only viable access is via Cook Road, which borders the western edge of the property. No known environmental issues exist. Alamance County has confirmed that, although there are two parcel ID numbers assigned to the land owned by Sonoco Products, only one tax parcel exists, and includes the subject property and the land where the manufacturing plant is located, all totaled, constituting 15.5 acres.

An aerial image was displayed that highlighted the property, and pointed to the .72 acre portion under contract by Mr. Wagoner. A Planning District Vicinity Map was then displayed, indicating that the property is zoned Industrial.

Ms. DeSoto then stated that staff recommends that the Planning Board consider the application and make a recommendation to the Board of Aldermen on the proposal. She added that the proposal is compliant with all LDO requirements and following final approval by the Board of Aldermen, the subdivision plat will be given a final review by the LDO Administrator and may then be recorded at the Alamance County Register of Deeds.

Mr. Podolle made a motion to recommend approval of the subdivision proposal and the motion was seconded by John Harmon. The motion was approved by unanimous vote.

Item C-ii – Review and Recommendation: Land Development Ordinance Text Amendment LDO 20-05 Regarding Definitions for Minor and Major Development Plans

Chairman Beasley introduced this item and Ms. DeSoto proceeded with a brief presentation, summarizing the item as follows:

The proposed text amendment being offered by the Planning Department staff for consideration would amend the LDO to more clearly define what constitutes Minor and Major Development Plans and to simplify the process for subdivision of land when no development plan is being proposed. Ms. DeSoto stated that the previous agenda item was an example of such a case. She added that currently, the LDO requires that subdivisions of land located in non-residential planning district be treated as a major development plan, requiring Planning Board recommendation and Board of Aldermen approval. This is the case for subdivisions of land that have a development proposal associated with them, and for those that do not.

Ms. DeSoto added that staff has encountered some discrepancies in the definitions of the two categories, and believes the square footage distinction, which determines the process based on whether proposed buildings exceed 30,000 square feet, to be confusing and ineffective in classifying the types of projects that warrant higher-level approvals. She also added that there are occasional instances where a simple subdivision of land is proposed for property that is not zoned residential, but no development project has yet been proposed for the property. In these instances, the ordinance directs that the subdivision plat must be treated as a major development plan, and any future development proposal for the property would be subject to the process a second time.

Ms. DeSoto provided background to this item by stating that the LDO guides the development review process in Chapter 6. In Section 6.3, development proposal types are defined under two primary categories, Minor Development Plans, which are approved administratively (by staff), and Major Development Plans, requiring Board approval following a recommendation by the Planning Board. She then described that the proposed text amendment seeks to achieve the following:

1. Transfers subdivisions of land, regardless of the planning district where the land is located, and where no development proposal is being made, from the Major Development Plan category to the Minor Development Plan category, allowing for approval by staff in a matter of days. Major Development Plans typically involve an approval time frame of sixty days or more.
2. Removes square footage threshold in favor of a more clearly defined distinction between single-family residential development and all other types of development, resulting in the following:
 - a. For subdivision of land that is associated with a development proposal - Single-family development of less than ten lots is considered a Minor Subdivision, to be approved at the staff level. Development of 10 or more single-family lots requires Board approval as a Major Subdivision, as are subdivisions associated with a non-residential development proposal.
 - b. For development proposals – those involving up to 2 individual buildings or building additions on existing single-family lots that do not require dedication of new streets or rights-of-way are considered Minor Site Plans, to be approved at the staff level. Major Site Plans, requiring Board approval, include cases where more than 2 buildings or additions are proposed for single-family residential property, where the development requires the dedication of new streets or rights-of-way, and where the development proposal is for multi-family, mixed-use, or non-residential uses.

Ms. DeSoto then offered a synopsis of the proposal's consistency with adopted plans by stating that Elon's Comprehensive Land Use Plan provides no specific guidance regarding development-related definitions or how to classify subdivisions of land where no development proposal has been made. She added, however, that the Plan does recommend that the LDO be improved for accessibility and user-friendliness. She added that streamlined approval processes and clearly defined ordinance language are important to a user-friendly document and development environment and that the changes brought about by the amendment are aligned with the objectives of the land use plan. In particular, the plan provides support for the amendment in Land Use (LU)-8.11 which recommends that improvements be made to the LDO to improve the accessibility and user-friendliness of the ordinance. Ms. DeSoto stated that based on this language, the proposal is considered by staff to be consistent with the Comprehensive Land Use Plan's recommendations.

Ms. DeSoto then recommended that the Planning Board consider the proposal and make a recommendation to the Board of Aldermen on the amendment draft, and she offered a motion format. Chairman Beasley stated that the proposal appeared to create a more user-friendly LDO.

Motion 1: LDO #20-05 (is/is not) consistent with comprehensive plans that have been adopted by the Town of Elon. A motion was made by Mr. Harwood that the amendment was consistent. The motion was seconded by Mr. Bennett and was approved by unanimous vote.

Motion 2: LDO #20-05 (is/is not) reasonable and in the public interest. A motion was made by Mr. Podolle that the amendment was reasonable and in the public interest. The motion was seconded by Mr. Harwood and was 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. A motion was made by Mr. Bennett to recommend approval. The motion was seconded by Mr. Harmon and was approved by unanimous vote.

Motion 4: The following draft consistency statement was recommended by staff: The proposal is reasonable and in the public interest because it is consistent with the Comprehensive Land Use Plan's recommendations to improve the accessibility and user-friendliness of the ordinance, and contributes to a favorable development environment. A motion to accept the recommended statement was made by Mr. Harmon. The motion was seconded by Mr. Owen and was approved by unanimous vote.

Item D – Items from Board Members

There were no items from Board members.

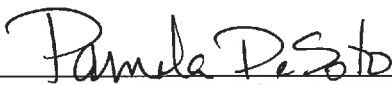
Item E – Board of Aldermen Updates

Ms. DeSoto offered the Board the after-action reports from the June 1, 2020 and August 11, 2020 Board of Aldermen meetings which included approvals of the Holt property annexation, a rezoning on the Holt Property, a special use permit (#20-01) for properties located at 931 and 933 E. Haggard Avenue, as well as approval of the Fiscal Year 2021 Budget and Budget Ordinance. Additionally, consultant agreements for an ADA Assessment and Transition Plan and Phase 1 of the Haggard Avenue Corridor Study were approved, and two new members to the Downtown Advisory Board were appointed.

Item F - Motion to Adjourn

A motion to adjourn was offered by Mr. Harmon and seconded by Mr. Bennett. The motion was approved by unanimous vote.

Meeting was adjourned at 6:52 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