

**Planning Board
January 8, 2014
Lewisville Town Hall Room 110**

- I. Call to Order
 - A. Acting Chair Kelly Reavis called the meeting to order at 7 p.m. Members present were Katie Heath, Jeanne Marie Foster, Scott Mincey, Randy Henning and David Spease. Also present were Town Planner Marty Myers, Town Manager Hank Perkins and Town Attorney Bowen Houff.
 - B. Adoption of Agenda - Mr. Henning moved for adoption and Mrs. Foster seconded. The vote was unanimous.

- II. Approval of Minutes
 - A. December 11, 2013 - Mr. Henning moved for approval and Mrs. Heath seconded. The vote was unanimous.

- III. Reports:
 - A. Mr. Perkins provided the Board with an overview of the agreement with City County Utilities Commission.
 - 1. Mr. Reavis was interested in learning more about extension of water services.
 - a. Mr. Perkins said that will be paid for by the developer or the CCUC. With any extension, there is normally an assessment that goes with it. But with the sewer system, there is often a case where assessment isn't possible - such as a force main or pump station. That component is a non-assessable feature. When CCUC does a project and looks at the entire area for the system, they come up with a total assessment value. On average the non-assessable cost is 38 percent of the total that CCUC expects to collect. So in the agreement, they are willing to contribute to the cost of a sewer system we request in an amount of 38 percent. But if the non-assessable cost is higher, then the town has to pay above the 38 percent. Otherwise, if it is a typical project, we have no responsibility financially in the project itself.
 - b. Mr. Perkins was asked if this allowed the town any say in extensions outside the town's boundaries. He said it did and language regarding this was taken from the agreement CCUC has with Kernersville. It deals with the definition of Area of Influence and ETJ. Mr. Perkins took that language and instead of referring to ETJ, which Lewisville does not have, it refers to areas that the town approves annually as the "Area of Consideration." So when it comes to an area outside of town which is part of our Area of Consideration, and anyone comes to CCUC regarding extension of water and sewer into that area, the petitioner is referred to the Town of Lewisville to discuss voluntary annexation. It was also noted that county residents now pay 1.5 times the rate paid by Winston-Salem customers. CCUC was offering us the same rate as Winston-Salem. But what the town opted for was to retain the 1.5 rate so when the agreement goes into place, no town resident will experience any sort of change in their bill. The extra .5 percent will be held in trust by

**Planning Board
January 8, 2014
Lewisville Town Hall Room 110**

CCUC in a capital reserve fund for the town. Then if the town gets into the situation where we need to pay for those non-assessable features, we can use this money. This makes use of utility funds rather than tax money. In the future, if the .5 generates more than needed, the multiplier can be lowered.

IV. Public Hearings

A. UDO Amendment L-044 amending the Lewisville Rural Overlay (LRO)

1. Mr. Myers reviewed the amendments.

a. The original ordinance was approved in 2007 as a defensive ordinance based on the idea that development pressures were starting to build in the rural areas and this ordinance was intended to slow development until more planning could be done. The idea is to make the overlay ordinance less restrictive to allow for some development. Mr. Myers reviewed what changes were being made in this revised document. The original document did not allow for package treatment plants. The revision would allow these, but the infrastructure must be built to standards acceptable to the CCUC.

b. During discussion of the amendments, the following corrections were discussed/made:

(1) Reference to (i) under the Development Review Process was discussed but it was noted that the information is found elsewhere therefore no change.

(2) On page 4, the references to “certifying drawings” and “as-builts” were left as is.

(3) Under the Development Review Process, “.....recommendation of the development plan by the Planning Board and Town Council” was corrected to read, “.....recommendation of the development plan by the Planning Board and **approval by the** Town Council.”

(4) In chapter D.4(H)(2)(b)(iii), remove “where there exists the potential for those systems to be replaced, at a future time by a public utility system” from the new paragraph that is to be inserted.

(5) In new item 3-10.1 Approval, only remove “registered” and leave in “civil” engineer.

(6) Replacement language for B-2-2.6(F)(3)(a)(i) follows: All lots within current and future town limits designated as GMA-5 shall constitute the LRO.

c. Mr. Reavis asked if there is an existing package treatment plant that does not meet CCUC standards, could it be voluntarily annexed. Mr. Houff said it would be up to the town if they wanted to accept it or not.

2. Mr. Reavis opened the public hearing.

a. Lang Wilcox, 1210 Forest Wood Drive, provided a letter from Brock Conrad to the Board. This family has owned land in Lewisville for more than 200 years. They were negatively impacted by the 2007 LRO. He said he had

**Planning Board
January 8, 2014
Lewisville Town Hall Room 110**

spoken with a marketing person from Nashville, who then came to Lewisville and were impressed with the community. He then heard from another marketing firm who asked what was going on in Lewisville since it seems nothing about it had changed in years. He said past councils had done everything in the past so that now they can move forward with the momentum that was there prior to 2007. He said in 2007 the town was put in a position of having to stop that momentum. Now the stage is set for good things to happen and people would no longer be asking "who are you and why would we want to be coming there and make any investment in your community." He said the development community, Board of Realtors, Home Builders Association are all watching to see what happens and it's time to move forward.

- b. Tom Lawson, 356 Lewisville Trails Road, said everything around them is zoned AG or RS-40, and because it is all zoned residential, they were dealing with that aspect first because anything else would require rezoning. If successful with the utilities agreement, then anyone who wants to develop will annex into the town, then any rezoning requests would come through this board and the Town Council. He said this is the first piece, but there are four or five other aspects that will need to be looked at beyond the Rural Overlay. The original ordinance came about in part because a proposed development was going to have a package treatment plant that had excess capacity in light of the fact there was no agreement with CCUC or the County at the time. He mentioned the public meeting conducted to make people aware of the fact that the LRO was being revised. He said he spoke with Tom Waldrep who was one of the leaders of the opposition to the Conrad Farms project and he was not fully supportive of the revisions. He thanked the Board for their work. Mr. Lawson said this may be the single biggest thing that will shape the future of this town. He said this is just phase one.
3. Mr. Reavis closed the public hearing.
4. Following discussion, Mr. Henning moved to recommend approval with the changes in language suggested and Mr. Spease seconded. The vote was unanimous.

V. Chair's Report

- A. Mr. Reavis said at the end of each meeting he would like the Board to review what happened at the meeting to make sure everyone agrees and understands what has been decided. There was consensus.

VI. For the Good of the Order

- A. Mr. Myers provided bound copies of the new updated Winston-Salem/Forsyth County 2030 Legacy Plan to Board members.
- B. Mr. Henning made a request to have the meetings begin promptly at 7 p.m. He also said he would like the Board to discuss having a line item placed in the budget for a professional

Planning Board
January 8, 2014
Lewisville Town Hall Room 110

consultant to help with projects that go above and beyond the expertise of Board members, i.e. the streetscape project. They have needed this in the past and expect to in the future.

- C. Mr. Reavis said he would like to see even better communications with the Council and will work on that through the liaison committee.
- D. Application requests for new planning board members are in the newsletter.
- E. Having no other business to discuss, Mrs. Heath moved to adjourn at 8:45 p.m. and Mr. Henning seconded. The vote was unanimous.

Respectfully Submitted

Lynn W. Hall, Public Information Officer

Attest

Joyce C. McWilliams Walker, Town Clerk

Kelly Reavis, Chair