

**Lewisville Planning Board**  
**September 24, 2014**  
**Lewisville Town Council Chambers**

**I. Call to Order**

- A. Chair Kelly Reavis called the meeting to order at 7 p.m. Members present were Jeanne Marie Foster, Katie Heath, Scott Mincey, David Spease and Michael Prince. Also present were Town Planner Marty Myers and Attorney Bowen Houff.
- B. Adoption of Agenda
  - 1. Mr. Prince moved for adoption and Mr. Mincey seconded. The vote was unanimous.

**II. Approval of Minutes**

- A. September 10, 2014
  - 1. Mrs. Heath moved approval and Mr. Prince seconded. The vote was unanimous.

**III. Chair's Report**

- A. The next Liaison Committee meeting is set for September 25<sup>th</sup>.

**IV. Public Hearings**

- A. Rezoning Case L-075 - Request by Estates at Lissara, LLC to rezone PIN#5876-04-5130, being an 88+/-acre tract located along Wildflower Woods Way at its intersection with Thunderwood Farm Lane, to be rezoned from AG and YR to RS-40 PRD and YR PRD. The Estates at Lissara site plan will also be reviewed.
- B. Mr. Myers presented the staff report for the rezoning and site plan. Staff recommends approval of the rezoning request and PRD site plan.
- C. Mr. Reavis opened the public hearing.
  - 1. Lang Wilcox, 1210 Forestwood Drive, explained the original plan was to have ten (10) lots that were 10 acres each. He said the economy changed and therefore plans for the property have changed. In 2013, the owners of the development considered annexation into Lewisville so that they could take advantage of Lewisville's PRD standards. However, the existing Lewisville Rural Overlay (LRO) did not allow for higher density PRD's. The town has revised the LRO ordinance and the developers can move forward with a lower density. Plans have been revised for 21 lots. At the previous Planning Board meeting residents in the area of the development expressed some concerns. Mr. Wilcox also said he had spoken to those who had expressed opposition and has addressed their concerns by suggesting a number of things to mitigate future impacts. Currently there are not enough homes in the development for the volume needed for the package treatment plant to properly treat sewage; therefore waste must be pumped and trucked out until the number of homes reaches the necessary capacity to have the plant operate properly. There is also a plan to plant a buffer to help with privacy and the light shining into an existing home. He also advised that the NCDOT has reviewed the intersection at Conrad Road and Thunderwood Farm Lane and determined that the intersection is safe and does not require any additional work. In addition, the homeowners in Lissara will assume the full maintenance responsibilities for Thunderwood Farm Lane.
  - 2. Michael Huffman, 456 Bailey's Cove Drive, said he and other family members own the property to the south of the proposed development. All of the runoff from this project comes across his property. Prior to the development, there was a huge wildlife population living in the area. When the development began, he was assured

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- there would be no runoff but the creek has more sediment in it than it's had since 1980. He would hate to see more sedimentation.
3. Barbara Huffman, 1010 Conrad Road, pointed out that the road won't accommodate the expected traffic and it isn't accommodating the traffic that is using the road now. She stated they have been very accommodating to the developers when this started because it was to be 10 large acre lots. In the seven and eight ensuing years they have had to put up with heavy construction equipment; the building of a huge lake and sewer system; and heavy construction traffic since day one. She said Mr. Wilcox said the road has been repaved and the reason was because of all the construction traffic. She also said Mr. Wilcox said access easements were granted to him, but Felix Huffman did not give him access nor did her family and that he had talked to residents about the development plans; but she stated they were rarely approached. She and her husband planted trees that are at the edge of the road to help create a buffer. They will keep the trees trimmed but will not remove them because they are on their property. She questioned whether there would be enough homes to allow the package treatment plant to operate as it should in the near future and whether there were any guarantees that it would ever work. She also indicated that she recently was advised that there will be a security gate at the entrance to the development.
  4. Mr. Wilcox, 1210 Forestwood Drive, responded that the package treatment plan was built to handle all of the development, not just the Estates of Lissara area. He said lots being sold now will bring the total number to 30, creating enough flow to allow the system to work as it was designed. As to the erosion, he said he could not confirm that. He said they are working under two of the most restrictive stormwater permits issued within the U.S. and that they have not been fined so he doesn't know anything about erosion problems. The security gate proposed by the homeowners' association is being reviewed.
- D. Having no other speakers, Mr. Reavis closed the public hearing at 7:45 p.m.
- E. Mr. Houff noted for the record that this property is not currently within the town's boundaries. It is subject to a petition for voluntary annexation and that the Board can still consider this request since the application for annexation is currently pending before the Town Council.
- F. There was a question about typical road size in subdivisions.
1. Mr. Myers indicated that the roads were designed to the NCDOT local road standards as found in the most current edition (2010) of the Subdivision Roads Manual. They are eighteen (18') feet wide. He added that our own UDO encourages narrow subdivision roads as a traffic calming method.
  2. The access road easement is a private matter between the developer and the adjoining residents. Staff's focus was on the appropriateness of the rezoning and whether the PRD met our minimum requirements.
    - a. Mr. Wilcox noted that if the property stayed within the county's jurisdiction, the owners could potentially request RS-9 zoning since there is private sewer.
- G. Mrs. Heath moved to recommend approval without conditions. Mr. Mincey seconded. The vote was 5-1, with Mrs. Foster voting *no*.
1. No conditions were stated because no conditions could be discerned regarding the rezoning. In addition, not imposing conditions would allow the parties to be able to negotiate between the Planning Board hearing and Council hearing.

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The Board recessed in order to move the remainder of the meeting to Council's 2<sup>nd</sup> floor conference room.

**V. Unfinished Business**

**A. Comprehensive Plan**

1. Mr. Reavis provided the Board with his ideas for the executive summary. The group will go through the plan and look for issues or items that need to be updated. These issues will be taken to the public for input. That information will be reviewed and used to update the plan. The next step will be for staff to make sure everything works together in the document. After staff completes this work, the document will be sent to a review committee for final vetting. If the document stands, it will be sent to Council.
2. Under citizen engagement, Mr. Reavis suggested finding a core group of about ten (10) people who are knowledgeable about the town. He suggested that Mrs. Heath work with Lynn Hall to devise an ad campaign.
  - a. Mrs. Heath asked that Mrs. Foster be involved.
  - b. The campaign will be used to alert the public about the meetings and the topics. It was noted that there may be monies available for an outside moderator/facilitator. Costs will dictate whether this is possible.
3. Mr. Reavis previously spoke to a Council member about their view of the Comprehensive Plan. He said the response was that this is a visionary document used for vetting proposals that come before the town. It has specific language, but basically it is just a visionary document. Another comment he has heard is that the document has served the town well and it just needs to be updated.
4. Mrs. Foster presented her ideas.
5. There was agreement to use parts of both ideas to create the Executive Summary and draft a time line for the Town Council. The Planning Board will present this information to the Town Council at their Briefing meeting on October 2<sup>nd</sup>.

**VI. Adjournment**

- A. Having no other business to discuss, Mr. Mincey moved to adjourn the meeting and Mrs. Heath seconded. The vote was unanimous.

Respectfully Submitted:

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Lynn W. Hall, Public Information Officer

Attest:

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Joyce C. McWilliams Walker, Town Clerk

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Kelly Reavis, Chair