

**Lewisville Planning Board**  
**January 14, 2015**  
**Lewisville Town Hall Council Chambers**

**I. Call to Order**

- A. Chair Kelly Reavis called the meeting to order. Members present were Jeanne Marie Foster, Katie Heath, Chester Patterson, Michael Prince and David Spease. Also present were Planner Marty Myers, Attorney Bo Houff and Town Manager Hank Perkins.
- B. Adoption of Agenda
  - 1. Mrs. Foster moved to change the order of the agenda. Approval of the Minutes was moved to Old Business 7A. This was seconded by Mrs. Heath. The vote was unanimous.
  - 2. There also was a motion by Mr. Reavis to move For the Good of the Order to after Guests and Presentations. Mrs. Foster seconded. The vote was unanimous.
  - 3. Mrs. Heath moved to approve the agenda as amended and Mr. Patterson seconded. The vote was unanimous.

**II. Guests and Presentations**

- A. None

**III. For the Good of the Order**

- A. Public Comments - There were no comments.

**IV. Public Hearings**

- A. Case L-073 - a rezoning request to rezone PIN#5875-96-0533 being a 0.68+/- acre parcel located at 6606 Shallowford Road from LD1-S to LD1-S for the purpose of adding the following new uses: Combined Use, Food and Drug Store, Furniture and Home Furnishings, General Merchandise Store, Restaurant w/o Drive Thru, Non-Store Retailer and Offices Miscellaneous.
  - 1. Staff provided the history of how the property was originally zoned to LD1-S and the nature of previous businesses that have operated at this address. The proposed new uses were described in detail and the appropriateness and description of each.
  - 2. After presentation of the staff report, a conditional approval was recommended given that there have been things done by previous businesses at this location that constituted violations of our Town Code and Zoning ordinances. Recommendation for approval must meet the following conditions:
    - a. Company vehicles will be parked/located at the rear of the property;
    - b. Parking lot calculations (with an approved thirty {30%} percent reduction) are to be based on the floor area of the first floor only;
    - c. There will be no outdoor storage approved for the existing uses or the uses being added by this rezoning; and
    - d. All existing zoning violations cited by Inspections will be corrected before a Certificate of Occupancy will be approved.
  - 3. Planning Board member Randy Henning was not in attendance, but had suggested that the current fence and sign be removed and replaced with perpendicular sign similar to what other businesses have utilized within the district.
  - 4. The public hearing was opened by Mr. Reavis.
    - a. Michelle Thompson, 6000 Carrington Place, spoke in favor of the rezoning,

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stating the business would be good for the community and that she likes to buy locally. She said there are a lot of pet owners in town that would appreciate having a local option to Walmart and PETCO.

- b. Pat Miles Hluska of 167 Cedar Lake Trail, has known the petitioners and they are people of integrity. She is a former business owner in Lewisville, and would encourage the rezoning of the property.
  - c. Rick Hermann, 6946 Marshall Road, spoke to the comments regarding the fence. He felt the fence works well and is the proper scale for the house. A lot of work has been done by Mr. Hansley to improve the house and the picket fence adds to the residential character of the downtown. He also was in favor of the rezoning.
  - d. Phillip Brown, 610 Green Tree Drive, also spoke in favor of the rezoning.
  - e. Matt Bocan, 2301 River Run Drive, also spoke in favor of the rezoning.
  - f. Michael Hansley, 6606 Shallowford Road, noted that the fence was done to satisfy a previous requirement of the original rezoning to LD1-S. They were given three (3) choices under the zoning requirements at that time. They could create a ten (10') foot wide street yard having numerous plantings that would extend the width of the property, an earthen berm with similar plantings or a picket type fence to be placed along the front property line adjoining the public sidewalk. They felt that the fence option added more to the residential feel of the site and would add character to the property.
5. Having no other speakers, the public hearing was closed.
  6. Board Discussion
    - a. Following discussion by the Planning Board, Mr. Prince moved to recommend approval with the listed conditions, but allowing the fence to remain. The painted paw prints on the fence were an obvious violation of the Town's sign ordinance and were removed prior to this hearing. However, the existing sign (if it is to remain) is to be permitted through the WS/FC Inspections Department and must comply with the Town's size and height requirements. Mrs. Foster seconded the motion. The vote was unanimous.
- B. UDO Amendments L-145 through L-149
1. Mr. Myers provided a tabbed summary worksheet to assist the Board with their review of the different amendments. Staff gave a detailed explanation of each amendment and answered questions related to each item.
  2. The Public Hearing was opened.
  3. Having no speakers, the public hearing was closed.
  4. L-145 - Modifying the Permitted Use Table requiring final approval of a Planned Residential Development (PRD) by the Elected Body.
    - a. The motion to approve was made by Mrs. Heath and seconded by Mr. Spease. The vote was unanimous.
  5. L-146 - Required new sidewalks in PRDs having private streets.
    - a. Motion by Mr. Reavis and second by Mr. Patterson. The vote was unanimous.
  6. L-147 - Creating public safety standards for subdivisions with private access gates.
    - a. Mrs. Heath moved approval and Mrs. Foster seconded. The vote was

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- unanimous.
7. L-148 - Requiring all new residential subdivisions connect to a town or state maintained road by way of a public road.
    - a. Mr. Spease moved for approval and Mrs. Foster seconded. The vote was unanimous.
  8. L-149 - Clarifying the acceptance of public streets by the Town. Mr. Prince moved approval and Mr. Patterson seconded. The vote was unanimous.

The meeting was recessed in order to reconvene in the 2nd floor conference room.

The meeting was reconvened at 8:35 p.m.

**V. Approval of Minutes**

- A. There was a motion by Mrs. Foster to table the minutes of 12-17-14 for further clarification. Board members agreed by consensus.

**VI. Chair's Report**

- A. Mr. Reavis reported that the Town Council has approved contracting with the Piedmont Triad Regional Council (PTRC) for the facilitation of the Comprehensive Plan public meetings to be held on February 17, February 28, March 19 and April 16. Paul Kron is the Planning Manager of the PTRC and has over twenty (20) years of planning and facilitation experience here in the Triad region. He will be assisting the Board prior to and after the public meetings as per the contract. Mr. Kron will be attending our special called meeting on the 21<sup>st</sup> of January.

**VII. Adjournment**

- A. Board discussion
  1. Town Manager Perkins was asked about the town wide survey results. He said those will be provided to the Board soon.
- B. Adjournment
  1. Mrs. Heath moved to adjourn the meeting at 9:15 p.m. and Mrs. Foster 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