

Lewisville Planning Board Work Session Minutes
December 14, 2016
6510 Shallowford Road - Room 110
6:00pm

I. Call to Order

- A. Planning Board Chair Jeanne Marie Foster called the meeting to order at 6:10 p.m. Board members present were Suzanne Fawley, Paul Hari, Tom Lawson (who arrived at 6:22 p.m.), Michael Prince, and Chester Patterson. Staff members present were Planner Marty Myers, Attorney Bo Houff and Town Clerk Joyce Walker. Parks and Recreation liaison Marci Gallman was unable to attend.
- B. Approval of Agenda
 - 1. Michael Prince moved to approve the agenda. The motion was seconded by Paul Hari and approved unanimously.

II. Approval of Minutes

- A. November 30, 2016
 - 1. Mr. Patterson as that Item III.C.1.a.(1) be corrected to read, “Mr. Patterson and Mr. Myers will collaborate on roles and responsibilities between the Planning Board and Utilities Committee.”
 - 2. Mr. Patterson moved to approve the November 30, 2016 minutes as amended. The motion was seconded by Suzanne Fawley and approved unanimously.

III. Public Hearings

- A. **Case L-078** - Review of a request by Aher Builders, Inc. to rezone three (3) parcels located along Lalanda Drive, being Block 4433, Lot(s) 039B, 039H and 039G containing 9.07 acres. The parcels are currently zoned RS-20 and are being proposed for RS9-S Special Use zoning.
 - 1. Mr. Myers’ Zoning staff report follows:

ZONING STAFF REPORT

DOCKET: L-078
STAFF: J. Martin Myers, AICP

Petitioner: Aher Builders, Inc.
Ownership: Same

REQUEST:

From: RS-20 (Residential Single Family, minimum lot size of 20,000 sq.ft.)
To: RS9-S (Residential Single Family – Special Use, minimum lot size of 9,000 sq.ft.)

*Both General and Special Use District Zoning were discussed with the applicant(s) who decided to pursue the zoning as requested.

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Tax Block(s) 4433 Tax Lot(s) 039B, 039H and 039G
Acreage: 9.07 acres

LOCATION:

Street: Lalanda Drive near its intersection with Reynolds Road then running east along LaLanda Drive for 980+/- feet.

Jurisdiction: Town of Lewisville

PROPERTY SITE/IMMEDIATE AREA:

Existing Structures on Site: Site is mostly vacant; however there is an existing home place on parcel 39B which generally fronts Reynolds Road.

Adjacent uses:

- * North - Single family residences located along Lewisville-Clemmons Road; zoned RS-20
- * East - Single-family residences with similar zoning and PRD project (Crafton Creek) which is zoned RS-9S
- * South - Single-family residences with similar zoning
- * West - Single-family residences with similar zoning

GENERAL AREA:

Character/Maintenance: The homes along Lewisville-Clemmons Road, LaLanda and Reynolds Roads are well-maintained and stable at this time.

PHYSICAL FEATURES:

Topography: The site slopes gently down from the southwest to the northeast portion of the site.
Vegetation/habitat: The property has a pasture like quality and is relatively flat having a good relationship to LaLanda Drive. Those trees that exist are located along the northern property line, creating a thin buffer between the Lewisville-Clemmons Road properties and the subject property.

Impact on Existing Features: There is an existing farm home on the site near the intersection of Reynolds Road and LaLanda Drive. The history of this dwelling is undetermined at this time, however, the Lewisville Historical Society may be asked to survey the site and prepare a report as part of the Town's review of the case.

WATER AND SEWER FACILITIES:

Public water is available to the site. All lines are sized to provide domestic water service to the site and meet minimum fire protection requirements.

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Regarding sewer, an eight (8) inch main currently runs within the right-of-way of LaLanda Drive. The end of the line is located near the middle of the site. Given its shallow depth, portions of the property may require the use of grinder pumps to force the sewer up hill and into this line. This situation may be minimized by grading the site and changing its elevation and relationship to LaLanda Drive. Another option would be to utilize the existing sewer line(s) located within the Crafton Creek subdivision. These lines are publicly maintained and may be used to service the lower portions of the subject property that may have required pumping. The City/County Utilities Division would be responsible for reviews involving the extension of sewer into this site. The City-County Utilities Division will need the developer of the site to submit a study prior to development to determine the specifications of a pump (if applicable) and the capacity of the sewer mains to which the project will feed.

(In addition, Board members were provided an update regarding sewer from Mr. Myers: The sewer line on the length of Lalanda Drive is a basin transfer going to Reynolds Creek basin which is at capacity. CCUC is in the process of engineering an upgrade to that sewer and work should be complete by the end of 2017. There is a suggestion that Mr. Aher keep in contact with CCUC on the project's progress.)

TRANSPORTATION:

Direct Access to Site: LaLanda Drive

Street Classification(s): LaLanda Drive – Residential Collector, Crafton Creek Court – Local Residential Street, Reynolds Road - Minor Thoroughfare

Average Daily Traffic Count/Estimated:

RS-20 Zoning – 18 Homes @ 5.7 Trips Per Residence = 103 TPR

RS-9 Zoning – 33 Homes @ 5.7 Trips Per Residence = 188 TPR

Driveways: The number of driveways shall be limited and designed in keeping with the requirements and goals of the Access Management Ordinance.

HISTORY/RELEVANT ZONING CASES:

- * L-029; RS-9 to RM-5-S and RM-12-S (Single-Family and Attached Residential Housing); approved 8-14-03; south side of Shallowford Road west of Summerglenn Drive; 54.86 acres; Planning Board and staff recommended approval.
- * L-033; RS-20 to RS-9 (Single-Family Residential Housing) approved 5-13-2004; south side of Shallowford Road and near Arrow Leaf Drive; 18+/- acres; Planning Board and staff recommended approval.

CONFORMITY TO PLANS:

Lewisville Comprehensive Plan Update 2015 - The Plan describes this area as being where higher density housing is appropriate, particularly where sewer is available (primarily on the south side of Shallowford Road). Appropriate uses include higher density housing; standard and clustered subdivisions are allowed where

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compatible with existing residential development. The plan encourages design standards for residential developments, such as street landscaping and sidewalks.

The Plan also contains a number of "Recommended Actions." In the chapter on Land Use, recommendations include; allowing higher density where appropriate and encouraging PRD's along with conventional subdivisions, in the chapter on Facilities & Services, recommendations include locating sewer where needed and in accord with land use plan; placing utilities underground and requiring additional sidewalks.

Legacy Development Guide - Legacy recommends protection of agricultural activities while focusing urban/suburban type development(s) where adequate infrastructure and other amenities exist.

ANALYSIS:

The applicant is requesting a change from RS-20 to RS9-S zoning; as a "special use" request, a preliminary site plan has been submitted for review by staff and the Board. Both the RS-20 and RS-9 "Residential Single-Family" zoning districts are intended to accommodate primarily single-family, detached residences. A residential subdivision (of appropriate density) could be submitted for the property under the existing zoning or proposed rezoning. The applicant is sensitive to concerns that may exist for those non-residential uses that are allowed as uses by right in the RS-9 zoning district. It is for this reason that he has asked that only detached single-family houses be approved for construction and that they be comparable to (or exceed) the value of those residences currently within the neighborhood.

The major difference between RS-20 and RS-9 zoning is the permitted density (number of dwelling units per acre) and setback and other dimensional requirements. The differences are summarized below:

	<u>RS-20</u>	<u>RS-9</u>
Minimum Lot Size -	20,000 sq.ft.	9,000 sq.ft.
Minimum Lot Width -	95 ft	65 ft
Minimum Front Yard -	30 ft	20 ft
Minimum Rear Yard -	30 ft	25 ft

[NOTE: Side yard, height, and impervious surface coverage limits are the same for the two districts.]

RS-20 is generally considered the zoning district appropriate for suburban residential development where public sewer is not available (to allow compliance with Forsyth County Health Department requirements for placing septic systems on individual lots). The RS-9 District is typically used for single-family development where public sewer is available.

If the applicant or another developer desires to develop a residential subdivision (either Conventional or a Planned Residential Development), the site plan would be reviewed by both the Planning Board and the Town Council to assure that all requirements of the UDO and the comprehensive plan are met.

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The Town's *Comprehensive Plan* designates the area within which the project lies as GMA-3 "Suburban Neighborhood." This acknowledges opportunities made available by having access to public water/sewer and proximity to existing thoroughfares such as Lewisville-Clemmons Road and US421. The proposed RS9-S zoning would support single-family residential development with minimum lot sizes of 9,000 sq.ft. The requested density is more than that found immediately around the subject property, with the exception of the Crafton Creek PRD which was approved in 2003. The lots along LaLanda and Crenata Drives are generally one-half acre in size. The proposed rezoning, if approved, would allow lot sizes roughly one-quarter acre in size. Although the density and lot sizes may differ somewhat from the homes along LaLanda and Crenata, the proposed land use (detached single-family residential units) is similar and would be compatible with the existing older homes located nearby.

Town staff is of the opinion that the request is consistent with the Town's *Comprehensive Plan* for the area and compatible with the existing residential uses along LaLanda Drive. Any subsequent subdivision request would be reviewed by the Planning Board and the Town Council.

FINDINGS:

1. The request is for special use zoning; a preliminary draft site plan has been submitted and a specific use requested. If the property is later subdivided, the Planning Board and the Town Council will be required to review and approve the subdivision plan.
2. The uses allowed under either RS-20 or RS-9 are similar, including a subdivision of the property into residential building lots.
3. The requested zoning would allow residential development at densities higher than most nearby properties. However, the requested density is supported by existing infrastructure and anticipated and encouraged by the Town's *Comprehensive Plan*.
4. The proposed zoning district would not introduce a use(s) or density of development incompatible with the existing nearby residential development.

RECOMMENDATION:

The site has available infrastructure to support the density of development that is being proposed. Statements found in both the *Lewisville Comprehensive Plan* and *Forsyth County Legacy Plan* encourages higher density within a suburban/urban environment. All subdivision and PRD site plans are required to be reviewed by the Planning Board and the Elected Body for final approval. Given these findings and other supporting information found in this report, staff recommends the rezoning to the Planning Board.

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2. Board Discussion
 - a. Mr. Myers also indicated that Mr. Aher is open to reasonable conditions for

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- a better fit in the neighborhood. He plans to be the only developer/builder for the subdivision and to only build brick homes.
- b. Additional information was provided on the sewer upgrade and why the project will not be complete until the end of 2017: decks, pools, and other structures have been built on existing sewer easements. CCUC has to acquire additional easements or engineer around the obstacle to complete the project.
 - c. Once the sewer project is completed (Reynolds Creek outflow repair), this project will not impact sewer needs for the downtown area. The town has been told that there will be up to one million gallons a day extra when the line is complete and therefore should not have capacity issues in the future.
 - d. For the streetscape, sidewalks and trees were to follow Chapter D of the UDO. Chapter D confirms that PRD's should have sidewalks on one side of the street while conventional subdivisions have sidewalks on both sides of the street.
 - (1) The drawing provided only showed sidewalks on one side of the street. Since this is a conventional subdivision, sidewalks should be on both sides of the street.
 - (2) Once CCUC has approved sewer, a very detailed drawing will then come before the Planning Board for review if the rezoning is approved by Council.
 - (3) Suggested conditions:
 - (a) Sidewalks on both sides of the street.
 - (b) Vary building materials and not make all the homes in brick.
 - (c) Leave a 20' buffer as a screening for whatever facility might be placed in the northeast corner of the layout.
 - (d) Place a sidewalk on Lalanda with trees.
 - e. Density was discussed and explained as far as the difference in existing homes and the proposed subdivision.
 - f. There was discussion on whether the project is in a watershed and whether there is storm drainage onto Lalanda as well as concerns over any off-site impacts.
 - g. It was mentioned that the driveways on Lalanda comply with the town's Access Management Plan.
3. The Public Hearing was opened at 6:50 p.m.
- a. John Sangimino, 212 Riverwood Drive, Lewisville, asked if the sewer pipe was sufficient to handle the development.
 - b. Sanjay Aher, 183 Covington Place, Lewisville, purchased the property about five years ago and would like to make the development custom homes and not cookie cutter designs to slowly grow Lewisville.
 - c. Barbara Snyder, 1105 Kensford Drive, Lewisville, and lives below the

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property. She said that she is not blocking the future homes but that there are serious drainage problems in the neighborhood. She wanted Mr. Aher to be aware of the water problem and asked to save some of the trees to help abate the water problem when the land is cleared.

- d. James Patterson, 855 Reynolds Road, Lewisville, said he was concerned about the density of houses as shown on the drawing because of the traffic on Reynolds Road as well as speeding.
- e. Greg Velie, 1125 Kensford Drive, Lewisville, thanked the Town for the foresight in keeping Lewisville quaint and for focusing on quality of life. He was asking about whether all of the tree buffer would be reduced to 20 feet. He also asked if there could be more space between the houses so that the development wouldn't look like city living.
- f. Mary Gaines, 7270 Lalanda Drive, Lewisville, stated she is not directly in front of the development and recognized that eventually the land will be developed. She did say that people exceed the speed limit on Reynolds and there is difficulty in making a left turn onto Lewisville-Clemmons Road. She asked that the traffic on Reynolds Road as well as Lalanda be considered when looking at the project. She also wanted to know how everyone will be advised of changes to the site plan, whether sidewalks will be on Lalanda, and water drainage onto Lalanda.
 - (1) She read a letter from Susan Linker who lives on Reynolds Road, and who could not be present. She was opposed to the widening of Reynolds Road.

4. Having no other speakers, the Public Hearing was closed at 7:10 p.m.

5. Discussion

- a. Mr. Lawson thanked everyone for proposing some of the solutions to problems they see. He asked about neo-traditional setbacks.
- b. There was discussion on the placement of sidewalk on a portion of Lalanda.
- c. There was discussion on water discharge to manage stormwater.
 - (1) Mr. Aher indicated he would be willing to plant more trees, create a berm, and to meet with the residents to work on their water and traffic access concerns.
- d. Paul Kron, consultant to the Planning Board, pointed out the contours on the map which show where the water wants to go naturally.
- e. Mr. Prince asked that there be collaboration between staff, the developer and possibly residents so that the product will be well received by all parties.
- f. Attorney Houff pointed out that a determination does not have to be made at the meeting tonight so that there can be more dialogue and review with the developer.
- g. Mr. Patterson suggested working with Mr. Aher in a work session regarding the suggestions and concerns.
 - (1) Chester Patterson moved to continue consideration of this matter

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until the January 11, 2017 meeting. The motion was seconded by Tom Lawson.

- (a) After discussion, the date was amended to the February 8th meeting which was accepted.
- (b) The motion was approved unanimously.

At 7:35 p.m., the Planning Board took a break and was called to order at 7:40 p.m.

- B. **UDO L-151** - Review and recommendation of a draft amendment to the UDO to add Distilleries and Micro-Breweries to the LD1-S, LD2-S, LB, PB and HB Zoning Districts
 - 1. Board discussion
 - a. None.
 - 2. Public Hearing
 - a. The Public Hearing was opened at 7:42 p.m.
 - b. Having no speakers, the Public Hearing was closed at 7:43 p.m.
 - 3. The Table of Permitted Uses will be updated to include these uses.
 - 4. Chester Patterson moved to recommend approval of UDO L-151. The motion was seconded by Michael Prince and approved unanimously.

* At 7:45 p.m., the Planning Board recessed and moved to the 2nd Floor Conference Room for a planned Work Session with resident John Sangimino also in attendance.

* The board reconvened and was called to order at 8:10 p.m.

IV. Reports

- A. None.

V. Old Business - Paul Kron, Foothills Planning and Design - Northeast Small Area Development Plan Draft Review and Update

- A. Robinhood Road/Northeast Area Plan
 - 1. Mr. Kron presented an executive summary on the plan and a map of the area. A copy of the draft plan was also provided.
 - 2. He reviewed a scenario of how growth could progress over the next thirty years with the goal being a better community once the proposed school is built and the area is opened to an extension of sewer.
 - a. Transportation, density and land use development were considered as well as zoning.
 - (1) There was a suggestion to widen Robinhood Road to four lanes as a transportation improvement.
 - (2) An extension of Ketner Road to access the school was also mentioned.
 - b. This draft will tentatively be taken to Council at their briefing meeting for

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- review and comment.
- c. Key activity centers were proposed rather than any strip development. Open space and parks were considered as part of future growth.
 - d. Flood plains were removed from development because they cannot be built upon.
 - e. Generic terms are being used so that they can be utilized in other plans.
 - f. Various sections of the map were reviewed as the years progressed with miniature “villages” noted with connectivity prevailing in the area.
 - (1) Mixed use was discussed with higher density and how to incorporate flexibility of use in the density.
 - (a) One area of discussion for growth was on Chickasha Road.
 - (2) Board members noted that roads into the school site should be emphasized.
 - (3) It was suggested that the map presented at tonight’s meeting be provided to Council when the executive summary is presented. The Planning Board is looking for comments and direction from Council so that the draft development document can be completed.
 - g. Everyone was advised that the map and development plan given to Council has been approved and included into the 2015 Comprehensive Plan.
 - h. There was concern expressed about moving into activity or “village” centers and taking away from the downtown area.

VI. New Business

- A. Additional Planning Board Meeting - Dec./Jan?
 - 1. After discussion, it was decided that another meeting would not be needed. Mr. Kron will make updates to the executive summary and to the map. They will be distributed to everyone as soon as possible (week after Christmas) before the Council meeting on the January 5th.
- B. Paul Hari advised that he will be out of the country between January 10th to the 27th.

VII. Unfinished Business

- A. Draft lighting Ordinance (Component of Downtown SAP)
- B. Draft Drive-Thru Ordinance (Component of Downtown SAP)
- C. Planning Processes
- D. Signage - Phase 2 - Ordinance Changes

VIII. Board Discussion

- A. Next Meetings
 - 1. Next Regular Public Hearing meeting - **January 11, 2017** (2nd Wednesday of the month)
 - 2. Next Regular Work Session meeting - **January 25, 2017** (4th Wednesday of the month) to be held in the Vienna area

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IX. Adjournment

- A. Michael Prince moved to adjourn the meeting at 9:50 p.m.
- B. John Sangimino was given time to comment
 - 1. Mr. Sangimino asked everyone to be careful of suburban creep. In other words, the quality of life that people moved here for could be gone because of traffic and density. He suggested that moving forward with this action plan may not be what people moved to Lewisville for.
- C. The motion was seconded by Chester Patterson and approved unanimously.

ATTEST:

Joyce C. McWilliams Walker,
Town Clerk

Jeanne Marie Foster,
Planning Board Chair