

**REGULAR MEETING MINUTES**  
**Wednesday, September 11, 2019 at 6:30 P.M.**  
**Town Hall - 6510 Shallowford Road - 1st Floor Council Chambers**

1. **Call to Order**

- a. Chair Jeanne Marie Foster called the meeting to order at 6:34 p.m.

2. **Roll Call**

- a. Board members present were Joseph Hamby, Jessica Higgins, Michael Sullivan and Bill Scantland. Also present were Attorney Bo Houff, Planner Stacy Tolbert and Town Clerk Joyce Walker.
- b. Nick Seeba, Construction Manager Winston-Salem/Forsyth County Schools, presence was acknowledged. Also present were Lauren Dixon, landscape architect from CLH Design; Vern McKissick, McKissick and Associates, architects for the project; and Jay Morgan, Construction Manager New Atlantic Construction.

3. **Regular Business**

- a. Approval of Agenda
- i. Jessica Higgins moved to approve the agenda. The motion was seconded by Mike Sullivan and approved unanimously.
- b. Approval of Minutes
- i. August 28, 2019
- (1) Item 7.c.1. was corrected to read, "... clerical errors were corrected **on the July 24, 2019 minutes** before..."
- (2) Bill Scantland moved to approve the August 28, 2019 minutes as amended. The motion was seconded by Jessica Higgins and approved unanimously.

4. **Public Hearings**

- a. L-094 (noted as L-093 on the agenda) Winston-Salem/Forsyth County Board of Education
- i. Public hearing:
- (1) Rezoning from RS-20-S to RS-9
- (a) The property to be rezoned is part of the W-S/FC middle school site and is being rezoned to be consistent with the remainder of the property and is a general use rezoning.
- (i) In a general use, the use is not to be discussed.

Tom Lawson and Meghan Flow arrived at 6:37 p.m.

- (b) The RS-20-S is special use zoning only for 3 residential types: (1) Manufactured Housing Type A, Manufactured Housing Type B, and single family residential which would make the property non-conforming with the rest of the RS-9 property.
- (c) Board members were provided highlights of the staff report while reviewing a map of the area.

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**GENERAL USE DISTRICT REZONING STAFF REPORT**

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6841 Dexter Drive

DOCKET: L-094  
STAFF: Stacy Tolbert, Town Planner

Petitioner: Winston-Salem/Forsyth County Schools  
Ownership: Winston-Salem/Forsyth County Schools

**REQUEST OF REZONING:**

From: RS-20-S (Residential Single Family, minimum lot size of 20,000 sqft. with specific uses allowed including Manufactured Housing, Class A; Manufactured Housing, Class B; & Residential Single Family)

To: RS-9 (Residential Single Family, minimum lot size of 9,000 sqft. with all uses allowed by right in RS-9)

PIN#: 5886-75-1433

Acreage: 1.35 acres

**LOCATION:**

Street: 6841 Dexter Drive

Jurisdiction: Town of Lewisville

**PROPERTY SITE/IMMEDIATE AREA:**

Existing Structures on Site: The site is currently vacant.

**Adjacent uses:**

- \* North – Vacant Land, zoned RS-9, owned by Winston-Salem Forsyth County Board of Education
- \* East – Single Family residence, 6839 Dexter Drive, zoned RS-9, being purchased by Winston-Salem/Forsyth County Board of Education
- \* South - Vacant Land, zoned RS-9, owned by Winston-Salem Forsyth County Board of Education
- \* West - Vacant Land, zoned RS-9, owned by Winston-Salem Forsyth County Board of Education

**GENERAL AREA:**

Character/Maintenance: This area is an area of vacant land and residential uses.

**PHYSICAL FEATURES:**

Topography: The area to be rezoned is generally level ground.

Vegetation/habitat: The area to be rezoned is open space, previously a residence was on the property but has been demolished.

Impact on Existing Features: Impacts are expected to be minimal.

**WATER AND SEWER FACILITIES:**

The site is to be served by public water and public sewer.

**TRANSPORTATION:**

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Direct Access to Site: Dexter Drive  
Street Classification(s): Dexter Drive, minor collector; dead end street

**HISTORY/RELEVANT ZONING CASES:**

\* Forsyth County Zoning Docket F-1158; The property was rezoned to RS-20-S (Manufactured Home, Class A; Manufactured Home, Class B; and Residential Building, Single Family) by the Forsyth County Board of Commissioners on June 24, 1996.

\* L-PBR 2019003; The Winston-Salem/Forsyth County Board of Education has submitted an application for the Planning Board Review of a Public School which will include the property of this request.

**CONFORMITY TO PLANS:**

Lewisville Unified Development Ordinance – The Residential Single Family District (RS-9) is intended to accommodate relatively high density single family detached dwellings in urban areas. This district is intended for application in GMAs 2 and 3, and may be suitable in Metro Activity Centers where public facilities, including public water and sewer, public roads, parks, and other governmental support services, are available.

Lewisville Comprehensive Plan Update 2015 - The Plan describes this site as being an area of parks, open spaces, and institutional uses. In the chapter on Land Use, recommendations include developing Lewisville in accordance with Map 9 Preferred Land Use. The plan also speaks to a potential new school bringing sewer and road improvements to the area which would allow undeveloped land to be developed to densities not permitted by conventional septic tanks, for example, 9,000 sqft lots.

Legacy Development Guide – This property lies within the Growth Management Area 3 (Suburban Neighborhoods). This area encourages mixed-use development and increase density at activity centers. Rezoning the property to RS-9 meets the intent and goals of the Legacy.

**ANALYSIS:**

The applicant is requesting a change from RS-20-S to RS-9 zoning; as a "general use" request. The intent of the request is to remove the restrictions of the special uses under the current RS-20-S zoning and change it to RS-9 to conform with the surrounding zoning district. This request is in connection with Docket L-PBR 2019003, a request for a Public School which is allowed in the RS-9 zoning district. If approved, all of the parcels included in the Public School proposed site plan will be combined into one lot. The lot size and dimensions are summarized below:

	RS-20	RS-9
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

The proposed RS-9 zoning would support the uses in the nearby properties which are currently zoned RS-9.

Town staff is of the opinion that the request is consistent with the Town's Comprehensive Plan for the area

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and complements the uses in the surrounding neighborhoods and properties.

**FINDINGS:**

1. The request is for general use zoning. No site plan has been submitted and no specific use requested. If the property is later developed, the Planning Board and the Town Council will be required to review and approve the plan.
2. The uses allowed under either RS-20 or RS-9 are similar in that they are residential in nature.
3. The requested zoning would allow residential development at densities similar to surrounding properties and 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 medium density as well as institutional, parks and open space uses. Given these findings and other supporting information found in this report, staff recommends the rezoning to the Planning Board.

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- (d) The Public Hearing was opened at 6:39 p.m.
    - (i) Nick Seeba, 3740 Will Scarlett Rd, Winston-Salem, 27104, spoke in favor of the rezoning.
  - (e) Having no other speakers, the Public Hearing was closed at 6:41 p.m.
  - (f) Tom Lawson moved to recommend to Town Council for approval. The motion was seconded by Mike Sullivan and approved unanimously.
- b. UDO L-160: Unified Development Ordinance Text Amendment
- i. Public Hearing
    - (1) UDO B 6-1.4 (C) (4) Mailed Notices; UDO B 6-1.5 (I) (4) Mailed Notices; & UDO B.6-2.1 (G) (1) Mailed Notices
    - (2) Board members were provided a handout explaining the changes for the sections above which would expand the mailed notices from only the adjoining property to 500 feet from the requesting property.
    - (3) The Public Hearing was opened at 6:44 p.m.
    - (4) Having no speakers, the Public Hearing was closed at 6:45 p.m.
    - (5) Bill Scantland moved to recommend to Town Council for approval. The motion was seconded by Meghan Flow and approved unanimously.

The Board recessed to the 2<sup>nd</sup> floor conference room at 6:45 p.m.

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The Board reconvened in the conference room at 6:52 p.m.

- c. Technical Review
  - i. L-PBR 2019003 Winston-Salem/Forsyth County Board of Education Technical Site Plan Review for Compliance: Lewisville Middle School
    - (1) Mrs. Foster informed the Board that there has not yet been correspondence with the stakeholder group (interested in the school).
      - (a) There was discussion on the Board's understanding of the next steps for moving items forward, i.e. move the rezoning and site plan review forward simultaneously or hold off on the site plan until the rezoning is approved/not approved.
      - (b) After discussion, it was decided to move forward with the review of the site plan review.
        - (i) This plan does not get forwarded to Council for review since this is a by right use.
        - (ii) It was noted: If the Board agrees to approve the site plan prior to approval of the rezoning, then it will have to be contingent upon approval of the rezoning.
        - (iii) Track the process being used to determine what information should be communicated to the stakeholders.
    - (2) Board members were advised that the staff report noted that the plan is in compliance with the UDO, Legacy and the Comprehensive Plan.
      - (a) PIN numbers were added to ensure the plan encompassed the whole site.
    - (3) The maps brought by the school system representative were reviewed.
      - (a) There were concerns about sidewalks.
      - (b) The Pedestrians Connection Overlay Plan (PCO) is required; however, since the Greenway Pedestrian Plan has only been accepted and not approved, members were unsure how it will play into the site plan.
        - (i) The PCO requires sidewalk along Lewisville-Vienna Road and Robinhood Road along the site's road frontage.
        - (ii) Board members were advised that the DOT projects for the roundabout and Lewisville-Vienna Road are on hold.
      - (c) There were two (2) aspects to the sidewalks issue that were discussed.
        - (i) Internal sidewalks and pathways require Council waivers.
        - (ii) External sidewalks fall under the PCO and can be waived by the Planning Board.
          - 1) The entrance off Robinhood Road and the path from the entrance onto the site were specifically explained because of the topography.
          - 2) The sidewalk from Robinhood Road may be eligible for a waiver because of the topography.

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- (iii) There was discussion around changing the graded pathway to a sidewalk from Lewisville-Vienna Road to the school.
  - 1) Board members were advised that changing to a paved sidewalk would add to impervious surface, impact stormwater (wet pond) and it would make changes to other calculations and costs.
  - 2) Mr. Lawson, with agreement from Mr. Scantland, asked that internal sidewalk be considered off Lewisville-Vienna Road.
- (d) Ms. Dixon reviewed site plan changes (from the last plan presented).
  - (i) Properties in the middle of the property have now been acquired.
  - (ii) (As an aside conversation, Board members were provided contact and other information that will assist in the preparation of changes to the UDO regarding tree plantings in new subdivisions.)
- (e) Mr. McKissick provided visuals and a 3-D print of the elevations, the color pallets to be used, screening for rooftop equipment, space uses, external construction materials and landscape areas.
- (f) **Board members asked for a summary of the road/sidewalk discussion in the minutes.**
- (g) Board members would like to take additional time to consider approval.
  - (i) Everyone was advised that the school plans on breaking ground in February.
- (h) **Mrs. Tolbert will update the staff report to include the information about the waivers and the factors to be considered in granting/not granting waivers on the Robinhood Road and Lewisville-Vienna Road sidewalks.**

At 8:45 p.m., Meghan Flow exited the meeting.

- (i) Options were provided for communication to the stakeholders about the school project.
  - (i) There was consensus to communicate to the stakeholders via email bullet points on the project and where it stands.

**5. Reports & Updates**

- a. Chair
  - i. DOT projects are on hold.
- b. Planner
- c. Clerk
- d. Attorney

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6. **New Business**
  - a. None
  
7. **Continued Business/Work Session**
  - a. Neighborhood Outreach/Community Engagement
    - i. Discussed above.
  
8. **Meeting Review**
  - a. Action Item Consensus/Next Steps
    - i. Next Meetings
      - (1) Work Session - September 25, 2019
      - (2) Public Hearing/Work Session - October 16, 2019 (one meeting scheduled for October)
  
9. **Adjournment**
  - a. Having no other business to discuss, Bill Scantland moved to adjourn the meeting at 8:48 p.m. The motion was seconded by Tom Lawson and approved unanimously.

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Jeanne Marie Foster, Chair

ATTEST:

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Joyce C. McWilliams Walker, Town Clerk