

DRAFT
Lewisville Town Council Regular Meeting Minutes
October 14, 2021 - 6:30 p.m.
Digitally Originating in Council Chambers 1st floor - Lewisville Town Hall
6510 Shallowford Road

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/86916229267?pwd=VnQwNmZwaTliaE9NRkg0VURQVC9SZz09>

Passcode: 532547

Or

Telephone: 646 558 8656

Webinar ID: 869 1622 9267

Passcode: 532547

1. Call to Order

- a. Mayor Mike Horn called the meeting to order at 6:30 p.m. Council Members present were Jeanne Marie Foster, Fred Franklin, Melissa Hunt, David Smitherman and Jane Welch. Council Member Sadler had advised that he would be late. Also present were Town Manager Hank Perkins, Attorney Bo Houff, Finance Director Pam Orrell, Planner Stacy Tolbert, Public Works Director Ryan Moser, and Town Clerk Joyce Walker.
- b. Invocation was provided by Attorney Houff and the Pledge of Allegiance by Council Member Melissa Hunt.
- c. Adoption of Agenda
 - i. Council Member Welch moved to approve the agenda. The motion was seconded by Council Member Smitherman and approved unanimously by a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Smitherman, Welch and Mayor Horn.

2. Consent Agenda

- a. Consent Agenda for approval
 - i. [Resolution 2021066](#) - Acceptance and Approval of Monthly [Financials for the two months ending August 31, 2021](#)
 - ii. Approval of Town Council Briefing Meeting [Minutes - September 2, 2021](#)
 - iii. Approval of Town Council Meeting [Minutes - September 9, 2021](#)
 - (1) Council Member Franklin noted two typing corrections for the September 9th minutes.
- b. With those corrections, Council Member Franklin moved to approve the Consent Agenda. The motion was seconded by Council Member Foster and approved unanimously by a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Smitherman, Welch and Mayor Horn. Resolution 2021066 is herein incorporated by reference into the minutes

3. Introductions, Presentations, Recognitions and/or Proclamations

- a. **Introductions, Recognitions, Presentations and/or Proclamations**
 - i. Presentations
 - (1) Sheriff's Office Report
 - (a) Sgt. Stringer provided current call statistics:
 - (i) Calls for *Service* - 568

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- (ii) *Security Checks - 287*
- (iii) *Traffic Violations/Arrests - 35*
- (iv) *Alarms - 10*
- (v) *Priority Call Response times - 5.4 minutes*
- (b) There was nothing that particularly stood out that needed attention.
- (c) Sgt. Stringer also provided a few Halloween safety tips. **(See attached)**

Dr. Sadler was electronically admitted to the meeting at 6:39 p.m.

- ii. Presentations - *Lewisville Tomorrow*
 - (1) Jonathan Whitehurst, Kimley Horn, advised Council that the project is on track and provided a PowerPoint on the status of the project. **(See attached)**

4. **Public Forum**

- a. The Public Forum was electronically opened at 7:51 p.m.
- b. Having no speakers, the Public Forum was closed at 7:52 p.m.
- c. Written comments may be sent to townclerk@lewisvillenc.net.

5. **Appointments**

- a. None

6. **Preliminary Site Plan Approvals**

- a. None.

7. **Evidentiary Hearings**

- a. None.

8. **Public Hearings**

- a. **UDO L-099** for Longwood Village's request for a site plan amendment
 - i. Staff presentation
 - (1) Council was advised that the original approval went through the rezoning process and that the site plan amendment must use the same process.

SITE PLAN AMENDMENT STAFF REPORT

Longwood Village

DOCKET: L-099

STAFF: Stacy Tolbert, Town Planner

Petitioner: Ron Davis with Allegro Investment Properties, LLC

Ownership: PIN 5885-70-8928 Kaplan Partners

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PIN 5885-81-0388 Kaplan Partners

REQUEST OF REZONING:

From: RS-9-S (Residential Single Family, minimum lot size of 9,000 sq. ft.)
To: RS-9-S (Residential Single Family, minimum lot size of 9,000 sq. ft.)
PIN#(s): 5885-70-8928 (portion of) & 5885-81-0388
Acreage: 13.57 acres

LOCATION:

Street: 1138 Lewisville-Clemmons Rd
Jurisdiction: Town of Lewisville

PROPERTY SITE/IMMEDIATE AREA:

Existing Structures on Site: The two homes that previously existed on the site have since been removed.

Adjacent uses:

- * North - Single family residences, Fountain Brook Development, zoned RS-20
- * East - Single family residence, 1175 Lewisville-Clemmons Rd, zoned RS-9; Family Medical Office, zoned HB-S; both located across Lewisville-Clemmons Rd.
- * South - Shallowford Presbyterian Church, zoned RS-9; Kaplan Partners, zoned HB-S
- * West - Kaplan Partners, zoned HB-S

GENERAL AREA:

Character/Maintenance: This area is somewhat of a transition zone between residential uses and commercial uses.

PHYSICAL FEATURES:

Topography: The site slopes gently from the east to the west away from Lewisville-Clemmons Rd.

Vegetation/habitat: The majority of the property is wooded.

Impact on Existing Features: Impacts are to be expected. The wooded areas are likely to be removed as well as the structures on the property due to the request develop 34 residential lots.

WATER AND SEWER FACILITIES:

Public water and sewer are available to the site.

TRANSPORTATION:

Direct Access to Site: Lewisville-Clemmons Rd
Street Classification(s): Lewisville-Clemmons Major Thoroughfare
Average Daily Traffic Count/Estimated: 11000 (source: NCDOT AADT 2017)

HISTORY/RELEVANT ZONING CASES:

- * L-048; RS-20 Planned Residential Development Fountain Brook (Single-Family Residential Housing); approved 05/11/2006; west side of Lewisville-Clemmons Road north of and adjacent to Kaplan Partners; 13.38 acres; Planning Board and staff recommended approval.

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* L-078; RS-20 to RS-9-S (Single-Family Residential Housing) approved 04/13/2017; south side of Lewisville-Clemmons Rd and near Lalanda Drive; 10+/- acres; Planning Board and staff recommended approval.

* L-095; HB-S & RS-20 to RS-9S (Single-Family Residential Housing) approved June 15, 2020; south side of Lewisville-Clemmons Rd and near Styers Ferry Rd; 13.57 acres; Planning Board and staff recommended approval.

ANALYSIS:

This request is for a site plan amendment of the approved Longwood Village Development. The subdivision was approved along with a rezoning of the property to RS-9S on June 15, 2020. The original approval was for a 38 lot major subdivision but due to environmental constraints, the Developer is requesting a change in the plan. The new request calls for 34 lots and a change in the street design. Staff felt the differences in the approved and proposed plan were too great for a minor staff change. Overall, the plan conforms to the requirements of the Unified Development Ordinance, the Lewisville Comprehensive Plan and the Forsyth County Legacy Development Guide. For conventional major subdivisions, the UDO requires interconnecting streets, however in this particular development a waiver was granted by the Town Council upon approval in 2020.

Town staff is of the opinion that the request is consistent with the Town's Comprehensive Plan and Legacy for the area and complements the uses in the activity center. The developer has or will need to follow the major subdivision requirements in Chapter D Section 4, including but not limited to the requirements below:

1. Erosion control permits shall be obtained through The City of Winston-Salem.
2. Stormwater management permits, if required, must be obtained through the Town of Lewisville before issuing building or zoning permits.
3. TRC Comments must be remedied.

FINDINGS:

1. The request is for a site plan amendment ; a preliminary draft site plan has been submitted. 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 use for the conventional major subdivision, or residential development, is not changing.

3. T 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

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within a suburban/urban environment along growth corridors or in activity centers. Given these findings and other supporting information found in this report, staff recommends the site plan amendment to the Planning Board.

- (2) Steve Causey and Ron Davis were present if Council had questions.
 - (3) The changes requested still meet the requirements for a conventional subdivision.
 - (4) Changes occur to the rear of the property with no environmental impacts.
 - ii. Public Hearing
 - (1) The public hearing was electronically opened at 8:02 p.m.
 - (2) Having no speakers, the public hearing was closed at 8:03 p.m.
 - iii. Council Discussion
 - (1) None.
 - iv. Consideration of [Ordinance 2021057](#)
 - (1) Council Member Sadler moved to approve Ordinance 2021057 for the site plan amendment. The motion was seconded by Council Member Smitherman and approved unanimously by a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn. Ordinance 2021057 is herein incorporated by reference into the minutes.
- 9. **Technical Review(s)**
 - a. None.
- 10. **Unfinished Business**
 - a. None.
- 11. **New Business**
 - a. [Ordinance 2021058](#) - amending Budget Ordinance 2021001 in the amount of \$5,700.⁰⁰ to contract for the cleaning of 3 air handlers and evaporator coils at Town Hall
 - i. Council Member Smitherman moved to approve Ordinance 2021058. The motion was seconded by Council Member Sadler and approved unanimously by a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn. Ordinance 2021058 is herein incorporated by reference into the minutes.
 - b. [Ordinance 2021059](#) - amending Budget Ordinance 2021001 in the amount of \$4,220.⁰⁰ to increase the budget for salaries, payroll taxes, and retirement in the Administration Department
 - i. Council Member Franklin moved to approve Ordinance 2021059. The motion was seconded by Council Member Welch and approved unanimously by a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn. Ordinance 2021059 is herein incorporated by reference into the minutes.

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- c. Approval of meeting calendar change requested by the ECSC
 - i. Council Member Hunt moved to approve the meeting calendar change requested by ECSC. The motion was seconded by Council Member Foster and approved unanimously by a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn.

- 12. **Administrative Reports**
 - a. Upcoming [Events at Shallowford Square](#) and Town Holidays
 - i. The events scheduled by the town were identified for the remainder of October.
 - ii. Town Hall will be closed in honor of Veterans Day on November 11th.
 - b. Manager's Report
 - i. Gateway Project
 - (1) This project has been re-advertised (for the third time) with bid opening scheduled for November 18th.
 - ii. Public drop-in for new community center
 - (1) Public drop-in for the Mary Alice Warren Community Center is scheduled for Tuesday through Friday, November 16 through 19 from 4:00 p.m. to 7:00 p.m. and Saturday, November 20th from 9:00 a.m. to noon.
 - iii. The new town clerk was announced.
 - (1) Dora Moore is coming from Rural Hall and will report on November 1st.
 - (2) She has worked for Rural Hall since 1993.
 - c. Planning
 - i. None.
 - d. Attorney
 - i. Right of Way Settlement
 - (1) Attorney Houff advised Council that the York eminent domain case (Gateway Project) has been settled for \$50,000.⁰⁰.
 - (2) Council Member Sadler moved to accept the settlement. The motion was seconded by Council Member Smitherman and approved unanimously by a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn.
 - e. Clerk's Report
 - i. Local elections will be held on Tuesday, November 2, 2021.
 - f. **Approvals at the Briefing and Action Meeting on October 7, 2021**
 - i. [Resolution 2021065](#) - approving Interlocal Agreement with Forsyth County for Historic Resource Commission's next phase of work for the Forsyth County architectural survey project
 - ii. [Ordinance 2021056](#) - declaring a road closure for a Christmas Parade to be held on Sunday, December 12, 2021

- 13. **For the Good of the Order:**
 - a. Public Comments
 - i. Public Comments were electronically opened at 8:27 p.m.

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- ii. Having no speakers, Public Comments were closed at 8:28 p.m.
- iii. Written comments may be sent to townclerk@lewisvillenc.net.
- b. Council Comments/Discussion
 - i. Council Member Welch reminded everyone that October is Breast Cancer Awareness Month. She encouraged everyone to get a mammogram for early cancer detection.
 - ii. Council Member Foster advised that she had difficulty locating the recycling screen on the web site.
 - iii. Mr. Perkins advised that residents can report problems via the web site using a program call *See Click Fix*. Residents can see the progress of the reported problem through its completion. Additionally, residents can download the app to report a problem. So far there are 40 subscribers.
 - iv. Mayor Horn noted that residents were confused by the locations of events on the web site and that there should only be one place to find events.
 - v. Council Member Franklin couldn't find the calendar.
 - vi. Everyone was reminded that access to the meeting has a link on the agenda.
 - vii. Mayor Horn announced a \$25,000.⁰⁰ donation from the Shallow Ford Foundation to provide programming for the new community center.
 - viii. He also announced Mrs. Warren visited the community center. She was given a tour of the facility and the photo of her and Jack above the fire place was revealed.
- c. Adjournment
 - i. Having no other business to discuss, Council Member Franklin moved to adjourn the meeting at 8:45 p.m. The motion was seconded by Council Member Sadler and approved unanimously by a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn.

Mike Horn, Mayor

ATTEST:

Joyce C. McWilliams Walker, Town Clerk