

Lewisville Town Council
Briefing and Action Meeting Agenda
March 4, 2021 - 6:00 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/83007378005?pwd=UU5aMXYYySU00VEIzU3A2Rng5eHlOZz09>

Passcode: 537190

Or

Telephone: (312) 626-6799

Webinar ID: 830 0737 8005

Passcode: 537190

-
-
1. **Call to Order:**
 - a. Roll Call
 - b. Adoption of Agenda

 2. **Guests, Introductions, Recognitions and Presentations for March 4, 2021**
 - a. None.

 3. **Items That Require Council Direction**
 - a. ZBOA meetings
 - b. Report from meeting with Recycling Committee

 4. **Items Requiring Action at Briefing**
 - a. [Ordinance 2021009](#) - to close the Heritage Drive Regional Storm Water Pond #1 and transferring funds to the Storm Water Capital Reserve Fund
 - b. [Ordinance 2021012](#) - amending Budget Ordinance 2020001 in the amount of \$30,000.⁰⁰ to increase the budget for Storm Water drainage system repairs

 5. **Unfinished Business:**
 - a. Board and Committee update
 - b. Updating nuisance codes
 - c. Discussion on enforcement of existing ordinances

 6. **Administrative Reports:**
 - a. Manager
 - i. Mary Alice Warren Community Center - furniture update
 - ii. Report from meeting with Parks and Recreation Board
 - iii. VC3 web site design
 - b. Attorney
 - i. None.
 - c. Public Works

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- i. None.
- d. Planning
 - i. None.
- e. Finance
 - i. None
- f. Clerk
 - i. None.

7. **Agenda Items for Regular Meeting on March 11, 2021**

- a. Tentative Agenda
 - i. **Consent Agenda**
 - (1) [Resolution 2021014](#) - Acceptance and Approval of Monthly [Financials for the seven months ending January 31, 2021](#)
 - (2) Approval of Town Council Briefing Meeting [Minutes - February 4, 2021](#)
 - (3) Approval of Town Council Retreat Meeting [Minutes - February 6, 2021](#)
 - (4) Approval of Town Council Meeting [Minutes - February 11, 2021](#)
 - (5) [Resolution 2021015](#) - accepting the resignation of Bill Scantland from the Lewisville Planning Board
 - (6) [Resolution 2021016](#) - accepting the resignation of Susan Stevens from the Lewisville Zoning Board of Adjustment
 - (7) [Resolution 2021017](#) - accepting the resignation of Catherine Spross from the Lewisville Parks, Recreation and Cultural Development Board
 - (8) [Resolution 2021018](#) - accepting the resignation of Daniel Frey from the Lewisville Utilities Committee
 - ii. **Introductions, Recognitions, Presentations and/or Proclamations**
 - (1) Presentations
 - (a) I'm One of the Reasons Lewisville is a Great Place to Live
 - (i) [Rita Smith - LCAP](#)
 - (2) Recognitions
 - (a) Mary Alice Warren
 - iii. **Public Hearings**
 - (1) Doub Road
 - (a) Annexation request
 - (i) [Ordinance 2021010](#) - requesting the annexation of 7.723 acres off of Doub Road into the town limits with no existing homes
 - (b) Rezoning request
 - (i) [Ordinance 2021011](#) - requesting the rezoning of an area annexed off of Doub Road into the Town of Lewisville

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- iv. **Technical Review(s)**
 - (1) [Resolution 2021020](#) - Lewisville Technical Review for Compliance (LTCR) for Gameway Estates case L-PBR 2020002
 - (2) [Resolution 2021021](#) - Lewisville Technical Review for Compliance (LTCR) for Solomon Development case L-PBR 2021001
- v. **Preliminary Site Plan Review(s)**
 - (1) None.
- vi. **Evidentiary Hearings**
 - (1) None.
- vii. **Old Business**
 - (1) None.
- viii. **New Business**
 - (1) [Resolution 2021019](#) - setting a public hearing on April 8, 2021 to receive comments on UDO L-163 amending the UDO to create detailed requirements for the planting of street trees in residential developments
- ix. **Appointments**
 - (1) Boards
 - (a) Parks, Recreation and Cultural Development Board (3)
 - (i) Susan Frey
 - (ii) Wayne Hall
 - (iii) Jason Jones
 - (iv) Julie Rutledge
 - (b) Planning Board (2)
 - (i) Terrance Lynn Fulton
 - (ii) Charles David Geary
 - (iii) Tom Lawson
 - (c) Willow Run Municipal Service District
 - (i) Area 1 (1)
 - 1) Martin Beale
 - (ii) Area 2 (1)
 - 1) No applicants
 - (iii) Area 4 (1)
 - 1) Denise Criss
 - (d) Zoning Board of Adjustment
 - (i) Permanent Member (1)
 - 1) Jennifer Hill
 - (ii) Alternate Member (1)
 - 1) Charles David Geary
- b. Approval of Tentative Agenda for regular meeting on **March 11, 2021**

8. For the Good of the Order:

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- a. Council Discussion
 - i. Safety issues - Council Member Hunt
9. **Adjournment**

**ORDINANCE 2021009 OF THE LEWISVILLE TOWN COUNCIL
CAPITAL PROJECT ORDINANCE
HERITAGE DRIVE REGIONAL STORM WATER POND #1**

WHEREAS, in 2018, a capital project ordinance was established for the purchase of land and/or easements, design and engineering, and construction of a BMP (Best Management Practice) wet pond for storm water treatment in the downtown area of the Town of Lewisville; and

WHEREAS, at their meeting on February 11, 2021, the Lewisville Town Council agreed to discontinue the design and construction of the Heritage Drive Regional Storm Water Pond #1; and

WHEREAS, the balance of the funds in the capital project (\$3,721.77) are to be transferred to the Storm Water Capital Reserve Fund.

NOW THEREFORE THE FOLLOWING AMENDMENTS SHALL BE MADE TO THIS PROJECT:

Section 1. Revenues

51-00-3990-9000	Capital Projects Heritage Dr. Regional Storm Water Pond #1 –Fund Balance Appropriated	\$3,721.77 Credit
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Section 2. Expenditures

51-00-3980-0002	Capital Projects Heritage Dr. Regional Storm Water Pond #1 -Transfer to Storm Water Capital Reserve	\$3,721.77 Debit
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Section 3. This closes the Capital Projects Fund for the Heritage Drive Regional Storm Water Pond #1.

Adopted this the 4th day of March 2021 by the Lewisville Town Council.

Mike Horn, Mayor

ATTEST:

Joyce C. McWilliams Walker, Town Clerk

Town of Lewisville

**Budget Amendment Ordinance 2021012
Amending Budget Ordinance 2020001**

Finance Department Use Only
<i>Budget Amendment Number: #23</i>
<i>Finance Officer: PAM ORRELL</i>

<i>DEBIT</i>			<i>CREDIT</i>		
<i>CODE</i>	<i>ACCOUNT DESCRIPTION</i>	<i>AMOUNT</i>	<i>CODE</i>	<i>ACCOUNT DESCRIPTION</i>	<i>AMOUNT</i>
10-00-5700-6001	General Fund Storm Water Drainage System Repairs	\$30,000.00	10-00-3990-9000	General Fund Fund Balance Appropriated	\$30,000.00

To increase the budget for Storm Water drainage system repairs

RECOMMENDED By: Pam Orrell
Town Finance Officer

Approved and effective upon adoption, this the 4th day of March, 2021 by the Lewisville Town Council.

APPROVED: _____
Mike Horn, Mayor

ATTEST: _____
Joyce C. McWilliams Walker, Town Clerk

**RESOLUTION 2021014 OF THE LEWISVILLE TOWN COUNCIL
PERTAINING TO
ACCEPTANCE AND APPROVAL OF MONTHLY DISBURSEMENTS**

WHEREAS, the Finance Officer has presented the Town Council with the Revenue Statement Summary and the Encumbrances and Expenditure Statement Summary of figures for the seven months ending January 31, 2021; and

WHEREAS, the Finance Officer did not report any unusual expenditures.

NOW, THEREFORE, BE IT RESOLVED THAT the Lewisville Town Council accepts the Revenue Statement Summary and the Encumbrances and Expenditure Statement Summary for the seven months ending January 31, 2021 and incorporated herein.

Resolved and effective upon adoption, this the 11th day of March, 2021 by the Lewisville Town Council.

ATTEST:

Mike Horn, Mayor

Joyce C. McWilliams Walker, Town Clerk

Town of Lewisville
Financial Budget to Actual Report - General Fund
Seven Months Ended January 31, 2021

General Fund

Revenues	Budget	Revenue Year to Date	Uncollected	Percentage Collected
Property Tax Collections	\$ 2,452,605.00	\$ 1,923,066.67	\$ 529,538.33	78.41%
Sales Tax Revenue	802,400.00	368,068.31	434,331.69	45.87%
Other Revenues	1,265,970.00	637,018.88	628,951.12	50.32%
Total	4,520,975.00	\$ 2,928,153.86	\$ 1,592,821.14	64.77%
Appropriation from Fund Balance	1,762,561.00			
	<u>\$ 6,283,536.00</u>			

Departments	Budget	Expenditures Year to Date	Encumbrances Year to Date	Unencumbered and Unspent Balance	Percentage of Budget Spent or Encumbered
Governing Body	\$ 227,910.00	\$ 122,904.01	\$ 7,430.00	\$ 97,575.99	57.19%
Administration	660,895.00	312,649.98	13,047.42	335,197.60	49.28%
Student Leadership	700.00	-	-	700.00	0.00%
Finance	231,040.00	125,932.78	-	105,107.22	54.51%
Debt Service	470,752.00	470,650.44	-	101.56	99.98%
Planning & Zoning	292,205.00	75,674.32	112,009.00	104,521.68	64.23%
Beautification	99,085.00	53,646.62	35,427.50	10,010.88	89.90%
Community Policing	664,310.00	317,971.50	315,350.00	30,988.50	95.34%
Public Safety	9,650.00	1,890.00	-	7,760.00	19.59%
Public Works	403,840.00	123,131.91	59,070.20	221,637.89	45.12%
Streets	278,075.00	104,044.06	-	174,030.94	37.42%
Powell Bill	352,170.00	256,877.20	5,019.00	90,273.80	74.37%
Storm Water	168,042.00	88,513.71	51,643.10	27,885.19	83.41%
Solid Waste	832,450.00	388,965.47	-	443,484.53	46.73%
Recycling	3,555.00	145.00	-	3,410.00	4.08%
Parks and Recreation	271,095.00	44,596.26	57,575.00	168,923.74	37.69%
Transfers to Capital Projects Funds	1,096,937.00	1,208,968.00	-	(112,031.00)	110.21%
Transfers to Capital Reserves	220,825.00	220,825.00	-	-	100.00%
Total	<u>\$ 6,283,536.00</u>	<u>\$ 3,917,386.26</u>	<u>\$ 656,571.22</u>	<u>\$ 1,709,578.52</u>	72.79%

General Fund Balance 7/1/2020	\$ 7,254,710.83
Year-to-Date Increase (Decrease) FY 6/30/2021	(989,232.40)
General Fund Balance 1/31/2021	<u>\$ 6,265,478.43</u>

Town of Lewisville
Financial Budget to Actual Report - Willow Run Municipal Service District
Seven Months Ended January 31, 2021

Willow Run Municipal Service District

Revenues	Budget	Revenue Year to Date	Uncollected	Percentage Collected
Revenues	\$ 32,150.00	\$ 24,143.43	\$ 8,006.57	75.10%
Total	<u>\$ 32,150.00</u>	<u>\$ 24,143.43</u>	<u>\$ 8,006.57</u>	75.10%
Appropriation from Fund Balance	\$ -			
	<u>\$ 32,150.00</u>			

	Budget	Expenditures Year to Date	Encumbrances Year to Date	Unencumbered and Unspent Balance	Percentage of Budget Spent or Encumbered
Expenditures	\$ 32,150.00	\$ 2,400.00	\$ -	\$ 29,750.00	7.47%
Total	<u>\$ 32,150.00</u>	<u>\$ 2,400.00</u>	<u>\$ -</u>	<u>\$ 29,750.00</u>	7.47%

MSD Fund Balance 7/1/2020	\$ 165,275.34
Year-to-Date Increase (Decrease) FY 6/30/2021	<u>21,743.43</u>
MSD Fund Balance 1/31/2021	<u>\$ 187,018.77</u>

**Town of Lewisville
Other Funds
January 31, 2021**

Capital Reserves Funds

Storm Water Capital Reserve	\$ 400,949.09
GWR ROW/Construction Capital Reserve	934,362.11
Sidewalks, Bike Paths, and Greenways Capital Reserve	123,166.80
Municipal Buildings/Land Capital Reserve	217.65
Total Capital Reserve Fund Balances	<u><u>\$ 1,458,695.65</u></u>

Capital Projects Funds

GWR ROW/Construction Capital Project	\$ 734,758.65
JWP Maintenance Facility/Playground Expansion Capital Project	20,627.31
Gateway Project Capital Project	175,570.83
Heritage Drive Regional Storm Water Pond #1 Capital Project	3,721.77
Community Center Capital Project	2,374,931.08
Roundabout at Lewisville-Vienna Road and Robinhood Road Capital Project	257,588.85
Total Capital Projects Fund Balances	<u><u>\$ 3,567,198.49</u></u>

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1. **Call to Order:**
 - a. Mayor Horn opened the meeting being simultaneously streamed electronically at 6:00 p.m. Council members attending electronically were Jeanne Marie Foster, Fred Franklin, Melissa Hunt, Ken Sadler, David Smitherman, and Jane Welch. Also attending electronically were Town Manager Hank Perkins, Attorney Bo Houff, Town Planner Stacy Tolbert, Finance Director Pam Orrell, Public Works Director Ryan Moser, and Town Clerk Joyce Walker.
 - b. Adoption of Agenda
 - i. Council Member Foster moved to approve the agenda. The motion was seconded by Council Member Smitherman and approved unanimously with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn.
 2. **Guests, Introductions, Recognitions and Presentations for February 4, 2021**
 - a. None.
 3. **Items That Require Council Direction**
 - a. I'm One of the Reasons Lewisville is a Great Place to Live
 - i. Staff asked for direction on forwarding these requests to Council, i.e. does the person have to reside in the Town.
 - (1) Staff is to send a copy of the application to Council members for review.
 - b. Selection of **Budget meeting dates**
 - i. The budget meeting schedule was presented to Council.
 - ii. The schedule is to be placed on the February 11, 2021 agenda for approval.
 - (1) Staff is to provide bound copies of the budget to Council members for the budget meetings.
 4. **Items Requiring Action at Briefing**
 - a. **Resolution 2021007** - revising the Personnel Policy by adding information to Article 6 Employee Benefits, Section 6 - 10 Insurance
 - i. Council members reviewed the amendment presented by Mrs. Orrell

DRAFT
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- (1) Council Member Hunt recommended a stipend be provided instead of the Medicare reimbursement described in the amendment.
 - (2) This resolution will be on the agenda for February 11, 2021 after staff has an opportunity to consult with Council Member Hunt for any language clarifications.
 - b. [Ordinance 2021006](#) - amending Budget Ordinance 2020001 in the amount of \$112,031.⁰⁰ to fund Change Order #2 from Fairwood Construction for the increase in the market price for lumber
 - i. This budget ordinance supports the approvals by Council at their special meeting that was held on January 22, 2021 regarding construction on the Mary Alice Warren Community Center and will allow the transference of funds from the General Fund to the Capital Project Fund to fund the change order.
 - ii. Council Member Franklin moved to approved Ordinance 2021006. The motion was seconded by Council Member Welch and approved with a vote of 6-1 with a roll call vote of six (6) ayes from Council Members Foster, Franklin, Hunt, Smitherman, Welch and Mayor Horn and one (1) nay from Council Member Sadler.
- 5. **Unfinished Business:**
 - a. Board and Committee update
 - i. Council Member Foster updated everyone on the assessment results of the survey sent to board and committee members except Student Leadership.
 - (1) The ad hoc committee working on this project felt that only the adult boards and committees would be surveyed.
 - (2) Five areas of concern were expressed by respondents:
 - (a) Communications.
 - (b) Training.
 - (c) Their perception of their scope of authority.
 - (d) Appreciation.
 - (e) Need for support from staff and Council.
 - (3) Results are being analyzed.
 - (4) Feedback will be provided to those that responded (68%).
 - (a) Mayor Horn volunteered to contact those that did not respond if needed.
 - (i) Mr. Perkins wasn't sure if the survey was still available.
 - (ii) The committee will discuss at their next meeting and will advise the Mayor of the survey's availability.
 - (5) Mrs. Foster hopes to provide information to Council by the March-April time frame.
- 6. **Administrative Reports:**
 - a. Manager

DRAFT
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- i. None.
- b. Attorney
 - i. None.
- c. Public Works
 - i. Welcome signs are being addressed.
 - (1) Also the DOT is addressing where signs need to be added on HWY 421.
 - ii. Street trees for Feldspar Ln
 - (1) The maple trees planted by the developer are now buckling the sidewalk and the limbs are impeding traffic.
 - (a) Trees on the other side of the road will have their canopy raised so that traffic will not be impeded.
 - (2) Public Works Director Ryan Moser is proposing the removal of the trees; grinding their stumps and, with the assistance of arborist John Hanna, planting trees that will not cause this problem in the future.
 - (a) Planner Stacy Tolbert also explained that trees within the right-of-way become the Town's trees once the Town takes over street maintenance.
 - (b) She also explained that there is a public hearing at the Planning Board on this subject next week that will alleviate this problem in the future.
 - (3) This will be on the agenda for Council next week.
 - (4) Council Member Franklin asked that other considerations, such as shrubs, be a replacement plant rather than a tree in the future.
 - (5) Mrs. Tolbert also advised Council that she and Mr. Moser have been working with developers on tree plantings in new subdivisions even though the UDO amendment has not yet been updated.
 - (6) Mrs. Foster also advised that the Beautification Committee had provided the tree information (small, medium and large tree types) to staff for the amendment.
 - (7) Mayor Horn also mentioned besides the issue of trees in a development, there is also the issue of clear cutting and tree preservation for the Planning Board to review.
 - iii. Control access systems for Town Hall, the Annex and G. Galloway Reynolds Community Center
 - (1) The existing system is antiquated and costly when repairs are needed.
 - (2) The current system runs off a single laptop that runs off of Windows 7 which is no longer supported.
 - (3) The new system will be state of the art and can be accessed remotely by anyone on staff.
 - (4) The new system will also be expanded to include the new Mary Alice Warren Community Center when construction is complete.

DRAFT
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- (5) This system will included 24/7 monitoring, access control for the three (3) doors at Town Hall, six (6) doors at the Annex, two (2) doors at the G. G. R. Community Center, server, licensing, etc. at a cost of \$21,172.⁰⁰.
 - (6) A budget amendment for this will be on the agenda next week.
- d. Planning
- i. New subdivision off of Doub Road - Gameway Estates

Mr. McChesney and Mr. Dickey were electronically admitted to the meeting.

- ii. Mrs. Tolbert shared her screen so that Council could see the total area of the subdivision.
 - (1) She explained that a portion of the property is outside the Town limits and will need to be annexed into the Town.
 - (2) That area will then need to be rezoned from RS-40 Forsyth County planning jurisdiction to RS-20 Town of Lewisville planning jurisdiction to reflect the zoning on the existing property so that there is no split zoning.
- iii. This is a large lot development located in a watershed area with lots greater than 40,000 square feet.
 - (1) There are environmental concerns because the development is located in a watershed area.
- iv. There are 30 lots in the development, including 2 existing houses to remain with lot sizes ranging from 1 acre to 8 acres.
- v. Sidewalks are not required.
- vi. Ribbon pavement is required.
- vii. The Planning Board had the technical review for this project at their last meeting.
 - (1) The Planning Board recommended approval with conditions.
 - (a) The developer will be requesting a waiver from the Elected Body on connectivity because of steep slopes, and streams as well as the extra construction costs to connect to undeveloped roads/rights-of-way and property.
 - (i) Mrs. Tolbert pointed to several opportunities for connectivity; however, there were streams that interfered with making those connections.
 - (ii) Also, the pavement on Shangri-la does not go to the property line in order for that location to be connected.
 - (iii) Roller Ridge connection is not developed.
 - (b) The Planning Board is requesting that Doub Road be widened to 18 ft in width, where it is only 14 ft, to meet minimum NCDOT standards.
 - (c) Per the County Fire Marshal's office (a member of the Technical Review Committee or TRC), the development does meet NC Fire

DRAFT
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- Code for connectivity as the development falls *under* the threshold of requiring connections.
- (2) Once the new roads are built, the developer will petition the Town to take over maintenance of the road.
 - (a) Council members were advised that most of Doub Road is in fairly good shape but the area that is narrow may need maintenance such as potholes and cracks.
 - (b) Mr. Moser indicated there are some areas that need patching; however, he indicated he would not suggest paving the road with such few residents there.
 - (i) He noted that at this point in time, this would not be a high priority; however, once the additional homes are built, that would change the priority.
 - (3) Mrs. Tolbert also explained that, by law, signs must be posted on the property; however, letters have been sent to property owners within 500 ft of the rezoning.
 - (4) There is no action tonight since this is just a briefing. The action will be next week to set a public hearing for the rezoning, which will be contingent upon approval of the annexation.
 - (5) This will be a technical review for compliance.
 - (a) She also explained the process: (1) Annexation (2) Rezoning (3) Site plan technical review for compliance.
 - (6) Mr. Dickey appreciated being able to bring a high quality project to the Town.
 - (a) Mr. Dickey also noted that the streams are where there would normally be connected and there were problems with grade that made it difficult to connect.
 - (i) Mr. Franklin asked the developer to consider pedestrian connectivity between the existing community and the development.
 - (b) Soils are being used for septic and stream buffers are required for the streams.
 - (7) Mr. McChesney advised that internally they minimize disturbance on lots and on any grading as well as tree save requirements of their builders.
 - (a) Mayor Horn asked that the tree save requirements be sent to the planner.
 - (8) When the public hearing is set, Council will determine what date to meet after allowing the 24 hours requirement to receive written comment (as per SL 2020-3).
- e. Finance
- i. Mrs. Orrell explained that the following information was being provided for the

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record:

- (1) [Resolution 2021008](#) - accepting Change Order #2 for the New Mary Alice Warren Community Center in the amount of \$112,031.⁰⁰ - approved at the Special meeting on January 22, 2021
- (2) [Ordinance 2021005](#) - amending the Capital Project Ordinance of the Community Center Capital Projects Fund in the amount of \$112,031.⁰⁰ - approved at the Special meeting on January 22, 2021
- ii. This will also be reported at the regular meeting next week under *Manager's Report*.
- f. Clerk
 - i. [Report](#) - Board and committee appointment/reappointment requests
 - (1) Council members were provided a list of board and committee vacancies, identifying how many have asked to return and how many will be leaving at the end of term.
 - (a) Staff will look at applications that are being held (from the previous year) in case other open positions still need to be filled and for which no applications have been received.
 - ii. Retreat reminder: Saturday, February 6, 2021 8:00 a.m.
 - (1) At this time, there is no advanced background material for the retreat.
 - (2) Staff was asked to provide information on the cost of leaf and limb pickup on the tax rate.
 - (3) Council members asked for any materials that will be helpful for the retreat.
 - iii. Reminder - NCLM Town and State Social - March 3, 2021 at 5:00 p.m. - please advise of registration by February 10, 2021
 - (1) Council members Welch, Smitherman and Sadler noted they will not be attending.

7. **Agenda Items for Regular Meeting on [February 11, 2021](#)**

- a. Tentative Agenda
 - i. **Consent Agenda**
 - (1) [Resolution 2021011](#) - Acceptance and Approval of Monthly [Financials for the six months ending December, 2020](#)
 - (2) Approval of Town Council Briefing Meeting [Minutes - January 7, 2021](#)
 - (3) Approval of Town Council Meeting [Minutes - January 14, 2021](#)
 - (4) Approval of Town Council Special Called Meeting [Minutes - January 22, 2021](#)
 - (a) Council Member Franklin asked to amend the minutes to include his reason for the difference in the amount of his motion.
 - (5) [Resolution 2021006](#) - accepting the resignation of Daryl Siefert from the Lewisville Beautification Committee
 - ii. **Introductions, Recognitions, Presentations and/or Proclamations**

DRAFT
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- (1) Presentations
 - (a) Forsyth County Sheriff's Office - Sheriff Kimbrough
 - (b) Public Safety Report - Sgt. Stringer
- (2) Introductions
 - (a) Deputy William Armstrong
- iii. **Public Hearings**
 - (1) None.
- iv. **Technical Review(s)**
 - (1) None.
- v. **Preliminary Site Plan Approvals**
 - (1) None.
- vi. **Evidentiary Hearings**
 - (1) None.
- vii. **Old Business**
 - (1) None.
- viii. **New Business**
 - (1) [Resolution 2021005](#) - approving the contract with Gibson and Company, P. A. To perform the annual independent audit of the town's financial statements for fiscal year 2020-2021 in the amount of \$20,745.⁰⁰ and if a single audit is needed there will be an additional \$4,000.⁰⁰.
 - (2) [Resolution 2021009](#) - fixing the date of public hearing for March 11, 2021 at 6:00 p.m. on the question of Annexation of a portion of the Doub Road area into the Town pursuant to G. S. 160A-31
 - (3) [Resolution 2021010](#) - setting a public hearing for March 11, 2021 at 6:00 p.m. to receive comments on UDO L-098 rezoning request from McChesney Properties to rezone a portion of the Doub Road area from RS-40 to RS-20 for the Gameway Estates subdivision
- ix. Appointments
 - (1) [Appointment Order 2021001](#) - appointing Sonsera Trella Kiger to the Lewisville Beautification Committee
 - (2) [Appointment Order 2021002](#) - appointing Bryan Schroeder to the Lewisville Recycling Committee
- x. Community Center progress
 - (1) Community Center chairs
 - (a) Mayor Horn advised that Council Members Welch and Smitherman have had an opportunity to "test" chairs and have selected a variety of chairs for several areas in the new building.
 - (i) All the chairs are functional.
 - (ii) As mentioned earlier, any items that are not being supplied by the Town can be rented.
 - (iii) There was also discussion about purchasing some round

DRAFT
Lewisville Town Council Briefing and Action Meeting Minutes
February 4, 2021 - 6:00 p.m.
Digitally originating in Council Chambers 1st floor - Lewisville Town Hall
6510 Shallowford Road

tables which will be reviewed with the community center committee and the vendor.

- (b) He showed color palates for the flooring, tables and chairs.
 - (i) Mr. Smitherman did mention that the group was very frugal in spending for the furniture.
- b. Approval of Tentative Agenda for regular meeting on **February 11, 2021**
 - i. Council Member Welch asked to add the recognition of the Fire Fighter of the Year as presented by the Rotary of Western Forsyth County.
 - ii. Mayor Horn also asked to add the recognition of Sarina Horner as one of the inaugural female members of the Boy Scouts of America that has earned their Eagle.
 - iii. With those two additions and the additions noted above, Council Member Smitherman moved to approve the agenda for February 11, 2021. The motion was seconded by Council Member Foster and approved unanimously with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn.
- 8. **For the Good of the Order:**
 - a. Council Discussion
 - i. Council Member Welch would like everyone to stay after the meeting is adjourned so that a screen shot can be taken with everyone wearing their mask.
 - ii. Council Member Franklin asked that everyone wear a mask when standing next week to the Pledge of Allegiance.
 - iii. Mrs. Hunt asked if there was something that could be done to celebrate the boards and committees in the spring.
 - (1) Mrs. Foster suggested Council members look at the comments on the survey to assist in determining a how to show the Town's appreciation for what they do.
- 9. **Adjournment**
 - a. Having no other business to discuss, Council Member Franklin moved to adjourn the meeting at 8:06 p.m. The motion was seconded by Council Member Welch and approved unanimously with 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

DRAFT
Lewisville Town Council
Planning and Action Meeting Minutes
February 6, 2021 - 8:00 a.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/87459835592?pwd=RGpFNzF0N0FnMEdrTWxQbXQ1cmVEQT09>

Passcode: 614181

Or

Telephone: 1 312-626-6799

Webinar ID: 874 5983 5592

Passcode: 614181

I. Call to Order

A. Roll Call

1. Mayor Horn called the meeting to order at 8:00 a.m. Council members present were Jeanne Marie Foster, Fred Franklin, Melissa Hunt, Ken Sadler, David Smitherman, and Jane Welch.

B. Approval of Agenda

1. Council Member Smitherman moved to approve the agenda. The motion was seconded by Council Member Hunt and approved unanimously by a roll call vote of ayes from Council members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn. Also present were Town Manager Hank Perkins, Attorney Bo Houff, Finance Officer Pam Orrell, Public Works Director Ryan Moser, Planner Stacy Tolbert and Town Clerk Joyce Walker.

II. Governance

**A. Four year or staggered terms for Town Council - David Smitherman
Jane Welch**

Discussion: Community engagement on the subject, staff study, new members to council have a learning curve.

Direction: **After discussion, Council would like to have more study by staff.**

III. Capital Needs Planning

**A. Facilities planning - Mike Horn
Melissa Hunt**

Discussion: * Planning needs to be long range. Properties owned by Town identified - Town Hall, Town Hall Annex, Old Community Center, New Community Center, Lewisville-Vienna Road property

* Mr. Perkins provided a *suggestion* on facility use, including tearing down Annex and moving deputies to Old Community Center. File storage is needed. Storage for play sets and equipment used by public works identified. Use of property on Lewisville-Vienna could be used as a dog park; however, there is a resident occupying the property.

DRAFT
Lewisville Town Council
Planning and Action Meeting Minutes
February 6, 2021 - 8:00 a.m.

Digitally originating in Council Chambers 1st floor - Lewisville Town Hall
6510 Shallowford Road

- * Whatever is decided, the plan must be organized, step by step and priorities set.
- * Implications of Great Wagon Road discussed.
- * Public Works facility is needed.
- * Property on Lesley Road is for sale.
- * Mrs. Foster asked for bullet points of information from Mr. Perkins. Needs historical information and to understand the bigger picture.
 - She is to send her questions to Mr. Perkins.

Direction: After discussion, continue discussion at the March meeting.

Break 9:37 a.m. to 9:45 a.m.

B. Capital spending needs - Ken Sadler

- Discussion:
- * Plan for large replacements such as VAC.'s and their costs.
 - * Each department has contingencies for repairs.
 - * If needed, there is a capital buildings and land capital reserve that can be replenished.

Direction: After discussion, none.

C. Long term planning for parking in the vicinity of the Square - Mike Horn

- Discussion:
- * Everyone was asked how to best use the property of the shopping center for parking in the Downtown.
 - * Council members discussed other locations that could be used as well as after hours use of lots of Downtown businesses.

Direction: After discussion, no directions for staff.

IV. Services

A. Leaf and limb pickup - Jane Welch

Jeanne Marie Foster

- Discussion:
- * Leaf and limb pickup is a high priority on every survey.
 - * Depending on the option, there may have to be a tax increase to cover the cost.
 - * If leaf and limb pickup is offered to everyone in the town, open burning would be cancelled.
 - * Input from the public is needed.
 - * Council members were presented 3 options for leaf and limb pickup.
 - Council members liked proposal 3 which would allow residents to contract directly with a vendor and would still allow open burning.
 - * Question about open burning and air quality; townie plan needed.

Direction: (1) After discussion, provide a list of possible vendors to residents and (2) use Survey Monkey to gage residents' on whether they will pay for the service as a tax priority.

B. Regional Storm water Pond #1 - Hank Perkins

DRAFT
Lewisville Town Council
Planning and Action Meeting Minutes
February 6, 2021 - 8:00 a.m.
Digitally originating in Council Chambers 1st floor - Lewisville Town Hall
6510 Shallowford Road

- Discussion:
- * This is an old project that was created to serve projects in the Downtown area.
 - * The last study was done in 2015.
 - * The Pond #2 project has already been discontinued.
 - * After reviewing the project, its cost, and the few properties it will serve, staff has recommended this project also be discontinued, as there was no advantage to building the project.
 - Expected cost is \$530,000.⁰⁰, not including the cost of appraisals and land acquisition, construction, on-going maintenance and any federal and/or state mandates that might be attached.
 - There is \$400,000.⁰⁰ in the Storm Water Capital Reserve that could better be used on other capital projects.
 - Projects constructed since the inception of this project in 2005 have constructed their own Storm water BMP.
 - Staff provided a map of the Downtown area showing only four (4) properties would be serviced by this project. (See attached)

Direction: After discussion, Council agreed by consensus (nodding of heads) not to proceed with the project.

C. Storm water fees - Ryan Moser

- Discussion:
- * Public Works Director Moser advised Council members of all the calls he takes on sink holes and other Storm water issues in need of repair.
 - * He also reminded Council that the Town has contracts to assist the Town in being compliant with our State Storm water audit.
 - * He suggested use of a townie Storm water fee to relieve the General Fund when unforeseen Storm water maintenance occurs.
 - * Council members were advised that the number of budget amendments for Storm water repairs is increasing and staff wanted Council to be on board about the expense involved with Storm water maintenance.
 - It was suggested that an enterprise fund be established to provide for the on-going maintenance of the Town's aging infrastructure.
 - Use of an enterprise fund is the suggested method from the SOG (NC School of Government) to fund Storm water maintenance.
 - » Mr. Moser will send link to Council members of information from the SOG.
 - This could be collected on property owner's tax bills.
 - Monies placed in this fund could also handle items such as yard waste pickup but more importantly will show the amount of money being spent.
 - * Other expenses are also associated with Storm water issues such as clean out.
 - * One question was whether there could be a forecast of repairs and costs.

Direction: After discussion, consensus was to sideline the issue until cost projections are received.

Lunch break: 11:50 a.m. to 12:20 p.m.

DRAFT
Lewisville Town Council
Planning and Action Meeting Minutes
February 6, 2021 - 8:00 a.m.
Digitally originating in Council Chambers 1st floor - Lewisville Town Hall
6510 Shallowford Road

V. **Planning and Land Use Related Issues**

A. **Greenway and Pedestrian Connectivity** - Fred Franklin

Jeanne Marie Foster

Discussion: * Council was advised that there is funding available for Glenway plans but the deadline to submit a request is next Wednesday.
* Mrs. Colbert explained that this (accepted but not adopted) Glenway plan is not part of the scope of the Comprehensive Plan and Parks, Recreation and Cultural Development Master Plan Update.
* Council was also advised that the M.O. (Metropolitan Planning Organization) has funding for plans and studies, generally in annual cycles.
* There was also a suggestion that there could be citizen burnout if asked to participate in another survey or charrette besides the Comp Plan and P & R Master Plan.
* Mayor Horn suggested pausing on this update at the present time since the M. P. O. is looking at bike routes on state roads and Mr. Perkins also didn't think this was good timing.

Direction: After additional discussion, take no action at this time.

B. **UDO re-write** - Stacy Tolbert

Discussion: * Mrs. Colbert wanted to bring everyone up-to-date on the UDO rewrite.
- The UDO assessment has identified inconsistencies within the document.
- Some of the ordinances and definitions are outdated.
- The completion date for the Comprehensive Plan is April 2022 and at the time of adoption, staff would like to be able to start the UDO re-write which will be a "big ticket" item to be considered for budgeting.
- There was a suggestion that a budget amendment could be used when needed.
* Council members were also advised that a substantial format re-write may mean that the Town may no longer be able to rely on Winston-Salem to be the Town's enforcement agency.
* Immediate updates are being done as needed and are not being held awaiting the re-write.

Direction: None at this time.

C. **Land conservation** - Jeanne Marie Foster

Discussion: * Council Member Foster was concerned about large tracts of land being used for development instead of being conserved as a natural resource.
- Piedmont Land Conservancy and New River Conservancy were mentioned as agencies that might be of assistance.
* Council members were advised that local action is very expensive.
* Council Member Foster wanted to know if there is a way to pro-actively look at conserving land.
* There was a suggestion to check with the owners of large tracts about their intentions to possibly conserve their land.
- Most of these large tracts are held by LLC's for the purpose of development.
- Council members were reminded that conserving these lands would also remove

DRAFT
Lewisville Town Council
Planning and Action Meeting Minutes
February 6, 2021 - 8:00 a.m.
Digitally originating in Council Chambers 1st floor - Lewisville Town Hall
6510 Shallowford Road

them from the tax roll.

- Direction:** * **On a map, identify large tracks of land and their aesthetic value for conservation when time allows.**
- **Use an intern for this. They will need specific direction as to land size and any other requirements of the project.**

VI. Parks and Recreation Related Issues

A. Splash park - Jane Welch

- Discussion:** * Council Member Welch wanted to know if a splash park was in future plans near the new Community Center.
- Mr. Perkins advised, depending on the system, could cost between \$125,000.⁰⁰ and \$225,000.⁰⁰ and recommended not doing anything until we see where this stands on the Master Plan for Parks and Rec.
 - * Council members made suggestions on how to pay for this such as “branding” and donations from the public.
 - * There was also a suggestion that PARTF could be used since the prior plan included the new Community Center which is now being built.
 - The next submittal for a grant is in May and there is not enough time to go through the process to fulfill all of the requirements, especially public engagement.
 - Mr. Perkins advised that the current grant must be closed before a new one can be started.
 - Staff was asked to look at the types of projects that were funded in the last cycle.
 - » Note: During the meeting, one of the Council Members looked at the results of the last PARTF grants and they were “all over the place.”
 - * After discussing the issue, Council Member Welch was in agreement that a splash pad should be a part of the Parks and Recreation Master Plan process.

- Direction:** **After additional discussion, it was decided to pass on submitting an application this year.**

**B. Dog park - Melissa Hunt
Jane Welch**

- Discussion:** * Mr. Perkins reminded everyone that the Town is engaged in the Parks and Recreation Master Plan and a dog park would be an amenity of the plan.
- * Council Member Hunt wanted to know if a dog park could be pulled out of the Parks and Rec master plan.
 - Mr. Perkins advised that a 1-2 acres would be needed; it would be sectioned for large and small dogs; and would cost about \$50,000.⁰⁰, not including utilities.
 - Mayor Horn wanted to know if there was overwhelming support for pulling out of the master plan.
 - Mrs. Hunt suggested that the dog park is a high priority and a site needs to be found.
 - * Everyone was advised that dogs are allowed at Joanie Moser Park and that this should be

DRAFT
Lewisville Town Council
Planning and Action Meeting Minutes
February 6, 2021 - 8:00 a.m.
Digitally originating in Council Chambers 1st floor - Lewisville Town Hall
6510 Shallowford Road

communicated to residents.

Direction: **Send this question to the Parks and Recreation Board.**

C. Dogs and Jack Warren Park - Melissa Hunt

Discussion: * Mr. Perkins advised Council of the public hearing in 2013 when there was a question to change the Town Code by allowing dogs at Jack Warren Park.
- Users of the park came to the meeting and told of aggressive dogs; owners that did not clean up behind the dogs; many that ran loose. He also noted that the Square has the same issues.

Direction: **None given.**

D. Discussion of potential land acquisition - Mike Horn

Discussion: * Council Members were advised that one of the members of the Beautification Committee had let the Mayor know that the Frank Holder land on Lasley Road was for sale at \$600,000.⁰⁰ and was interested in knowing if the Town would be interested in partnering with the residents of Lasley Forest in making the purchase.
- Council Member Franklin was familiar with the property and thought it would be a good property for public works.
* Mr. Moser will schedule a meeting with the realtor to look at the property.

Direction: **This is not a yes or no but will explore further.**

VII. Discussion Items

A. Discussion on contracting - Ken Sadler

Discussion: * Dr. Sadler wanted to make sure everyone understood what a contract can and cannot do as well as what they should do. He specifically was referring to the construction contract for the community center which he thought was a good one.
* He also mentioned that the Waste Management contract, mentioned at a previous meeting, had a clause that was added by the company and not by the Town.
* Attorney Houff also noted that the construction contract was a standard AIA (American Institute of Architects) contract for construction.

Direction: **After discussion, none.**

Communications Specialist Gennie Taylor was admitted electronically to the meeting at 2:00 p.m.
Council took a break between 2:02 p.m. and 2:08 p.m.

**B. Communication and community engagement now and in the future - JM Foster
Mike Horn**

Discussion: * Mayor Horn was interested in ways Channel 6 could be made more interesting as well as providing more information to residents.
- 1-minute videos.
- Use of FaceBook.
- Making sure editorial content is relevant to season.

DRAFT
Lewisville Town Council
Planning and Action Meeting Minutes
February 6, 2021 - 8:00 a.m.

Digitally originating in Council Chambers 1st floor - Lewisville Town Hall
6510 Shallowford Road

- Making sure outdated material is removed from Channel 6 and web site.
- * Mrs. Taylor provided background on her responsibilities for the newsletter, web site and social media, noting that she only works part-time.
 - A re-design of the web site is currently being worked on.
 - Council members pointed out some problems with Channel 6 that Mrs. Taylor said she needed to audit for correction.
- * There was a question whether the Council meetings should be broadcast 4 times a day on Channel 6 and instead be reduced to 2 so that other content can be shown.
 - Mrs. Taylor also explained that, depending on the length of the meeting and file size, download times may take hours.
 - All Council meetings are on Channel 6 as well as the Town's YouTube channel and is high on Google analytics.
 - Everyone was reminded that pre-COVID, only regular Council meetings were broadcast on Channel 6 (and live on FaceBook).
- * Mayor Horn asked what meetings did they want on Channel 6.

Direction: **After discussion, none.**

C. Update on all road, sidewalk and building projects - Mike Horn

- Discussion: * Mr. Perkins provided an update on tracking the STIP projects and their scheduling. (See attached.)
* Staff is waiting on Right of Way Certification from the DOT for the Gateway Project.

Direction: **Keep Council updated as things change with the projects.**

D. Discussion on noise and ATV riding in town - Mike Horn

- Discussion: * The mayor and council members have been receiving complaints about ATV riders riding their vehicles, being nuisances in their neighborhood and creating noise. They ride their vehicles without helmets.
* Attorney Houff advised that there are limitations on what towns can do based on the General Statutes and ATV's fall under motor vehicles which can be handled by community policing.
* Unkept lots were also mentioned.

- There is a process to handle unkept lots but it does take time.
- Enforcement is outsourced to Winston-Salem.
- It was also noted that permission must be given to go onto one's property.

Direction: **Mr. Perkins will review noise ordinances in other towns.** (Those ordinances usually involve a decibel meter and law enforcement.)
- Attorney Houff cautioned that you must be objective and prepared to enforce at every occasion.

E. Revaluations

1. There was general discussion on the revaluation of properties, the effect on the tax rate, whether the rate should be revenue neutral or remain the same.
2. Mr. Perkins is required to present revenue neutral information at the budget

DRAFT
Lewisville Town Council
Planning and Action Meeting Minutes
February 6, 2021 - 8:00 a.m.
Digitally originating in Council Chambers 1st floor - Lewisville Town Hall
6510 Shallowford Road

presentation during a revaluation year.

Direction: **None.**

F. Internal Communications

* Mrs. Foster asked about communication between Council and staff but will discuss at a later date.

VIII. For the Good of the Order

A. Mrs. Walker announced that she will be retiring at the end of the year.

1. Mr. Perkins plans to hire someone in time to shadow Mrs. Walker before she leaves.

B. **Mr. Perkins will send a summary of the results of the meeting to Council members.**

IX. Adjournment

A. Having no other business to discuss, Council Member Smitherman moved to adjourn the meeting at 3:25 p.m. The motion was seconded by Council Member Franklin 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

**RESOLUTION 2021015 OF THE LEWISVILLE TOWN COUNCIL
ACCEPTING THE RESIGNATION OF BILL SCANTLAND
FROM THE LEWISVILLE PLANNING BOARD**

WHEREAS, the Town Clerk has been notified by Bill Scantland of his plans to resign from the Lewisville Planning Board effective at the end of his term; and

WHEREAS, Bill Scantland has been a member of the Lewisville Planning Board since 2017; and

WHEREAS, the Lewisville Planning Board appreciates the dedicated work of Bill Scantland.

NOW, THEREFORE, BE IT RESOLVED THAT THE LEWISVILLE TOWN COUNCIL accepts the resignation of Bill Scantland from the Lewisville Planning Board effective at the completion of the final Planning Board meeting for the month of March, March 24, 2021, and wishes him well in any new endeavors.

Adopted this the 11th Day of March, 2021 by the Lewisville Town Council.

Mike Horn, Mayor

ATTEST: _____
Joyce C. McWilliams Walker, Town Clerk

**RESOLUTION 2021016 OF THE LEWISVILLE TOWN COUNCIL
ACCEPTING THE RESIGNATION OF SUSAN STEVENS
FROM THE LEWISVILLE ZONING BOARD OF ADJUSTMENT**

WHEREAS, the Town Clerk has been notified by Susan Stevens of her plans to resign from the Lewisville Zoning Board of Adjustment effective at the end of her term; and

WHEREAS, Susan Stevens has been a member of the Lewisville Zoning Board of Adjustment since 2015; and

WHEREAS, the Lewisville Zoning Board of Adjustment appreciates the dedicated work of Susan Stevens.

NOW, THEREFORE, BE IT RESOLVED THAT THE LEWISVILLE TOWN COUNCIL accepts the resignation of Susan Stevens from the Lewisville Zoning Board of Adjustment effective at the expiration of her term ending March 31, 2021, and wishes her well in any new endeavors.

Adopted this the 11th Day of March, 2021 by the Lewisville Town Council.

Mike Horn, Mayor

ATTEST: _____
Joyce C. McWilliams Walker, Town Clerk

**RESOLUTION 2021017 OF THE LEWISVILLE TOWN COUNCIL
ACCEPTING THE RESIGNATION OF CATHERINE SPROSS
FROM THE LEWISVILLE PARKS, RECREATION AND CULTURAL
DEVELOPMENT BOARD**

WHEREAS, the Town Clerk has been notified by Catherine Spross of her plans to resign from the Lewisville Parks, Recreation and Cultural Development Board effective at the end of her term; and

WHEREAS, Catherine Spross has been a member of the Lewisville Parks, Recreation and Cultural Development Board since 2015; and

WHEREAS, the Lewisville Parks, Recreation and Cultural Development Board appreciates the dedicated work of Catherine Spross.

NOW, THEREFORE, BE IT RESOLVED THAT THE LEWISVILLE TOWN COUNCIL accepts the resignation of Catherine Spross from the Lewisville Parks, Recreation and Cultural Development Board effective at the expiration of her term ending March 31, 2021, and wishes her well in any new endeavors.

Adopted this the 11th Day of March, 2021 by the Lewisville Town Council.

Mike Horn, Mayor

ATTEST: _____
Joyce C. McWilliams Walker, Town Clerk

**RESOLUTION 2021018 OF THE LEWISVILLE TOWN COUNCIL
ACCEPTING THE RESIGNATION OF DANIEL FREY
FROM THE LEWISVILLE UTILITIES COMMITTEE**

WHEREAS, the Town Clerk has been notified by Daniel Frey of his plans to resign from the Lewisville Utilities Committee effective at the end of March 2021; and

WHEREAS, Daniel Frey has been a member of the Lewisville Utilities Committee since 2018; and

WHEREAS, the Lewisville Utilities Committee appreciates the dedicated work of Daniel Frey.

NOW, THEREFORE, BE IT RESOLVED THAT THE LEWISVILLE TOWN COUNCIL accepts the resignation of Daniel Frey from the Lewisville Utilities Committee effective at the end of March, 2021, and wishes him well in any new endeavors.

Adopted this the 11th Day of March, 2021 by the Lewisville Town Council.

Mike Horn, Mayor

ATTEST: _____
Joyce C. McWilliams Walker, Town Clerk

**I'M ONE OF THE REASONS
LEWISVILLE
IS A GREAT PLACE TO LIVE**

PRESENTED TO

RITA SMITH

For Outstanding Contributions to the Residents and Town of Lewisville

BY

LEWISVILLE TOWN COUNCIL

MARCH 11, 2021

Mike Horn, Mayor

**TOWN OF LEWISVILLE
ORDINANCE 2021010
TO EXTEND THE CORPORATE LIMITS OF
THE TOWN OF LEWISVILLE, NORTH CAROLINA**

WHEREAS, the Lewisville Town Council has been petitioned under G. S. 160A-31 to annex the area described below; and

WHEREAS, the Lewisville Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition requesting the annexation of property described below into the Town of Lewisville with no existing homes; and

WHEREAS, the Lewisville Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at the Lewisville Town Hall, 6510 Shallowford Road, at 6:00 p.m. on Thursday, **March 11, 2021**, after due notice by the Winston-Salem Journal on Sunday, **March 28, 2021**; and

WHEREAS, the Lewisville Town Council finds that the petition meets the requirements of G.S. 160A-31;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Lewisville, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Lewisville as of **DATE**:

METES AND BOUNDS

Part of PIN 5875-50-4898; Part of Lot 301 Block 4438; PART OF Deed Book 2951 Page 34. Being a 7.423 acre tract of land, lying and being in Forsyth County, North Carolina.

Beginning at a ¾" iron pipe having North Carolina NAD83(2011)coordinates of (N-851240.03, E-1574785.89), and in the eastern line of AMH NC Properties , Tax Lot 4 Block 4438B, (D.B. 3318 PG. 2081);

**TOWN OF LEWISVILLE
ORDINANCE 2021010
TO EXTEND THE CORPORATE LIMITS OF
THE TOWN OF LEWISVILLE, NORTH CAROLINA**

thence along the existing western line of the Town of Lewisville Corporate limits, S 01°09'51" W a distance of 824.04'to a 1" iron pipe, the northeast corner of Constance P. Carper Living Trust, Tax lot 15 Block 4449 (D.B. 3305 PG.3713); thence along Carper, S 62°11'32" W a distance of 116.85'to a point; thence along Carper crossing over the terminus of Shangri-La Drive, S 86°02'43" W a distance of 209.78'to an existing iron pipe the northeast corner of northeast corner of Constance P. Carper Living Trust, Tax lot 203 Block 4438 (D.B. 3305 PG.3710) ; thence along Carper, S 79°18'23" W a distance of 164.89'to a ¾" iron pipe, the southeast corner of Mark Hall, tax lot 35 Block 4438b,(D.B.2406 PG. 2678); thence along Hall, N 09°48'57" W a distance of 518.36'to a ¾" iron pipe; thence N 82°15'03" E a distance of 231.84'to a ¾" iron pipe in the southern line of William Grayson, Tax lot 501 Block 4438b, (D.B.2351 PG. 253); thence N 48°01'06" E a distance of 206.53'to a ¾" iron pipe in the southwest corner of AMH NC Properties , Tax Lot 4 Block 4438B, (D.B. 3318 PG. 2081); thence along the southern line of AMH NC Properties, N 38°56'05" E a distance of 312.73'to THE POINT OF BEGINNING, having an area of 323327.2 square feet, 7.423 acres.

Section 2. Upon and after **DATE**, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Lewisville and shall be entitled to the same privileges and benefits as other parts of the Town of Lewisville. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

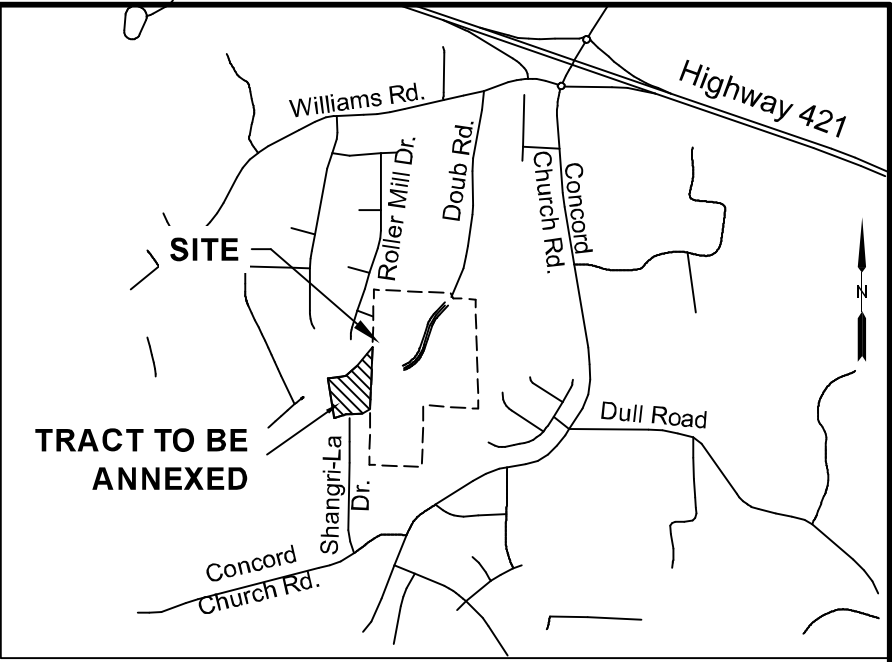
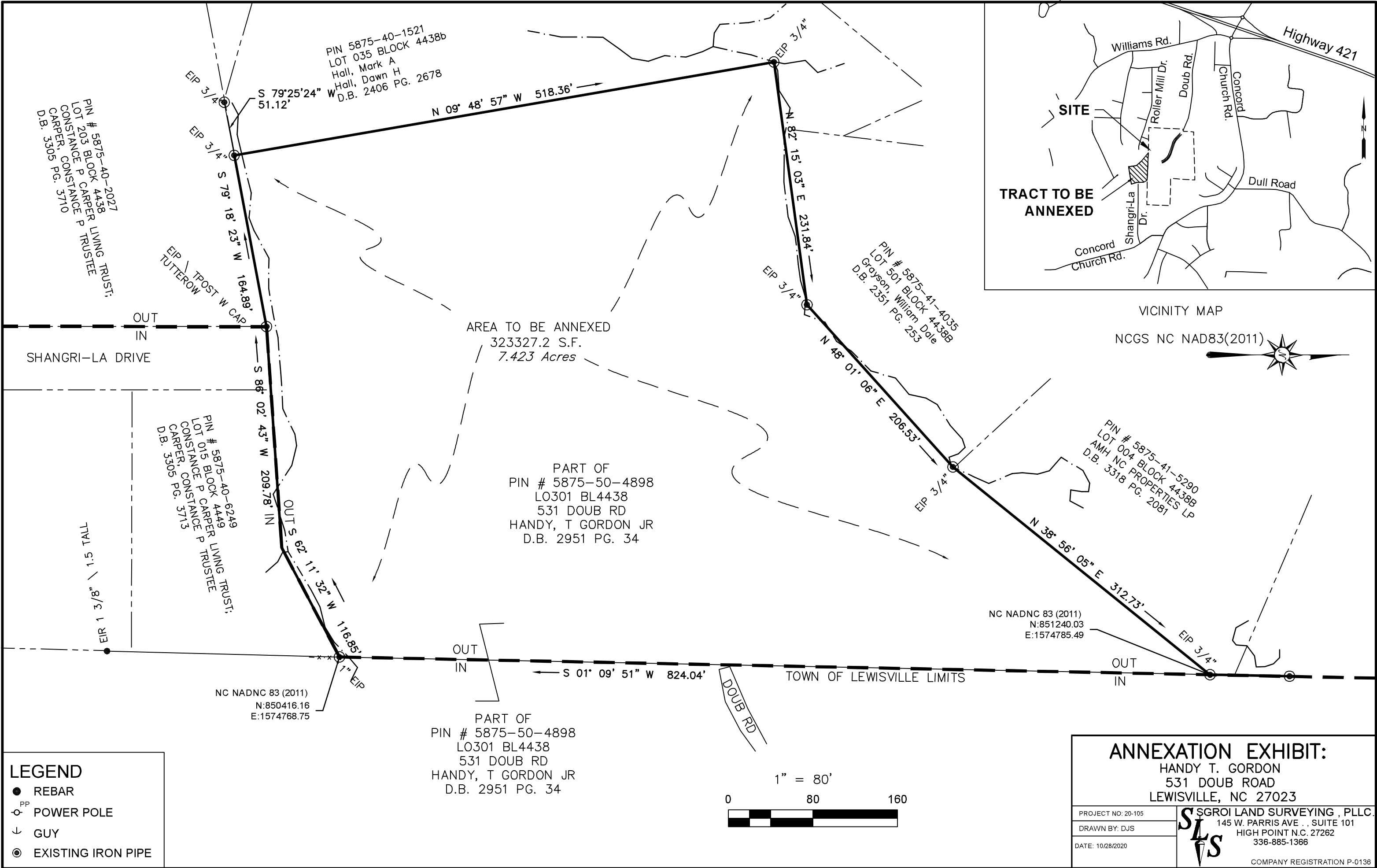
Section 3. The Mayor of the Town of Lewisville shall cause to be recorded in the office of the Register of Deeds of Forsyth County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163.288.1.

Adopted this XXTH day of March, 2021 by the Lewisville Town Council.

Mike Horn, Mayor

ATTEST:

Joyce C. McWilliams Walker, Town Clerk



VICINITY MAP
 NCGS NC NAD83(2011)

AREA TO BE ANNEXED
 323327.2 S.F.
 7.423 Acres

PART OF
 PIN # 5875-50-4898
 L0301 BL4438
 531 DOUB RD
 HANDY, T GORDON JR
 D.B. 2951 PG. 34

PART OF
 PIN # 5875-50-4898
 L0301 BL4438
 531 DOUB RD
 HANDY, T GORDON JR
 D.B. 2951 PG. 34

PIN # 5875-41-5290
 LOT 004 BLOCK 4438B
 AMH NC PROPERTIES LP
 D.B. 3318 PG. 2081

PIN # 5875-41-4035
 LOT 501 BLOCK 4438B
 Grayson, William Dale
 D.B. 2351 PG. 253

PIN # 5875-40-2027
 LOT 203 BLOCK 4438
 CARPER LIVING TRUST;
 CONSTANCE P CARPER P TRUSTEE
 D.B. 3305 PG. 3710

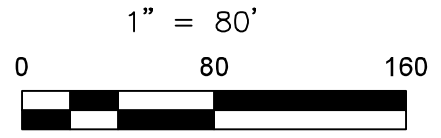
PIN # 5875-40-6249
 LOT 015 BLOCK 4449
 CARPER LIVING TRUST;
 CONSTANCE P CARPER P TRUSTEE
 D.B. 3305 PG. 3713

PIN 5875-40-1521
 LOT 035 BLOCK 4438b
 Hall, Mark A
 Hall, Dawn H
 D.B. 2406 PG. 2678

NC NADNC 83 (2011)
 N:851240.03
 E:1574785.49

NC NADNC 83 (2011)
 N:850416.16
 E:1574768.75

- LEGEND**
- REBAR
 - ⊙^{PP} POWER POLE
 - ↓ GUY
 - ⊙ EXISTING IRON PIPE



ANNEXATION EXHIBIT:
 HANDY T. GORDON
 531 DOUB ROAD
 LEWISVILLE, NC 27023

PROJECT NO: 20-105	
DRAWN BY: DJS	
DATE: 10/28/2020	

SGROI LAND SURVEYING, PLLC.
 145 W. PARRIS AVE., SUITE 101
 HIGH POINT N.C. 27262
 336-885-1366
 COMPANY REGISTRATION P-0136

TOWN OF LEWISVILLE
L-098 ORDINANCE 2021011
AMENDING THE TOWN OF LEWISVILLE ZONING ORDINANCE
OF THE *UNIFIED DEVELOPMENT ORDINANCES*
AND OFFICIAL ZONING MAP OF THE
TOWN OF LEWISVILLE, NORTH CAROLINA

Zoning Petition of Town of Lewisville
(Docket L-098)
Terminus of Doub Road

BE IT ORDAINED by the Town Council of the Town of Lewisville, North Carolina, as follows:

Section 1. The Town of Lewisville Zoning Ordinance (Section B 6-2) of the *Lewisville Development Ordinances*) and the Official Zoning Map of the Town of Lewisville and the County of Forsyth, North Carolina, are hereby amended by changing from RS-40 Forsyth County Zoning Jurisdiction to RS-20 Town of Lewisville Zoning Jurisdiction for the following 7.423 acre Tract of land more or less described property as **Part of PIN 5875-50-4898; Part of Lot 301 Block 4438.**

METES AND BOUNDS

Beginning at a ¾" iron pipe having North Carolina NAD83(2011)coordinates of (N-851240.03, E-1574785.89), and in the eastern line of AMH NC Properties , Tax Lot 4 Block 4438B, (D.B. 3318 PG. 2081); thence along the existing western line of the Town of Lewisville Corporate limits, S 01°09'51" W a distance of 824.04'to a 1" iron pipe, the northeast corner of Constance P. Carper Living Trust, Tax lot 15 Block 4449 (D.B. 3305 PG.3713); thence along Carper, S 62°11'32" W a distance of 116.85'to a point; thence along Carper crossing over the terminus of Shangri-La Drive, S 86°02'43" W a distance of 209.78'to an existing iron pipe the northeast corner of northeast corner of Constance P. Carper Living Trust, Tax lot 203 Block 4438 (D.B. 3305 PG.3710) ; thence along Carper, S 79°18'23" W a distance of 164.89'to a ¾" iron pipe, the southeast corner of Mark Hall, tax lot 35 Block 4438b,(D.B.2406 PG. 2678); thence along Hall, N 09°48'57"

**TOWN OF LEWISVILLE
L-089 ORDINANCE 2019014
AMENDING THE TOWN OF LEWISVILLE ZONING ORDINANCE
OF THE *UNIFIED DEVELOPMENT ORDINANCES*
AND OFFICIAL ZONING MAP OF THE
TOWN OF LEWISVILLE, NORTH CAROLINA**

Zoning Petition of Town of Lewisville
(Docket L-089)
1181 Reynolds Road

W a distance of 518.36'to a ¾" iron pipe; thence N 82°15'03" E a distance of 231.84'to a ¾" iron pipe in the southern line of William Grayson, Tax lot 501 Block 4438b, (D.B.2351 PG. 253); thence N 48°01'06" E a distance of 206.53'to a ¾" iron pipe in the southwest corner of AMH NC Properties , Tax Lot 4 Block 4438B, (D.B. 3318 PG. 2081); thence along the southern line of AMH NC Properties, N 38°56'05" E a distance of 312.73'to THE POINT OF BEGINNING, having an area of 323327.2 square feet, 7.423 acres.

Section 2. This Ordinance shall be effective from and after its date of adoption.



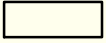


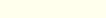
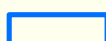
**ADOPTED THIS THE xxth DAY OF MARCH, 2021 BY THE LEWISVILLE TOWN COUNCIL
WITH A VOTE OF x-x AND AN EFFECTIVE DATE OF xx, 2021**

APPROVED: _____
Mike Horn, Mayor

ATTEST: _____
Joyce C. McWilliams Walker, Town Clerk

Gateway Estates - Doub Rd REZ

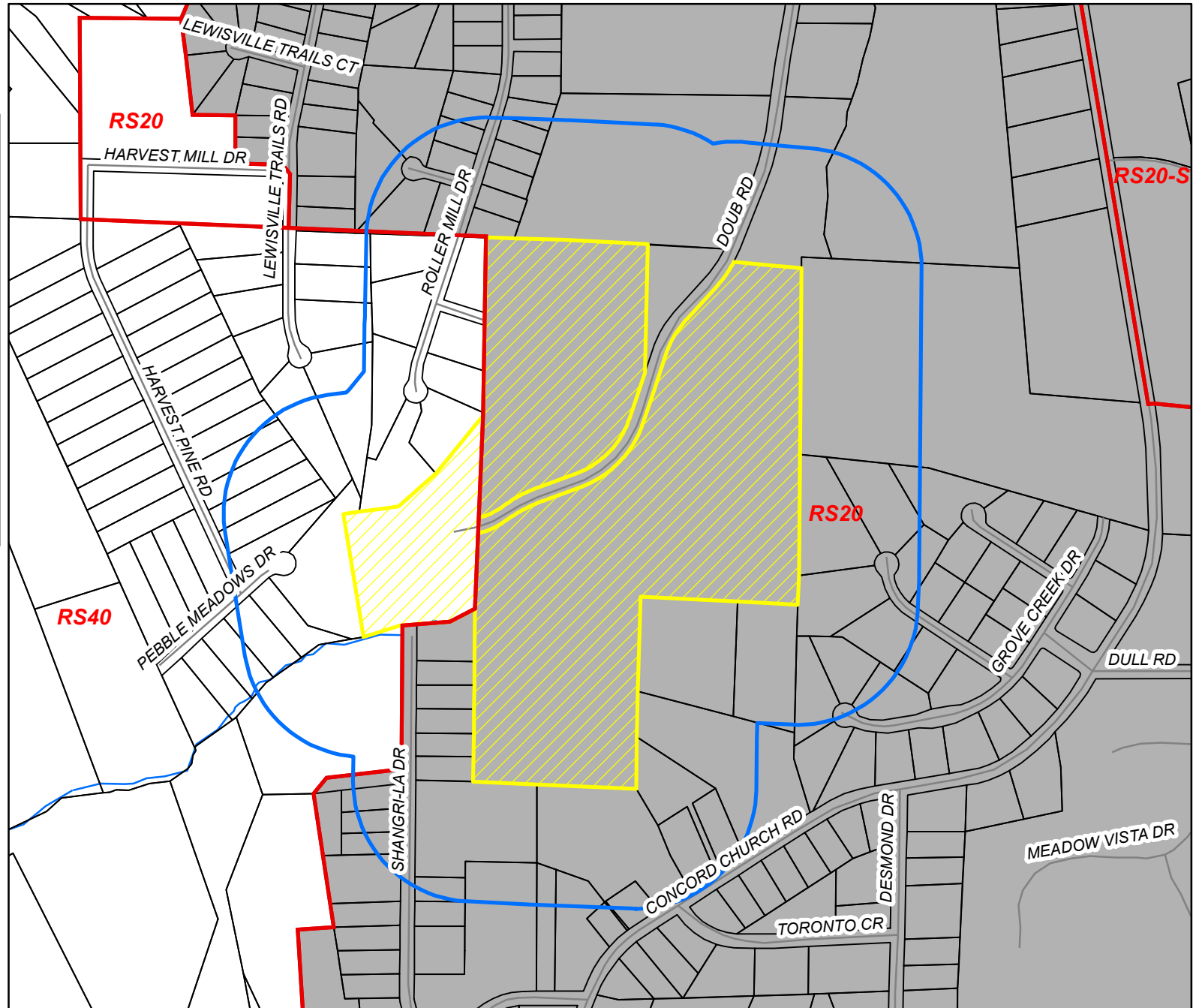
LEGEND

-  Property of Request
-  Zoning
-  Parcels
-  Centerline
-  Corporate Limits of Lewisville
-  Streams
-  500 ft Buffer

PIN #(s): 5875-50-4898



1 inch = 600 feet



This map and analysis are provided "As Is" without warranty of any kind, either express or implied. The information contained in this map is for informational purposes only and was not prepared for, and is not suitable for legal, engineering, or surveying purposes. Use of these materials constitutes acceptance of this disclaimer of liability.

Created by: Stacy Tolbert

GENERAL USE DISTRICT REZONING STAFF REPORT

Doub Road

DOCKET: L-098
STAFF: Stacy Tolbert, Town Planner

Petitioner: Town of Lewisville
Ownership: Town of Lewisville

REQUEST OF REZONING:

From: RS-40 (Residential Single Family, minimum lot size of 40,000 sqft.) Forsyth County
To: RS-20 (Residential Single Family, minimum lot size of 20,000 sqft.) Town of Lewisville
PIN#: 5875-50-4898
Acreage: +/- 7.10 acres

LOCATION:

Street: terminus of Doub Road
Jurisdiction: Town of Lewisville pending annexation approval

PROPERTY SITE/IMMEDIATE AREA:

Existing Structures on Site: The site is currently vacant.

Adjacent uses:

- * North – Single Family Residences, zoned RS-40
- * East – Proposed Major Subdivision, zoned RS-20, one single family home currently on property
- * South – Single Family Residences, End of Shangri-La Drive, zoned RS-20 & RS-40
- * West – Single Family Residences, zoned RS-40

GENERAL AREA:

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

PHYSICAL FEATURES:

Topography: The area to be rezoned is generally level ground that slopes to the southwest of the property to a stream dividing the property from Shangri-La Drive.

Vegetation/habitat: The area to be rezoned is heavily wooded.

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

WATER AND SEWER FACILITIES:

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

TRANSPORTATION:

Direct Access to Site: Doub Road
Street Classification(s): Doub Road, local arterial

HISTORY/RELEVANT ZONING CASES:

- * L-081 Rezoning from RS-20 Forsyth County to RS-9 Town of Lewisville during annexation; The property was rezoned to RS-9 for the Glad Acres Development.

- * L-086 Rezoning from RS-40 Forsyth County to RS-40 Town of Lewisville during annexation; The property was rezoned to RS-40 for the Lakes at Lissara Development.
- * L-088 Rezoning from RS-40 Forsyth County to RS-40 Town of Lewisville during annexation; The property was rezoned to RS-40 for the Lakes and Lissara Development.

CONFORMITY TO PLANS:

Lewisville Unified Development Ordinance – The Residential Single-Family Zoning District with a minimum lot size of 20,000 square feet (RS-20) is intended to accommodate single family detached dwellings in suburban areas and may also be applicable to older, large lot development constructed prior to the effective date of the UDO. The district is established to promote orderly development in areas where public water is available. This district is intended for application in Growth Management Areas (GMAs) 2 and 3. The property in question lies within GMA 5 however, the request is only for a portion of a larger property. The remainder of the property resides within the Town Limits of Lewisville and is in GMA 3.

Lewisville Comprehensive Plan Update 2015 - The Plan describes this site as being an area of residential uses. In the chapter on Land Use, recommendations include developing Lewisville in accordance with Map 9 Preferred Land Use. The Comprehensive Plan recommends increasing residential density around the downtown by encouraging clustering design. It goes on to recommend maintaining the large lot patterns for the remaining portions of the community where existing development patterns are firmly established and where sewer may not be practical or attainable. This rezoning is in character with the surrounding zoning and established neighborhoods.

Legacy Development Guide – This property lies within the Growth Management Area 3 (Suburban Neighborhoods) & 5 (Rural Area). These areas recommend the continuation of connectivity between subdivisions and subdivisions that conserve open space.

ANALYSIS:

The applicant is requesting for the property to be annexed in to the Town of Lewisville. The property is currently zoned RS-40 under the Forsyth County zoning districts. Through this process, if approved, the property will be annexed into the Town and rezoned to RS-20 under the Town of Lewisville. The applicant also has a separate application into the Town for a proposed Major Subdivision. The subdivision only requires approval through a technical review for compliance. If the property is annexed into the town and rezoned to RS-20, no further public hearing is required for the subdivision approval. A rezoning of RS-20 is favorable due to the remainder of the property currently being in the RS-20 zoning district. The property would no longer be split zoned.

The Town's *Comprehensive Plan* designates the area within which the project lies as rural due to it being located in the Yadkin River Watershed. This area is mainly seen as very low density and agricultural. The RS-20 zoning district requires lots to be a minimum of 20,000 square feet. Town staff is of the opinion that the request is in general conformance with the Town's *Comprehensive Plan and Legacy* for the area.

The lot size and dimensions are summarized below:

	<u>RS-40</u>	<u>RS-20</u>
Minimum Lot Size -	40,000 sq. ft.	20,000 sq. ft.
Minimum Lot Width -	100 ft	95 ft
Minimum Front Yard -	35 ft	30 ft
Minimum Rear Yard -	40 ft	30 ft

The proposed RS-20 zoning would support the uses in the nearby properties which are currently zoned RS-20 and RS-40.

Town staff is of the opinion that the request is consistent with the Town's *Comprehensive Plan* for the area and complements the uses in the surrounding neighborhoods and properties.

FINDINGS:

1. The request is for general use zoning. Any further development must be reviewed and approved by the Planning Board and the Town Council.
2. The uses allowed under RS-20 are similar and supportive of the surrounding properties that are residential in nature.
3. The uses allowed under RS-20 Zoning are residential.
4. The proposed zoning district would make the zoning of the land consistent with long-term plans of the Town.

STAFF RECOMMENDATION:

Statements found in both the *Lewisville Comprehensive Plan* and *Forsyth County Legacy Plan* encourages low to medium density in this area of the Town. Given these findings and other supporting information found in this report, staff recommends the rezoning to the Planning Board.

TOWN OF LEWISVILLE RESOLUTION 2021020
TECHNICAL REVIEW FOR COMPLIANCE - SITE PLAN APPROVAL
ISSUED BY THE LEWISVILLE TOWN COUNCIL FOR ZONING CASE L-PBR 2020002

WHEREAS, the Lewisville Planning Board reviewed the attached site plan regarding the construction of a subdivision on Doub Road at their meeting on January 13, 2021, noting that approval by the Town Council, would be contingent upon the approval of the annexation request and the rezoning of the land to complete the project; and

WHEREAS, this site plan includes thirty (30) lots of which there are two (2) homes already existing on approximately 61.74 acres.

NOW THEREFORE BE IT ORDAINED BY THE LEWISVILLE TOWN COUNCIL that:

Section 1. The properties included in the site plan attached herein consists of 61.74 acres,

Section 2. The developer has or will need to follow the major subdivision requirements in Chapter D Section 4 of the Unified Development Ordinances, including but not limited to the requirements below:

1. Street tree requirement: 1 tree per 45 linear feet plus 1 additional tree per lot in conventional subdivision. If lots are to remain wooded, some additional plantings may be required.
2. Erosion control permits shall be obtained through The City of Winston-Salem.
3. Stormwater management permits, if required, must be obtained through the Town of Lewisville before issuing building or zoning permits.
4. All ponds, streams and stream buffers shall be shown on the final plat.
5. TRC Comments must be remedied.
6. The interconnectivity requirements must be waived by the Elected Body.
7. Doub Road must be brought to a minimum standard that meets NCDOT requirements of at least 18 feet in width where needed.

PRIOR TO THE ISSUANCE OF GRADING PERMITS:

- A. Developer shall obtain driveway permits from the Town of Lewisville; additional improvements may be required prior to issuance of driveway permits.
- B. An Environmental Grading and Erosion Sedimentation Control Plan must be submitted and approved before permits can be issued.

PRIOR TO THE ISSUANCE OF BUILDING PERMITS:

- A. Developer shall record a final plat in the office of the Register of Deeds.
- B. On-site fire hydrant locations shall be approved by the County Fire Department in writing to the Inspections Division.
- C. Town Driveway permits are to be submitted to the Public Works Director when applying for building permits.
 1. Approval of driveway permit is a condition of receiving the Certificate of Occupancy (CO).

Section 3. This ordinance shall take effect from and after its adoption.

TOWN OF LEWISVILLE RESOLUTION 2021020
TECHNICAL REVIEW FOR COMPLIANCE - SITE PLAN APPROVAL
ISSUED BY THE LEWISVILLE TOWN COUNCIL FOR ZONING CASE L-PBR 2020002

This ordinance is effective upon its adoption this the **11th day of March, 2021.**

The motion to adopt this ordinance was made by **xxxxxxxxxx**, seconded by **xxxxxxxxxx** and **passed/not passed** by a roll call vote of **x to x.**



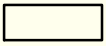



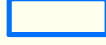
Mike Horn, Mayor

ATTEST:

Joyce C. McWilliams Walker, Town Clerk

Gameway Estates - Doub Rd Major Subdivision

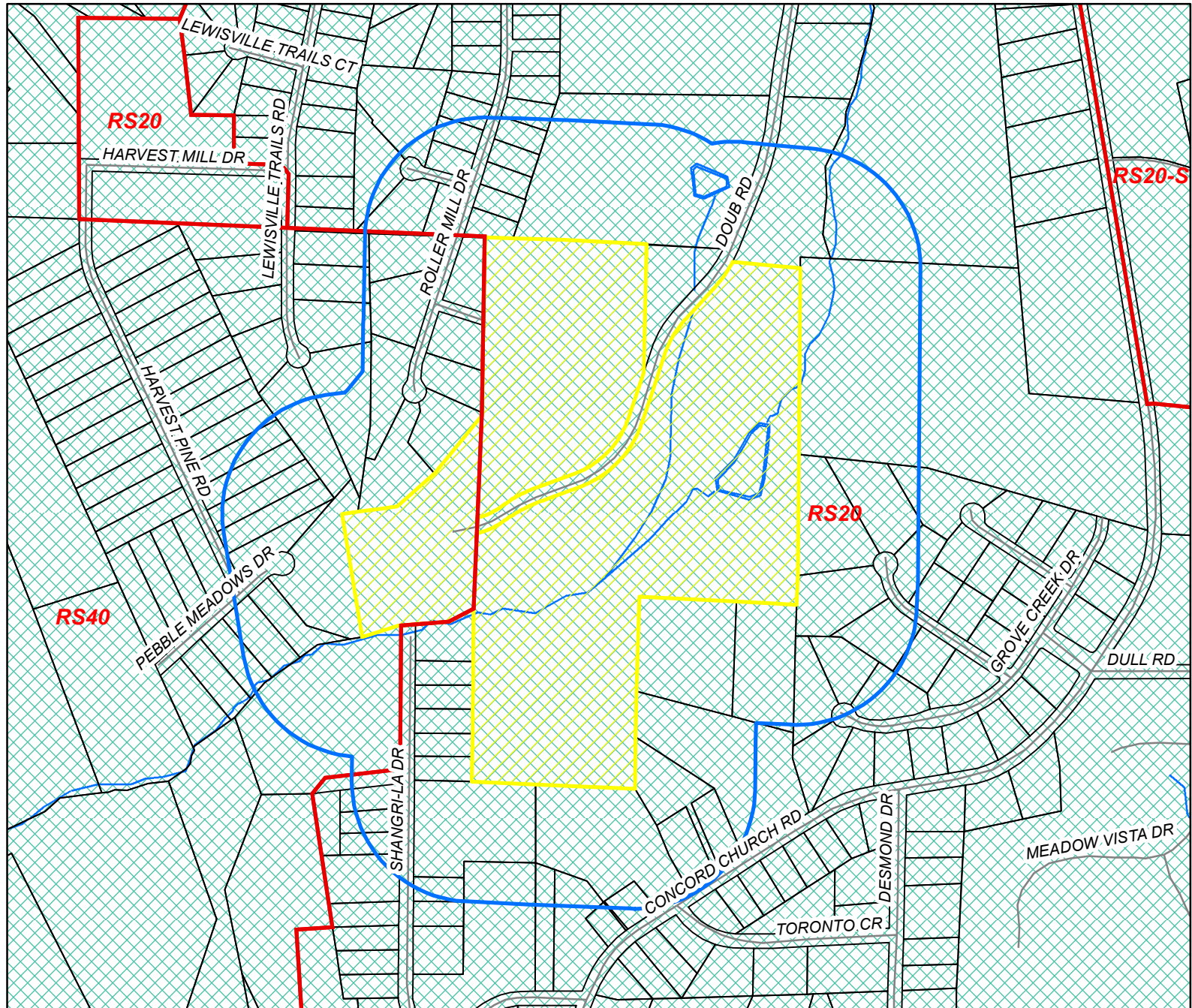
LEGEND

-  Property of Request
-  Zoning
-  Parcels
-  Centerline
-  Yadkin River WS-IV Watershed Area
-  Streams
-  500 ft Buffer

PIN #(s): 5875-50-4898



1 inch = 600 feet



This map and analysis are provided "As Is" without warranty of any kind, either express or implied. The information contained in this map is for informational purposes only and was not prepared for, and is not suitable for legal, engineering, or surveying purposes. Use of these materials constitutes acceptance of this disclaimer of liability.

Created by: Stacy Tolbert

MAJOR SUBDIVISION STAFF REPORT

Gameway Estates

DOCKET: L-PBR 2020002
STAFF: Stacy Tolbert, Town Planner

Petitioner: JTM Investments, LLC c/o Mr. Matt McChesney
Ownership: Mr. Handy T. Gordon

REQUEST: Preliminary Major Subdivision
A major subdivision in the RS-20 zoning district. The meeting requires technical review for compliance by the Planning Board and approval by the Town Council.
PIN #'s: 5875-51-5882 & 5875-50-4898
Acreage: 61.74 acres

LOCATION:

Street: Extension of Doub Road off of Williams Road.

Jurisdiction: Town of Lewisville

PROPERTY SITE/IMMEDIATE AREA:

Existing Structures on Site: The site is a wooded lot with one single family dwelling on each parcel.

Adjacent uses:

- * North - Single family residences, large lots, zoned RS-20
- * East - Single family residences, established development, zoned RS-20
- * South - Single family residences, Shangri-La Drive properties, zoned RS-20
- * West - Single family residences, established development, zoned RS-40; Forsyth County Jurisdiction

GENERAL AREA:

Character/Maintenance: The homes in this area are mainly single family medium and large lots. The properties to the east and west of the subject property are established neighborhoods. The general area is zoned RS-20 & RS-40.

PHYSICAL FEATURES:

Topography: Throughout the site there are gentle slopes and steeper slopes to the south of the property. There is a pond located on the property and is surrounded by streams to the East, South & West.

Vegetation/habitat: The property is covered in a wooded vegetation. The developer notes on the site plan the existing trees are to remain where feasible.

Watershed: The property is located within the Yadkin River WS-IV watershed district.

WATER AND SEWER FACILITIES:

The property is to be served by public water and private septic systems.

TRANSPORTATION:

Direct Access to Site: Doub Road by Williams Rd.

Street Classification(s): Doub Road- Local Arterial

CONFORMITY TO PLANS:

Town of Lewisville Unified Development Ordinance (UDO) - The property is located within the WS-IV Yadkin River Watershed. Major large lot subdivisions within the watershed area that have an overall residential density not to exceed one unit/80,000 sqft and with a minimum lot size of 40,000 sqft do not require curb and gutter, therefore sidewalks are not required. The proposed subdivision meets the requirements to be considered a large lot subdivision. The applicant wishes to develop a project that remains low density. The overall average lot size is 1.94 acres.

The UDO also requires interconnectivity of subdivisions. This particular property abuts two stub streets, Shangri-La Drive and Roller Ridge Road. There is the possibility of one more connection to be made for future development to the east. All three of these opportunities are limited due to streams. Stream crossings would be required of all three connectivity opportunities. Shangri-La Drive and Roller Ridge Road are also undeveloped stub streets. It would be additional costs to the developer due to the pavement not reaching the property in question. Staff feels the property, accounting for the pond, streams and topography, is an unusual circumstance where this provision is difficult to meet.

The UDO states the Elected Body may deem that existing conditions or special plan provisions warrant a variation from these requirements. In a separate document enclosed with this staff report, the developer has submitted a letter to the Elected Body asking for these requirements to be waived.

Lewisville Comprehensive Plan Update 2015 - The Plan describes this area as being single family residential and being used as low to medium density. The minimum lot size is 20,000 square feet but all lots are much larger than 20,000 square feet, lending this development to a large lot development. The proposed subdivision does follow these standards.

Legacy Development Guide - *Legacy* recognizes this area as being in GMA-3 Suburban Neighborhoods. *Legacy* states GMA-3 areas should be used for increasing overall residential density. Subdivisions in GMA-3 cater to specific housing styles and price ranges. The proposed subdivision does fall into this category.

ANALYSIS:

The applicant is requesting a preliminary major subdivision approval in RS-20 zoning. The preliminary major subdivision plat does adhere to the RS-20 standards.

Town staff is of the opinion that the request is in general conformance with the Town's *Comprehensive Plan and Legacy* for the area. 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. Street tree requirement: 1 tree per 45 linear feet plus 1 additional tree per lot in conventional subdivision. If lots are to remain wooded, some additional plantings may be required.
2. Erosion control permits shall be obtained through The City of Winston-Salem.
3. Stormwater management permits, if required, must be obtained through the Town of Lewisville before issuing building or zoning permits.
4. All ponds, streams and stream buffers shall be shown on the final plat.

5. TRC Comments must be remedied.
6. The interconnectivity requirements must be waived by the Elected Body.
7. Doub Road must be brought to a minimum standard that meets NCDOT requirements of at least 18 feet in width where needed.

RECOMMENDATION:

The project does meet the overall density requirements of the RS-20 zoning district. Statements found in both the Lewisville Comprehensive Plan and Forsyth County Legacy Plan encourages this area to remain residential. Staff recommends approval of the Gameway Estates preliminary major subdivision subject to the requirements stated above and any other Conditions placed by the Town of Lewisville Planning Board.



January 7, 2021

Stacy Tolbert,
Planner, Town of Lewisville
6510 Shallowford Road
Lewisville, NC 27023

Reference: Gameway Estates – Waiver Request for Stub Road Connections and Widths

Dear Stacy,

This letter is to request consideration to waive the stub road connection requirements as outlined in UDO Chapter D, Section 4 (B)(1)(f) & (g) of the Town of Lewisville Unified Development Ordinance. This section requests connections to the two existing stub roads (Roller Ridge Road, Shangri-La Drive) in the adjacent neighborhoods. In both locations there are extreme topographical challenges and significant streams. Connections at these locations would require extensive permitting from the North Carolina Department of Environmental Quality (NCDEQ) and United States Army Corps of Engineers. It should also be noted that the adjacent roadway stubs do not extend to the subject property and would require additional offsite improvements to connect (400 LF +/-). Both connections would involve huge costs that would make the project unfeasible. Because of these environmental hardships and existing conditions offsite we are asking for an exemption from the interconnectivity requirement to Roller Ridge Road and Shangri-La Drive.

We greatly appreciate your consideration and approval of this waiver request.

Sincerely yours,

J. Matthew McChesney
Petitioner
JTM Investments, LLC

TOWN OF LEWISVILLE RESOLUTION 2021021
TECHNICAL REVIEW FOR COMPLIANCE - SITE PLAN APPROVAL
ISSUED BY THE LEWISVILLE TOWN COUNCIL FOR ZONING CASE L-PBR 2021001

WHEREAS, in March 2000, the Lewisville Town Council approved a rezoning of Block 4442 Lot 17 from RS-20 to PB-S; and

WHEREAS, the March 2000 approval shows a zoning map change to PB-S; and

WHEREAS, a Special Use District Permit was issued for a 3-story, Combined Use, Multi-Family along with this approval; and

WHEREAS, the approved Special Use District Permit was accompanied by a site plan; and

WHEREAS, this property is located in the northern right-of-way of the Great Wagon Road; and

WHEREAS, said property consisted of approximately 0.749 \pm acres more or less; and

WHEREAS, the owner did not develop the approved site plan; and

WHEREAS, under Chapter B, Article VII, Section 7-5.4 of the Unified Development Ordinances (UDO), site plans that have not been developed within two (2) years of approval are considered sunset; and

WHEREAS, any new site plan must be approved by the Lewisville Town Council; and

WHEREAS, under new ownership, a request has been received for approval of a new site plan that includes property for additional parking; and

WHEREAS, the new request will remain as *PB-S* (Pedestrian Business - Special) zoning *Combined Use Multi-Family* and will include a residential building - multifamily, and restaurant without drive through on the new site plan being submitted; and

WHEREAS, this plan consists of Block 4442 Lot 17, PIN 5875-97-8451 fronting the Great Wagon Road and Block 4612D Lot 036A, PIN 5875-97-7671 fronting North Street; and

WHEREAS, this new site plan includes approximately 1.56 acres; and

WHEREAS, Chapter B, Article III, Section 3-3.4 of the UDO provides that multifamily parking in a residential district shall be allowed only if said lot abuts for a distance of not less than twenty-five (25) feet upon the zoning lot to which such parking would be accessory; and

WHEREAS, this site plan supports designs fronting the Great Wagon Road as described in the Lewisville Downtown Design Guidelines approved by the Lewisville Town Council in September 2014 for properties to the north of the Great Wagon Road, described as transitional urban residential comprised of lower density live work units and/or multi-family and is within the Downtown Overlay District; and

WHEREAS, this site plan meets the height restrictions in the Downtown Overlay of no more than 48 feet; and

WHEREAS, this site plan meets the requirement of no more than two and one half (2 ½) stories; and

TOWN OF LEWISVILLE RESOLUTION 2021021
TECHNICAL REVIEW FOR COMPLIANCE - SITE PLAN APPROVAL
ISSUED BY THE LEWISVILLE TOWN COUNCIL FOR ZONING CASE L-PBR 2021001

WHEREAS, Chapter B, Article II, Section 2-1.6 (H)(3)(d) states that for proposals requiring site plan review but not rezoning or zoning map amendment, the Planning Board shall recommend approval and the Elected Body shall approve any plans that meet all requirements of this Downtown Overlay District and the UDO or consistent with the alternative compliance provision in DTO 3(c).

NOW THEREFORE BE IT ORDAINED BY THE LEWISVILLE TOWN COUNCIL that:

Section 1. The Lewisville Town Council issues this approval for the site shown on the site plan map included in this zoning petition of Solomon Development, LLC c/o Jeff Zenger in accordance with Chapter B, Article II, Section 2-1.6 (H)(3)(d) which states that for proposals requiring site plan review but not rezoning or zoning map amendment, the Planning Board shall recommend approval and the Elected Body shall approve any plans that meet all requirements of this Downtown Overlay District and the UDO or consistent with the alternative compliance provision in DTO 3(c).

Section 2. The properties included in the site plan consists of 1.56 acres, attached herein, and include:

PIN 5875-97-8451, Block 4442 Lot 17 fronting the Great Wagon road (PB-S)
and
PIN 5875-97-7671, Block 4612D Lot 036A fronting North Street (RS-20)

Section 3. The location and character of the use must be developed in accordance with the requirements of the PB-S zoning district of the Zoning Ordinance of the Unified Development Ordinances, the Erosion Control Ordinance, other applicable laws, and according to the application and plan submitted and approved.

Section 4. The following conditions must be met:

PRIOR TO THE ISSUANCE OF GRADING PERMITS:

- A. Developer shall obtain a driveway permit from the Town of Lewisville; additional improvements may be required prior to issuance of driveway permit.
- B. An Environmental Grading and Erosion Sedimentation Control Plan must be submitted and approved before the permit can be issued.

PRIOR TO THE ISSUANCE OF BUILDING PERMITS:

- A. Town Driveway permits are to be submitted to the Public Works Director when applying for building permits.
 - 1. Approval of driveway permit is a condition of receiving the Certificate of Occupancy (CO).

OTHER REQUIREMENTS:

- A. Any signage shall conform to the Town's permanent sign regulations, and shall be permitted by the Inspections Division.

TOWN OF LEWISVILLE RESOLUTION 2021021
TECHNICAL REVIEW FOR COMPLIANCE - SITE PLAN APPROVAL
ISSUED BY THE LEWISVILLE TOWN COUNCIL FOR ZONING CASE L-PBR 2021001

- B. The Dumpster will be screened with wood, vinyl, or brick materials.
- C. All mechanical and electrical units must be screened from views from the street.
- D. All lighting greater than 12' in height shall be of "shoe box" type or otherwise shielded to prohibit direct light onto adjacent properties.

Section 5. This ordinance shall take effect from and after its adoption.

This ordinance is effective upon its adoption this the **11th day of March, 2021**

The motion to adopt this ordinance was made by **xxxxxxxxx**, seconded by **xxxxxxxxx** and **passed/not passed** by a roll call vote of **x to x**.

Mike Horn, Mayor

ATTEST:

Joyce C. McWilliams Walker, Town Clerk

STAFF REPORT

Solomon Development

DOCKET: L-PBR 2021001
STAFF: Stacy Tolbert, Town Planner

Petitioner: Jeff Zenger, Solomon Development LLC
Ownership: Solomon Development, LLC

REQUEST OF AMENDMENT:

Zoning: PB-S (Pedestrian Business)
Uses Allowed: Combined Use Multi-Family
PIN#: 5875-97-7671 & 5875-97-8451
Acreage: 1.56 Acres

LOCATION:

Street: Great Wagon Road
Jurisdiction: Town of Lewisville

PROPERTY SITE/IMMEDIATE AREA:

Existing Structures on Site: The site is currently vacant.

Adjacent uses:

- * North - Single family residence, 204 North St, zoned RS-20
- * East - Single family residences, 196 Will Austin Ct & 135 Belnette Dr, zoned RS-20
- * South - property fronts Great Wagon Rd and Shallowford Square
- * West - Single family residence, 155 Belnette Dr, zoned RS-20

GENERAL AREA:

Character/Maintenance: This area is located in the Downtown Overlay District which includes residential, commercial and recreational uses.

PHYSICAL FEATURES:

Topography: The site slopes gently from the south to west but is predominately flat.

Vegetation/habitat: The property is covered with natural vegetation including grasses and some trees.

Impact on Existing Features: Impacts are to be expected, However the main building is to be placed on the front property where there are not many trees.

WATER AND SEWER FACILITIES:

Public water and sewer are available to the site.

TRANSPORTATION:

Direct Access to Site: Great Wagon Road and North Street, to be accessed off North Street.

Street Classification(s): Local arterial

Average Daily Traffic Count/Estimated: Closest measurement is Shallowford Rd at 10,000 adt (source: NCDOT AADT 2017)

HISTORY/RELEVANT ZONING CASES:

- * L-083; RS-9 to RM-12-S (Multi Family Residential) approved 05/10/2018; west side of Styers Ferry Rd adjacent to this property for Phase I of this same project including an apartment complex of 60 units; Planning Board and staff recommended approval.

- * L-096; Technical Review for Compliance on current property for request. Zoned PB-S for Combined Use, Multi-Family. Request was for a 4 story multi-family building with 39 units to include a restaurant on the ground floor. Staff recommended approval, Planning Board recommended denial to the Town Council and the Town Council denied the request.

CONFORMITY TO PLANS:

Lewisville Unified Development Ordinance (UDO) - There are a few instances in the UDO where some regulations do not support other regulations throughout the ordinance. For instance, the property is located within the Downtown Overlay District where properties zoned PB are not required to have any building setbacks. However, in other parts of the UDO, bufferyard and building setback requirements differ from that of the Downtown Overlay and if applied, would make the properties downtown un-buildable. These requirements include 15 foot landscaped bufferyards and 40 ft building setbacks from residential properties. As staff, I do not feel these regulations support the intent of the Downtown Overlay. Staff's interpretation of the ordinance is to allow properties in the Downtown Overlay that are zoned PB to maintain the zero build-to line and to install plantings around the perimeter of the property to accomplish a separation between existing uses. In the Downtown Overlay, landscape requirements are mentioned which include plantings along the front facade of buildings but no specific requirements are detailed for side and rear property lines. Elevations have been submitted for the project and are included in the packet material. The applicant meets the elevation requirements including building height in the Downtown Overlay of 2 stories, 48 feet, color scheme and roof pitch. Overall, the proposal meets the requirements of the UDO.

Lewisville Comprehensive Plan Update 2015 - The Plan describes this area as being where higher density uses are appropriate, particularly where sewer is available. This area is located in the downtown area of Lewisville where it is recommended by the Comprehensive Plan to have a mixture of office, retail and residential uses. This area would be suitable for a multifamily mixed-use development to include a restaurant due to ease of access to surrounding complementary uses.

The Plan also contains a number of "Recommended Actions." In the chapter on Land Use, recommendations include; support of design standards in the development of downtown, allow for higher density zoning surrounding the downtown area, and require parking for multi-family to be to the rear of the structures or screened from the road.

Legacy Development Guide - *Legacy* encourages a mixture of office, retail and housing along Growth Corridors that do not contribute to "strip development." The property is located in Growth Management Area 2 but abuts Growth Management Area 1 which is Town Centers. In Town Centers, it is encouraged to have more residential development at higher densities while promoting deck parking over surface parking.

ANALYSIS:

This property was zoned PB-S in 2000 and was zoned for combined use - multi family. In the Unified Development Ordinance, the definition of a combined use is a principle building which is used for any

combination of dwelling units(s), including single family, duplex and multifamily, and any other use(s) permitted in the zoning district. The original site plan that was approved in 2000 has sunset, or expired. A request was submitted for this property in 2020 for a 4-story multi-family building of 39 units with a restaurant. This request was denied by the Town Council. A new request has been submitted for a 2-story multi-family building of 39 units with a restaurant. A restaurant without drive-thru service is a use allowed by right in the PB (Pedestrian Business) zoning district.



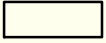


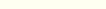

PB is primarily intended to accommodate office, retail, service, institutional and high density residential uses which customarily serve community and convenience business needs of smaller communities and urban nodes in the city and county. The district is intended to encourage the development of attractive, identifiable small towns, and to accommodate the pattern of building in the business concentrations surrounding the central core of municipalities.

RECOMMENDATION:

Town staff is of the opinion that the request meets the standards of the Unified Development Ordinance. 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 residential density that promotes pedestrian connectivity and availability in a downtown center.

L-PBR 2021001 Solomon Development

LEGEND

-  Property of Request
-  Zoning
-  Parcels
-  Centerline
-  Yadkin River WS-IV Watershed
-  Streams
-  500 ft Buffer

PIN #(s): 5875-97-8451
5875-97-7671

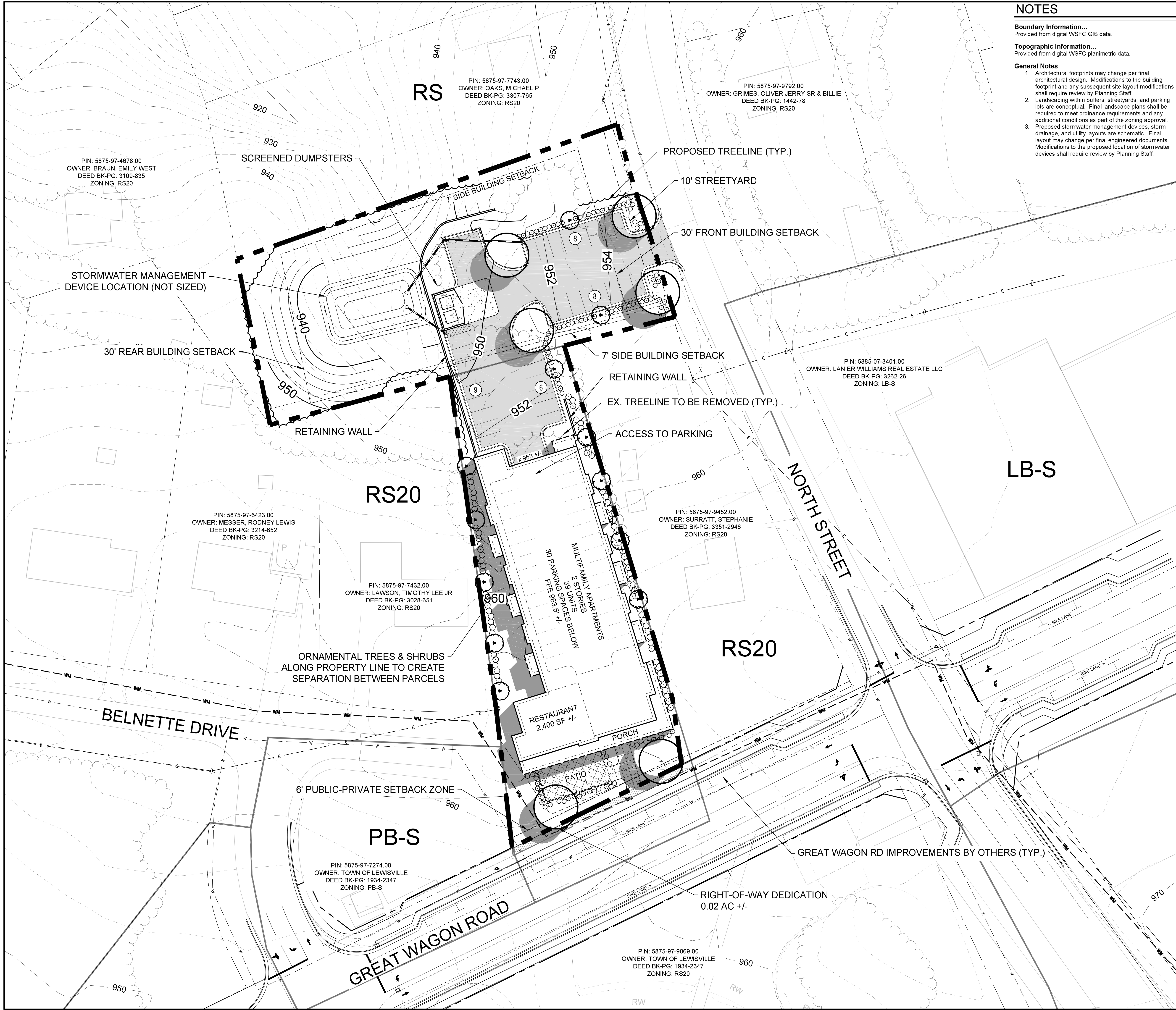


1 inch = 375 feet



This map and analysis are provided "As Is" without warranty of any kind, either express or implied. The information contained in this map is for informational purposes only and was not prepared for, and is not suitable for legal, engineering, or surveying purposes. Use of these materials constitutes acceptance of this disclaimer of liability.

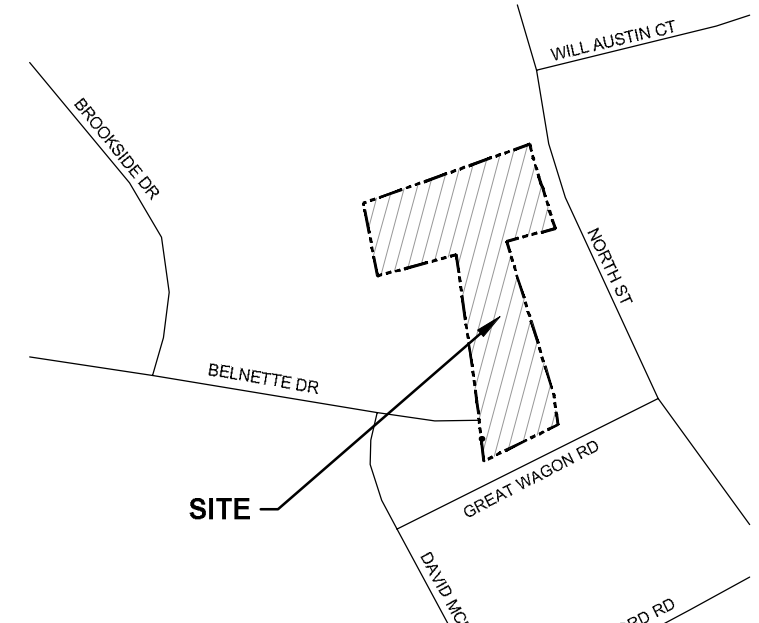
Created by: Stacy Tolbert



NOTES

- Boundary Information...**
Provided from digital WSFC GIS data.
- Topographic Information...**
Provided from digital WSFC planimetric data.
- General Notes**
1. Architectural footprints may change per final architectural design. Modifications to the building footprint and any subsequent site layout modifications shall require review by Planning Staff.
 2. Landscaping within buffers, streetyards, and parking lots are conceptual. Final landscape plans shall be required to meet ordinance requirements and any additional conditions as part of the zoning approval.
 3. Proposed stormwater management devices, storm drainage, and utility layouts are schematic. Final layout may change per final engineered documents. Modifications to the proposed location of stormwater devices shall require review by Planning Staff.

VICINITY MAP



SITE DATA

Jurisdiction
Lewisville, NC

Purpose Statement
The purpose of this request is for a Site Plan Amendment to amend the PB-S zoned tract.

Zoning
Existing Zoning: PB-S, RS20
Existing Zoning Overlay: DTO - DCA
Proposed Zoning: PB-S, RS20

Site Acreage
Parcel Acreage: 1.58 Acres +/-
Right-Of-Way Dedication: 0.02 Acres +/-
Total Site Acreage: 1.56 Acres +/-

Watershed Data
The site is located within the Yadkin River WS-IV-P water supply watershed district.

Maximum Impervious Area Permitted:	N/A %
Building to Land:	0.39 Acres +/- 25.00 %
Pavement to Land:	0.34 Acres +/- 21.79 %
Open Space:	0.83 Acres +/- 53.21 %
Parcel Total:	1.56 Acres +/- 100.00 %

Total Impervious: 0.73 Acres +/- 46.79 %

Infrastructure

Water	Public
Sewer	Public
Road	N/A

Building Data
Max. Building Height: 48'
Proposed Building Height: 46' +/-
Total Building Size: 29,448 SF +/- (2 stories)
Residential Units: 39 Units
Unit Density: 25.00 Units per Acre

Parking Calculations

Vehicle Parking
(Residential Building, Multifamily - 1.5 spaces per 1 bedroom unit, 1.75 spaces per 2 bedroom unit, 2 spaces per 3 bedroom unit): 1.75 x 39 = 69 spaces

Parking Required:	69 Spaces
30% PB Reduction:	21 Spaces
Total Required:	48 Spaces
Parking Provided:	48 Spaces +/-

(Restaurant without Drive-Through Service - 1 space per 75 SF GFA): 2,400 / 75 = 32 spaces

Parking Required:	32 Spaces
30% PB Reduction:	10 Spaces
Total Required:	22 Spaces
Parking Provided:	24 Spaces +/- (includes 11 on-street)

Total Parking Required: 71 Spaces
Total Parking Provided: 72 Spaces +/-

Building Setbacks

Front:	30' (RS20), N/A (PB-S)
Rear:	30' (RS20), N/A (PB-S)
Side:	7' (RS20), N/A (PB-S)
Street:	20' (RS20), N/A (PB-S)
DTO:	6' Public-Private Setback Zone
Other Note:	PB-S 40' adjacent to residential zoning N/A within the DTO

Bufferyards
Type Required: N/A

Streetyards
Type Required: Minimum 10'
Type Provided: 10'

stimmel
LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
LAND PLANNING
601 N. TRADE STREET, SUITE 200
WINSTON-SALEM, NC 27101
P: 336.723.1067 F: 336.723.1069
E: frontdesk@stimmelpa.com
www.stimmelpa.com

SEALS:
PRELIMINARY DRAWING
STIMMEL ASSOCIATES, P.A.
CORPORATE SEAL
NORTH CAROLINA
C. 88
LIFE A DICKERSON
NOT APPROVED FOR CONSTRUCTION
PROJECT NAME & LOCATION:

**SOLOMON DEVELOPMENT
- SHALLOWFORD SQUARE
LEWISVILLE, NC**

- PLANS FOR:
- PRE-SUBMITTAL
 - SUBMITTAL
 - REVISED SUBMITTAL

CLIENT:
Solomon Development
8614 Shallowford Rd, Suite 200
Lewisville, NC 27023
(336) 945-9033
jeff@ishacustombuilders.com

01/08/2021	PER NEW BUILDING HEIGHT
05/22/2020	PER TOWN COMMENTS
05/18/2020	PER TOWN COMMENTS

DATE	DESCRIPTION
SUBMITTAL DATE:	03/04/2020
PROJECT NO:	19-234
DRAWN BY:	BR, GH

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**Site Plan
Amendment**

SPA-1

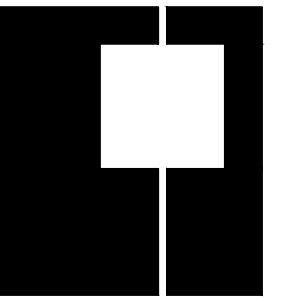
**SOLOMON DEVELOPMENT
- SHALLOWFORD SQUARE**

OWNERS/PETITIONERS:
PIN#: 5875-97-8451 000, 5875-97-7671 000
Deed Bk-Pg: 2461-26, 3432-3661
Zoning: PB-S, RS20
Owner: Solomon Development LLC
6814 Shallowford Rd
Lewisville, NC 27023

PREPARED BY:
 stimmel
LANDSCAPE ARCHITECTURE CIVIL ENGINEERING LAND PLANNING
601 N. TRADE STREET, SUITE 200
WINSTON-SALEM, NC 27101
www.stimmelpa.com 336.723.1067
frontdesk@stimmelpa.com

SCALE: 1" = 30'

F:\19-234\LP\Drawings\19-234_SPA.dwg 24:08 SPA 01/08/21 12:22am



Steven M. Lloyd
 Architect
 5762 Tomahawk Road
 Winston-Salem, NC 27106
 Telephone (336) 448-8091
 steven@lloydarchitecture.com



1.7.2021

NOT FOR
 CONSTRUCTION

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 DESIGN
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 ARCHITECT

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Project:

Proposed

**Solomon
 Development
 Apartment
 Building**

Lewisville, NC

Project Number:
 07-2020

Issue Date:
 --/--/2021

Revisions:
 △ --/--/2021

Sheet Title:
 BUILDING
 ELEVATIONS

Sheet Number:

A5.1



6 FRONT ELEVATION
 1/8" = 1'-0" 07-2020 BP01



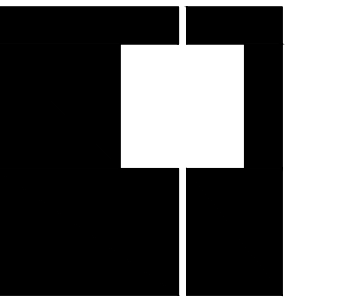
16 EAST ELEVATION (SIDE)
 1/8" = 1'-0" 07-2020 BP01



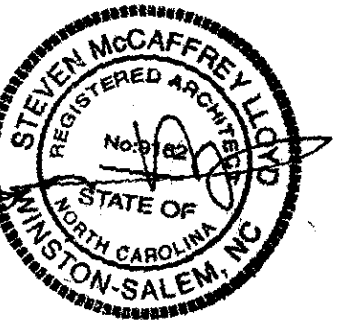
6 WEST ELEVATION (SIDE)
1/8" = 1'-0" 07-2020 BP01



16 NORTH ELEVATION (REAR)
1/8" = 1'-0" 07-2020 BP01



Steven M. Lloyd
Architect
5762 Tomahawk Road
Winston-Salem, NC 27106
Telephone (336) 448-8091
steven@lloydarchitecture.com



1.7.2021
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Project:
Proposed
Solomon Development Apartment Building

Lewisville, NC

Project Number:
07-2020

Issue Date:
--/--/2021

Revisions:
△ --/--/2021

Sheet Title:
BUILDING ELEVATIONS

Sheet Number:

A5.2

**RESOLUTION 2021019 OF THE LEWISVILLE TOWN COUNCIL
SETTING A PUBLIC HEARING TO RECEIVE COMMENTS
ON UDO L-163 AMENDING THE UNIFIED DEVELOPMENT ORDINANCES (UDO)**

WHEREAS, the Lewisville Planning Board held its public hearing on February 10, 2021 on the draft amendment to amend Chapter B Article 3 and Chapter D Article 4 of the Unified Development Ordinances (UDO) to create detailed requirements for the planting of street trees in residential developments; and

WHEREAS, the Lewisville Planning Board held its requisite 24 hours waiting period to receive written comments on February 24, 2021 as noted in SL 2020-3; and

WHEREAS, having received no written comments, recommends approval to the Lewisville Town Council; and

WHEREAS, Chapter 160A-364 of the North Carolina General Statutes provide that public notice be given when adopting or amending ordinances pertaining to planning and development; and

WHEREAS, General Statute 160A-364 requires that a notice of a public hearing be published twice in a newspaper having general circulation in the municipality not less than 10 days nor more than 25 days before the date fixed for the public hearing; and

WHEREAS, General Statute 160A-384 (a) *Methods for Procedure* states “The city council shall provide for the manner in which zoning regulations and restrictions and the boundaries of zoning districts shall be determined, established and enforced, and from time to time amended, supplemented or changed, in accordance with the provisions of this Article.”;

NOW, THEREFORE, BE IT RESOLVED THAT THE LEWISVILLE TOWN COUNCIL sets a public hearing to be conducted electronically at 6:00 pm originating in the Lewisville Town Hall, 6510 Shallowford Road, for Thursday, April 8, 2021 for the purpose of receiving public comment concerning this request.

Adopted this the 11th Day of March, 2021 by the Lewisville Town Council.

APPROVED: _____
Mike Horn, Mayor

ATTEST: _____
Joyce C. McWilliams Walker, Town Clerk