

Special Called Meeting of the Lewisville Town Council
Meeting Agenda - Tuesday, March 16, 2021 - 6:00 p.m.
Digitally originating in Council Chambers 1st floor - Lewisville Town Hall
6510 Shallowford Road

When: Mar 16, 2021 06:00 PM Eastern Time (US and Canada)
Topic: Council Follow Up Meeting for Public Hearing

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87245650632?pwd=cWt6ek9ET1pKOTZmQXNESHg4akJzQT09>

Passcode: 369607

Or Telephone:

US: +1 301 715 8592

Webinar ID: 872 4565 0632

Passcode: 369607

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

 2. **Considerations**
 - a. [Ordinance 2021010](#) - Annexation of 7.723 acres off of Doub Road into the Town Limits with no existing homes on the property
 - b. [Ordinance 2021011](#) - Rezoning of 7.723 annexed property from RS-40 Forsyth County planning jurisdiction to RS-20 Lewisville planning jurisdiction
 - c. [Resolution 2021020](#) - Lewisville Technical Review for Compliance (LTCR) for Gateway Estates case L-PBR 2020002

 3. **Adjournment**

**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.

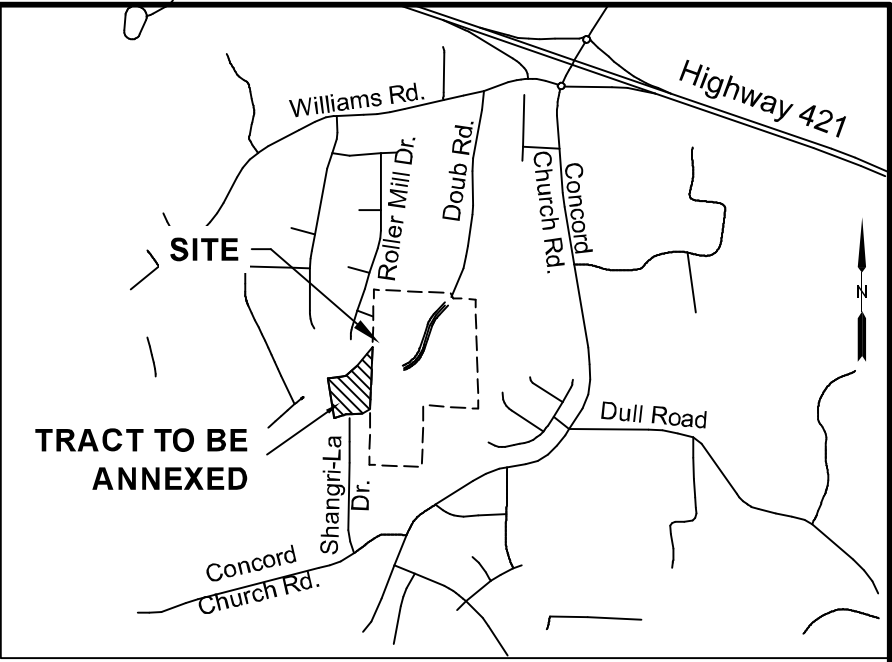
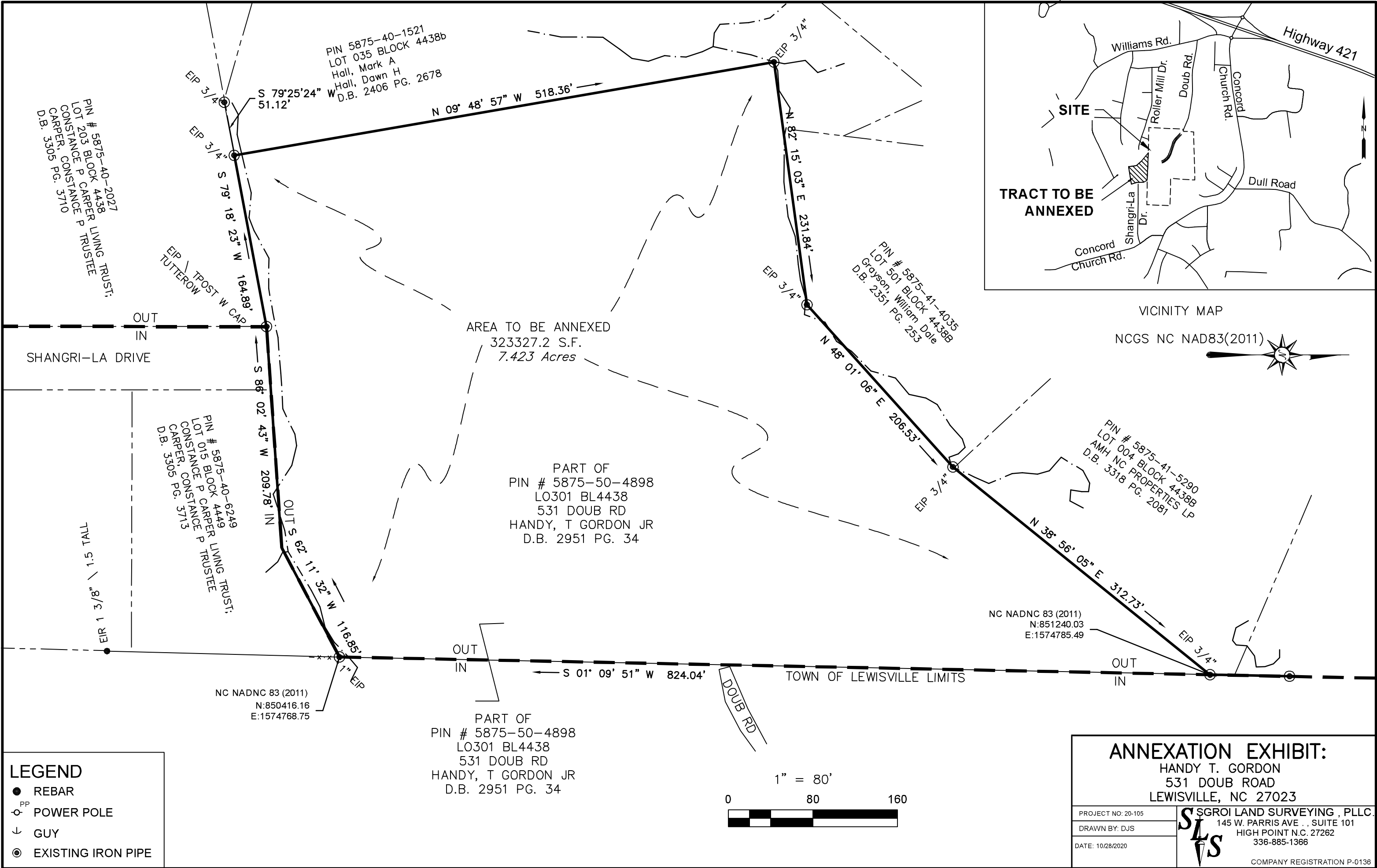
Section 3. The Mayor of the Town of Lewisville shall cause to be recorded in the office of the Register of Deeds of Forsyth County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified 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

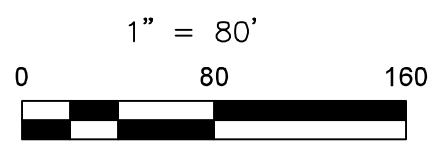
ATTEST:

Joyce C. McWilliams Walker, Town Clerk



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.



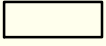


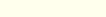
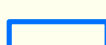
**ADOPTED THIS THE xxth DAY OF MARCH, 2021 BY THE LEWISVILLE TOWN COUNCIL
WITH A VOTE OF x-x AND AN EFFECTIVE DATE OF xx, 2021**

APPROVED: _____
Mike Horn, Mayor

ATTEST: _____
Joyce C. McWilliams Walker, Town Clerk

Gateway Estates - Doub Rd REZ

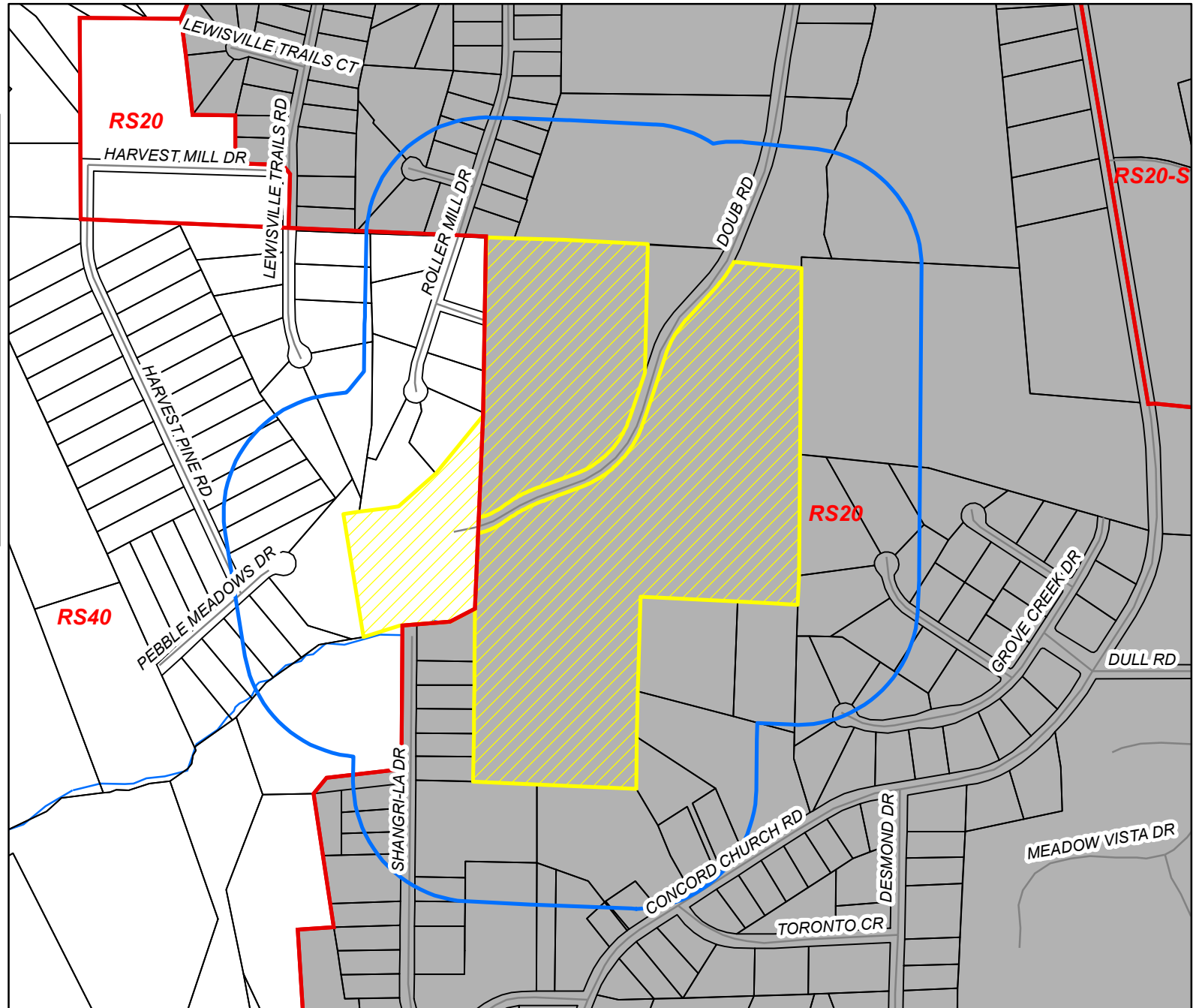
LEGEND

-  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.



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 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