

Lewisville Planning Board
6510 Shallowford Rd
Regular Meeting Minutes
Wednesday, August 14, 2019 - 6:30 p.m.

1. **Call to Order**

- a. Chair Jeanne Marie Foster called the meeting to order at 6:32 p.m.

2. **Roll Call**

- a. Board Members present were Joseph Hamby, Jessica Higgins, Michael Sullivan and Bill Scantland. Tom Lawson and Meghan Flow had advised they would be unable to attend this meeting. Also present were Planner Stacy Tolbert and Attorney Bo Houff. Town Clerk Joyce Walker was unable to attend this meeting also.

3. **Regular Business**

- a. Approval of Agenda
- i. Mrs. Foster added a recess follow the Technical Review so that members could reconvene in the second floor conference room.
 - ii. With that addition, Jessica Higgins moved to approve the agenda. The motion was seconded by Mike Sullivan and approved unanimously.
- b. Approval of Minutes
- i. Joseph Hamby moved to approve the July 24, 2019 minutes. The motion was seconded by Jessica Higgins and approved unanimously.

4. **Public Hearings**

- a. None.

5. **Technical Review(s)**

- a. L-PBR 2019002 Loch Lea
- i. This is a Technical Review for Compliance by the Planning Board for a 29 lot preliminary Major Subdivision, Loch Lea.
 - ii. Final approval will be by the Town Council.
 - iii. Highlights of the staff report were reviewed.
 - (1) This is a 54.78 acre property in the RS-20 zoning district that does not require a public hearing since there is no zoning change. This review is for compliance. This is a by-right subdivision.
 - (2) The subdivision will consist of large lot, single family dwellings accessed off of Reynolds Road.
 - (3) Characteristics of the land include slopes, ponds, natural vegetation and is in the WS-IV Yadkin River Watershed.
 - (4) Properties will be using public water and private septic systems.
 - (5) The density requirements meet the guidelines of NOT requiring curb and gutter, nor are sidewalks required.
 - (6) Inter-connectivity is a requirement for subdivisions; however, because of the characteristics of the property, the developer is requesting a waiver.
 - (7) Also because of the same characteristics, a waiver is being requested on the block length.

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- (8) The property will not be clear cut.
- (9) TRC comments have been resolved.

MAJOR SUBDIVISION STAFF REPORT

Loch Lea

DOCKET: L-PBR 2019002
STAFF: Stacy Tolbert, Town Planner

Petitioner: Brenstan, LLC c/o Stan Forester
Ownership: Brenstan, LLC c/o Stan Forester

REQUEST: Preliminary Major Subdivision
A major subdivision in the RS-20 zoning district. The meeting requires review by the Planning Board and approval by the Town Council
PIN #'s: 5885-40-0844, 5885-30-8721, 5885-40-0142 & a portion of 5885-40-6198
Acreage: 54.78 acres

LOCATION:
Street: Accessed off Reynolds Road south of US 421.

Jurisdiction: Town of Lewisville

PROPERTY SITE/IMMEDIATE AREA:
Existing Structures on Site: The site is a wooded lot with one single family dwelling and multiple accessory structures.
Adjacent uses:
* North - Single family residential and Joe's Landscaping, Lasley Road, zoned RS-20 & HB-S
* East - Single family residential and Manufactured Housing, Birchbend Ln, zoned RS-30; Forsyth County jurisdiction
* South - Single family residences, Hedgerow Cir properties, zoned RS-20
* West - Single family residences, large lots along Lasley Rd, zoned RS-20

GENERAL AREA:
Character/Maintenance: The homes in this area are mainly single family medium and large lots. The existing subdivision to the south of the subject property is an established neighborhood with ~27 homes. The property to the north is an approved and operating landscaping business.

PHYSICAL FEATURES:
Topography: Throughout the site there are gentle slopes and steep slopes to the south of the property.
Vegetation/habitat: The property is covered in a wooded vegetation with two ponds.
Watershed: The property is located within the Yadkin River WS-IV watershed district.

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WATER AND SEWER FACILITIES:

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

TRANSPORTATION:

Direct Access to Site: Reynolds Road

Street Classification(s): Reynolds Road- Minor Thoroughfare

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 the exceed one unit/80,000 sq ft and with a minimum lot size of 40,000 sqft do not require curb and gutter, therefore sidewalks are not required. The UDO also requires the inter-connectivity of subdivisions and a block length or cul-de-sac length limit of 1,200 ft. Due to the rough terrain and steep slopes of the site as well as two ponds being located on the property these requirements have been difficult to achieve. The UDO states the Elected Body may deem that existing conditions or special plan provisions warrant a variation from these requirements.

The UDO also states except in unusual circumstances, cul-de-sac or other dead-end streets, designed to be so permanently, shall not be longer than 1,200 feet and shall have either a cul-de-sac or a T-shaped turnaround installed at the end. Staff feels the property, accounting for the ponds and topography, is an unusual circumstance where this provision is difficult to meet. 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 medium density. The minimum lot size is 20,000 square feet. 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. In residential subdivisions, a type III bufferyard within the required yard adjacent to Reynolds Road must be installed.
3. Erosion control permits shall be obtained through The City of Winston-Salem.

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4. Fire and life safety infrastructure does meet NC Fire Code requirements.
5. Stormwater management permits, if required, must be obtained through the Town of Lewisville before issuing building or zoning permits.
6. All ponds, streams and stream buffers shall be shown on the final plat.
7. The portion of the site noted on the plan to be used as a LCID Landfill shall be publicly recorded at the Forsyth County Register of Deeds Office.
8. TRC Comments must be remedied.
9. The cul-de-sac length and inter-connectivity requirements must be waived by the Elected Body.

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 higher density within a suburban/urban environment. Staff recommends approval of the Loch Lea preliminary major subdivision subject to the requirements stated above and any other Conditions placed by the Town of Lewisville Planning Board.

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- (10) Board members reviewed the Technical Review Comments for clarification as well as the amended site plan.
 - (11) Board members were advised that no storm water device is required.
 - (12) Jessica Higgins moved to recommend to Council for approval or denial with the conditions shown on the Technical Review Comments and the staff report. The motion was seconded by Bill Scantland and approved unanimously.

The Board recessed to the second floor at 6:46 p.m.

The Board resumed the meeting in the second floor conference room at 6:55 p.m.

6. New Business

- a. None.

7. Reports and Updates

- a. Chair
 - i. None at this time. They will be at Item #8.
- b. Planner
 - i. The Terrace at Reynolds Run was approved by Council with an additional buffer.
 - ii. Comments can still be made to the DOT on the GWR project until August 26th.
 - iii. The middle school project has been submitted with their application and fees. It will be on the agenda for the August 28th briefing. This will be a review for compliance for public schools and it does not go to Council. September 11th will be the possible date for the hearing.
 - (1) There was discussion on whether notification will be provided to the public even though it is not required.

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- (a) It was pointed out that any notification for this meeting would fall under the current UDO and would be grandfathered even if changes are made in the future.
 - (b) There was also discussion about adding a Public Comment period to the hearing agenda at the end of the meeting.
 - c. Town Clerk
 - i. None.
 - d. Attorney
 - i. None.

- 8. **Continued Business/Work Session**
 - a. Ordinance follow-up
 - i. Town Council has asked the Planning Board to look at several items.
 - (1) Street tree requirements for major subdivisions.
 - (a) The impact of the current placement of trees that are being placed in the right-of-way since the root system is causing sidewalks to up-heave and have other safety issues.
 - (i) There are maintenance impacts and costs for removal and/or replacement as well as interactions with the property owners.
 - (b) The Beautification Committee will also be asked to review the tree list for suggestions of tree varieties that don't have large root systems and the amount of set-back from the road.
 - (c) **The planner and chair will bring some information back to the board so this can move forward.**
 - (2) Connectivity
 - (a) Meet with groups (internal and external) that have impacts on connecting to stub streets.
 - (i) Review what to do if there are multiple stub streets.
 - (ii) Look at additional topographical requirements.
 - (b) Board members discussed the process to determine a conclusion, i.e. leave as is, amend, etc.
 - (c) **The planner and chair will bring a process and possible dates for a meeting to the board.**
 - b. Neighborhood Outreach/community engagement
 - i. Board members discussed the handout that was provided regarding community outreach.
 - (1) Items that could be changed without any UDO updates.
 - (a) Some of the items of discussion were the use of text messaging and posting more information to the web site, Facebook, etc. as ways to communicate.
 - (2) Items that would require a change to the UDO.
 - (3) Information that could be provided to the public.

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- ii. There was a suggestion to **look at other municipalities for their processes.**

9. **Meeting Review**

- a. Action Item Consensus/Next Steps
 - i. See bold above.
- b. Next Meetings
 - i. Public Hearing - August 28, 2019
 - ii. Work Session - September 11, 2019

10. **Adjournment**

- a. Having no other business to discuss, Michael Sullivan moved to adjourn the meeting at 8:43 p.m. The motion was seconded by Meghan Flow and approved unanimously.

Jeanne Marie Foster, Chair

ATTEST:

Joyce C. McWilliams Walker, Town Clerk