

REGULAR PLANNING BOARD MEETING
Wednesday, August 12, 2020 at 6:30 P.M.
Digitally originating in Council Chambers 1st floor - Lewisville Town Hall

1. **Call to Order**

- a. Chair Tom Lawson opened the meeting being simultaneously streamed electronically at 6:31 p.m.

2. **Roll Call**

- a. Board members attending electronically were Joseph Hamby, Bill Scantland, Joseph Sloop and Michael Sullivan. Jessica Higgins had advised that she would not be able to attend. Also attending electronically were Planner Stacy Tolbert, Attorney Bo Houff, and Town Clerk Joyce Walker.

3. **Regular Business**

- a. Approval of Agenda
- i. Joseph Hamby moved to approve the agenda. The motion was seconded by Joseph Sloop and approved unanimously with a roll call vote of ayes from board members Hamby, Scantland, Sloop, Sullivan and chair Lawson.
- b. Approval of Minutes
- i. July 8, 2020
- (1) Joseph Sloop moved to approve the July 8, 2020 minutes. The motion was seconded by Joseph Hamby.

Planning Board Member Meghan Flow electronically entered the meeting at 6:35 p.m.

- (2) The minutes were approved unanimously with a roll call vote of ayes from board members Flow, Hamby, Scantland, Sloop, Sullivan and chair Lawson.

4. **Public Hearing:**

- a. None.

5. **Technical Review(s):**

- a. None.

6. **Reports & Updates:**

- a. Chair/Vice Chair
- i. No report.
- b. Planner
- i. The subdivision previously mentioned to the board has been re-submitted. Instead of the original four (4) lots, the subdivision, Lewisville Place Section 5 at the end of Kelwyn (a stub), has been redesigned with seven (7) lots. This will be a technical review for compliance and will be briefed at the next meeting.
- ii. The Solomon Development case will be heard by Council at their meeting tomorrow evening (August 13th) and consideration on the 17th.
- c. Attorney
- i. Attorney Houff apologized for the advice he had provided for the Solomon case and that he had advised the Board with incorrect information. He also mentioned a

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detailed email that had been sent at the request of Board member Sullivan. The information provided to the Board referred to how cases used to be handled: 2-part rezoning and site plan. If the rezoning is approved, then the site plan would be reviewed for compliance. He said he thought that he had misled everyone by saying there was room for discretion. The mass and scale was the item that could give rise to subjectivity. The Council has been advised of the error and had been advised that the case will be reviewed for compliance. If the plan meets all elements of the Downtown Overlay, UDO and any other document, they will be duty bound to approve it and if not to deny it.

- d. Clerk
 - i. Everyone was reminded to fill out Census information if they haven't already done so to make sure the State, County and Town receive funds.

7. New Business

- a. None.

8. Continued Business/Work Session

- a. Downtown Overlay Map/Text Amendment
 - i. The text amendment and map were reviewed.
 - (1) Definitions were found in multiple locations in the UDO and were deleted from locations to be placed only in one location in the UDO.
 - (2) The Downtown Overlay, Downtown Core Area and Gateway will all now refer to the Map in Exhibit 5 in the Appendix of the the UDO.
 - (3) The difference between the Preferred Land Use Map and Downtown Overlay were defined:
 - (a) Preferred Land Use is the preferred use of the property if rezoned.
 - (b) Downtown Overlay properties must meet standards.
 - (4) Properties on Belnette were found to be in the Downtown Overlay by ordinance approved in 1999.
 - (5) After reviewing the map, it was determined that 2 properties on Styers Street and 2 properties on Belnette will be added to the amended map.
 - ii. Consensus was to have briefing on August 26th and if in agreement, set a public hearing for September 9th.
- b. Comprehensive Plan
 - i. Council Direction
 - (1) Council has approved moving forward with plans for updating the Comprehensive Plan.
 - (a) Mrs. Tolbert will be amending the RFP since it may need to include virtual meetings for public involvement depending on the COVID-19 pandemic.
 - (b) The RFP will also need to include the Parks, Recreation and Cultural Development Master Plan.
 - (i) Mr. Perkins will be consulting with the Parks and Rec Board when the time is appropriate.

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- (c) The next step is to select a firm to provide their qualifications (RFQ),
 - (d) There was discussion on whether there is a way to keep track of those that will attend a virtual meeting.
 - (i) There might be difficulty in (virtual) participation.
 - c. Pedestrian Connections Overlay
 - i. Mrs. Tolbert reviewed the background on this subject and what had happened with the PCO Public Hearing, i.e. opened and closed, no comments, and with text written under the direction of the exiting Council with no action taken.
 - (1) Board members questioned whether the new Council had the same directive to exempt government agencies (especially the middle school being built).
 - (a) Board members discussed the current text of the PCO and that it should stay as is or have some type of alternative compliance.
 - (2) There is no enforcement compliance currently included in the current language.
 - ii. Dropbox has a text amendment with a 50% reduction in fee and text for alternative compliance.
 - (1) This only becomes an issue if there is a waiver requested because of topography or if there is planned DOT construction on the road adjacent to the project.
 - iii. After discussion, Board members agreed that:
 - (1) The full standards should apply and that item (v) should be removed from the text amendment that allowed the 50% reduction in fees.
 - (2) The language for item (4) related to Alternative Compliance should be left in the amendment.
 - iv. This will be on the agenda for September 9th with the consideration on September 23rd to allow 24 hours following the close of the Public Hearing to receive written public comment.
- 9. **Meeting Review**
 - a. Action Item Consensus/Next Steps
 - b. Next Meetings
 - i. Work Session - August 26, 2020
 - (1) Briefing on the subdivision, briefing for the final draft for the Downtown Overlay text amendment and map, and the final draft for the PCO text amendment.
 - ii. Public Hearings - September 9, 2020
 - (1) The Downtown Overlay text amendment and map and PCO.
- 10. **Adjournment**
 - a. Having no other business to discuss, Bill Scantland moved to adjourn the meeting at 7:57 p.m. The motion was seconded by Tom Lawson and approved unanimously with a roll call vote of ayes from board members Flow, Hamby, Scantland, Sloop, Sullivan and chair Lawson.

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Tom Lawson, Chair

ATTEST:

Joyce C. McWilliams Walker, Town Clerk