

Lewisville Town Council
Regular Meeting Agenda
September 10, 2020 - 6:00 p.m.
Digitally originating in Council Chambers 1st floor - Lewisville Town Hall
6510 Shallowford Road

1. **Call to Order**
 - a. Invocation: Bo Houff
 - b. Roll Call
 - c. Adoption of Agenda

2. **Consent Agenda**
 - a. Consent Agenda for approval
 - i. [Resolution 2020060](#) - Acceptance and Approval of preliminary Monthly [Financials for the month ending July 31, 2020](#)
 - ii. Approval of Town Council Briefing Meeting [Minutes - August 6, 2020](#)
 - iii. Approval of Town Council Regular Meeting [Minutes - August 13, 2020](#)

3. **Introductions, Presentations, Recognitions and/or Proclamations**
 - a. **Introductions, Recognitions, Presentations and/or Proclamations**
 - i. Proclamations
 - (1) [Proclamation 2020004](#) - proclaiming September 17, 2020 as Constitution Day and September 17, 2020 to September 23, 2020 as Constitution Week
 - (2) [Proclamation 2020005](#) - proclaiming September 10, 2020 as George Hauser Day
 - ii. Presentations
 - (1) Public Safety Report

4. **Public Forum**
 - a. Citizens should limit their comments to three (3) minutes.
 - b. Written comments may be sent to townclerk@lewisvillenc.net.

5. **Appointments**
 - a. [Appointment Order 2020007](#) - re-appointing two members to the Student Leadership Committee for school year 2020-2021

6. **Evidentiary Hearings**
 - a. None.

7. **Annexation Requests**
 - a. None.

8. **Preliminary Site Plan Approvals**
 - a. None.

9. **Unfinished Business**
 - a. None.

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10. **Public Hearings**

- a. None.

11. **New Business**

- a. [Resolution 2020059](#) - Accepting the Declaration of Withdrawal of Road Dedication for a portion of Aria Dr
- b. [LTCR 2020-001](#) (continued from August 13, 2020) - Case L-096 Site Plan Review for Compliance - Special Use District Permit for PINS 5875-97-8451 and 5875-97-7671
 - i. Staff Presentation
 - ii. Public Comments
 - iii. Council Discussion
 - iv. Consideration of Site Plan Special Use District Permit LTCR 2020-001

12. **Administrative Reports**

- a. Upcoming [Events at Shallowford Square](#) and Town Holidays
- b. Manager's Report
 - i. Groundbreaking ceremony for the Mary Alice Warren Community Center (not open to the public due to COVID-19 restrictions)
- c. Clerk's Report
 - i. None.
- d. **Approvals at the Briefing and Action Meeting on September 3, 2020**
 - i. [Resolution 2020061](#) - affirming the Lewisville Town Council's support regarding implementation of a compliant NPDES Stormwater Program
 - ii. [Resolution 2020048](#) - rescinded resolution setting public hearing after finding that zoning case L-096 is a review for compliance

13. **For the Good of the Order:**

- a. Public Comments
 - i. Citizens should limit their comments to three (3) minutes.
 - ii. Written comments may be sent to townclerk@lewisvillenc.net.
- b. Council Comments/Discussion
- c. Adjournment

**RESOLUTION 2020060 OF THE LEWISVILLE TOWN COUNCIL
PERTAINING TO
ACCEPTANCE AND APPROVAL OF MONTHLY DISBURSEMENTS**

WHEREAS, the Finance Officer has presented the Town Council with the *preliminary* Revenue Statement Summary and the Encumbrances and Expenditure Statement Summary of figures for the month ending July 31, 2020; 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 month ending July 31, 2020 and incorporated herein.

Resolved and effective upon adoption, this the 10th Day of September, 2020 by the Lewisville Town Council.

Mike Horn,
Mayor

ATTEST:

Joyce C. McWilliams Walker
Town Clerk

**Town of Lewisville
Financial Budget to Actual Report - General Fund
One Month Ended July 31, 2020**

General Fund

| Revenues | Budget | Revenue Year to Date | Uncollected | Percentage Collected |
|---------------------------------|------------------------|-------------------------|-----------------|-------------------------|
| Property Tax Collections | \$ 2,452,605.00 | \$ - | \$ 2,452,605.00 | 0.00% |
| Sales Tax Revenue | 802,400.00 | - | 802,400.00 | 0.00% |
| Other Revenues | 1,265,970.00 | 4,094.03 | 1,261,875.97 | 0.32% |
| Total | 4,520,975.00 | \$ 4,094.03 | \$ 4,516,880.97 | 0.09% |
| Appropriation from Fund Balance | 541,264.00 | | | |
| | <u>\$ 5,062,239.00</u> | | | |

| Departments | Budget | Expenditures Year to Date | Encumbrances Year to Date | Unencumbered and Unspent Balance | Percentage of Budget Spent or Encumbered |
|-------------------------------|------------------------|------------------------------|------------------------------|----------------------------------------|---------------------------------------------------|
| Governing Body | \$ 227,410.00 | \$ 32,598.71 | \$ 38,780.32 | \$ 156,030.97 | 31.39% |
| Administration | 660,895.00 | 71,416.63 | 24,166.16 | 565,312.21 | 14.46% |
| Student Leadership | 700.00 | - | - | 700.00 | 0.00% |
| Finance | 231,040.00 | 28,023.42 | 121.97 | 202,894.61 | 12.18% |
| Debt Service | 470,752.00 | 470,650.44 | - | 101.56 | 99.98% |
| Planning & Zoning | 270,596.00 | 10,007.75 | - | 260,588.25 | 3.70% |
| Beautification | 96,160.00 | 5,257.50 | 69,695.50 | 21,207.00 | 77.95% |
| Community Policing | 664,310.00 | 2,019.00 | 630,700.00 | 31,591.00 | 95.24% |
| Public Safety | 9,650.00 | - | - | 9,650.00 | 0.00% |
| Public Works | 403,840.00 | 19,066.16 | 37,950.00 | 346,823.84 | 14.12% |
| Streets | 254,900.00 | 1,158.98 | 13,700.00 | 240,041.02 | 5.83% |
| Powell Bill | 344,400.00 | 2,035.56 | - | 342,364.44 | 0.59% |
| Storm Water | 114,948.00 | 5,543.00 | 53,249.01 | 56,155.99 | 51.15% |
| Solid Waste | 832,450.00 | - | - | 832,450.00 | 0.00% |
| Recycling | 3,555.00 | 145.00 | - | 3,410.00 | 4.08% |
| Parks and Recreation | 255,808.00 | 3,932.31 | 26,217.00 | 225,658.69 | 11.79% |
| Transfers to Capital Reserves | 220,825.00 | 220,825.00 | - | - | 100.00% |
| Total | <u>\$ 5,062,239.00</u> | <u>\$ 872,679.46</u> | <u>\$ 894,579.96</u> | <u>\$ 3,294,979.58</u> | 34.91% |

| | |
|-------------------------------------------------|------------------------|
| General Fund Balance 7/1/2019 | \$ 6,681,115.98 |
| Increase (Decrease) FYE 6/30/2020 (Preliminary) | 442,812.94 |
| Year-to-Date Increase (Decrease) FY 6/30/2021 | (868,585.43) |
| General Fund Balance 7/31/2020 | <u>\$ 6,255,343.49</u> |

**Town of Lewisville
Financial Budget to Actual Report - Willow Run Municipal Service District
One Month Ended July 31, 2020**

Willow Run Municipal Service District

| Revenues | Budget | Revenue Year to Date | Uncollected | Percentage Collected |
|---------------------------------|---------------------|---------------------------------|---------------------|---------------------------------|
| Revenues | \$ 32,150.00 | \$ 9.54 | \$ 32,140.46 | 0.03% |
| Total | <u>\$ 32,150.00</u> | <u>\$ 9.54</u> | <u>\$ 32,140.46</u> | 0.03% |
| 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 | \$ 1,200.00 | \$ - | \$ 30,950.00 | 3.73% |
| Total | <u>\$ 32,150.00</u> | <u>\$ 1,200.00</u> | <u>\$ -</u> | <u>\$ 30,950.00</u> | 3.73% |

| | |
|-------------------------------------------------|----------------------|
| MSD Fund Balance 7/1/2019 | \$ 176,708.50 |
| Increase (Decrease) FYE 6/30/2020 (Preliminary) | (11,433.16) |
| Year-to-Date Increase (Decrease) FY 6/30/2021 | <u>(1,190.46)</u> |
| MSD Fund Balance 7/31/2020 | <u>\$ 164,084.88</u> |

**Town of Lewisville
Other Funds
July 31, 2020**

Capital Reserves Funds

| | |
|------------------------------------------------------|-------------------------------|
| Storm Water Capital Reserve | \$ 560,339.60 |
| GWR ROW/Construction Capital Reserve | 934,278.77 |
| Sidewalks, Bike Paths, and Greenways Capital Reserve | 123,155.83 |
| Municipal Buildings/Land Capital Reserve | 997,947.05 |
| Total Capital Reserve Fund Balances | <u><u>\$ 2,615,721.25</u></u> |

Capital Projects Funds

| | |
|-------------------------------------------------------------------------|-------------------------------|
| GWR ROW/Construction Capital Project | \$ 734,693.12 |
| JWP Maintenance Facility/Playground Expansion Capital Project | 20,625.46 |
| Gateway Project Capital Project | 166,124.40 |
| Heritage Drive Regional Storm Water Pond #1 Capital Project | 8,165.43 |
| Community Center Capital Project | 116,201.30 |
| Roundabout at Lewisville-Vienna Road and Robinhood Road Capital Project | 257,565.87 |
| Total Capital Projects Fund Balances | <u><u>\$ 1,303,375.58</u></u> |

DRAFT (amended 08-13-2020)
Lewisville Town Council
Briefing and Action Meeting Agenda
August 6, 2020 - 6:00 p.m.
Digitally originating in Council Chambers 1st floor - Lewisville Town Hall
6510 Shallowford Road

NOTE: There was an electrical storm taking place during the meeting which caused power outages for some of the electronic participants but who were eventually able to continue. The written minutes will follow the agenda while recorded minutes will move forward as needed and return to any missing subject.

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, Acting Public Works Director Ryan Moser and Town Clerk Joyce Walker.
- b. Approval of Agenda
 - i. Council Member Foster moved to approve the agenda. The motion was seconded by Council Member Sadler 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 August 6, 2020

- a. None.

3. Items That Require Council Direction

- a. **Options** to be included in the final contract for the new Community Center
 - i. Council discussed and reviewed the list of options and by consensus, decided on the following:

Community Center Options

| | | | |
|---|---------------------------------------------------------------------------------------------------------------------------------------------------|-------|--------------|
| 1 | Rear canopy outside of multi purpose rooms | Yes | \$115,312.00 |
| 2 | Sidewalks in entry circle * Leave in but seek a re-design that will not be detrimental to trees. * Negotiate on any alternate plan. | Yes * | \$39,803.00 |
| 3 | Site lighting * Consensus is to maintain the decorator look. * Ask Duke Energy to design photometrics using Hagerstown street light design. | No * | \$55,001.00 |
| 4 | Acoustical wall treatments | Yes | \$19,398.00 |

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| | | | |
|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|-------------|
| 5 | Interior finish upgrades | Yes | \$32,329.00 |
| 6 | Power shades in multi-purpose rooms | Yes | \$16,378.00 |
| 7 | Faux wood soffits at front and rear porches | Yes | \$14,734.00 |
| 8 | Natural gas generator * Council was advised that the County will be working on purchasing generators in the next relief package. * Municipalities may possibly be added to the County's request. * This is to wait and see. | No * | \$36,873.00 |
| 9 | Enhanced landscaping plan * Exceeds code requirements. | Yes | \$7,551.00 |
| | * = additional information | | |

- b. New Community Center funding considerations
 - i. Funding information was provided during the public hearing held in July.
 - ii. Staff recommends borrowing the full \$2,000,000.⁰⁰ at the low interest rate from the bank and using the funding in the following order for construction:
 - (1) Bank funds.
 - (2) Capital reserve funds.
 - (3) General funds.
 - iii. After discussion, Council agreed by consensus.
- c. Finalize RFP for the Comprehensive Plan
 - i. Mrs. Tolbert asked to move forward with finalizing the RFP citing possible changes to the document, timing, virtual vs. in-person residential participation and the involvement of the Planning Board as well as the Parks, Recreation and Cultural Development Board.
 - ii. After discussion, Mrs. Tolbert was advised to move forward with the RFP.
 - (1) Mr. Perkins will contact the Parks and Rec Board at the appropriate time for their participation.

4. Items Requiring Action at Briefing

- a. **Ordinance 2020028 Amended** - Zoning Docket L-095 Longwood Village adding the metes and bounds to the ordinance legal description as requested by Winston-Salem Planning Department
 - i. Council Member Franklin moved to approve Ordinance 2020028 Amended. 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.

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5. **Unfinished Business:**

- a. None.

6. **Administrative Reports:**

a. Manager's Report

i. Update on *Pedestrian Crossing Treatments Policy* - Public Safety Advisory Committee review

- (1) The Public Safety Advisory Committee has reviewed and approves of the policy.
- (2) Mr. Perkins reviewed highlights of the policy:
 - (a) For two (2) lane roads only.
 - (b) Can be applied to either DOT or town maintained roads.
 - (c) If a DOT road, must apply to DOT first and be denied.
 - (d) Uses guidelines found in the federal Manual on Uniform Traffic Control Signs (MUTCD)
- (3) Staff was instructed to bring the policy forward to the meeting on August 13th.
 - (a) Council was advised that there will be an ordinance accompanying this policy updating the fee schedule of the Budget Ordinance to note this policy but dollar figures in schedule as each request will have a different cost.
- (4) Consideration of the Vienna Village request will also be on the agenda for discussion on the 13th.
 - (a) There was a question whether the Vienna Village request should be "grand fathered" in.

ii. Tomahawk Sewer extension

- (1) The project is under budget by \$51,451.⁰⁰. Instead of the \$403,000.⁰⁰ originally projected, the project cost is \$351,651.⁰⁰.

b. Staff Reports

i. Attorney

- (1) None.

ii. Public Works

- (1) None.

iii. Planning

- (1) None.

iv. Finance

- (1) None.

v. Clerk

- (1) Residents were asked to complete their Census if they have not done so. The date for completion has been changed from the end of October to the

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end of September.

The Mayor declared a break from 8:08 p.m. to 8:18 p.m.

7. **Agenda Items for Regular Meeting on August 13, 2020**
- a. Tentative Agenda
- i. **Consent Agenda**
- (1) **Resolution 2020057** - Acceptance and Approval of preliminary Monthly **Financials for the twelve months ending June 30, 2020**
- (2) Approval of Council Debt Issuance Meeting Approval **Minutes - July 23, 2020**
- ii. **Introductions, Recognitions, Presentations and/or Proclamations**
- (1) I'm One of the Reasons Lewisville Is A Great Place to Live
- iii. **Appointments**
- (1) **Appointment Order 2020005** - appointing members to the Student Leadership Committee for school year 2020-2021
- (2) **Appointment Order 2020006** - appointing Ronald H. Morris, Jr. to the Lewisville Public Safety Advisory Committee
- iv. **Public Hearings**
- (1) **Ordinance 2020042** - Special Use District Permit for PINS 5875-97-8451 and 5875-97-7671 Case L-096 for Solomon Development
- (a) Mrs. Tolbert provided a PowerPoint presentation.

Mrs. Tolbert lost power during the presentation at 8:35 p.m. She was able to return electronically to the meeting and complete her presentation. Her PowerPoint is attached to the minutes. **(See attached)**

- (b) There was discussion on the height and scale of the building as noted in the Downtown Design Guidelines.
- (i) Discrepancies were identified between the UDO and Downtown Guidelines regarding height.
- (c) It was noted that the Preferred Land Use Map #9 is not definitive.
- (d) Attorney Houff also advised Council that some of the information provided to the Planning Board was incorrect which may be why members voted to deny the project. **Attorney Houff also advised Council that voting instruction given to the planning board regarding Petition L-096 did not include direction that any member voting to deny approval of the site plan was to provide a reason for denial to be stated at the time of the vote.**
- (e) Council was advised on what must be considered for approval or denial and if denied, reasons must be stated.

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- (f) An existing easement was found to be on the property and that needs to be investigated.

v. **New Business**

- (1) **Resolution 2020049** - disposition of public records
- (2) **Resolution 2020052** - adopting the 2020 Northern Piedmont Regional Hazard Mitigation Plan
- (3) **Resolution 2020053** - authorizing the interlocal agreement with Forsyth County for the grant of Coronavirus Relief Funds
- (4) **Ordinance 2020038** - updating the Lewisville Unified Development Ordinances by adding **Supplement 10** (Ordinance 2019044 - UDO L-160 to provide for additional notifications to property owners on zoning cases) and **Supplement 11** (Ordinance 2020014 - UDO L-159 adding Community Center to definitions, the Permitted Use Table and providing for off-street parking)
- (5) New Community Center (unknown amounts below may change for the meeting on the 13th after reviewing the additions and deletions of the options)
 - (a) **Ordinance 2020039** - amending the Capital Project Ordinance Community Center in the amount of \$4,325,599.⁰⁰
 - (b) **Ordinance 2020040** - amending Budget Ordinance 2020001 in the amount of \$997,788.⁰⁰ to transfer funds from the Municipal Buildings/Land Capital Reserve to the Community Center Capital Project to fund completion of the new Community Center construction
 - (c) **Ordinance 2020041** - amending Budget Ordinance 2020001 in the amount of \$1,327,811.⁰⁰ to transfer funds from the General Fund to the Community Center Capital Project to fund completion of the new Community Center construction
 - (d) **Resolution 2020054** - awarding construction contract to **xxx** for construction of the new Community Center in the amount of **xxx**
 - (e) **Resolution 2020055** - awarding contract to Terracon in the amount of **xxxx** to conduct materials testing and special inspections as required
 - (f) Set groundbreaking date
 - (i) Everyone was asked to hold the date of September 12th but would have to be confirmed with Fairwood, the contractor.
 - (g) Officially name the new Community Center
 - (i) Mary Alice Warren was the suggested name for the new Community Center.
 - (ii) Council Member Franklin suggested adding *Lewisville*,

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North Carolina under the name.

- (6) **Resolution 2020056** - granting a sidewalk easement to the Lewisville Historical Society from the Town Hall Annex rear parking lot to the Nissen House
 - (a) Mr. Perkins will advise the Historical Society that an easement document will need to be prepared if the resolution is approved for which they will be responsible.
 - vi. In addition to the items added noted above for the agenda on the 13th, a new deputy is to be introduced. Council Member Welch asked to add the Public Safety Report.
 - b. Approval of Tentative Agenda for regular meeting on **August 13, 2020**
8. **For the Good of the Order:**
- a. Council Discussion
 - i. Council Members were advised that town building's accessibility will not work for learning independent from a school.
9. **Adjournment**
- a. Having no other business to discuss, Council Member Hunt moved to adjourn the meeting at 10:00 p.m. 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.

Mike Horn, Mayor

ATTEST:

Joyce C. McWilliams Walker, Town Clerk

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NOTE 1: There was an electrical storm taking place during the meeting. Attorney Houff advised if all electrical contact is lost, there is a meeting scheduled for Monday, August 17th that can be used to continue this meeting. If individuals are lost that affect quorum, the meeting will stop.

NOTE 2: A few items were discussed out of order because of the storm; however, the written minutes will follow the agenda.

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 Acting Director Ryan Moser and Town Clerk Joyce Walker. Sgt. Stringer and Deputy E. D. Goins were also electronically attending.
- b. Invocation was provided by Attorney Houff.
- c. Adoption of Agenda
 - i. Prior to approving the agenda, Mrs. Tolbert informed Council that a discovery had been made regarding the definition of building height in the UDO which affects Case L-096.
 - (1) Building height is defined as the average of the mid-point, at grade, of all four sides.
 - (2) Using this calculation, the average height of the building submitted for Case L-096 was calculated at fifty-one feet (51 ft.).
 - (3) The developer was informed of this information and this morning, submitted a revised plan to meet the forty-eight feet (48 ft.) maximum height.
 - (4) With this new information, Council members needed to either:
 - (a) Look at the revision and proceed;
 - (b) Continue the Public Hearing to a later date; or
 - (c) Return the case to the Planning Board for approval or denial.
 - (5) Council Member Smitherman moved to send L-096 back to the Planning Board to consider the site plan modifications made by the developer. The motion was seconded by Council Member Franklin and approved unanimously with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn.
 - (a) The meeting for the Planning Board is not a Public Hearing; however, comments from the public can be heard.
 - (b) Council would also like to understand Planning Board reasoning.
 - (6) Planning Board will brief on August 26th and consider on September 9th. Planning Board consideration will be forwarded to Council for their meeting on September 10th with their consideration on Monday, September 14th.

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- ii. With Item 11, the Public Hearing, remanded back to the Planning Board, Council Member Franklin moved to approve the amended agenda. 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.

2. Consent Agenda

- a. Consent Agenda for approval
 - i. [Resolution 2020057](#) - Acceptance and Approval of preliminary Monthly [Financials for the twelve months ending June 30, 2020](#)
 - (1) Mrs. Orrell pointed out that this is a preliminary report and that she anticipates a strong finish at the end of the fiscal year for the fund balance. There is a 2% growth in sales tax and A BC growth is up by 12%.
 - ii. Approval of Council Debt Issuance Meeting Approval [Minutes - July 23, 2020](#)
- b. Council Member Smitherman moved to approve the Consent Agenda. 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. Resolution 2020057 is herein incorporated by reference into the minutes. Resolution 2020057 is herein incorporated by reference into the minutes.

3. Introductions, Presentations, Recognitions and/or Proclamations

- a. **Introductions, Recognitions, Presentations and/or Proclamations**
 - i. Introductions
 - (1) Forsyth County Sheriff's Office
 - (a) Sgt. PJ Stringer introduced Deputy Goings to Council. He will be replacing Deputy Lang.
 - ii. Presentations
 - (1) Public Safety Report
 - (a) Sgt. Stringer also provided a report on Calls for Service and explained some of the entries.
 - (i) This report has been revised from the original format.
 - (2) I'm One of the Reasons Lewisville Is A Great Place to Live
 - (a) Mrs. Welch recommended Susan Linker for this award and provided some of the following to support her recommendation:
 - (i) Volunteer leader for many years.
 - (ii) Member and officer of Lewisville Beautification Committee with endless hours of work at Jack Warren Park on gardens.
 - (iii) Member and officer of the Lewisville Historical Society with endless hours of work restoring the Nissen House.
 - (b) This recommendation was agreed to by Council.

4. Public Forum

- a. Mayor Horn opened the Public Forum at 7:03 p.m.

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- DOT (DOT maintained road) declined the request.
- iii. Vienna Village then asked the Town to support placing signage to warn drivers that pedestrians are crossing the road.
 - (1) The DOT did, however, agree to the following:
 - (a) If signage placement on a DOT road is approved by the Town, any request received by the DOT will be forwarded to the Town for consideration.
 - (b) The DOT approval will be place in a file for future reference.
 - (2) Vienna Village agreed to pay the cost of the signage.
 - iv. Mr. Franklin referenced Resolution 2020058 to be addressed later in the agenda and he would like specific information from the (federal) Manual on Uniform Control Devices (MUTCD) noted in the policy document.
 - v. Mayor Horn moved to approve the pedestrian warning signs on both sides of Yadkinville Road near Vienna Village to conform with the MUTCD guidelines. The motion was seconded by Council Member Hunt.
 - (1) The motion was amended and accepted to include Vienna Village's responsibility for the financial cost of the signs.
 - (2) The motion/amended motion was approved unanimously with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn.

10. New Business

- a. [Resolution 2020056](#) - granting a sidewalk easement to the Lewisville Historical Society from the Town Hall Annex rear parking lot to the Nissen House
 - i. Council Member Foster moved to approve Resolution 2020056. 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. Resolution 2020056 is herein incorporated by reference into the minutes.
- b. [Resolution 2020049](#) - disposition of public records
 - i. Council Member Franklin moved to approve Resolution 2020049. 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. Resolution 2020049 is herein incorporated by reference into the minutes.
- c. [Resolution 2020052](#) - adopting the 2020 Northern Piedmont Regional Hazard Mitigation Plan
 - i. Council Member Hunt moved to approve Resolution 2020052. The motion was seconded by Council Member Sadler and approved unanimously with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn. Resolution 2020052 is herein incorporated by reference into the minutes.

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- d. [Resolution 2020053](#) - authorizing the interlocal agreement with Forsyth County for the grant of Coronavirus Relief Funds
 - i. Council Member Sadler moved to approve Resolution 2020053. 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. Resolution 2020053 is herein incorporated by reference into the minutes.
- e. [Ordinance 2020038](#) - updating the Lewisville Unified Development Ordinances by adding **Supplement 10** (Ordinance 2019044 - UDO L-160 to provide for additional notifications to property owners on zoning cases) and **Supplement 11** (Ordinance 2020014 - UDO L-159 adding Community Center to definitions, the Permitted Use Table and providing for off-street parking)
 - i. Council Member Foster moved to approve Ordinance 2020053. 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. Ordinance 2020038 is herein incorporated by reference into the minutes.
- f. New Community Center
 - i. [Ordinance 2020039](#) - amending the Capital Project Ordinance Community Center in the amount of \$4,094,725.⁰⁰ to increase the budget
 - (1) Council Member Welch moved to approve Ordinance 2020039. The motion was seconded by Council Member Hunt and approved unanimously with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn. Ordinance 2020039 is herein incorporated by reference into the minutes.
 - ii. [Ordinance 2020040](#) - amending Budget Ordinance 2020001 in the amount of \$997,788.⁰⁰ to transfer funds from the Municipal Buildings/Land Capital Reserve to the Community Center Capital Project to fund completion of the new Community Center construction
 - (1) Council Member Franklin moved to approve Ordinance 2020040. 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. Ordinance 2020040 is herein incorporated by reference into the minutes.
 - iii. [Ordinance 2020041](#) - amending Budget Ordinance 2020001 in the amount of \$1,096,937.⁰⁰ to transfer funds from the General Fund to the Community Center Capital Project to fund completion of the new Community Center construction
 - (1) Council Member Sadler moved to approve Ordinance 2020041. The motion was seconded by Council Member Franklin and approved unanimously with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn. Ordinance 2020041 is herein incorporated by reference into the minutes.
 - iv. [Resolution 2020054](#) - awarding construction contract to Fairwood Construction, LLC of Charlotte, North Carolina for construction of the new Community Center

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in the amount of \$3,688,218.⁰⁰

- (1) Council Member Sadler moved to approve Resolution 2020054. The motion was seconded by Council Member Franklin and approved unanimously with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn. Resolution 2020054 is herein incorporated by reference into the minutes.
- v. [Resolution 2020055](#) - awarding contract to Terracon of Greensboro in the amount of \$23,920.⁰⁰ to conduct materials testing and special inspections as required
 - (1) Council Member Smitherman moved to approve Resolution 2020055. 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. Resolution 2020055 is herein incorporated by reference into the minutes.
- vi. Groundbreaking date for the new Community Center
 - (1) Saturday, September 12, 2020.
- vii. Official name of the new Community Center
 - (1) Mayor Horn moved to officially name the new Community Center the *Mary Alice Warren Community Center*. The motion was seconded by Council Member Sadler and approved unanimously with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn.

Council took a bread from 7:50 p.m. to 7:56 p.m.

- g. Pedestrian Crossing Treatment Policy
 - i. [Resolution 2020058](#) - approving the Pedestrian Crossing Treatments Policy
 - (1) Council Member Franklin moved to approve Resolution 2020058. 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. Resolution 2020058 is herein incorporated by reference into the minutes.
 - (a) Only signs listed in the MUTCD will be used.
 - (b) Mr. Franklin suggested considering other types of requests for warning signs as a whole, focusing on the chapters in the MUTCD.
 - (i) This is to be referred to the Public Safety Advisory Committee.
 - ii. [Ordinance 2020043](#) - Amending Budget Ordinance 2020001 to add a reference to the Pedestrian Crossing Treatments Policy to the Fee Schedule
 - (1) Council Member Welch moved to approve Ordinance 2020043. The motion was seconded by Council Member Hunt and approved unanimously with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn. Ordinance 2020043 is herein incorporated by reference into the minutes.

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11. **Public Hearings**

- a. [Ordinance 2020042](#) - L-096 Special Use District Permit for PINS 5875-97-8451 and 5875-97-7671
 - i. Sent back to the Planning Board and moved to the Town Council September 10th meeting as noted in the *Call to Order* section of the minutes.

12. **Administrative Reports**

- a. Upcoming [Events at Shallowford Square](#) and Town Holidays
 - i. Town Hall will be closed on September 7th for the Labor Day Holiday.
- b. Manager's Report
 - i. Personnel announcement
 - (1) Mr. Perkins reminded Council that Public Works Director George Hauser had been out on medical leave since December and that Ryan Moser had been Acting Public Works Director since then. He was pleased to announce that Mr. Moser has been named as the Town's Public Works Director effective this past Monday. He has grown in his understanding of this position.
- c. Clerk's Report
 - i. None.
- d. **Approvals at the Briefing and Action Meeting on July 2, 2020**
 - i. [Options](#) to be included in the final contract for the new Community Center
 - ii. New Community Center funding considerations
 - iii. [Ordinance 2020028 Amended](#) - Zoning Docket L-095 Longwood Village adding the metes and bounds to the ordinance legal description as requested by Winston-Salem Planning Department

13. **For the Good of the Order:**

- a. Public Comments
 - i. Mayor Horn opened the Public Comments at 8:11p.m.
 - ii. Having no electronically raised hands to speak, Mayor Horn closed the Public Comments at 8:12 p.m.
 - iii. Written comments may be emailed to townclerk@lewisvillenc.net.
- b. Council Comments/Discussion
 - i. Mr. Franklin moved to cancel the August 17th meeting since the Public Hearing has been moved to September. 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.
 - ii. Staff will provide a summary of information on where L-096 stands for Channel 6, Facebook and the web site.
- c. Adjournment
 - i. Having no other business to discuss, Council Member Smitherman moved to adjourn the meeting at 8:16 p.m. The motion was seconded by Council Member Foster and approved unanimously with a roll call vote of ayes from Council

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Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn.

Mike Horn, Mayor

ATTEST:

Joyce C. McWilliams Walker, Town Clerk

Town of Lewisville

Proclamation 2020004

OFFICE OF THE MAYOR

WHEREAS: The Constitution of the United States of America embodies the principles of limited government in a republic dedicated to rule by law, and not by individuals, and

WHEREAS: September 17, 2020, marks the two hundred thirty third anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention of 1787, and

WHEREAS: In celebrating the anniversary of this significant document, we honor and preserve the foundations of liberty and justice for every American citizen.

NOW THEREFORE, I, Mike Horn, Mayor of the Town of Lewisville, proclaim
September 17, 2020 as **CONSTITUTION DAY**
and
September 17-23, 2020 as **CONSTITUTION WEEK**

in Lewisville. I urge all citizens to reaffirm the ideals established by the Framers of the Constitution as we work with each other to “secure the blessings of liberty to ourselves and our posterity.”

Given under my hand and seal this 10th day of September 2020.

MIKE HORN
Mayor



**TOWN OF LEWISVILLE
MEMBERSHIP APPOINTMENT 2020007
STUDENT LEADERSHIP COMMITTEE
FOR SCHOOL YEAR 2020-2021**

WHEREAS, the Student Leadership Committee was chartered in December 1999;
and

WHEREAS, appointment terms are for one school year; and

WHEREAS, it is the Council's wish that all students have an opportunity to become
involved in municipal government;

**NOW THEREFORE BE IT RESOLVED BY THE LEWISVILLE TOWN
COUNCIL** that the following re-appointments are made:

Kazi, Noor
Moraes, Aden

410 Fairhaven Rd
425 Wind Haven Lane

3rd year
4th year

**Resolved, approved and effective upon adoption, this the 10th Day of
September, 2020 by the Lewisville Town Council.**

Mike Horn,
Mayor

ATTEST:

Joyce C. McWilliams Walker
Town Clerk

**RESOLUTION 2020059 OF THE LEWISVILLE TOWN COUNCIL
ACCEPTING THE DECLARATION OF WITHDRAWAL
OF ROAD DEDICATION**

WHEREAS, Mrs. V. M. Conrad and Mr. Phillip Conrad, filed a plat with the Register of Deeds of Forsyth County on February 6, 1979, dedicating a 60" road right-of-way for a road off Sonata Drive in the Shallowford Lakes Subdivision, as described in the attached *Declaration of Withdrawal of Road Dedication Exhibit A*; and

WHEREAS, This right-of-way has not been utilized nor road built by the Town of Lewisville; and

WHEREAS, The Town of Lewisville has no plans to build the road so dedicated and the road dedication is not part of any street plan adopted under G. S. Section 136-66.2; and

WHEREAS, G. S. 136-96 provides for the withdrawal of dedication of roads not used in fifteen (15) years; and

WHEREAS, G. S. 136-96 deems these dedications to be abandoned and dedication may be withdrawn; and

WHEREAS, The Town of Lewisville has received a Declaration of Withdrawal of Road Dedication from Jon R. Reynolds as Liquidator for Fisher River Timber Land & Cattle Company, successor in interest, to withdraw the dedication of property described in *Exhibit A* of the *Declaration of Withdrawal of Road Dedication* and attached hereto.

NOW, THEREFORE BE IT RESOLVED THAT the Lewisville Town Council accepts the *Declaration of Withdrawal of Road Dedication* for the strip of land known as Aria Drive between lots 4 and 5 and declares that The Town of Lewisville has no street or thoroughfare plan of which this road right-of-way would be a part.

A motion was made to accept by Council Member xxx and seconded by Council Member xxx for adoption of Resolution 2020059, and upon being put to a vote of x to x was duly adopted.

Resolved and effective upon adoption, this the 10th day of September, 2020 by the Lewisville Town Council.

APPROVED: _____
Mike Horn, Mayor

ATTEST: _____
Joyce C. McWilliams Walker, Town Clerk

Return to: Blanco Tackabery & Matamoros, P.A.
P.O. Box 25008, Winston-Salem, North Carolina 27114
Prepared by: Bowen C. Houff, Esquire

NORTH CAROLINA)
FORSYTH COUNTY)

**DECLARATION OF WITHDRAWAL
OF ROAD DEDICATION**

JON R. REYNOLDS, LIQUIDATOR FOR FISHER RIVER TIMBER LAND & CATTLE COMPANY, successor-in-interest to L.A. Reynolds Company, a North Carolina corporation, pursuant to N. C. Gen. Stat. § 136-96, does hereby withdraw from dedication that certain 60 foot strip or parcel of land located between Lots 4 and 5 on that certain Plat of Shallowford Lakes, Section 14, recorded in Plat Book 27, Page 53, Forsyth County Registry, recorded on or about February 6, 1979. Said 60 foot strip or parcel of land has never been opened, and more than 15 years have passed since the dedication. The 60 foot said strip or parcel is located between Lots 4 and 5, as shown on said recorded Plat, a copy of which is attached hereto as Exhibit A.

IN TESTIMONY WHEREOF, JON R. REYNOLDS has caused this instrument to be executed this 24 day of August, 2020.

**FISHER RIVER TIMBER LAND & CATTLE
COMPANY**

By:  (SEAL)
Jon R. Reynolds
Liquidator for Fisher River Timber Land &
Cattle Company

STATE OF NORTH CAROLINA

COUNTY OF Forsyth

I, a Notary Public of the County and State aforesaid, certify that JON R. REYNOLDS personally appeared before me this day and acknowledged that he is the Liquidator for Fisher River Timber Land & Cattle Company, and that as Liquidator, being authorized to do so, executed the foregoing Declaration of Withdrawal of Road Dedication on behalf of the corporation.

WITNESS my hand and notarial seal or stamp, this the 24 day of August, 2020.

B. C. Houff
Notary Public

My commission expires:

10/17/2020
(Notarial Seal/Stamp)



EXHIBIT A

| | | | | | |
|--------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|----------------------------------------------------------------------|----------------------------|
| <p>FINAL APPROVAL</p> <p>_____ Director of Planning</p> | <p>JOHN K. BEESON Notary Public for North Carolina My commission expires on _____</p> | <p>NANCY P. BEESON Notary Public for North Carolina My commission expires on _____</p> | <p>The foregoing certificate was prepared by _____ and recorded on _____</p> | <p>Filed for registration at _____ _____ 1979 Page _____</p> | <p>LOCATION MAP</p> |
|--------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|----------------------------------------------------------------------|----------------------------|

FINAL APPRAISAL

THIS IS TO CERTIFY THAT THIS PLAN MEETS THE NECESSARY REQUIREMENTS OF THE SUBDIVISION REGULATIONS AND THE ZONING ORDINANCE AND IS APPLICABLE TO THE CERTIFICATE OF APPROVAL HAS BEEN ISSUED BY THE DIVISION OF HIGHWAYS PURSUANT TO SECTION 136 OF THE GENERAL STATUTES, STATE OF N.C.

5 DAY OF FEB 1979

Director of Planning

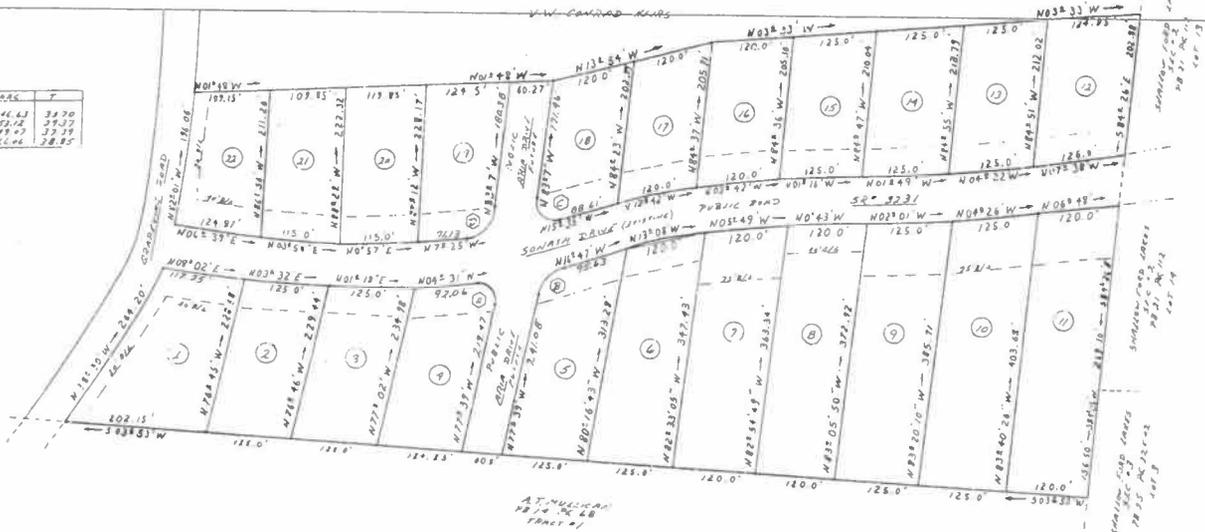


NANCY P. BEESON
NOTARY PUBLIC
405 N. EDWATE, L.E.

DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

PROPERTY _____ ROAD _____
CONSTRUCTION _____ UTILIZATION _____
APPROVED _____
DATE _____

| DATE | TYPE | AREA | PERCENT |
|------|----------|-------|---------|
| 1/25 | REVISION | 46.43 | 34.70 |
| 2/10 | REVISION | 22.02 | 29.27 |
| 2/15 | REVISION | 22.02 | 29.27 |
| 2/20 | REVISION | 66.06 | 28.95 |



ALL CORNERS ARE 120W STAKES
1805064 237015
1805064 237015

SHALLOWFORD LAKES

SECTION 19

LEWISVILLE TWP. FORSITH COUNTY NORTH CAROLINA

OWNERS: ARE V.W. CONRAD, WILLIE CONRAD, I. CONRAD, JAMES CONRAD, FORTNEY, HANCOCK, BEAN, VIRGINIA C. AUSTBRAND.

BADSON ENGINEERING, 4524 DENVERVILLE RD. WINSTON-SALEM, N.C. 27152
JANUARY 1979

53

15/4

TOWN OF LEWISVILLE LTCR 2020-001

**SPECIAL USE DISTRICT PERMIT SITE PLAN APPROVAL
ISSUED BY THE LEWISVILLE TOWN COUNCIL FOR ZONING CASE L-096**

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

WHEREAS, this approval shows a zoning map change to PB-S; and

WHEREAS, a Special Use District Permit was issued for 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± 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) zoning *Combined Use Multi-Family* and will include a residential building, multifamily, and restaurant without drive through with 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 accepted 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

TOWN OF LEWISVILLE LTCR 2020-001

**SPECIAL USE DISTRICT PERMIT SITE PLAN APPROVAL
ISSUED BY THE LEWISVILLE TOWN COUNCIL FOR ZONING CASE L-096**

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 THE LEWISVILLE TOWN COUNCIL issues this Special Use District Permit as follows:

Section 1. The Lewisville Town Council issues this Special Use District Permit 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. This Special Use District Permit is being issued for a Multi-Family residential building, restaurant with sidewalk seating without drive through, and with parking.

Section 3. 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 4. 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 5. 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. 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

TOWN OF LEWISVILLE LTCR 2020-001

**SPECIAL USE DISTRICT PERMIT SITE PLAN APPROVAL
ISSUED BY THE LEWISVILLE TOWN COUNCIL FOR ZONING CASE L-096**

Occupancy (CO).

PRIOR TO THE SIGNING OF FINAL PLATS:

- A. Any required fire hydrants shall be installed in accordance with the County Fire Department.
- B. If the developer chooses to install lighting, the developer shall be responsible for the cost and maintenance of said lighting and shall meet the requirements of the Town of Lewisville's Lighting Ordinance.

OTHER REQUIREMENTS:

- A. One free standing sign shall be permitted along the frontage of the Great Wagon Road, shall conform to the Town's permanent sign regulations, and shall be permitted by the Inspections Division.
- 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 6. This ordinance shall take effect from and after its adoption.

This ordinance is effective upon its adoption this the **14th day of September, 2020.**

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

Solomon Development

L-096

Town of Lewisville



L-096 Solomon Development

Properties included are identified as PIN(S):

- 5875-97-8451
- 5875-97-7671

- Property was rezoned in 2000 to Pedestrian Business-Special (PB-S) for Combined Use, Multi-family.
- NOT a Rezoning request, uses are already allowed by right through rezoning.
- Chapter A, Article II Definition of Combined Use:
 - A principle building which is used for any combination of dwelling unit(s) including single family, duplex and multi-family, and any other use(s) permitted in the zoning district.

L-096 Solomon Development

- Request includes:
 - 39 multi-family units combined with a Restaurant
 - Parking below grade in parking deck and to rear of building
 - Served by public water and sewer
 - 1.56 Total Acres
 - Property fronts Great Wagon Road
 - Vehicular access is proposed off North Street

L-096 Solomon Development

- Chapter B, Article VII, Section 7-5.4
 - **Effect of Site Plan Amendment:** All approved site plans shall expire twenty-four (24) months following their approval by the Elected Body, if no building permit has been issued within such period.
- Chapter B, Article II, Section 2-1.6(H)(3)(d):
 - All new development, expansions, reconstruction after demolition or destruction of uses, except single family homes and schools, within the Downtown Overlay District shall require submission of site plans, landscaping plans, and building plans for review and approval by the Planning Board and Elected Body.
- Is the property included in Downtown Overlay District?
 - Ordinance approved by Town Council in 2000
 - Downtown Design Guidelines accepted in 2014 (accepted – not adopted)

L-096 Solomon Development

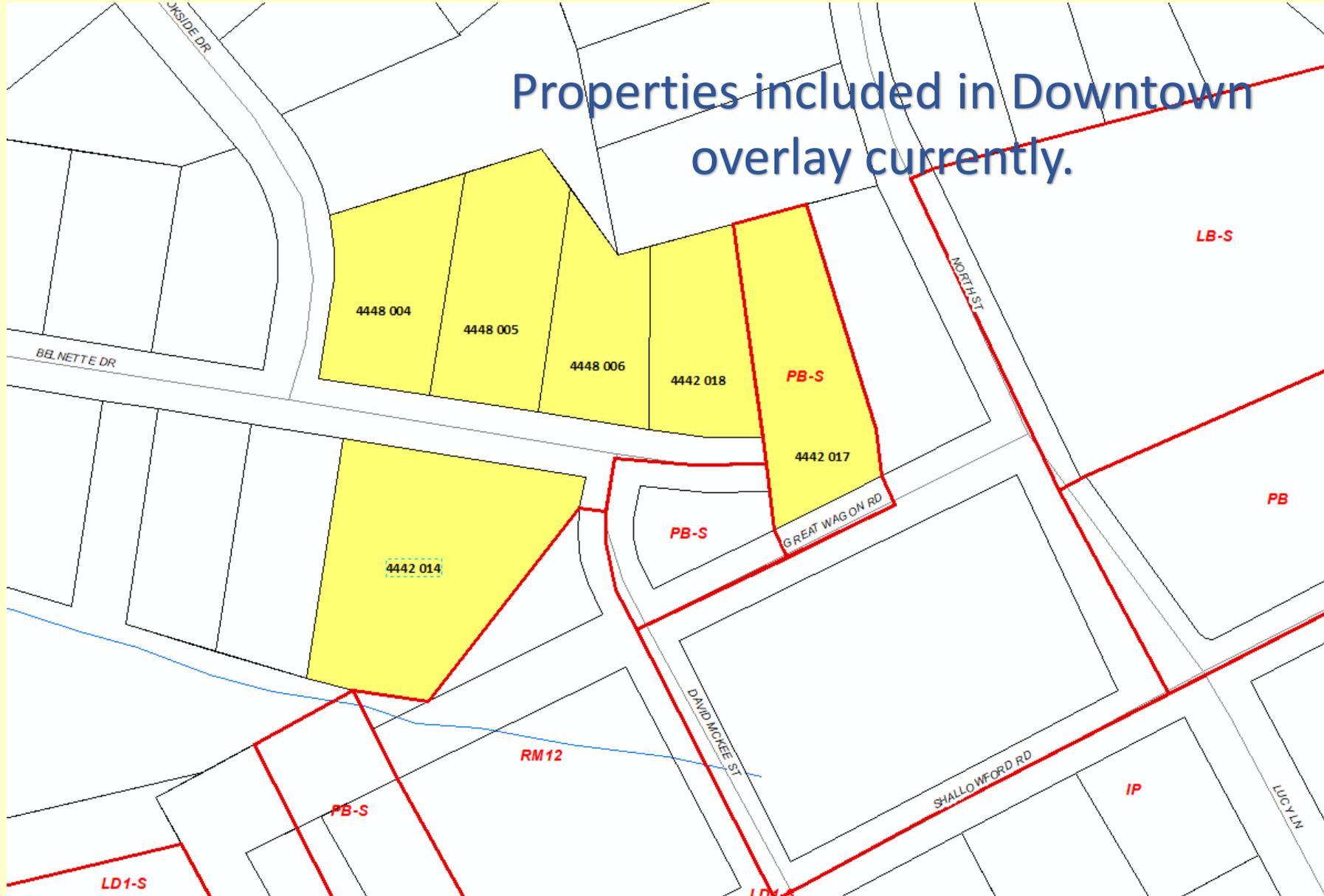
ORDINANCE 1999005 OF THE LEWISVILLE TOWN COUNCIL AMENDING THE UNIFIED DEVELOPMENT ORDINANCES

BE IT ORDAINED THAT THE LEWISVILLE TOWN COUNCIL hereby amends the Unified Development Ordinances (UDO) as follows:

1. Removing parking exceptions from the US421-Shallowford Road Subarea and Shallowford Road - Arrowleaf Drive Subarea of the Downtown Overlay District in the Appendix.
2. Modifying existing Downtown Overlay District boundaries to include the following properties:
 - Tax Block 4421 Lots 074, 075, 060, 061, 062, 063, 064, 065, 066, 067, 068, 016, 017, 018, 019, 020, 021, and 022 (Styers Street)
 - Tax Block 4465 Lots 006 and 007B (Linda Drive)
 - Tax Block 4442 Lots 014, 015, 015A, 017, and 018 (Belnette Drive)
 - Tax Block 4448 Lots 004, 005, and 006 (Belnette Drive)
 - Tax Block 4454 Lots 001, 002, 008, and 009 (Jennings Road)
 - Tax Block 4424 Lots 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 036, 021, 022, 023D, 023E, 023L, 024, and 106 (Lewisville-Vienna Road)

Adopted this 8th day of July 1999.

L-096 Solomon Development



L-096 Solomon Development

- Chapter B, Article II, Section 2-1.6(H)(4) Architectural Character Standards:
 - (a) Building Scale: All new building façades , in terms of composition, bulk, scale, proportion, orientation, massing, transparency, articulation, color, and major divisions or rhythms in the façade, shall be of a character that supports and enhances a pedestrian friendly environment and compliments the historical small town unique character of Lewisville. Human scale (the legibility of elements by people when close [to] the building shall be emphasized.
 - (b) Building Materials: High quality materials; brick, wood, stone, cast stone, decorative concrete masonry, exposed architectural concrete, stucco, complimentary non-vinyl siding, or a combination thereof.

L-096 Solomon Development

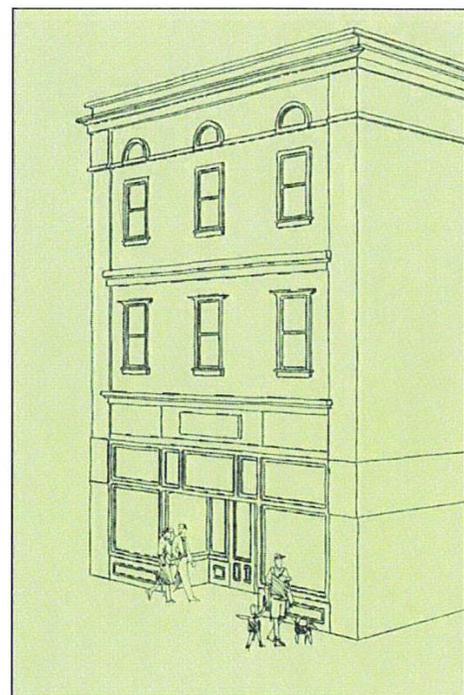
- Chapter B, Article II, Section 2-1.6(H)(4) Architectural Character Standards:
 - (c) Roofs: low sloped or sloped between 8:12 and 12:12, or a combination thereof. All low sloped roofs shall be hidden by a parapet wall.... All rooftop utility structures and equipment shall be screened from view.
 - (d) Façades: Integrating pedestrian proportioned features such as recessed entrances, projecting elements, arcades, colonnades, porches, pillars, columns.... Delineation between ground and upper floors is encouraged by using architectural elements such as cornices, balconies, arcades and ornamented belt courses.
 - (e) Façade Openings: Transparency through use of windows is encouraged in all new buildings.
 - (f) Building Orientation and Main Entrance: All buildings shall face a NCDOT Secondary Road, the Great Wagon Road or Jennings Road and provide the principle entrance to the structure from the front or side of the structure.

L-096 Solomon Development

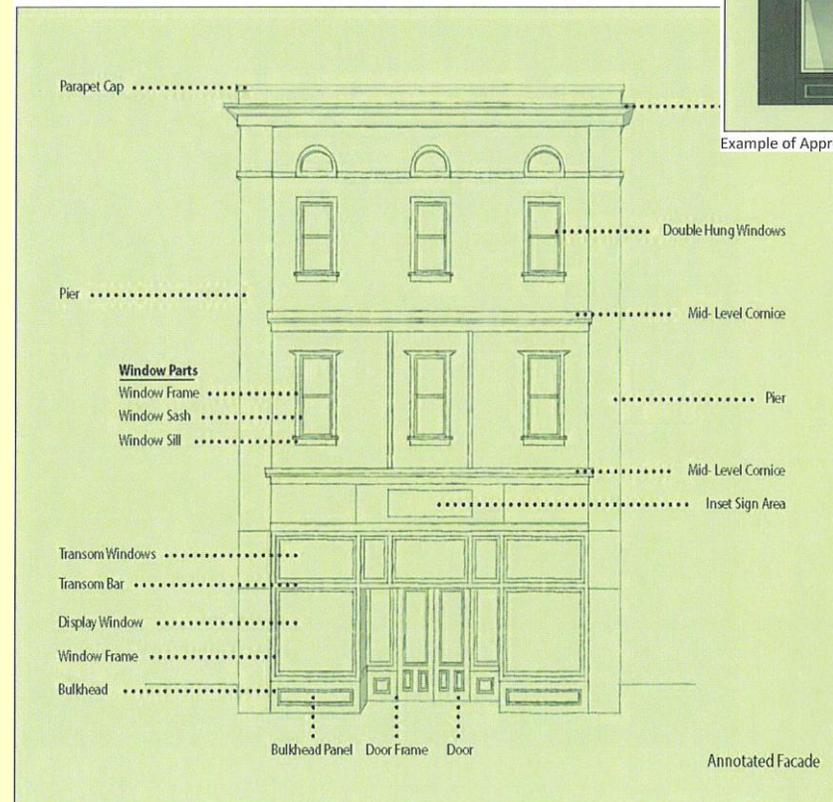
- Chapter B, Article II, Section 2-1.6(H)(4) Architectural Character Standards:
 - (g) Covered Walkways: Awning covered walkways.... similar weather protection structures must be provided to further articulate pedestrian circulation....
 - (h) Exterior Site Improvements: Pre-approved selected features shall be incorporated....
 - (i) Building Height: The maximum building height for buildings and structures (with exclusions) shall be 2 ½ stories with a maximum height of 48ft in DCA; maximum shall be 3-4 stories with a max height of 48ft in DGA.
 - Examples given in Downtown Design Guidelines show 3 story buildings

L-096 Solomon Development

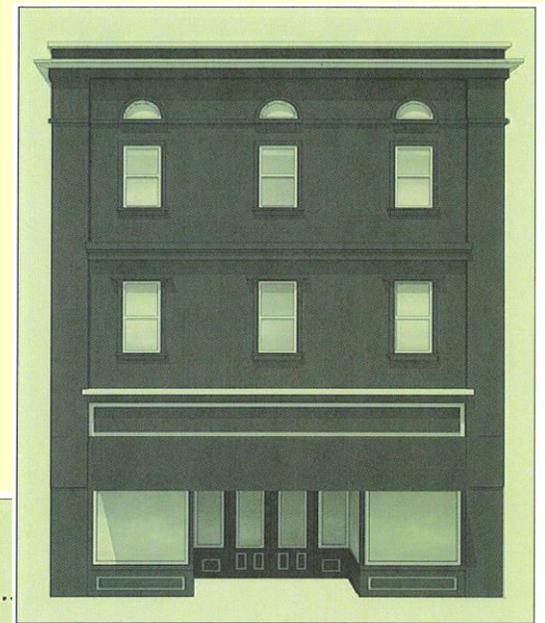
- Chapter B, Article II, Section 2-1.6(H)(4) Architectural Character Standards:
 - (i) Building Height:



Articulated Building Façade



Architectural components of a typical downtown building facade.



Example of Appropriately Applied Materials

L-096 Solomon Development

- Chapter A, Article II, Definitions:

- HEIGHT, BUILDING:

- The vertical distance measured from the average elevation of the finished grade of all sides of a building, measured at the midpoint of each side, to the topmost elevation of the roof or to the topmost projection of the building above any roof, including parapet walls. Enclosed penthouses or equipment rooms are considered a part of building height. Please refer to Section B.3-1.2(F) of the *Zoning Ordinance* for calculation of height of accessory buildings.
 - **Average height of proposed building was 51 feet. Elevations have been changed to meet the 48ft average height requirement.**

- Chapter A, Article II, Definitions:

- LOWEST FLOOR ELEVATION:

- The elevation of the bottom or lowest part of any habitable room intended to be used as living area, excluding unfinished or unventilated basement or garage area.
 - **Proposal is 4 stories, parking garage is not considered a floor per this definition.**

L-096 Solomon Development

- Chapter B, Article II, Section 2-1.6(H)(4) Architectural Character Standards:
 - (j) Service and Utility Areas: shall be to the rear or side of a building, screened from view.
 - (k) Utilities: placed underground
 - (l) Color: single base color and no more than 2 compatible secondary colors; natural earth tones encouraged.
 - (m) Lighting: oriented so as not to generate glare.
 - (n) Landscape: plantings along front façades required at a rate of 6sq.ft of planting area for each 1ft of horizontal wall.
 - (6sq.ft x 48ft tall = 288sq.ft of planting area)

L-096 Solomon Development

- Chapter B, Article II, Section 2-1.6(H)(4) Architectural Character Standards:
 - (o) Sustainability: natural resources and incorporation of alternate energy sources are encouraged.
 - (p) Signs: maximum height of any ground sign is 5ft.
 - (q) Right-of-Way Dedication: as deemed necessary by NCDOT.
 - (r) Parking: located to rear or side of primary structure; off-street parking must be screened from road.
 - Chapter B, Article II, Section 3-3.4 (A) **Off-Site Parking Accessory to Multifamily or Institutional Uses**
 - **(1) Multifamily parking**: Multifamily parking in a residential district shall be allowed only if said lot abuts for a distance of not less than 25ft upon the zoning lot to which such parking would be accessory.
 - (s) Drive-Thrus: N/A

L-096 Solomon Development

- Chapter B, Article II, Section 2-1.6(H)(6) **Core Area**
 - Broad array of uses is expected in a pattern which integrates shops, restaurants, services, work places, civic, educational, and religious facilities, single family housing, and higher density housing in a compact, pedestrian-oriented environment.
 - Façades that face the street to provide windows; not to create a blank façade
 - Lighting not to generate glare
 - Balconies to delineate between ground level and upper levels
 - Medium sized buildings to be broken into smaller scale components at the ground level.
 - Public-Private Setback Zone to provide sidewalk area, benches, etc.
 - Parking deck/structures constructed of similar materials (underground)
 - Minimum Sideyard Building Setback: ZERO (0) FEET

L-096 Solomon Development



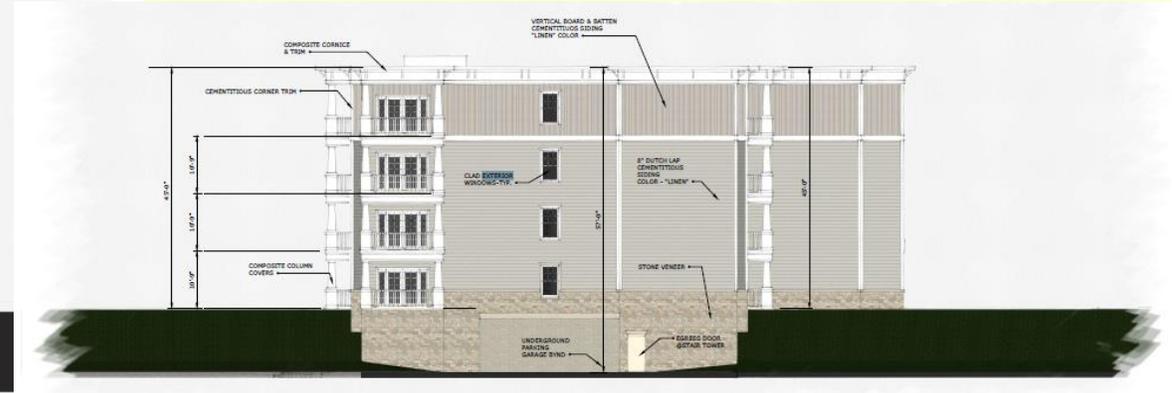
L-096 Solomon Development

- Chapter B, Article II, Section 3-1.6 (H)(c):
 - The Town may, in its discretion, consider site plans varying from setbacks, and other dimensional requirements of the UDO and the development standards set forth in DTO Section 4, where the lot size, configuration, topography nature, and configuration of adjoining lots and improvements thereon, parking availability, or other natural conditions beyond the control of the property owner exist or where prior acts of any public standards would compromise or contradict the spirit and intent of the requirements.
- Chapter B, Article II, Section 3-1.6 (H)(d):
 - For proposals requiring simply 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..... And deny such request that do not meet the requirements.
 - The Planning Board and Elected Body may, as part of its approval, require conditions to reduce impacts associated with the project.
- The Planning Board held their public hearing on the matter on June 1, 2020 and later voted 6-1 to deny the request on June 3, 2020.

L-096 Solomon Development



1 SOUTH (FRONT) ELEVATION
1/8" = 1'-0"



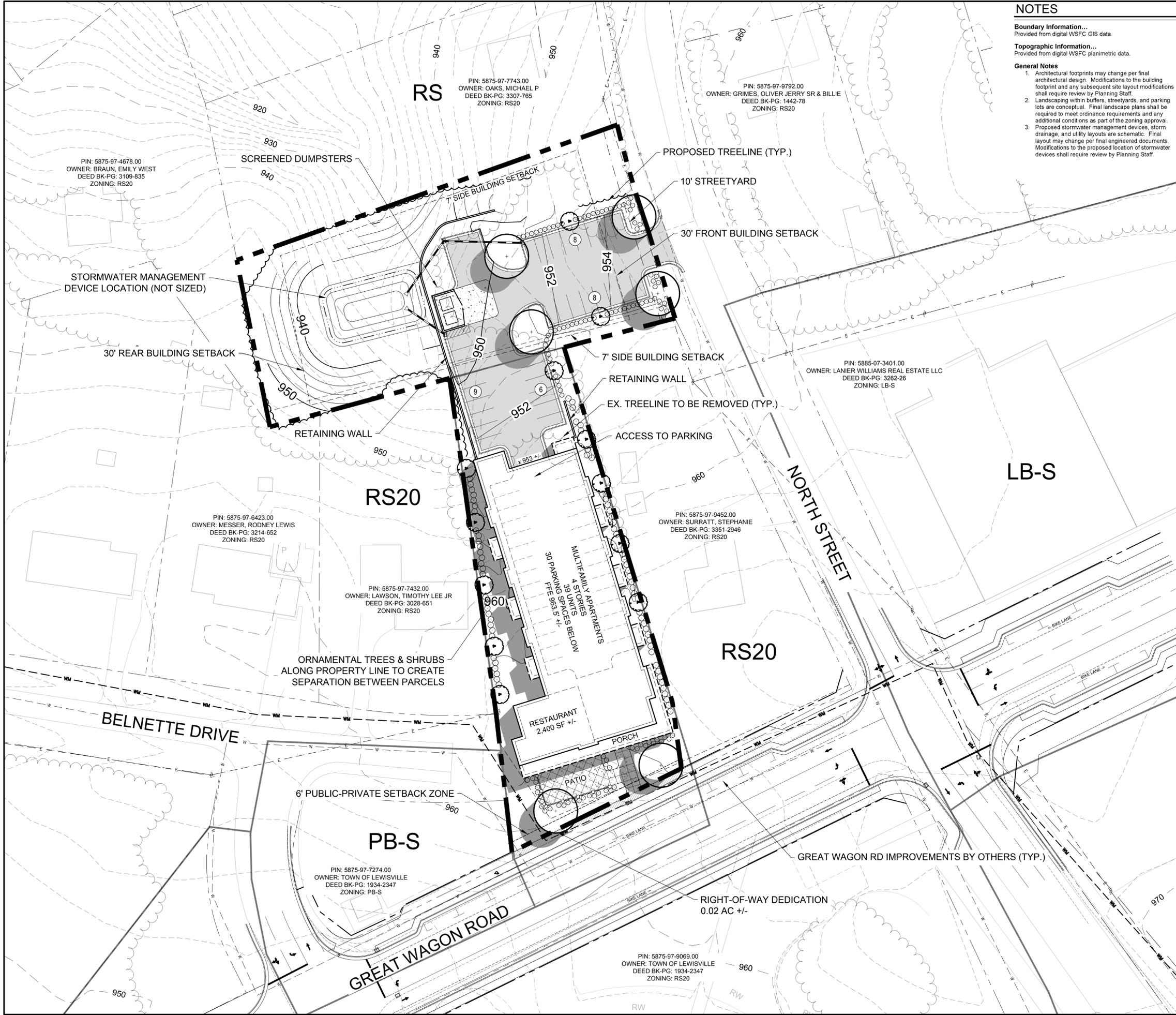
2 NORTH ELEVATION
1/8" = 1'-0"



2 EAST ELEVATION
1/8" = 1'-0"

L-096 Solomon Development





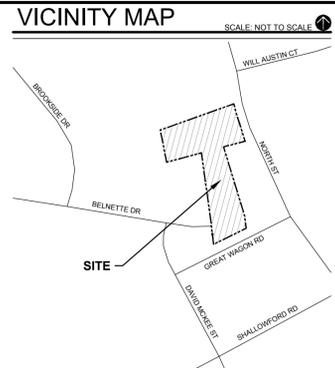
NOTES

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.



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' |
| Total Building Size: | 58,896 SF +/- (4 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
~~NOT APPROVED FOR CONSTRUCTION~~

PROJECT NAME & LOCATION:

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

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

CLIENT:
Solomon Development
6614 Shallowford Rd, Suite 200
Lewisville, NC 27023
(336) 945-9033
jeff@ishacustombuilders.com

| | |
|------------|-------------------|
| 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 |
| © STIMMEL ASSOCIATES, P.A. | |
| SHEET TITLE: | |
| 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
6614 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

NORTH SCALE: 1" = 30'

F:\19-234\LP\Drawings\Zoning\19-234_SPA.dwg 24/06/2020 10:08am













09/09/2020

**HENRY M (HANK) CHILTON PAVILION AT SHALLOWFORD SQUARE
SCHEDULE OF EVENTS**

1

| DATE | | TIME | FACILITY | ORGANIZATION AND/OR CONTACT NAME AND PHONE NUMBER |
|------------|-----------|------|--------------------------------------|---------------------------------------------------|
| 09/12/2020 | Saturday | 0800 | 4 concert CANCELLED | TOWN OF LEWISVILLE howard 945-5558 |
| 09/18/2020 | Friday | 0800 | 4 movie night CANCELLED | TOWN OF LEWISVILLE howard 945-5558 |
| 09/26/2020 | Saturday | 0800 | 4 concert CANCELLED | TOWN OF LEWISVILLE howard 945-5558 |
| 10/02/2020 | Friday | 0800 | 4 movie night CANCELLED | TOWN OF LEWISVILLE howard 945-5558 |
| 10/03/2020 | Saturday | 0600 | 4 CHARITY BIKE RIDE | NAT'L CYCLING CENTER HOSEY 768-0140 |
| 10/17/2020 | Saturday | 0800 | 4 children's concert CANCELLED | TOWN OF LEWISVILLE howard 945-5558 |
| 10/24/2020 | Saturday | 0800 | 4 shalloween CANCELLED | TOWN OF LEWISVILLE howard 945-5558 |
| 11/11/2020 | Wednesday | | 4 VETERANS DAY HOLIDAY | TOWN HOLIDAY |
| 11/26/2020 | Thursday | | 4 THANKSGIVING DAY HOLIDAY | TOWN HOLIDAY |
| 11/27/2020 | Friday | | 4 DAY AFTER THANKSGIVING DAY HOLIDAY | TOWN HOLIDAY |

4 = HENRY M (HANK) CHILTON PAVILION @ SHALLOWFORD SQUARE

**RESOLUTION 2020061 OF THE LEWISVILLE TOWN COUNCIL
AFFIRMING THE MS4 TOWN OF LEWISVILLE COUNCIL'S SUPPORT
REGARDING IMPLEMENTATION OF A COMPLIANT
NPDES MS4 STORMWATER PROGRAM
September 3, 2020**

A RESOLUTION to develop and implement a compliant stormwater management program that meets the requirements of the MS4 Town of Lewisville National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit number NCS000494 to discharge stormwater, inclusive of the required Stormwater Management Plan to be prepared by the MS4 Town of Lewisville and approved by the North Carolina Department of Environmental Quality.

WHEREAS, Section 402(p) of the federal Clean Water Act requires NPDES permits for stormwater discharges from municipal separate storm sewer systems; and

WHEREAS, in North Carolina, NPDES Permits are issued by the North Carolina Department of Environmental Quality; and

WHEREAS, the North Carolina Department of Environmental Quality issued the MS4 Town of Lewisville its third NPDES MS4 Permit for discharge of stormwater on 02/20/2017; and

WHEREAS, the MS4 Town of Lewisville was issued Notice of Violation number NOV-2020-PC-0327 on 08/06/2020 for noncompliance with the issued NPDES MS4 Permit; and

WHEREAS, the MS4 Town of Lewisville acknowledges the specific Notice of Violation requirement to obtain a new individual NPDES MS4 Permit; and

WHEREAS, the MS4 Town of Lewisville acknowledges the specific Notice of Violation requirement to conduct a self-audit of permit compliance for the balance of permit requirements not specifically audited by the North Carolina Department of Environmental Quality, and to develop a draft Stormwater Management Plan to comply with Section 402(p)(3)(B)(iii) of the Clean Water Act, 40 CFR 122.34(b) and NPDES MS4 Permit requirements, and to submit its draft Stormwater Management Plan to the North Carolina Department of Environmental Quality no later than 120DaysFromNOV 08/06/2020 for review and approval; and

WHEREAS, the MS4 Town of Lewisville acknowledges the specific Notice of Violation requirement to adopt a Council Resolution to implement a compliant and enforceable stormwater management program as defined by both the NPDES MS4 Permit number NCS000494 and the required new Stormwater Management Plan, and said resolution is to be submitted to the North Carolina Department of Environmental Quality no later than 60DaysFromNOV 08/06/2020; and

WHEREAS, the MS4 Town of Lewisville acknowledges the requirement to provide adequate funding and staffing to implement a Stormwater Management Program that complies with its NPDES MS4 Permit and approved Stormwater Management Plan; and

WHEREAS, the MS4 Town of Lewisville acknowledges that North Carolina Department of Environmental Quality enforcement action and penalties could result from non-compliance with the specific requirements in Notice of Violation number NOV-2020-PC-0327; and

**RESOLUTION 2020061 OF THE LEWISVILLE TOWN COUNCIL
AFFIRMING THE MS4 TOWN OF LEWISVILLE COUNCIL'S SUPPORT
REGARDING IMPLEMENTATION OF A COMPLIANT
NPDES MS4 STORMWATER PROGRAM
September 3, 2020**

WHEREAS, the MS4 Town of Lewisville acknowledges that any North Carolina Department of Environmental Quality enforcement action and penalties may not prohibit the U.S. Environmental Protection Agency from taking its own enforcement action for non-compliance with the issued NPDES MS4 Permit.

NOW, THEREFORE, BE IT RESOLVED that the Council of the MS4 Town of Lewisville hereby affirms its support for development and implementation of a compliant NPDES MS4 Stormwater Program.

Adopted, this 3rd Day of September, 2020 by the Lewisville Town Council of the MS4 Town of Lewisville, North Carolina and signed in authentication thereof on September 3, 2020.

Mike Horn, Mayor

William H. Perkins, Jr., Town Manager

Ryan Moser, Public Works Director, Stormwater Program Administrator

ATTEST:

Joyce C. McWilliams Walker, Town Clerk