

CITY OF SANFORD PLANNING BOARD

REGULAR MEETING

Tuesday, June 21, 2022, 6:00 PM

Sanford Municipal Center, 225 E. Weatherspoon Street, Sanford, NC 27330

CALL TO ORDER – 6:00 PM (or after all of the joint public hearings have been held with the City Council)

Introduction by Chairman: The Sanford Planning Board is an advisory council on matters relating to land development and long-range planning and provides recommendations to the Sanford City Council. All information relevant to each case should have been presented during the public hearing. The Planning Board may ask for clarification of information received during the public hearing, but may not receive new information. Recommendations made this evening will be presented to the City Council for consideration on July 21, 2022 and action may or may not be taken at that time per the discretion of the City Council. (The July 5, 2022 City Council meeting has been cancelled.)

- A. APPROVAL OF AGENDA**
- B. APPROVAL OF MINUTES** – May 24, 2022
- C. DISCLOSURE OF CONFLICT OF INTEREST** – Policy included for reference
- D. OLD BUSINESS** – None
- E. NEW BUSINESS**

PUBLIC HEARINGS WITH THE CITY COUNCIL TO CONSIDER ITEMS 1 - 4:

1. ZONING MAP AMENDMENT APPLICATION, PB ITEM 2022-0601

Application by Trinity Capital Advisors, LLC to rezone 13 tracts of land comprising 616.72 acres total with frontage on Rod Sullivan Road (SR 1483) and Jefferson Davis Hwy / US Hwy 1 from Residential Agricultural (RA) to Light Industrial (LI). The subject property is owned by Stephens Enterprises, LLC and is identified as Lee County Tax Parcels 9667-72-1752-00, 9667-50-6965-00, 9666-78-7977-00, 9666-69-3230-00, 9666-58-4589-00, 9666-57-0619-00, 9666-47-9499-00, 9666-47-9279-00, 9666-47-9077-00, 9666-57-5048-00, 9666-65-7121-00, 9666-54-6675-00, and 9666-53-8950-00 as depicted on Tax Maps 9667.04, 9666.02, 9666.01, and 9666.03.

Please be aware that the public hearing for this zoning map amendment/rezoning request will be held only if the City Council votes to annex the subject property into the corporate City limits, for which the public hearing will also be held on June 21, 2022.

2. ZONING MAP AMENDMENT APPLICATION, PB ITEM 2022-0602

Application by Lamco Custom Builders, LLC to rezone 10 tracts of land comprising 7.2 acres total with frontage on Tyndall Drive (SR 1236) from Residential-Mixed (R-12) to Residential-Mixed (R-10) The subject property is identified as Lee County Tax Parcels 9631-87-0005-00, 9631-77-8298-00, 9631-77-8336-00, 9631-77-7497-00, 9631-77-7545-00, 9631-77-7604-00, 9631-77-5895-00, 9631-78-4086-00, 9631-78-4126-00, and 9631-78-3276-00 as depicted on Tax Map 9631.04.

Please be aware that the public hearing for this zoning map amendment/rezoning request will be held only if the City Council votes to annex the subject property into the corporate City limits, for which the public hearing will also be held on June 21, 2022.

3. ZONING MAP AMENDMENT APPLICATION, PB ITEM 2022-0604

Application by Lacy Oldham to rezone a 11.59 tract of land addressed as 1607/1611 Kelly Drive (SR 1521) from Residential Single-family (R-20) and Residential Single-family (R-20) with a Mobile Home Park Overlay District to General Commercial (C-2). The subject property is owned by Oldham &

Oldham, Inc. and is identified as Lee County Tax Parcel 9652-99-4976-00 as depicted on Tax Maps 9653.04 and 9652.02.

4. ZONING MAP AMENDMENT APPLICATION, PB ITEM 2022-0605

Application by Rhetson Companies, Inc. to rezone two adjoining tracts of land totaling 24.60 ± acres with frontage on Marketplace Drive, a private driveway created to serve an unfinished shopping center located in the southeast corner of Tramway Road/NC 78 Hwy and Jefferson Davis Hwy/US Hwy 1 intersection, from General Commercial (C-2) to the Tramway South Apartments Conditional Zoning District to allow the development of a residential apartment community as illustrated on the Tramway South Apartments Concept Plan submitted as part of the application. The subject property is identified as Lee County Tax Parcels 9631-53-6433-00 and 9631-62-1820-00, as depicted on Lee County Tax Map 9631.04.

5. **OTHER BUSINESS** – *None, unless added by the board*

6. **REPORTS**

1. Actions by the Sanford City Council

7. **ADJOURNMENT**

**MINUTES OF THE SPECIAL CALLED MEETING OF THE
CITY OF SANFORD PLANNING BOARD
SANFORD, NORTH CAROLINA**

The City of Sanford Planning Board met for a special called meeting in the West End Conference Room of the Sanford Municipal Center at 225 E. Weatherspoon Street, Sanford, NC 27330 on Tuesday, May 24, 2022. The meeting was called to order at 6:00 PM.

ROLL CALL

Members Present: Ken Britton, Chair
Richard Oldham, Vice-Chair
Ed Ashburn
Jeff Foster
Tom Joyner
Gloria Perez
Brooks Gage, Alternate – *Observed, did not participate*

Members Absent: None

Staff Present: Eric Nance, Clerk
Thomas Mierisch Planner II
Amy McNeill, Zoning Administrator
Mark Hackett, Planning Technician - *Observed, did not participate*

MEETING CALLED TO ORDER

Having noted the presence of a quorum, Chair Britton called the meeting to order and read the Introduction by Chairman statement on the agenda cover.

APPROVAL/DISAPPROVAL OF AGENDA

Vice-Chair Oldham stated that the public hearing for item two on the agenda (Zoning Map Amendment Application Case 2022-05-02) was tabled by the City Council for more information; therefore, the Planning Board will not make a recommendation regarding this item this evening. He entertained a motion to approve an amended agenda with item two removed. Vice-Chair Oldham made a motion to approve the amended agenda, seconded by Board member Foster and carried unanimously.

APPROVAL OF MINUTES

Chair Britton entertained a motion to approve the minutes of the March 15, 2022 meeting. Board member Joyner made a motion to approve the minutes, seconded by board member Foster, and carried unanimously.

DISCLOSURE OF CONFLICTS OF INTEREST

Chair Britton asked each board member to disclose any conflicts of interest in the matters to be considered by the board this evening. There were none.

OLD BUSINESS

None

NEW BUSINESS

1. ZONING MAP AMENDMENT APPLICATION, PB ITEM 2022-0501

Application by Arista Development, LLC to rezone a one-acre portion of a 3.11-acre tract of land with frontage on Center Church Road (SR 1303) and US Hwy 1/Jefferson Davis Hwy from Residential Restricted (RR) and Residential Agricultural (RA) to Highway Commercial (HC). The subject property is owned by Bradley D. McNeill and Joy Farrell McNeill and is identified as a portion of Lee County Tax Parcel 9631-43-3781-00as depicted on Tax Map 9631.03.

DISCUSSION

Chair Britton gave an overview of the rezoning application and the information provided at the public hearing. Specific topics of discussion included that the applicant wants to rezone the property from RR and RA to HC, staff is recommending C-2 instead of HC, and the site was annexed earlier this evening.

Chair Britton asked staff person McNeill if there any way to change the existing HC designation on the adjoining lot and make it C-2. Staff person McNeill stated that the property must be rezoned through the public hearing process in order to change the zoning.

Board member Ashburn asked if there will be any problems with title insurance if the site is one tract of land with areas of two different zoning districts. Staff person McNeill replied that Eddie Winstead, attorney for the applicant, stated during the public hearing that the applicant would prefer that the subject property be one piece of land with one zoning district, in this case HC.

Board member Perez asked if the site is one tract of land with areas of two different zoning districts would affect the finances for future development. Staff person McNeill stated that this has not been definitely determined, but it is possible.

Board member Foster asked if the HC zoning district still exists and if someone could petition to rezone to HC, even though it sounds like C-2 is a very similar zoning district. Staff person McNeill stated that this is correct on both counts.

Vice-Chair Oldham stated that he assumed that the intent was to recombine the two parcels into one legal lot. Staff person McNeill replied that this was indeed the intent stated on the application.

DECISION

With no further discussion, Chair Britton opened the floor for a motion regarding consistency with the long-range plan. Board member Foster made a motion that the proposed zoning map amendment is consistent with Plan SanLee long range plan designation of Mixed-Use Activity Center because it allows commercial uses that may be contextually integrated in the surrounding development pattern with public water and streets. Board Member Ashburn seconded the motion and it was approved unanimously

Chair Britton called for a motion to approve or deny the zoning map amendment. Vice-Chair Oldham made a motion that the Planning Board recommend that the City Council approve the proposed zoning map amendment because it is reasonable and in the public interest given the location at the intersection of a busy roadway corridor and that the proposed development will be served by public water and sewer in an area that was recently annexed into the corporate City limits. Board Member Ashburn seconded the motion and it was approved unanimously.

2. ZONING MAP AMENDMENT APPLICATION, PB ITEM 2022-0503

Application by The Jakel Organization, LLC to rezone one vacant 2.07-acre tract of land with frontage on Blumont Drive and US 421 Hwy from Residential Single-family (R-20) to General Commercial (C-2). The subject property is owned by Hwy 54 Partners, LLC and is identified as Lee County Tax Parcel 9661-37-3621-00 as depicted on Tax Map 9666.01.

DISCUSSION

Chair Britton gave an overview of the rezoning application and the information provided at the public hearing. Specific topics of discussion included the location & size of the site and that the adjoining property was recently rezoned by the applicant to allow commercial development.

Board member Foster asked if the area paralleling US Hwy 421 to the east and west was controlled access. Staff person McNeill verified that it is.

Vice-Chair Oldham asked if the intent is to recombine this lot with the adjoining lot that is owned by the applicant. Staff person McNeill said that was the stated intent but that the applicant is not legally bound to do so.

DECISION

With no further discussion, Chair Britton opened the floor for a motion regarding consistency with the long-range plan. Vice-Chair Oldham made the motion that the proposed zoning map amendment is consistent with the Plan SanLee long range plan designation of Mixed-Use Activity Center because it allows commercial uses that may be contextually integrated into the surrounding development pattern with public water and streets. Board Member Joyner seconded and the motion was approved unanimously.

Chair Britton called for a motion to approve or deny the zoning map amendment. Board member Perez made a motion that the Planning Board recommend that the City Council approve the proposed zoning map amendment because it is reasonable and in the public interest given the location parallel to US Hwy 421. Board Member Joyner seconded and the motion was approved unanimously.

3. MAJOR SUBDIVISION PRELIMINARY PLAT, CASE 2022-0504

Consideration of a preliminary subdivision plat for Brick Capital CDC, Washington Avenue Subdivision, a 15.45-acre residential subdivision with frontage on Washington Avenue that is proposed for development with 45 single-family homes served by City of Sanford maintained

public water, sewer, and streets. The subject property is identified as Lee County Tax Parcel 9642-63-2855-00 as depicted on Tax Map 9642.04. The public roads have curb & gutter with sidewalks on one side of the new public streets as currently required per the UDO. The site is zoned Residential-Mixed (R-6) and appears to comply with the UDO subdivision regulations. The area illustrated as multi-family was rezoned to Multi-family (MF-12) in September of 2021. The design standards associated with the multi-family apartment building component of the project are reviewed by staff to ensure compliance with the UDO and are not part of the preliminary plat review considered by the boards.

DISCUSSION

Chair Britton directed staff to present the staff report for this subdivision. The following is an overview of the information provided: the proposed subdivision design complies with the standards of the R-6 zoning district, the property is not located in a local historic district or a Watershed Conservation Overlay District, public water is located along Washington Avenue, public sewer is proposed to extend from an adjoining property to the west to serve the development site, the project contains 45 single family lots which are currently intended to be the second phase of the overall affordable housing project for this site, and the first phase is a multi-family apartment building with 16 dwelling units on land that was rezoned from R-6 to MF-12 on September 7, 2021.

Vice-Chair Oldham asked how lots one and two will be accessed. Staff person McNeill stated that all of the proposed public roads will be installed prior to the subdivision being finished. Lots one and two will be accessed via the new public road that runs south of the apartment building.

Board member Foster asked if the multi-family portion of the project would be phase one. Staff person Mierisch stated that is correct.

Board member Foster asked where the stormwater will go until the detention pond is built. Ken Bright, the project engineer (of Ken Bright Associates, PLLC Engineering at 2305 Carthage Street, Sanford, NC) stated that a retention pond is proposed at the rear of the site and that the multi-family stormwater will be piped to this pond in the rear since there is no room to put anything on the front. The site work and grading for the entire project will be done at the same time.

DECISION

With no further discussion, Chair Britton opened the floor for a motion. Vice-Chair Oldham made a motion that the Planning Board recommend that the City Council approve the preliminary plat as submitted. The motion was seconded by Board member Perez and carried unanimously.

4. MAJOR SUBDIVISION PRELIMINARY PLAT, CASE 2022-0505

Consideration of a preliminary subdivision plat for Midtown Village South, a 288.74-acre residential subdivision with frontage on Colon Road and Lower Moncure Road that is proposed

for development with 732 single-family homes and 161 townhomes served by City of Sanford maintained public water, sewer, and streets. The subject property is identified as Lee County Tax Parcels 9653-17-6784-00, 9653-26-3853-00, 9643-15-4239-00, 9653-24-1951-00, 9653-25-6511-00, 9653-34-3218-00, 9635-36-6299-00, 9653-46-2729-00, 9653-46-6325-00, 9653-46-8365-00, 9653-56-5753-00, and 9653-57-3523-00 as depicted on Tax Maps 9653.01, 9653.02, 9643.02, 9653.14, and 9653.13 The public roads have curb & gutter with sidewalks on both sides of the new public streets, which exceeds the current UDO requirement of sidewalks on one side of the road. The subject property was annexed in February of 2021 and rezoned to the Midtown Village South Conditional Zoning District in March of 2021. The plat appears to correspond with the plans associated with the approved site plan/subdivision plan conditional zoning district.

DISCUSSION

Chair Britton directed staff to present the staff report for this subdivision. The following is an overview of the information provided: the subject property is to be developed in three phases, there are 732 single-family detached home lots, 171 single-family attached home lots, 893 lots total, 21 open space areas, curb and gutter, five ft sidewalks on both sides of all internal public streets, a portion of the site is located in the Deep River / Lee County Watershed, there are several “blue line streams” on site that will need to be taken into consideration, public water is available via an existing 12-inch water main in the right-of-way of Colon Road and a 24-inch, 36-inch and 8-inch water main in the right-of-way of Lower Moncure Road, public sewer is not currently available and must be extended to serve this site, and the site has frontage on Colon Road and Lower Moncure Road.

Staff person McNeill stated that she needed to verify the amount of the site that is in the watershed because the designer had pointed out that the information in our GIS mapping system appears to be different that what is illustrated on the state maps.

Vice-Chair Oldham asked how the existing house that this subdivision is developing around (759 Lower Moncure Road) will be accessed. It appears that access will be through open space 13. Mark Lyczkowski, the applicant, stated that three acres of the land purchased for the subdivision would be given to this property owner to create a six-acre lot with new public road frontage. He also stated that the lot developed with the existing house would be able to access the new public sewer.

Vice-Chair Oldham stated that he thought there was an agreement with the land owners off of Eastwood Drive to install buffering or fencing. Staff person McNeill responded that there was to be no roadway connection to Eastwood Drive or Skyview Drive as a condition of the rezoning approval, but that there was no buffering or fencing requirement per the information that staff has on file.

Mr. Lyczkowski stated that these is a 30ft buffer along the northern side line in that area.

Chair Britton asked how many units are proposed in phase one. Mr. Lyczkowski stated that there is a phasing information on the overall site plan include with the plans for reference, but that ultimately the phasing would be market driven and may therefore differ from the information provided.

DECISION

With no further discussion, Chair Britton opened the floor for a motion. Vice-Chair Oldham made a motion to recommend that the Planning Board recommend the City Council approve the preliminary plat as submitted with the following conditions: there will be no public roadway connection to Eastwood Drive or Skyview Drive (no connection is illustrated on the plans), the roadway connection to White Oak Drive/Red Oak Drive will not be used as a construction entrance, and that there will be a 30ft buffer and fence required along the property lines shared with the Lunney Family (9653-35-339-00) and the Lemons family (9653-44-1828-00) as illustrated on the Detailed Site Plan, Sheet 4 of 4 (sheet 2.4) of the plans, which were agreed to by the applicant as part of the conditional rezoning per review of the information on file. Also, the staff is to verify the accuracy of the watershed information and ensure that it is corrected as needed and a stub street to extend to the perimeter property line instead of the cul-de-sac in the townhome area off of Colon Road as recommended by staff was included as part of the recommendation. This was agreed to by the applicant. The motion was seconded by Board member Perez and carried unanimously

REPORTS

Staff person McNeill presented the City Council Actions on Items Requiring a Planning Board Recommendation staff report that was included in the agenda packet.

ADJOURNMENT

With no further business to come before the board, the motion to adjourn was made by Board member Foster, seconded by board member Ashburn, and carried unanimously. The meeting was adjourned at 8:00 P.M.

Adopted this _____ day of _____, 2022.

BY: _____
Ken Britton, Chair

ATTEST: _____
Eric Nance, Clerk

This is general information provided by staff for inclusion in the Sanford Planning Board agenda packet as a reference for board members as of 2022-06-21.

It is intended as a reference only – if needed – and is not required to be read aloud at each meeting.

Conflict of Interest Policy Related to Land Use Decisions

Pursuant to North Carolina General Statutes 160D-1-9, the following conflict of interest policies will apply to all land use decisions coming before staff, appointed boards or the governing boards as follows:

For Governing Board Members – *Sanford City Council*

A Lee County Board of Commissioner member shall not vote on any legislative decision regarding a development regulation adopted pursuant to Chapter 160D, where the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. A Commissioner shall also not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business or other associational relationship.

For Appointed Board Members – *Sanford Planning Board & Board of Adjustment*

Members of the appointed boards shall not vote on any advisory or legislative decision regarding a development regulation where the outcome of the matter being considered is reasonably likely to have a direct, substantial and readily identifiable financial impact on the member. Further, an appointed board member shall not vote on any zoning amendment of the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship. A close familial relationship means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.

For members of any board exercising quasi-judicial functions, the member shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex-parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.

For Administrative Staff – *Sanford/Lee County Community Development Department Staff*

No staff member shall make a final decision on an administrative decision if the outcome of that decision would have a direct, substantial, and readily identifiable financial impact on the staff member or if the applicant or other person subject to that decision is a person with whom the staff member has a close familial, business, or other associational relationship. A close familial relationship means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships. If a staff member has a conflict of interest, the decision shall be assigned to the supervisor of the staff person or such other staff person as may be designated by the development regulation or other ordinance.

No staff member shall be financially interested or employed by a business that is financially interested in a development subject to regulation under the UDO unless the staff member is the owner of the land or building involved. No staff member or other individual or an employee of a company contracting with a local government to provide staff support shall engage in any work that is inconsistent with his or her duties or with the interest of the local government, as determined by the local government.

\$500 FEE



Zoning Map Amendment (Rezoning) Application

Circle Jurisdiction That Applies:

City of Sanford

Lee County

Town of Broadway

1. Applicant Name: Trinity Capital c/o: Ken Jonmaire
2. Applicant Address: 440 South Church Street, Charlotte NC 28202
3. Applicant Telephone: 704-714-4515
4. Name and Address of Property Owner(s) if different than applicant:
Stephens Enterprises, LLC
319 Chapanoke Road, Suite 102, Raleigh NC 27603
5. Location of Subject Property: 306 Rod Sullivan Road, Sanford NC
Lee Co. P.I.N. See attached
6. Total Area included in Rezoning Request: 616.72 Acres
7. Zoning Classification: Current: RA Requested: LI (Light Industrial)
8. Existing Land Use(s): Timber and Farm Land
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): See Attached

10. Signature(s) of Applicant (and Property Owners if different from Applicant).

I hereby acknowledge that the information contained herein is true. It is further understood that this application will be reviewed for completeness and accuracy and that it shall not be scheduled for official consideration until all required contents are submitted in proper form to the Sanford/Lee Zoning & Design Review Department.

Matt Stephens Matt Stephens
Signature of Property Owner(s) (Sign & Print)

4/5/2022
Date

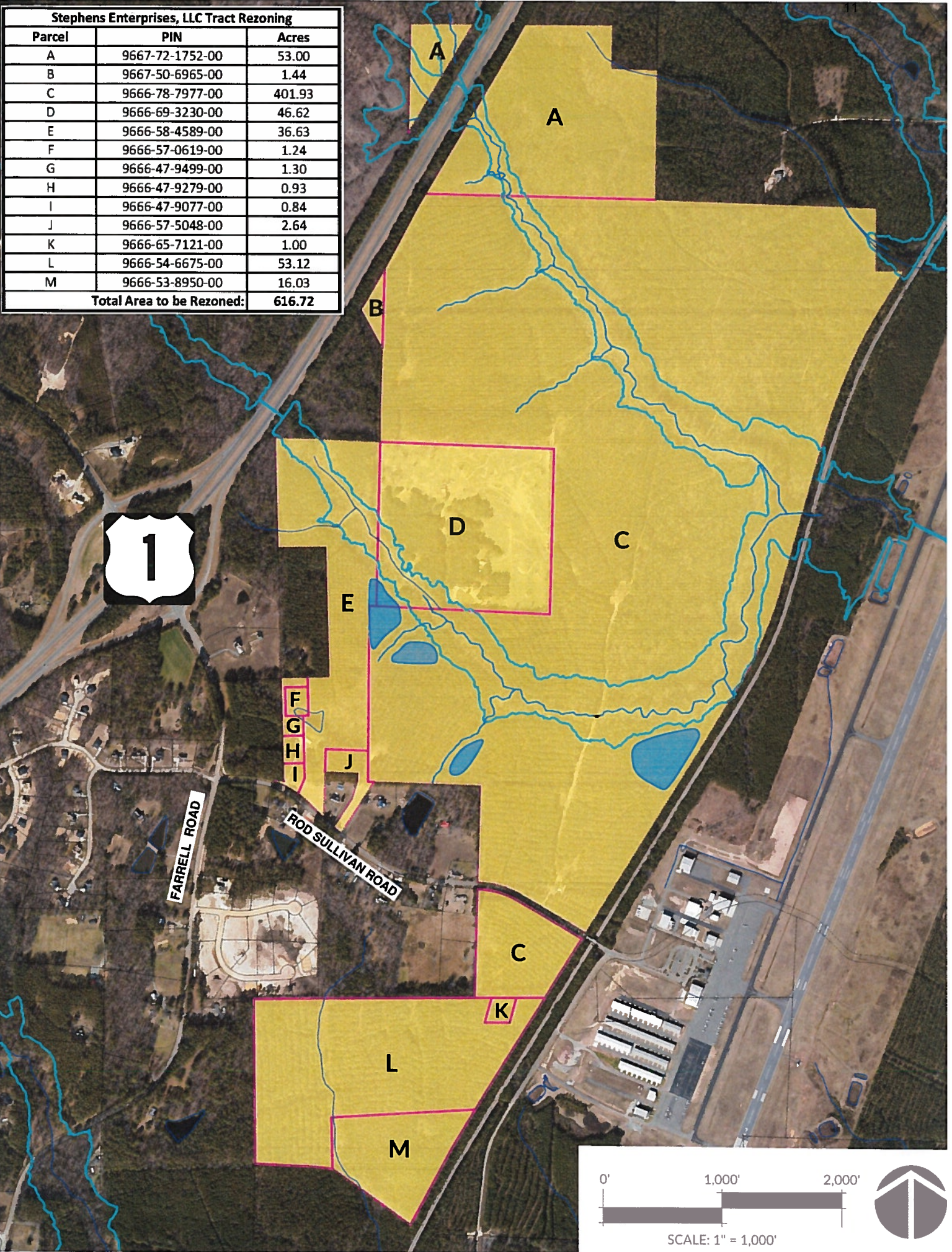
Required Attachments/Submittals

- A. A completed rezoning application (incomplete applications/submittals will not be accepted or processed).
- B. A copy of a current Lee County Tax Map illustrating the location of the area to be rezoned. If the exterior boundary of the area to be rezoned does not follow along existing property boundaries, then the applicant shall be required to submit a metes and bounds (legal) description describing the area requested for rezoning.
- C. A copy of the latest deed for the subject property as recorded at the Lee County Register of Deeds Office.
- D. A \$500.00 Application fee, payable to the City of Sanford is required before processing the application.
- E. *If the requested rezoning is for a Conditional Zoning District, a Supplemental Application for Conditional Zoning District must also be included, along with an additional \$250.00 fee (\$750 total fee for Conditional Zoning).
- F. Typically, the submission deadline is the first day of each month at 12:00pm/noon for the rezoning to be heard the following month. Specific dates provided upon request.

STAFF USE ONLY

Date Received: Pre D/L Fee Paid: \$500.0 Application No.: 2022-06
 Staff Signature: _____ Energov Case No.: ZMA-004820-2022

Stephens Enterprises, LLC Tract Rezoning		
Parcel	PIN	Acres
A	9667-72-1752-00	53.00
B	9667-50-6965-00	1.44
C	9666-78-7977-00	401.93
D	9666-69-3230-00	46.62
E	9666-58-4589-00	36.63
F	9666-57-0619-00	1.24
G	9666-47-9499-00	1.30
H	9666-47-9279-00	0.93
I	9666-47-9077-00	0.84
J	9666-57-5048-00	2.64
K	9666-65-7121-00	1.00
L	9666-54-6675-00	53.12
M	9666-53-8950-00	16.03
Total Area to be Rezoned:		616.72



Stephen Enterprises, LLC Tract Rezoning

Given its proximity to US-1 , the CSX rail line and the Raleigh Executive Jetport, the subject property is more suited for LI Industrial development than the existing residential zoning. Residential development is often not compatible with either highway, rail or air traffic due to noise and other similar nuisance concerns. The site also consists of large tracts of land containing large developable contiguous areas. These types of areas are often difficult to located in a manner suitable for industrial development. Water, sewer and electrical facilities are also located in close proximity to the subject property. Rezoning the subject property to Light Industrial will also assist the community bring new jobs and investment to Lee County and the City of Sanford.

CITY OF SANFORD
CITY COUNCIL AND PLANNING BOARD
PUBLIC HEARING INFORMATION
JUNE 21, 2022

Please be aware that the public hearing for this zoning map amendment/rezoning request will be held only if the City Council votes to annex the subject property into the corporate City limits, for which the public hearing will also be held on June 21, 2022.

REQUEST

Trinity Capital Advisors, LLC is requesting to rezone 13 tracts of land comprising 616.72 acres total (611.90 per the annexation request) with frontage on Rod Sullivan Road and Jefferson Davis Hwy / US Hwy 1 from Residential Agricultural (RA) to Light Industrial (LI) to allow the subject property to be marketed & developed in an industrial manner. Therefore, the company has submitted this Zoning Map Amendment Application for your consideration. This is a standard general use rezoning request, as opposed to a conditional rezoning request; therefore, no site plan/subdivision plans or building plans are required as part of the rezoning request

Public notification consisted of publishing a legal notice in the local newspaper, notification by mail to adjacent property owners, and public hearing signs placed on the property as per the requirements of the North Carolina General Statutes.

GENERAL INFORMATION

Applicant: Trinity Capital Advisors, LLC | Mr. Travis Caldwell
Property Owner: Stephens Enterprises, LLC
Request: Residential Agricultural (RA) to Light Industrial (LI)
Location: (Vacant) 0 Rod Sullivan Road, Sanford, NC 27330
Acreage: 616.72+/-
Tax Parcels: 9667-72-1752-00 (portion of) , 9667-50-6965-00, 9666-78-7977-00, 9666-69-3230-00, 9666-58-4589-00, 9666-57-0619-00, 9666-47-9499-00, 9666-47-9279-00, 9666-47-9077-00, 9666-57-5048-00, 9666-65-7121-00, 9666-54-6675-00, and 9666-53-8950-00
Tax Map: 9667.04, 9666.02, 9666.01, and 9666.03
Township: Deep River
Commissioner Dist.: 2, Reference the annexation info. for this site for City Council District info.
Fire District: Deep River Fire Dept., reference annexation info. for Sanford Fire Dept. info.
Schools: Deep River Elementary | East Lee Middle School | Lee Senior High School

SITE DESCRIPTION

The site is located on the north & south sides of Rod Sullivan Road and opposite the railroad tracks from the Raleigh Executive Jetport. Several parcels also have frontage on Jefferson Davis Hwy/ US Hwy 1, which is a controlled access highway.

ZONING DISTRICT INFORMATION

Existing Zoning: The Residential Agricultural (RA) district is established to provide areas for low density single family uses, low intensity agricultural operations as well as agri-business and supportive industrial and commercial uses. Industrial operations are not permitted unless they clearly support an agricultural use. RA zoning protects and preserves valuable agricultural areas, implements agricultural protection zoning, establishes performance standards for rural businesses, preserves rural areas, preserves pasture land and agriculture, sets maximum permissible densities or new zoning districts, defines specific areas for rural commercial uses, and identifies areas appropriate for agricultural preservation.

Minimum lot size:	40,000sf or 0.92 of an acre
Minimum lot width:	100ft
Minimum lot depth:	125ft
Minimum building setback, front:	30ft, measured from the r/o/w of the public street
Minimum building setback, rear:	30ft, measured from the rear property line
Minimum building setback, side(s):	15ft, measures from the side property lines
Maximum building height:	40ft
Maximum impervious surface:	N/A for residential development that is not within a watershed

Examples of uses permitted by right within the RA zoning district include residential single-family detached dwellings (site built and modular houses, both of which are constructed in compliance with the North Carolina Residential Building Code AND mobile/manufactured houses, which are constructed in compliance with the Manufactured Home Construction and Safety Standards administered by U.S. Housing and Urban Development or HUD Code), duplex dwellings, pottery manufacturing & sales, parks/playgrounds/athletic fields operated on a noncommercial basis, church/religious complex (new site with less than 350 seats), church/religious complex (any size, if an addition to an existing complex), Schools (addition to existing site), animal production & support services (unincorporated Lee County), crop production & support services (unincorporated Lee County), and forestry/logging & support services (unincorporated Lee County). There is a list of all of the permitted uses for this zoning district within the agenda packet for your reference

Proposed Zoning: The proposed zoning is Light Industrial (LI), which is established to provide for areas that contain a mix of light manufacturing uses, office park and limited retail and service uses that service the industrial uses in an attractive business park setting with proper screening and buffering, all compatible with adjoining uses. LI districts should include areas which continue the orderly development and concentration of light industrial uses. LI zones should be located so as to have direct access to or within proximity to a major or minor thoroughfare.

Minimum lot size:	N/A
Minimum lot width:	80ft
Minimum lot depth:	100ft
Minimum building setback, front:	30ft, measured from the r/o/w of the public street
Minimum building setback, rear:	Determined by the required landscape buffer yard width
Minimum building setback, side(s):	Determined by the required landscape buffer yard width
Maximum building height:	N/A
Maximum impervious surface:	80% not taking into consideration watershed regulations

Examples of uses permitted by right within the LI zoning district include computer & software sales, convenience store (with and without gas sales), dry cleaning & laundry, farm, landscape & garden supply sales (with and without outdoor storage), finance & insurance services, florist, hardware, home centers, lumber yard (with and without outdoor storage), motor vehicle repair & service, motor vehicle towing, office buildings, pharmacy & drug store (with or without a drive through facility), printing & publishing services, real estate sales, rental & leasing, services to buildings & dwellings (extermination, janitorial, landscaping, carpet & upholstery cleaning, packing & crating, etc. – with or without outside storage), contractor’s office (without outdoor storage), fitness gyms & health spas, religious complex & church, schools (continuing education), electrical equipment, appliance & components manufacturing, finished nonmetallic & mineral products (brick, refractories, ceramics, glass, cement, etc.), manufactured housing manufacturing, metal manufacturing (including or excluding smelting operations), pharmaceutical manufacturing, textile mills & apparel manufacturing, and warehouses. There is a list of permitted uses for this zoning district included within the agenda for your reference.

Adjacent Zoning

North: Residential Agricultural (RA)
 South: Residential Agricultural (RA) and Residential Agricultural (RA) with a Mobile Home Overlay District for an existing mobile home park
 East: Residential Agricultural (RA)
 West: Residential Agricultural (RA) and Residential Restricted (RR)

Adjacent Land Use

North: Single-family dwellings and vacant/wooded land
 South: Single-family dwellings and vacant/wooded land
 East: Raleigh Executive Jetport
 West: Single-family dwellings and vacant/wooded land

PLAN SANLEE

The long-range land use plan identifies two separate land use designations for the subject property. Most of this property is Industrial Center, which has the following characteristics: represents the community’s largest industrial employers, clusters of industrial parks & districts consisting of heavy infrastructure, supports corresponding industrial processing & manufacturing, and separated from lower intensity residential by natural buffers at the periphery. The local example is NC Hwy 42 / Cox Mill Road area in Sanford.

The remainder of the property is Countryside, which has the following characteristics: undeveloped lands outside the Urban Service Area, preservation of the country’s agricultural heritage encouraged, conservation and maintenance of rural lifestyle supported, and limited residential density. The local example is the Avents Ferry Road corridor in northeast Lee County. Information from the land use plan is provided as attachments to this report for your reference.

LOCAL OVERLAY DISTRICTS

Upon review of the local overlay districts, the following are applicable for this site:

UDO, Article 4 Zoning District Regulations, Section 4.14 Watershed Conservation Overlay District:
 The subject property is within the Watershed Conservation Overlay District, specifically the Cape

Fear/Lee County Watershed Protected Area. A watershed is a basin-like landform delineated by ridgelines that descend into lower elevations that carries rain water from the land into soils, ground waters, creeks, and streams, eventually making its way to larger rivers and the ocean. Development within this area is allowed, but there are maximum density and built upon area requirements designed to ensure the health of the watershed. Development in this area must comply with the UDO watershed regulations.

UDO, Article 13 Flood Hazard Regulations Overlay: The subject property north of Rod Sullivan Road is bisected by 100-year floodplain and all future development within this area must comply with the UDO floodplain regulations. Floodplain means any land area susceptible to being inundated by water from any source. Development within this area is allowed, but there are floodplain management regulations (zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power which control development in flood-prone areas) that are applicable for development within this area. These federal, state or local regulations, in any combination thereof, provide standards for preventing and reducing flood loss and damage.

UDO, Article 4 Zoning District Regulations, Section 4.13 Airport Overlay District: The subject property is within the Airport Overlay District, which is established to prevent the creation or establishment of obstructions or land uses that are hazards to air navigation, thereby protecting the lives and property of the users of the Sanford-Lee County Regional Airport, the property and occupants of land in the vicinity and the public investment in the airport. This district is further intended to provide for the safe landing, take-off, and maneuvering of aircraft in accordance with Federal Aviation Administration- (FAA) standards. Any/all plans for the development of this site now or in the future must comply with the design standards of the Airport Overlay District of the UDO. Staff will confer with the Raleigh Executive Jetport regarding this rezoning request and provide additional information at the public hearing.

General Note: The following is a general note included with all rezoning requests: Sanford, Lee County, and Broadway do not have a local grading permit or stormwater ordinance and rely on the NC Department of Environmental Quality to regulate land disturbing activities. For questions or concerns regarding land disturbing activities, contact the NC Division of Energy, Mineral, and Land Resources Sediment Program via mail 1612 Mail Service Center, Raleigh, NC 27699-1612, via phone at 877-623-6748 or visit the NCDEQ website at <http://deq.nc.gov>. The physical address of the office is 217 W. Jones Street, Raleigh, NC 27603

UTILITIES

There is a public water main line along Farrell Road. Public sewer would need to be extended to serve future development on this site. This information is per our GIS mapping system and, if the rezoning is approved, all new development and/or water and sewer connections must be approved by the City of Sanford Public Works Dept./Engineering Dept. to verify compliance with all policies and regulations, including – but not limited to – off site improvements or upgrades. Private wells and septic systems must be approved by the Lee County Environmental Health Dept. and/or the appropriate State agency, whichever is applicable.

TRANSPORTATION

There is frontage on Rod Sullivan Road (SR 1483), which is a NCDOT maintained public road with a 60ft width right-of-way. This information is per our GIS mapping system and NCDOT must approve

any proposed driveways via the site plan review/approval process to verify compliance with all applicable regulations, including – but not limited to - traffic studies and roadway improvements/turn lanes.

2011 Lee County Comprehensive Transportation Plan: This plan illustrates Rod Sullivan Road as an existing major thoroughfare that needs improvement.

NCDOT Average Annual Daily Traffic Count (AADT): There is a 2019 NCDOT AADT count of 600 vehicles per day on Rod Sullivan Road between Farrell Road and the airport.

DEVELOPMENT STANDARDS

If rezoned, all of the uses permitted in the LI zoning district would be allowed and any future redevelopment of the subject property will be required to meet the current development standards of the UDO.

STAFF RECOMMENDATION

The majority of the subject property included in the rezoning request conforms with the recommendation of the long-range plan designation of Industrial Center; therefore, there may be a reasonable expectation that the property would be used for an industrial purpose. However, it is ultimately it is up to the City Council to determine how the City should grow and if they are comfortable with the proposed development of this site in the manner proposed.

Additional information presented at the public hearing should also be considered in the recommendation and the final decision regarding the requested zoning map amendment

PLANNING BOARD RECOMMENDATION

Per state law, when conducting a review of a proposed zoning text or map amendment, the planning board shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board. If no written report is received from the planning board within 30 days of referral of the amendment to that board, the governing board may act on the amendment without the planning board report. The governing board is not bound by the recommendations, if any, of the planning board. Also, please be aware that the Planning Board may acknowledge that the zoning map amendment is not consistent with the *Plan SanLee* long range plan and still vote to approve the request; however, an explanation should be included within the motion.

Sample Motions

The Planning Board shall provide a written recommendation to the City Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board. These sample motions are provided by staff based on information in the *Plan SanLee* land use plan. The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

VOTE #1: APPROVE A STATEMENT ON CONSISTENCY WITH THE PLAN SANLEE AS IT RELATES TO THIS REZONING REQUEST:

Motion Option 1: *“I make a motion that the proposed zoning map amendment **IS** consistent with the Plan SanLee long range plan designation of Industrial Center (which encompasses the majority of the site) because the request is to rezone to Light Industrial (LI) to allow industrial-type uses. It should be noted, however, that the request is not consistent with the Countryside designation for the balance of the site since industrial uses are not included within this land use designation.”*

Motion Option 2: *“I make a motion that the proposed zoning map amendment **IS NOT** consistent with the Plan SanLee long range plan designation of Industrial Center because it is unknown if the proposed land uses will be large industrial employers and at this time there is no heavy infrastructure (such as sewer) in place at this time. Also, it **IS NOT** consistent with the Countryside designation because the request is for a zoning district to allow industrial type uses, which is not included within the description for this land use designation.”*

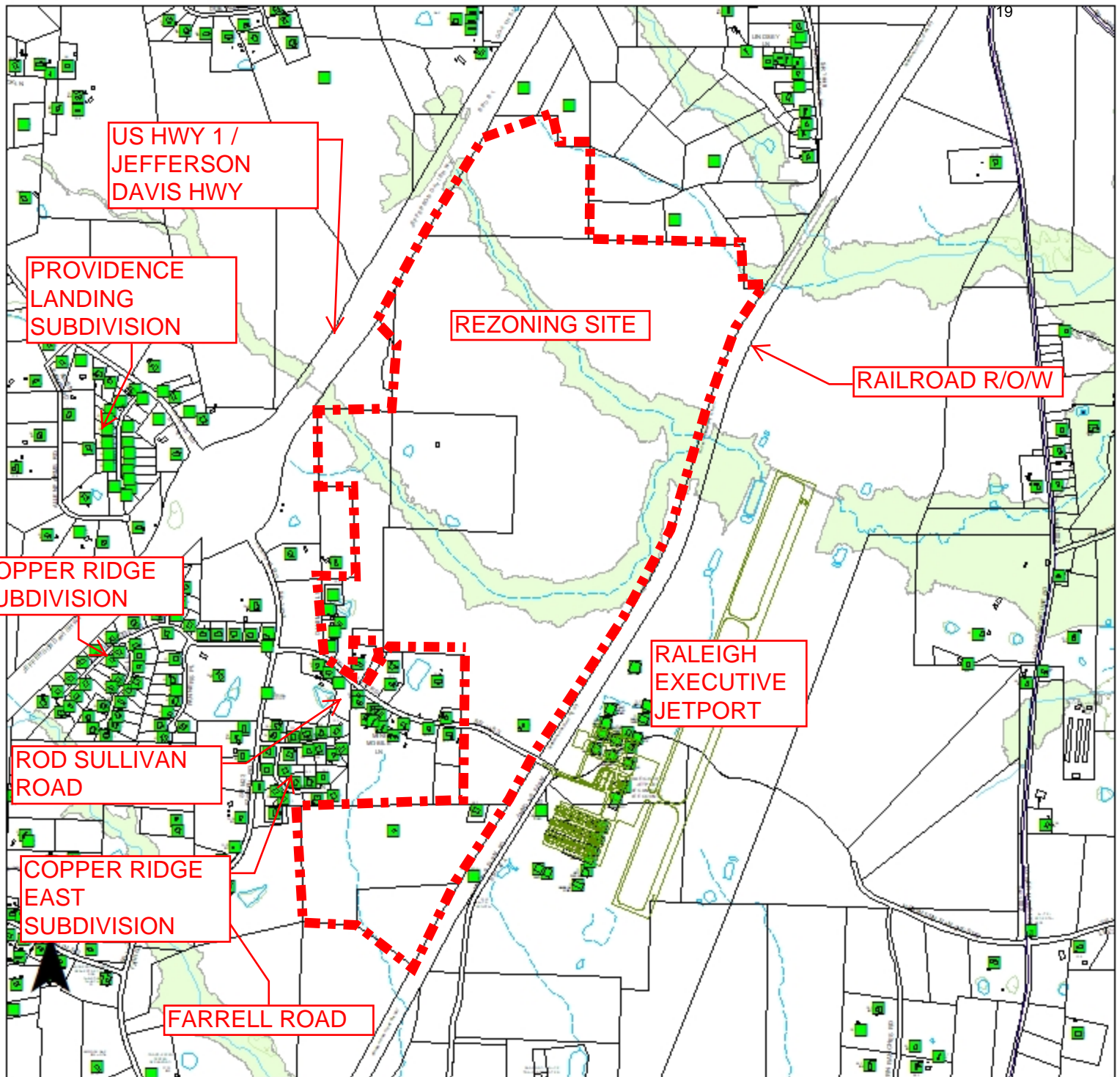
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

VOTE #2: TO APPROVE OR DENY THE REZONING REQUEST:

Motion Option 1: *“I make a motion that Planning Board recommend the City Council **APPROVE** the proposed zoning map amendment because the site is appropriate for an industrial land use.”*

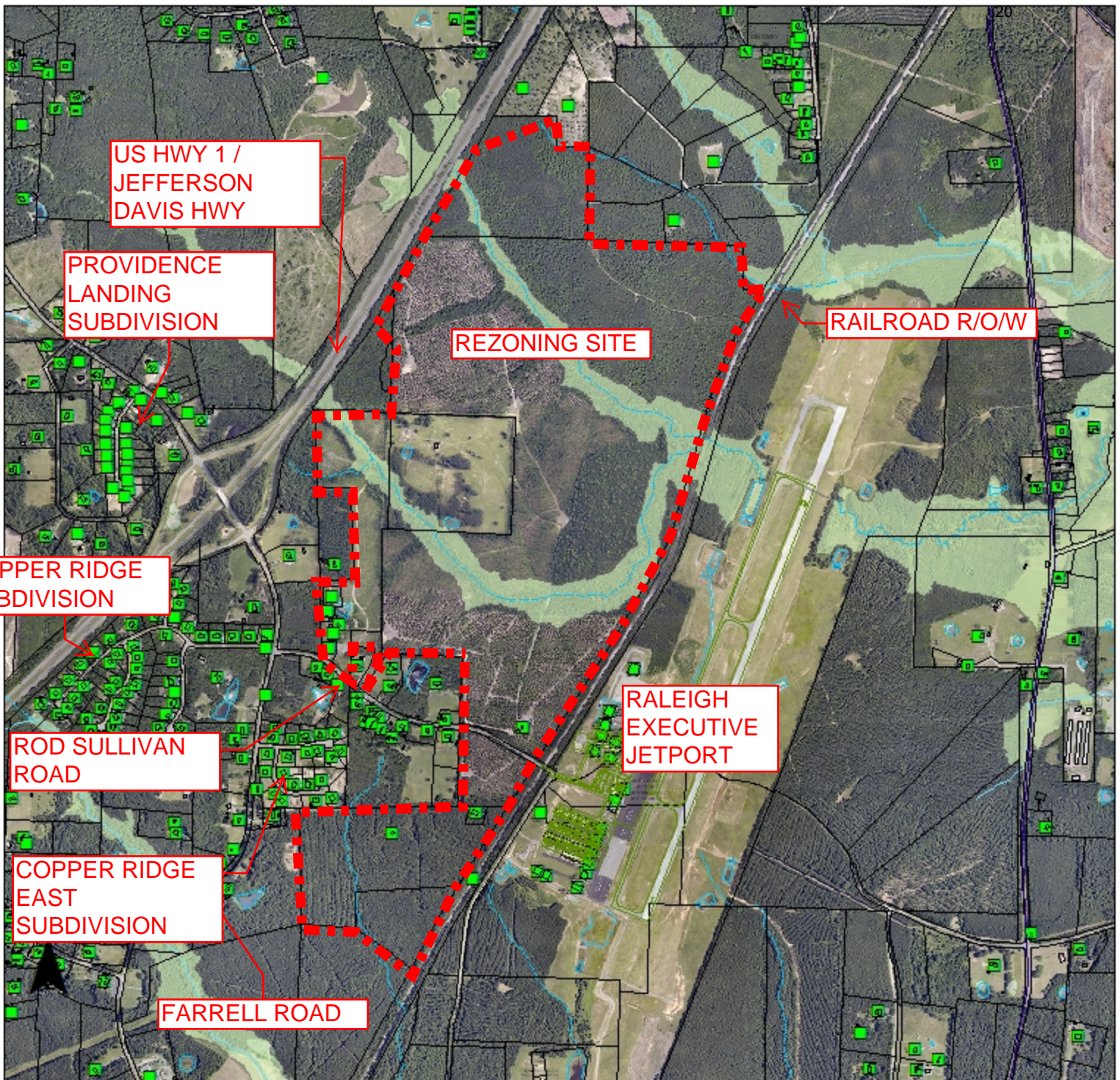
Motion Option 2: *“I make a motion that the Planning Board recommend the city Council **DENY** the rezoning request because the site is not appropriate for an industrial land use.”*

Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.



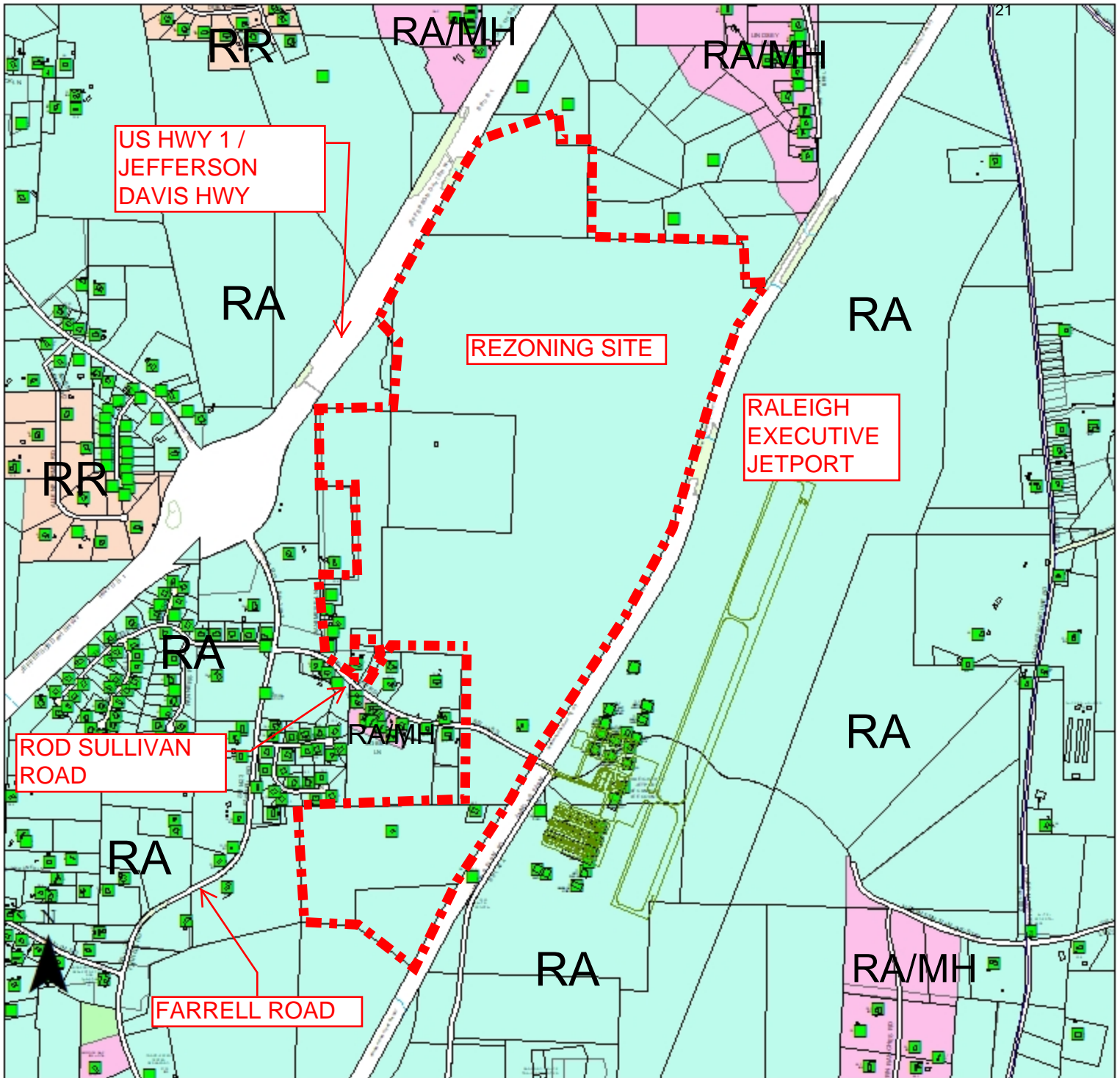
ZONING MAP AMENDMENT
Request to rezone a 616.72 acres
with frontage on Rod Sullivan Road and US Hwy 1 / Jefferson Davis Hwy
from RA to LI.

This is a graphic illustration and not a legal document.
All information is comprised of layers of data that may or may not align correctly.



ZONING MAP AMENDMENT
Request to rezone a 616.72 acres
with frontage on Rod Sullivan Road and US Hwy 1 / Jefferson Davis Hwy
from RA to LI.

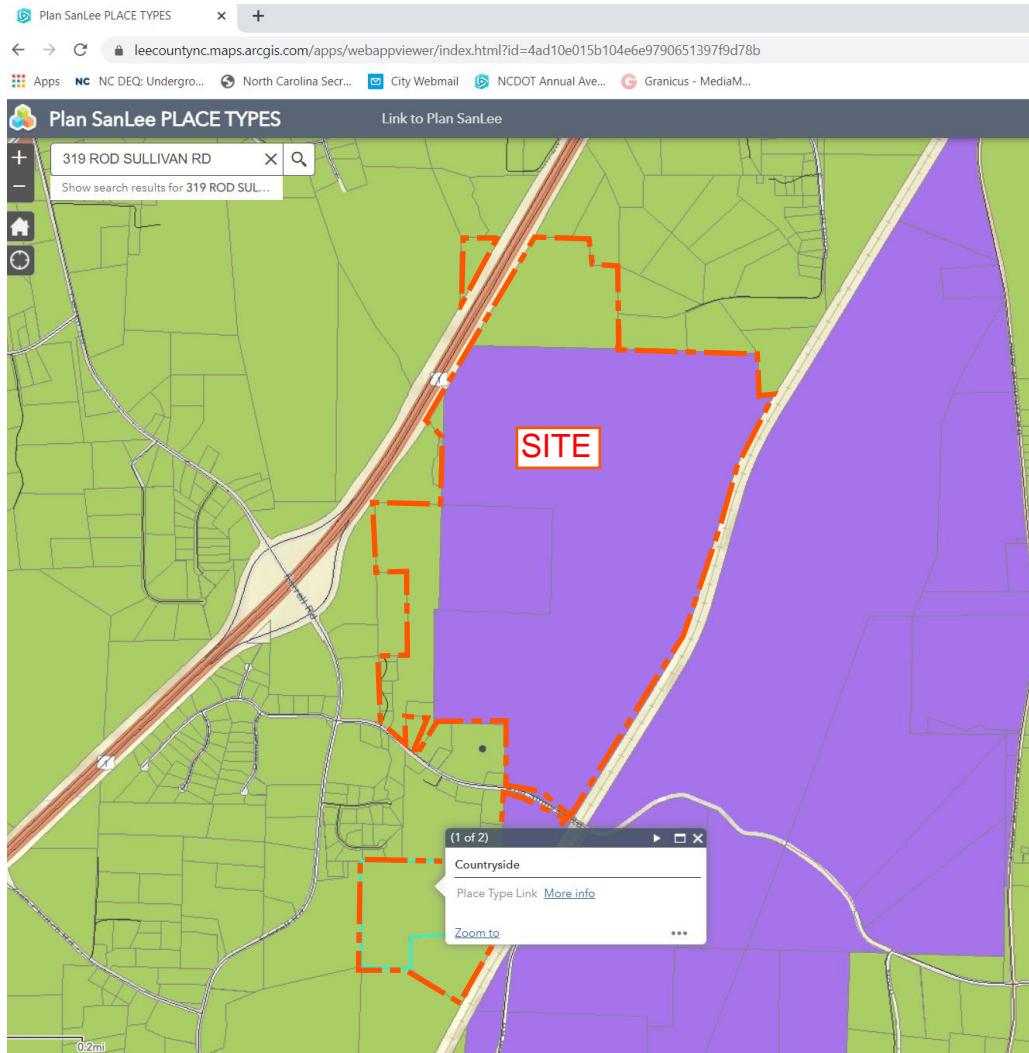
This is a graphic illustration and not a legal document.
All information is comprised of layers of data that may or may not align correctly.



ZONING MAP AMENDMENT
Request to rezone a 616.72 acres
with frontage on Rod Sullivan Road and US Hwy 1 / Jefferson Davis Hwy
from RA to LI.

This is a graphic illustration and not a legal document.
All information is comprised of layers of data that may or may not align correctly.

Plan SanLee - Long Range Plan – Interactive Map of Site



Place_Types

Place Types

- Commercial Corridor
- Countryside
- Crossroads
- Downtown
- Industrial Center
- Maker District
- Mixed Use Activity Center
- Neighborhood Center
- Neighborhood Transition
- Professional and Institutional Campus
- Suburban Neighborhood
- Urban Neighborhood
- Village Center
- Village Neighborhood



INDUSTRIAL CENTER

- ✓ Represents community's largest industrial employers
- ✓ Clusters of industrial parks and districts consisting of heavy infrastructure to support corresponding industrial processing and manufacturing
- ✓ Separated from lower intensity residential by natural buffers at periphery
- ✓ **Local Example - NC 42 / Cox Mill Road Area in Sanford**

INDUSTRIAL PARK



HEAVY INDUSTRY



Open Space



Undeveloped Open Space

Commercial



Convenience Retail

Employment



Heavy Industrial Plants, Industrial Parks, Logistics Centers, Research and Development, Warehousing, Business Services

LAND USE



Low Priority Mode

Off-Street Paths for Bike + Pedestrian Access



Public Transit



Vehicular connectivity



Multi-modal logistic activity supported by rail, airports, highways



Roads support trucking

High Priority Mode

TRANSPORTATION

Development Density

- ✓ Large Lot Sizes
- ✓ Deep Setbacks
- ✓ 75 Foot Height Limit

Utility Infrastructure

- ✓ Public Water
- ✓ Public Wastewater

Preferred Character

- ✓ Industrial Streets / Highway Access
- ✓ Large Surface Parking Areas
- ✓ External Vegetated Buffers

CONTEXT

Current Districts

- ✓ LI / HI (Primary)
- ✓ HC / C-2 (Secondary)

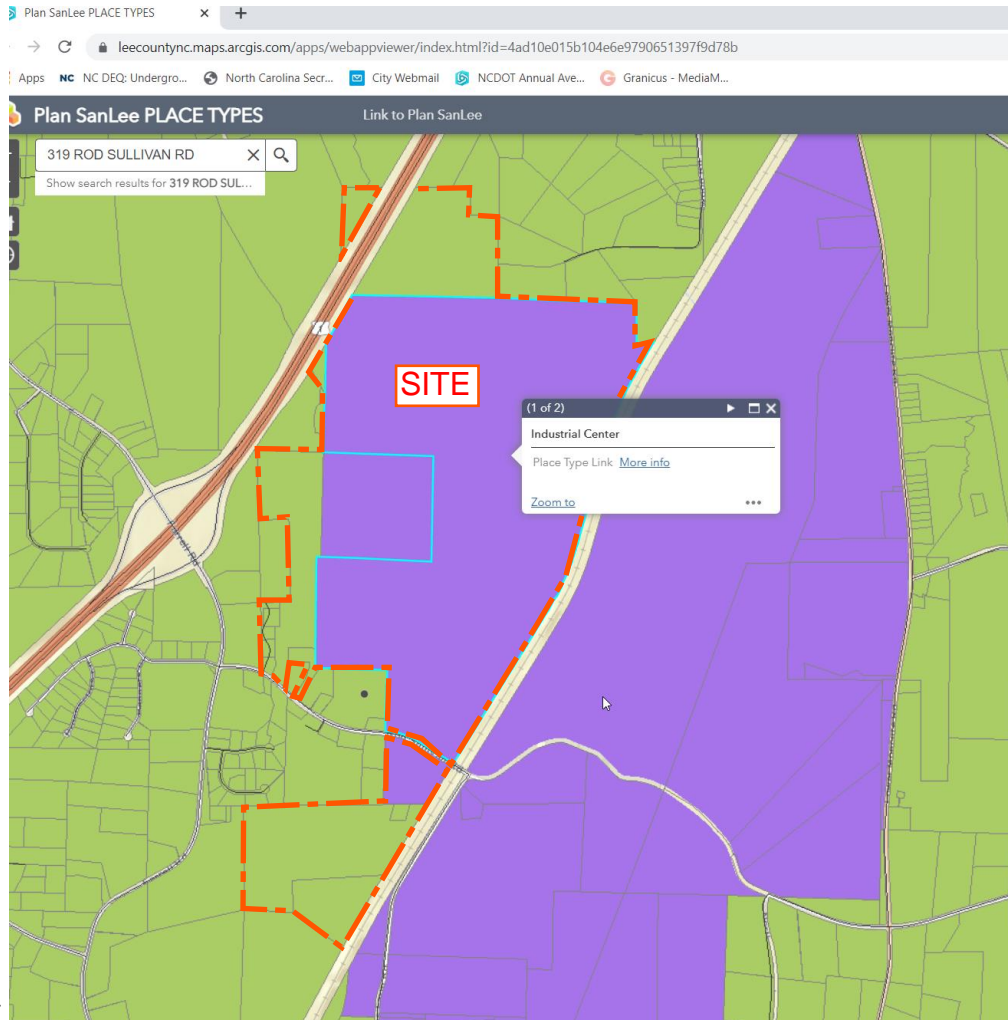


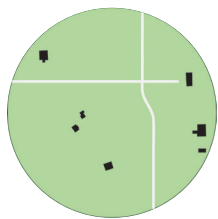
Proposed Districts

- ✓ Light - Heavy Industrial (Primary)
- ✓ General Commercial (Secondary)

ZONING

Plan SanLee - Long Range Plan – Interactive Map of Site

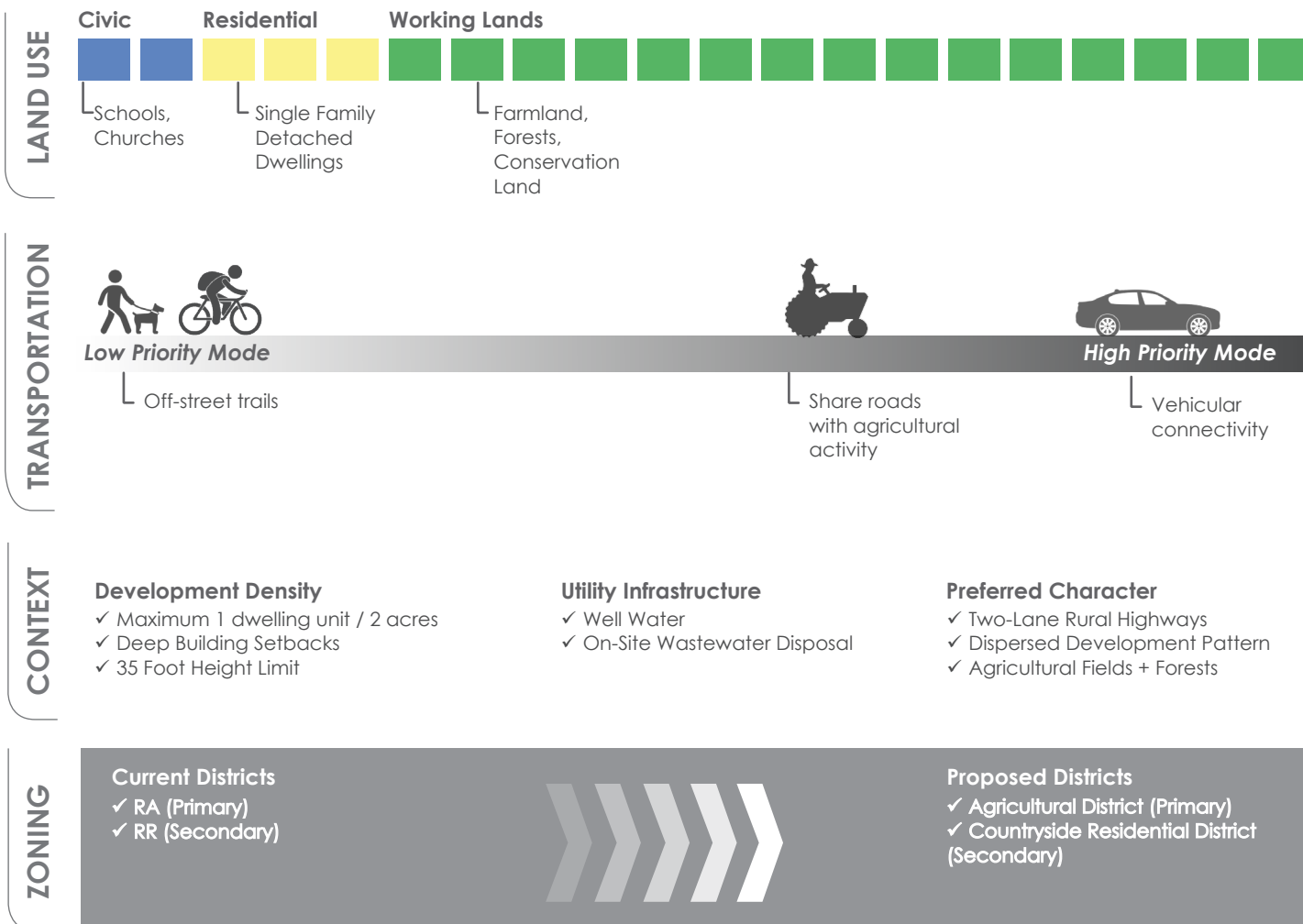




COUNTRYSIDE

- ✓ Agricultural and undeveloped lands outside the Urban Service Areas
- ✓ Preservation of county's agricultural heritage encouraged
- ✓ Conservation and maintenance of rural lifestyle supported
- ✓ Limited residential density

Local Example - Avents Ferry Road Corridor in northeast Lee County



RA, RESIDENTIAL AGRICULTURAL ZONING DISTRICT

This list was created by Sanford/Lee County Planning & Development staff as a summary of the permitted land uses within a specific zoning district and is intended for general informational purposes. Staff makes every effort to ensure that the information provided is accurate and up-to-date; however, it is recommended that you verify with Planning & Development staff that the proposed use is permitted within the specific zoning district and discuss any/all development requirements prior to pursuing a project. This information is applicable for the jurisdictions of the City of Sanford, Lee County, and the Town of Broadway in North Carolina.

USES PERMITTED BY RIGHT

The uses listed below are permitted by right, subject to any/all other applicable standards of the Unified Development Ordinance (for example, parking requirements).

<u>Accessory Uses</u>
Accessory uses (See Section 5.1)
<u>Residential Uses</u>
Dwelling, Duplex (two-family dwelling)
Dwelling, Modular home
Dwelling, Single-family detached
<u>General Sales or Service</u>
Repair of any goods, equipment or vehicles, the manufacture, assembly or sales of which are permitted in that zoning district
<u>Industrial & Manufacturing Uses</u>
Pottery Manufacturing & Sales
<u>Arts, Recreation & Entertainment</u>
Botanical garden & arboreta
Parks, playgrounds, and athletic fields operated on a noncommercial basis
<u>Education, Public Administration, Health Care, and Institutional</u>
Religious Complex (less than 350 seats), new site
Religious Complex (any size), addition to existing complex/site
Schools, Pre-K – Secondary (nursery and preschool, grade schools, elementary, middle, and high school), addition to existing site
<u>Transportation, Communication, and Utilities</u>
Utility lines (including electric lines, phone/cable lines, distribution circuits, gas/fuel lines, water lines, steam/air conditioning lines, irrigation channels, and sewer/waste water lines)
<u>Agriculture</u>
Animal Production and Support Services, (unincorporated Lee County)
Crop Production and Support Functions, (unincorporated Lee County)
Crop Production and Support Functions, (Sanford and Broadway)
Forestry and Logging and Support Services, (Unincorporated Lee County)
Livestock sales and markets

USES PERMITTED WITH DEVELOPMENT REGULATIONS

The uses listed below may either be permitted by right or upon approval of a Special Use Permit, but are also subject to the requirements of Article 5 Supplemental Development Regulations of the Unified Development Ordinance (for example, daycares are required to install a fence around outdoor play areas).

<u>Residential Uses</u>
Accessory Dwellings (See Section 10.4)
Dwelling, Manufactured home, Class A Unincorporated Lee County and Town of Broadway only (See Section 10.5)
Dwelling, Manufactured home, Class B Unincorporated Lee County only (See Section 10.5)
Home Occupations (See Section 5.16)
Manufactured Home for Hardship Unincorporated Lee County only (See Section 10.6)
Travel Trailer / Recreational Vehicle / Motor Home / Camper, to be used as a Temporary Residence, Unincorporated Lee County and ETJ areas of Sanford and Town of Broadway (See Section 5.34.2.9)
<u>Accommodations and Group Living</u>
Bed & breakfast inn (See Section 5.4)
Family Care Homes (See NCGS 168-21) (See Section 5.12)
<u>Industrial & Manufacturing Uses</u>
Landfills, LCID (2 acres or less in size) (See Section 5.19)
<u>Art, Recreation & Entertainment</u>
Stables/Riding Academies
Stable, Accessory to Dwelling
<u>Education, Public Administration, Health Care, and Institutional</u>
Cemeteries, public and private (does not include individual family plots (See Section 5.6)
Day Care facility, Home Child Care (See Section 5.10)
<u>Transportation, Communication, and Utilities</u>
Solar Collectors, Residential (See Section 5.40)

USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT

The uses listed below are permitted in the respective zoning district only after review and approval of a Special Use Permit by the Board of Adjustment for the applicable jurisdiction in accordance with Article 3 Zoning and Permitting Procedures, Section 3.5 Special Use Permits of the Unified Development Ordinance. Special uses are subject to any/all applicable general design standards, any development regulations that apply to the specific use and those requirements that may reasonably be imposed by the respective board as per the Unified Development Ordinance.

<u>Accommodations and Group Living</u>
Dormitories for the students of colleges, commercial schools, staff of hospitals
Nursing, Supervision, Adult Care Homes, Group Care Facilities and other rehabilitative services
<u>General Services</u>

Farm, landscape, and garden supply sales (feed, seed, fertilizer, farm hardware, lawn furniture, mulch, fencing, fountains, statuaries, and other incidental sales of products or related items) - (with indoor storage only)
Farm, landscape, and garden supply sales (feed, seed, fertilizer, farm hardware, lawn furniture, mulch, fencing, fountains, statuaries, and other incidental sales of products or related items) - (with outdoor storage)
<u>Arts, Recreation & Entertainment</u>
Amphitheater
Fitness and recreational sports, gym, health spa, reducing salon, swimming pool/auditorium, racquet club or athletic club (not otherwise listed)
Golf courses, public and private
Golf driving ranges
Hunting and trapping, game retreats, game and fishing preserves
Outdoor stage, bandstand, or similar structure (maximum 3,000 sq. ft.)
Performance Theaters (outdoor)
Performance Theaters or auditoria (indoor)
Recreation activities, commercial indoor, not otherwise listed
Sports stadiums or arenas
Studios for artists, designers, musicians, photographers, sculptors, woodworking (not as home occupation)
Zoos
<u>Education, Public Administration, Health Care, and Institutional</u>
Civic, Social, and Fraternal Organizations, including community centers, meeting halls, community halls, reception halls, wedding halls for assembly and recreation
Day care facility, Adult
Fire, sheriff and emergency services
Governmental Functions, not otherwise listed
Libraries
Religious Complex (more than 350 seats), new site
Schools, Continuing Education (alternative, adult colleges and universities, and technical, trade, and other specialty schools)
Schools, Pre-K – Secondary (nursery and preschool, grade schools, elementary, middle, and high school), new site
<u>Transportation, Communication, and Utilities</u>
Airports, Heliports, and Support Establishments
Gas or electric generation distribution facilities, compressor stations, or substations
Sewage treatment and Water treatment plants
<u>Agriculture</u>
Animal Production and Support Services, (Sanford and Broadway)
Forestry and Logging and Support Services, (Sanford and Broadway)

**USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT
THAT HAVE SPECIFIC DEVELOPMENT REGULATIONS**

The uses listed below are permitted in the respective zoning district only after review and approval of a Special Use Permit by the Board of Adjustment for the applicable jurisdiction in accordance with Article 3 Zoning and Permitting Procedures, Section 3.5 Special Use Permits of the Unified Development Ordinance. In addition to any/all applicable general design standards and those requirements that may reasonably be imposed by the respective board, these uses have specific standards that must be adhered to as per the Unified Development Ordinance (for example, fencing is required around the base of telecommunication towers, including any structures or guy wires).

<u>Residential Uses</u>
Dwelling, Manufactured home, Class A City of Sanford only (See Section 10.5)
Dwelling, Manufactured home, Class B City of Sanford and Town of Broadway only (See 10.5)
Dwelling, Manufactured home, Class C Unincorporated Lee County only (See Section 10.5)
Rural Family Occupation Commercial/Industrial Unincorporated Lee County only (See Section 5.30)
<u>General Services</u>
Animal Hospitals, Veterinary services, Animal Shelters, Kennels/Animal Pet Services (See Section 5.3)
Nurseries and greenhouses, commercial (See Section 5.25)
Rural family occupation – Commercial/Industrial Unincorporated Lee County only (See Section 5.30)
<u>Industrial & Manufacturing Uses</u>
Landfills, C&D or LCID (greater than 2 acres in size) (See Section 5.20)
Mining and Quarries, Unincorporated Lee County and City of Sanford only (See Section 5.23)
Mining and Quarries, EXCEPT Oil and Gas Extraction Town of Broadway (See Section 5.23)
Mining and Quarries, Oil and Gas Extraction Town of Broadway (See Section 5.41)
<u>Arts, Recreation & Entertainment</u>
Campgrounds (See Section 5.29)
Raceways, drag strips (motorized vehicles) (See Section 5.27)
Recreation activities, commercial outdoor (defined in Article 5), not otherwise listed (See Section 5.28)
Travel Trailer Parks (See Section 5.36)
<u>Education, Public Administration, Health Care, and Institutional</u>
Day Care facility, Child Care Center (See Section 5.10)
Day Care facility, Adult (See Section 5.38)
<u>Transportation, Communication, and Utilities</u>
Solar Collectors, Commercial (See Section 5.39)
Telecommunication towers (See Section 5.33)

LI, LIGHT INDUSTRIAL ZONING DISTRICT

This list was created by Sanford/Lee County Planning & Development staff as a summary of the permitted land uses within a specific zoning district and is intended for general informational purposes. Staff makes every effort to ensure that the information provided is accurate and up-to-date; however, it is recommended that you verify with Planning & Development staff that the proposed use is permitted within the specific zoning district and discuss any/all development requirements prior to pursuing a project. This information is applicable for the jurisdictions of the City of Sanford, Lee County and the Town of Broadway in North Carolina.

USES PERMITTED BY RIGHT

The uses listed below are permitted by right, subject to any/all other applicable standards of the Unified Development Ordinance (for example, parking requirements).

<u>Accessory Uses</u>
Accessory uses (See Section 5.1)
<u>General Sales or Service</u>
ABC Store (liquor sales), incorporated areas only
Administrative Services, Travel Arrangements and Reservation Services, Investigation and Security Services (locksmiths)
Agricultural equipment, sales and service
Antique Shops
Appliance Sales, Repair and Maintenance, (no outside storage)
Art dealers, supplies, sales and services
Auction Sales, general merchandise (no vehicular sales)
Auction Sales, vehicular sales
Bakeries, retail, including manufacturing of goods for sale on the premises only
Bicycle (non motorized) Sales and/or Repair
Books, magazines, music, etc.
Camera and Photographic Supplies
Clothing, Jewelry, Luggage, Shoes, etc.
Computer and Software Sales
Consumer Goods, not otherwise listed
Convenience stores, without gas sales
Convenience stores, with gas sales
Consignment Shops, Used Merchandise Store (not otherwise listed)
Dry cleaning and laundry
Electronic equipment (small), sales and service
Farm, landscape, and garden supply sales (feed, seed, fertilizer, farm hardware, lawn furniture, mulch, fencing, fountains, statuaries, and other incidental sales of products or related items) - (with indoor storage only)
Farm, landscape, and garden supply sales (feed, seed, fertilizer, farm hardware, lawn furniture, mulch, fencing, fountains, statuaries, and other incidental sales of products or related items) - (with outdoor storage)
Finance and Insurance Services (Bank, Credit and Finance, Insurance-related)

Flea markets (indoors)
Florist
Furniture or home furnishing sales
Gasoline stations
Grocery stores and Supermarkets (less than 25,000 sq. ft. GFA)
Grocery stores and Supermarkets (more than 25,000 sq. ft. GFA)
Hardware, home centers, lumber yard, heating and plumbing, etc., outside storage
Hardware, home centers, lumber yard, heating and plumbing, etc., inside storage
Heavy equipment, sales and service
Leasing/Rental Recreational Goods (Furniture, Party Supplies, Sporting Goods)
Leasing, Commercial and Industrial Machinery and Equipment
Gun shops and gunsmiths
Mail order or direct selling establishments/ Electronic Shopping and Mail-Order Houses
Medical equipment sales, rental or leasing
Monument and cut stone sales
Motion picture, Video and Audio Production
Motorcycle, Motorized Scooters, ATV Sales and/or Leasing/Rental (Indoor display)
Motorcycle, Motorized Scooters, ATV Sales and/or Leasing/Rental (Outdoor display)
Motor Vehicle Parts, Accessories, Tire Sales, enclosed building only
Motor Vehicle, Motorcycle, ATVs, Boats, RVs, etc., repair and service
Motor Vehicle Towing with incidental storage, excluding Salvage Yards & Junkyards
Nurseries and greenhouses, commercial (see Section 5.25)
Office building (general)
Pawnshops (as defined by NCGS 91A-2)
Personal Services (e.g., nail salons, barbers, shoe repair, and similar establishments), not otherwise listed
Pet store or pet supply store
Pharmacy or Drugstore, without drive through facility
Pharmacy or Drugstore, with drive through facility
Printing and Publishing Services
Professional Services (Legal, Accounting, Architectural, Graphic, Consulting Services, Research and Development, Advertising, etc.)
Real Estate, Sales, Rental & Leasing
Repair of any goods, equipment or vehicles, the manufacture, assembly or sales of which are permitted in that zoning district
Restaurants, with drive-in or drive-through facilities
Restaurants, with no drive-in or drive-through facilities
Retail sales or service establishments, not listed elsewhere, and conducted within an enclosed building
Services to buildings and dwellings (Extermination, Janitorial, Landscaping, Carpet and Upholstery cleaning, Packing and crating, etc.), no outside storage
Services to buildings and dwellings (Extermination, Janitorial, Landscaping, Carpet and Upholstery cleaning, Packing and crating, etc.), with outside storage

Shopping Center, less than 25,000 sq. ft.
Sporting goods, toys and hobby sales, excluding guns and gunsmiths
Tattoo Parlor/Tattoo Studio and/or Body Piercing
Tobacco or Tobacconist
Upholstery and furniture refinishing
Wholesales trade, generally, with operation conducted and merchandise stored entirely within a building and not otherwise listed
<u>Industrial & Manufacturing Uses</u>
Contractors' offices/shop without outdoor storage areas
Dolls, toys, games and musical instruments
Electrical equipment, appliance and components manufacturing
Finished nonmetallic, mineral products (brick, refractories, ceramics, glass, cement, etc.)
Food and Beverage manufacturing
Brewery (Regional Brewery and Large Brewery)
Brewery (Microbrewery, See Section 5.42)
Furniture and Related Products Manufacturing
Jewelry and Silverware manufacturing
Leather and Allied Products
Machinery and Equipment manufacturing (w/indoor storage/operations only)
Metal Manufacturing (excluding smelting operations)
Office supply, inks, etc. manufacturing (except paper)
Paper and Printing Materials manufacturing
Pharmaceutical Manufacturing
Pottery Manufacturing & Sales
Retail outlets for products manufactured on premises
Sign manufacturing
Textile Mills & Apparel Manufacturing
Tire Recapping
Tobacco Manufacturing
Transportation equipment, automobiles, aircraft, boat, railroad, etc.
Warehouse structures, generally
Wood products, (except furniture)
<u>Arts, Recreation & Entertainment</u>
Amphitheater
Botanical gardens & arboreta
Bowling alley
Exhibition , convention or conference structure
Fitness and recreational sports, gym, health spa reducing salon, swimming pool/auditorium racquet club or athletic club (not otherwise listed)
Golf courses, public and private
Golf driving ranges
Golf, miniature
Movie Theater

Museums and art galleries
Outdoor stage, bandstand, or similar structure (maximum 3,000 sq. ft.)
Parks, playgrounds, and athletic fields operated on a noncommercial basis
Performance Theaters (outdoor)
Performance Theaters or auditoria (indoor)
Recreation activities, commercial indoor, not otherwise listed
Skating rink – Ice or Roller Skating
Sports stadiums or arenas
Zoos
<u>Education, Public Administration, Health Care, and Institutional</u>
Civic, Social, and Fraternal Organizations, including community centers, meeting halls, community halls, reception halls, wedding halls, for assembly and recreation
Crematorium & Embalming
Fire, sheriff, and emergency services
Funeral homes
Governmental Functions, not otherwise listed
Post office
Religious Complex (less than 350 seats), new site
Religious Complex (more than 350 sets), new site
Religious Complex (any size), addition to existing complex/site
Schools, Continuing Education (alternative, adult colleges and universities and technical, trade, and other specialty schools)
Schools, Pre-K-Secondary (nursery and preschool, grade schools, elementary, middle, and high schools), addition to existing site
<u>Transportation, Communication, and Utilities</u>
Airports, Heliports and Support Establishments
Bus passenger stations/terminals/shelters
Freight terminals & truck terminals
Gas or electric generation distributing facilities, compressor stations, or substations
Parking lots, parking structures or underground parking areas (commercial or governmental)
Public utility storage and service yards
Radio and TV stations and studios (excluding transmission tower)
Railroad freight yards, repair shops/sheds and marshalling yards
Sewage treatment and Water treatment plants
Taxi and Limousine Service
Utility lines (including electric lines, phone/cable lines, distribution circuits, gas/fuel lines, water lines, steam/air conditioning lines, irrigation channels, and sewer water lines)
<u>Agriculture</u>
Animal Production and Support Services, (unincorporated Lee County)
Crop Production and Support Functions, (unincorporated Lee County)
Crop Production and Support Functions, (Sanford and Broadway)
Forestry and Logging and Support Services, (unincorporated Lee County)

USES PERMITTED WITH DEVELOPMENT REGULATIONS

The uses listed below may either be permitted by right or upon approval of a Special Use Permit, but are also subject to the requirements of Article 5 Supplemental Development Regulations of the Unified Development Ordinance (for example, daycares are required to install a fence around outdoor play areas).

<u>Residential Uses</u>
Home Occupations (See Section 5.16)
<u>Accommodations and Group Living</u>
Hotel, Motel, and Tourist Court (See Section 5.17)
<u>General Sales or Service</u>
Animal Hospitals, Veterinary Services, Animal Shelters, Kennels/Animal Pet Services (See Section 5.3)
Car Washes and Car Care Centers (See Section 5.5)
Freestanding Ice Vending Unit (See Section 5.37)
Manufactured home and/or storage building sales (See Section 5.21)
Mini-warehousing/Self-service storage leasing (See Section 5.22)
Motor Vehicles (automobiles), Boats, RVs, Sales and /or Leasing/Rental (See Section 5.24)
Shopping Center/Superstore, 25,000 – 100,000 sq. ft.
Shopping Center/Superstore, over 100,000 sq. ft.
Wine Shop (See Section 5.43)
<u>Industrial & Manufacturing Uses</u>
Concrete and Asphalt Plants (See Section 5.8)
Landfills, LCID (2 acres or less in size) (See Section 5.19)
Landfills, C&D or LCID (greater than 2 acres in size) (See Section 5.20)
<u>Arts, Recreation & Entertainment</u>
Drive-in theaters (See Section 5.11)
Entertainment Establishments (lounges, discos, nightclubs, pool halls and/or private clubs (See Section 5.26)
Raceways, drag strips (motorized vehicles)
Recreation activities, commercial outdoor (defined in article 5), not otherwise listed (See Section 5.28)
<u>Education, Public Administration, Health Care, and Institutional</u>
Cemeteries, public and private (does not include individual family plots) (See Section 5.6)
Community food services (See Section 5.7)

USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT

The uses listed below are permitted in the respective zoning district only after review and approval of a Special Use Permit by the Board of Adjustment for the applicable jurisdiction in accordance with Article 3 Zoning and Permitting Procedures, Section 3.5

Special Use Permits of the Unified Development Ordinance. Special uses are subject to any/all applicable general design standards, any development regulations that apply to the specific use and those requirements that may reasonably be imposed by the respective board as per the Unified Development Ordinance.

<u>Industrial & Manufacturing Uses</u>
Chemicals, plastics and rubber products
Contractors' offices/shop with outdoor storage areas
Manufacturing, excluding other uses listed in this table
Sawmills or Planing Mills
<u>Arts, Recreation & Entertainment</u>
Amusement or Theme Park Establishment
<u>Education, Public Administration, Health Care, and Institutional</u>
Schools, Pre-K – Secondary (nursery and preschool, grade schools, elementary, middle, and high school), new site
Social assistance, welfare and charitable services
<u>Transportation, Communication, and Utilities</u>
Solid Waste Collection, Transfer and/or Disposal (Non-Hazardous)
Solid Waste Convenience Centers

**USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT
THAT HAVE SPECIFIC DEVELOPMENT REGULATIONS**

The uses listed below are permitted in the respective zoning district only after review and approval of a Special Use Permit by the Board of Adjustment for the applicable jurisdiction in accordance with Article 3 Zoning and Permitting Procedures, Section 3.5 Special Use Permits of the Unified Development Ordinance. In addition to any/all applicable general design standards and those requirements that may reasonably be imposed by the respective board, these uses have specific standards that must be adhered to as per the Unified Development Ordinance (for example, fencing is required around the base of telecommunication towers, including any structures or guy wires).

<u>Industrial and Manufacturing</u>
Mining and Quarries Unincorporated Lee County and City of Sanford Only (See Section 5.23)
Mining and Quarries, Except Oil and Gas Extraction Town of Broadway (See Section 5.23)
Mining and Quarries, Oil and Gas Extraction Town of Broadway (See Section 5.41)
Storage of Flammable Liquids (In Bulk) Above Ground Storage (See Section 5.31)
<u>Transportation, Communication, and Utilities</u>
Solar Collectors, Commercial (See Section 5.39)
Telecommunication towers (See Section 5.33)

ADJOINING PROPERTY OWNERS LIST

PETITION BY: Trinity Capital Advisors, LLC
 REQUEST: Rezone from Residential Agricultural (RA) to Light Industrial (LI)
 LOCATION: Vacant 616.72 +/- acres tract of land with frontage on Rod Sullivan Road and Jefferson Davis Hwy / US Hwy 1
 PIN: 9667-72-1752-00, 9667-50-6965-00, 9666-78-7977-00, 9666-69-3230-00, 9666-58-4589-00, 9666-57-0619-00, 9666-47-9499-00, 9666-47-9279-00, 9666-47-9077-00, 9666-57-5048-00, 9666-65-7121-00, 9666-54-6675-00, and 9666-53-8950-00
 DATE: 2022-06-10

No.	PIN	PROPERTY ADDRESS	OWNER 1	OWNER 2	ML	MAIL STREET	MAIL CITY	STATE	ZIP
West side of US Hwy 1									
01	9667-53-1126-00	711 BUCKROE DR	BLANTON, VANCE W	BLANTON, ADRIENNE H	711	BUCKROE DRIVE	SANFORD	NC	27330
02	9667-53-9799-00	0 GOAT HILL LN	COX, ODESSA G (LIFE ESTATE)	-	101	GOAT HILL LANE	SANFORD	NC	27330
03	9667-63-5920-00	101 GOAT HILL LN	COX, ODESSA G (LIFE ESTATE)	-	101	GOAT HILL LANE	SANFORD	NC	27330
East side of US Hwy 1, between US Hwy 1 and the railroad tracks									
04	9667-73-3890-00	0 FOREST OAKS DR	JOHNSTONE, WILLIAM	JOHNSTONE, SHAUNA	910	BLUFFVIEW DRIVE	MYRTLE BEACH	SC	29579
05	9667-73-7530-00	950 BREEZEWOOD RD	RAY, AUDREY N	-	3113	FRIENDSHIP ROAD	APEX	NC	27502
06	9667-83-3396-00	0 BREEZEWOOD RD	JAHAD, SEYYED ABDOLKARIM	JAHAD, LEILA M	710	BUCK RUN DR	GOLDSBORO	NC	27530
07	9667-82-5594-00	0 BREEZEWOOD RD	SMITH, CORA STACK	-	4808	BROOKHAVEN DR	RALEIGH	NC	27612
08	9667-82-4182-00	0 BREEZEWOOD RD	SMITH, CORA STACK	-	4808	BROOKHAVEN DR	RALEIGH	NC	27612
09	9667-92-3198-00	967 BREEZEWOOD RD	FERNS, CASSANDRA LEE	-	-	PO BOX 71	MONCURE	NC	27559
10	9677-01-1749-00	0 BREEZEWOOD RD	SPENCER, JAMES LERON	-	-	PO BOX 1076	LILLINGTON	NC	27546
East side of railroad tracks, all Raleigh Executive Jetport property									
11	9676-09-8483-00	701 ROD SULLIVAN RD	SANFORD LEE CO REGIONAL AIRPORT AUTHORITY	-	701	ROD SULLIVAN ROAD	SANFORD	NC	27330
12	9666-85-7648-00	701 ROD SULLIVAN RD	SANFORD LEE CO REGIONAL AIRPORT AUTHORITY	-	701	ROD SULLIVAN ROAD	SANFORD	NC	27330

13	9666-75-6270-00	0 AMMONS FARM RD	SANFORD LEE CO REGIONAL AIRPORT AUTHORITY	-	701	ROD SULLIVAN ROAD	SANFORD	NC	27330
14	9666-74-6473-00	702 ROD SULLIVAN RD	SANFORD LEE CO REGIONAL AIRPORT AUTHORITY	-	702	ROD SULLIVAN ROAD	SANFORD	NC	27330
15	9666-72-1898-00	0 AMMONS FARM RD	SANFORD LEE CO REGIONAL AIRPORT AUTHORITY	-	702	ROD SULLIVAN ROAD	SANFORD	NC	27330
West side of railroad tracks, between the railroad tracks and Farrell Road									
16	9666-52-2894-00	4000 FARRELL RD	AMMONS FARMLAND LLC	-	1973	FARRELL RD	SANFORD	NC	27330
17	9666-31-7056-00	0 FARRELL RD	AMMONS FARMLAND LLC	-	1973	FARRELL RD	SANFORD	NC	27330
18	9666-44-0337-00	3284 FARRELL RD	SBM HOMES LLC	-	4191	FAYETTEVILLE RD	RALEIGH	NC	27602
19	9666-45-4298-00	212 ORE RUN LN	STRAIGHT, ANDREW J	STRAIGHT, MARGARET L	212	ORE RUN LN	SANFORD	NC	27330
20	9666-45-8208-00	216 ORE RUN LN	MAGEE, NEY JEFF	MAGEE, DEBRA KAY	216	ORE RUN LN	SANFORD	NC	27330
21	9666-55-0389-00	220 ORE RUN LN	MARSH, JASON ANTOINE	-	220	ORE RUN LN	SANFORD	NC	27330
22	COPPER RIDGE EAST SUBDIVISION ADJOINS	ORE RUN LANE LOTS	COPPER RIDGE EAST HOMEOWNER'S ASSOCIATION	-	1504	S HORNER BLVD	SANFORD	NC	27330
23	9666-55-6742-00	1 MINI MOBILE LN	NOWELL, WILLIAM JONATHON	-	193	ROD SULLIVAN RD	SANFORD	NC	27330
24	9666-65-3455-00	0 ROD SULLIVAN RD	BRYAN, CINDY G	-	319	ROD SULLIVAN RD	SANFORD	NC	27330
25	9666-65-3982-00	450 ROD SULLIVAN RD	BRYAN, CINDY GARNER	BRYAN, JACK	319	ROD SULLIVAN RD	SANFORD	NC	27330
26	9666-66-3288-00	441 ROD SULLIVAN RD	BARBER, MAMIE LEE	-	441	ROD SULLIVAN RD	SANFORD	NC	27330
27	9666-66-1653-00	319 ROD SULLIVAN RD	BRYAN, JACK JR	BRYAN, CYNTHIA	319	ROD SULLIVAN RD	SANFORD	NC	27330
28	9666-56-6585-00	277 ROD SULLIVAN RD	SHEPHERD, DORSEY S III	-	277	ROD SULLIVAN RD	SANFORD	NC	27330
29	9666-56-6708-00	235 ROD SULLIVAN RD	GRAHAM, MARION WAYNE	-	-	PO BOX 152	MONCURE	NC	27559
30	9666-56-3435-00	232 ROD SULLIVAN RD	FOGLEMAN, ROGER L	FOGLEMAN, RHONDA J	4056	FARRELL RD	SANFORD	NC	27330
31	9666-56-1510-00	162 ROD SULLIVAN RD	WASHINGTON, DARIAN	-	162	ROD SULLIVAN RD	SANFORD	NC	27330
32	9666-56-3942-00	193 ROD SULLIVAN RD	NOWELL, WILLIAM JONATHON	NOWELL, CONSTANCE M	193	ROD SULLIVAN RD	SANFORD	NC	27330

33	9666-47-6427-00	0 FARRELL RD	MARKS, MARTIN T	MARKS, REBECCA ANN J	3927	FARRELL RD	SANFORD	NC	27330
34	9666-48-5069-00	4056 FARRELL RD	FOGLEMAN, ROGER LYNN	FOGLEMAN, RHONDA J	4056	FARRELL RD	SANFORD	NC	27330
35	9666-58-1405-00	117 ROD SULLIVAN RD	SPARTZ, DENISE WOMACK	SPARTZ, JAY MATTHEW	117	ROD SULLIVAN RD	SANFORD	NC	27330
36	9666-48-5900-00	0 FARRELL RD	FOGLEMAN, RHONDA J	-	4056	FARRELL RD	SANFORD	NC	27330
37	9667-41-7467-00	0 FARRELL RD	CLAYTON, REBECCA W	-	1305	GRANADA DR	RALEIGH	NC	27612
38	APPLICANT	TRINITY CAPITAL	C/O: KEN JONMAIRE	-	440	S CHURCH ST	CHARLOTTE	NC	28202
39	PROPERTY OWNER	STEPHENS ENTERPRISES, LLC	C/O: MATT STEPHENS, MANAGING MEMBER	-	319	CHAPANOKE RD, SUITE 102	RALEIGH	NC	27603

0 Property Address number = Vacant, no addressed structures on the parcel

\$500 FEE



Zoning Map Amendment (Rezoning) Application

Circle Jurisdiction That Applies:

City of Sanford

Lee County

Town of Broadway

1. Applicant Name: LAMCO CUSTOM BUILDERS LLC
2. Applicant Address: 7424 Chapel Hill Rd Ste 203 Raleigh, NC 27607
3. Applicant Telephone: 919-935-9282
4. Name and Address of Property Owner(s) if different than applicant:

5. Location of Subject Property: TYNDALL DRIVE
Lee Co. P.I.N. 9631-78-3276-00, 9631-78-4126-00, 9631-78-4086-00, 9631-77-5895-00, 9631-77-7604-00, 9631-77-7545-00, 9631-77-7497-00, 9631-77-8338-00, 9631-77-8298-00, 9631-87-0005-00
6. Total Area included in Rezoning Request: 7.2 Acres
7. Zoning Classification: Current: R-12 Requested: R-10
8. Existing Land Use(s): VACANT
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): To develop as a single family subdivision
10. Signature(s) of Applicant (and Property Owners if different from Applicant).

I hereby acknowledge that the information contained herein is true. It is further understood that this application will be reviewed for completeness and accuracy and that it shall not be scheduled for official consideration until all required contents are submitted in proper form to the Sanford/Lee Zoning & Design Review Department.

Tony Toru
Signature of Property Owner(s) (Sign & Print)

05/25/2022
Date

Required Attachments/Submittals

- A. A completed rezoning application (incomplete applications/submittals will not be accepted or processed).
- B. A copy of a current Lee County Tax Map illustrating the location of the area to be rezoned. If the exterior boundary of the area to be rezoned does not follow along existing property boundaries, then the applicant shall be required to submit a metes and bounds (legal) description describing the area requested for rezoning.
- C. A copy of the latest deed for the subject property as recorded at the Lee County Register of Deeds Office.
- D. A \$500.00 Application fee, payable to the City of Sanford is required before processing the application.
- E. *If the requested rezoning is for a Conditional Zoning District, a Supplemental Application for Conditional Zoning District must also be included, along with an additional \$250.00 fee (\$750 total fee for Conditional Zoning).
- F. Typically, the submission deadline is the first day of each month at 12:00pm/noon for the rezoning to be heard the following month. Specific dates provided upon request.

STAFF USE ONLY

Date Received: 2022-05-25 (Hand Delivery) Fee Paid: \$500.00 Application No.: 2022-06

Staff Signature: _____ Energov Case No.: _____

No.	PIN	Acres	Owner
1	9631-87-0005-00	1.67	LAMCO CUSTOM BUILDERS LLC
2	9631-77-8298-00	0.46	LAMCO CUSTOM BUILDERS LLC
3	9631-77-8338-00	0.41	LAMCO CUSTOM BUILDERS LLC
4	9631-77-7497-00	0.41	LAMCO CUSTOM BUILDERS LLC
5	9631-77-7545-00	0.42	LAMCO CUSTOM BUILDERS LLC
6	9631-77-7604-00	0.42	LAMCO CUSTOM BUILDERS LLC
7	9631-77-5895-00	1.53	LAMCO CUSTOM BUILDERS LLC
8	9631-78-4086-00	0.54	LAMCO CUSTOM BUILDERS LLC
9	9631-78-4126-00	0.45	LAMCO CUSTOM BUILDERS LLC
10	9631-78-3276-00	0.5	LAMCO CUSTOM BUILDERS LLC

CITY OF SANFORD
CITY COUNCIL AND PLANNING BOARD
PUBLIC HEARING INFORMATION
JUNE 21, 2022

Please be aware that the public hearing for this zoning map amendment/rezoning request will be held only if the City Council votes to annex the subject property into the corporate City limits, for which the public hearing will also be held on June 21, 2022.

REQUEST

Lamco Custom Builders, LLC is requesting to rezone 10 tracts of land comprising 7.2 acres total with frontage on Tyndall Drive and Carthage Street from Residential-Mixed (R-12) to Residential-Mixed (R-10) to allow the development of a single-family home subdivision. Therefore, the company has submitted this Zoning Map Amendment Application for your consideration. This is a standard general use rezoning request, as opposed to a conditional rezoning request; therefore, no site plan/subdivision plans or building plans are required as part of the rezoning request

Public notification consisted of publishing a legal notice in the local newspaper, notification by mail to adjacent property owners, and public hearing signs placed on the property as per the requirements of the North Carolina General Statutes.

GENERAL INFORMATION

Applicant: Lamco Custom Builders, LLC | Mr. Tony Toro, Vice-President and CEO
Property Owner: Lamco Custom Builders, LLC
Request: Residential-Mixed (R-12) to Residential-Mixed (R-10)
Location: (Vacant) 0 Tyndall Drive, Sanford, NC 27330
Acreage: 7.2 +/-
Tax Parcels: 9631-87-0005-00, 9631-77-8298-00, 9631-77-8336-00, 9631-77-7497-00, 9631-77-7545-00, 9631-77-7604-00, 9631-77-5895-00, 9631-78-4086-00, 9631-78-4126-00, and 9631-78-3276-00
Tax Map: 9631.04
Township: West Sanford
Commissioner Dist.: 4, reference the annexation info. for this site for City Council District info.
Fire District: Tramway Fire Dept., reference the annexation info. for City fire info.
Schools: JR Ingram Elementary | SanLee Middle School | Southern Lee High School

SITE DESCRIPTION

The site is located on the south side of Carthage Street, near the Carthage Street and US Hwy 1/Jefferson Davis Hwy intersection. It adjoins the Country Lane Acres and Carthage Square subdivisions.

ZONING DISTRICT INFORMATION

Existing Zoning: The Residential-Mixed (R-12) district is established to provide areas for a mix of residential dwelling types with a maximum of three and one-half (3.5) dwelling units per acre, in areas where large-lot development is discouraged and adequate public facilities and services are available.

Staff Report - General Use Rezoning Request R-12 to R-10

This district provides minimum lot size and density requirements in order to allow for market and design flexibility while preserving the neighborhood character.

Minimum lot size:	12,000sf or 0.28 of an acre
Minimum lot width:	75ft
Minimum lot depth:	100ft
Minimum building setback, front:	30ft, measured from the r/o/w of the public street
Minimum building setback, rear:	20ft, measured from the rear property line
Minimum building setback, side(s):	12ft, measures from the side property lines
Maximum building height:	40ft
Maximum impervious surface:	N/A, not taking into consideration watershed regulations

Examples of uses permitted by right within the R-12 zoning district include detached single-family homes (site/stick built and modular), duplex dwellings (two-family dwelling), multi-family dwellings (three or more units), parks/playgrounds/athletic fields operated on a noncommercial basis, and religious complexes/churches (less than 350 seats). There is a list of permitted uses for this zoning district included within the agenda for your reference.

Proposed Zoning: The Residential-Mixed (R-10) district is established to provide areas for a mix of residential styles with a maximum of up to four (4) dwelling units per acre, where adequate public facilities and services exist with capacity to serve development. This district provides a minimum lot size and -density requirements in order to allow for market and design flexibility while preserving the neighborhood character.

Minimum lot size:	10,000sf or 0.23 of an acre
Minimum lot width:	70ft
Minimum lot depth:	100ft
Minimum building setback, front:	25ft, measured from the r/o/w of the public street
Minimum building setback, rear:	20ft, measured from the rear property line
Minimum building setback, side(s):	10ft, measures from the side property lines
Maximum building height:	40ft
Maximum impervious surface:	N/A, not taking into consideration watershed regulations

Examples of uses permitted by right within the R-10 zoning district include detached single-family homes (site/stick built and modular), duplex dwellings (two-family dwelling), multi-family dwellings (three or more units), parks parks/playgrounds/athletic fields operated on a noncommercial basis, and religious complexes/churches (less than 350 seats). There is a list of permitted uses for this zoning district included within the agenda for your reference.

Adjacent Zoning

North:	Residential-Mixed (R-12)
South:	Residential-Mixed (R-10)
East:	Residential-Mixed (R-12)
West:	Residential-Mixed (R-12)

Adjacent Land Use

North:	Single-family dwellings
--------	-------------------------

South: Vacant/wooded land (proposed to be developed as Brantley Place subdivision)
 East: Single-family dwellings
 West: Single-family dwellings and vacant/wooded land

PLAN SANLEE

The long-range land use plan identifies a portion of this site as Suburban Neighborhood, which denotes residential areas on the outskirts of a core urbanized area, facilitates large scale development of single-family residential, walkable with a high degree of transportation connectivity between neighborhoods and surrounding network thoroughfares. The local example is the Westlake Valley neighborhood in Sanford. Information from the land use plan is provided as attachments to this report for your reference.

LOCAL OVERLAY DISTRICTS

This site is not located within a local overlay district.

General Note: The following is a general note included with all rezoning requests: Sanford, Lee County, and Broadway do not have a local grading permit or stormwater ordinance and rely on the NC Department of Environmental Quality to regulate land disturbing activities. For questions or concerns regarding land disturbing activities, contact the NC Division of Energy, Mineral, and Land Resources Sediment Program via mail 1612 Mail Service Center, Raleigh, NC 27699-1612, via phone at 877-623-6748 or visit the NCDEQ website at <http://deq.nc.gov>. The physical address of the office is 217 W. Jones Street, Raleigh, NC 27603

UTILITIES

There is a public water main line along Tyndall Drive. Public sewer would need to be extended to serve future development on this site. This information is per our GIS mapping system and, if the rezoning is approved, all new development and/or water and sewer connections must be approved by the City of Sanford Public Works Dept./Engineering Dept. to verify compliance with all policies and regulations, including – but not limited to – off site improvements or upgrades. Private wells and septic systems must be approved by the Lee County Environmental Health Dept. and/or the appropriate State agency, whichever is applicable.

TRANSPORTATION

There is frontage on Tyndall Drive (SR 1236), which is a NCDOT maintained public road with a 60ft width right-of-way. This information is per our GIS mapping system and NCDOT must approve any proposed driveways via the site plan review/approval process to verify compliance with all applicable regulations, including – but not limited to - traffic studies and roadway improvements/turn lanes. It should be noted that Tyndall Drive may transition from a NCDOT maintained roadway to a City of Sanford maintained roadway in the future.

2011 Lee County Comprehensive Transportation Plan: This plan illustrates Kelly Drive as an existing roadway with no comments noted.

NCDOT Average Annual Daily Traffic Count (AADT): There is a 2019 NCDOT AADT count of 150 vehicles per day on Tyndall Drive in the general area of the subject property.

DEVELOPMENT STANDARDS

If rezoned, all of the uses permitted in the R-10 zoning district would be allowed and any future redevelopment of the subject property will be required to meet the current development standards of the UDO.

STAFF RECOMMENDATION

The rezoning request complies with the *Plan SanLee* long-range plan designation of Suburban Neighborhood, which lists detached single-family dwellings as a land use with a development density of 4-7 units per acre. Also, the site adjoins land that was recently annexed and rezoned to R-10 to allow the development of the Brantley Place residential single-family home subdivision. The boards will need to take into consideration the adjoining residential subdivisions and the possible impact that commercial zoning may have on the area residents when determining if they are comfortable with this area transitioning to match the long-range plan at this time.

Additional information presented at the public hearing should also be considered in the recommendation and the final decision regarding the requested zoning map amendment.

PLANNING BOARD RECOMMENDATION

Per state law, when conducting a review of a proposed zoning text or map amendment, the planning board shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board. If no written report is received from the planning board within 30 days of referral of the amendment to that board, the governing board may act on the amendment without the planning board report. The governing board is not bound by the recommendations, if any, of the planning board. Also, please be aware that the Planning Board may acknowledge that the zoning map amendment is not consistent with the *Plan SanLee* long range plan and still vote to approve the request; however, an explanation should be included within the motion.

Sample Motions

The Planning Board shall provide a written recommendation to the City Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board. These sample motions are provided by staff based on information in the *Plan SanLee* land use plan. The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

VOTE #1: APPROVE A STATEMENT ON CONSISTENCY WITH THE PLAN SANLEE AS IT RELATES TO THIS REZONING REQUEST:

Motion Option 1: *“I make a motion that the proposed zoning map amendment **IS** consistent with the Plan SanLee long range plan designation of Suburban Neighborhood because it allows detached and attached single-family dwellings with a density range of 4-7 units per acre.”*

Motion Option 2: *“I make a motion that the proposed zoning map amendment **IS NOT** consistent with the Plan SanLee long range plan designation of Suburban Neighborhood because it would allow multi-family development at a density of 3.5 units per acres which is not listed as a residential land use.”*

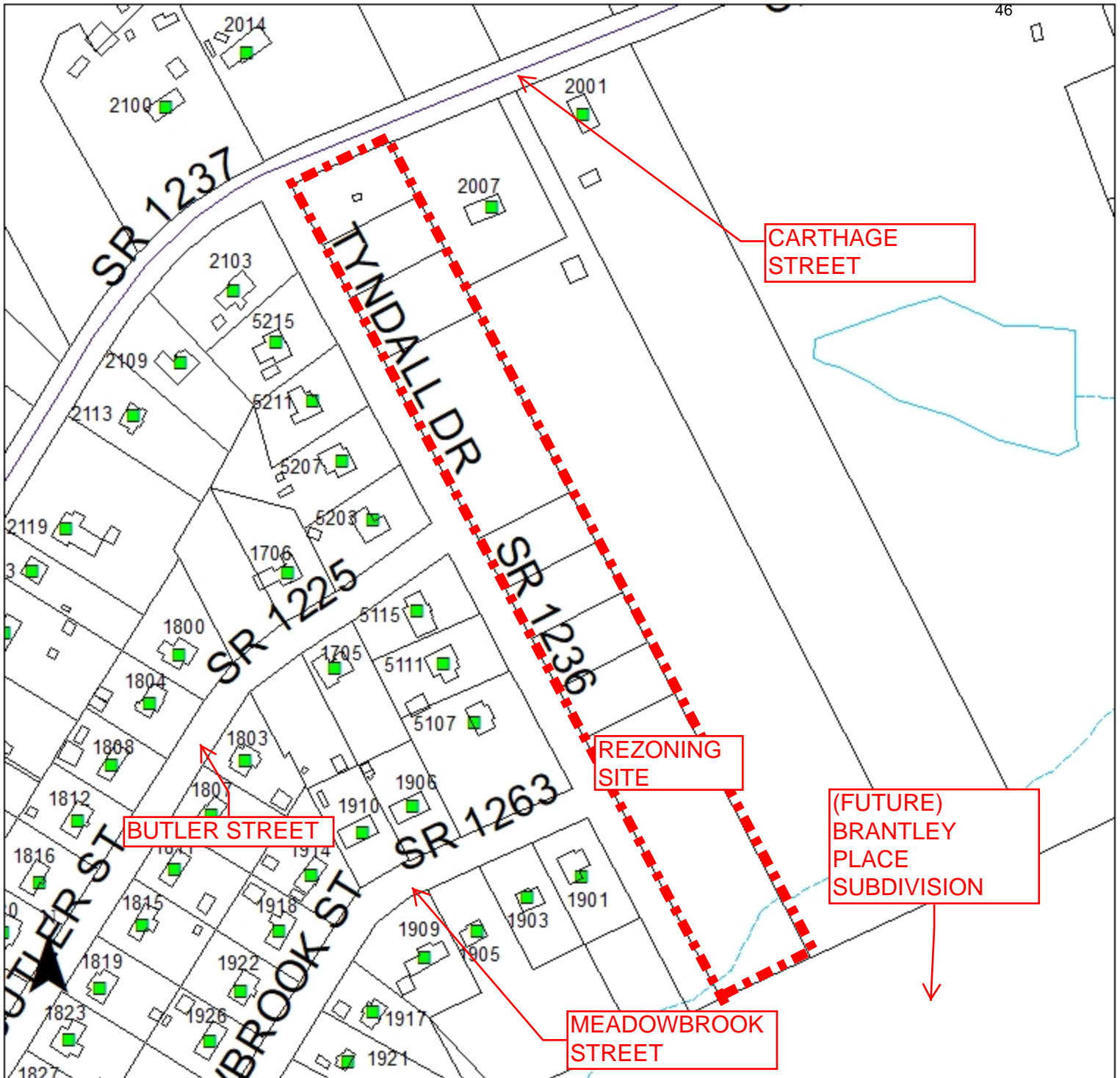
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

VOTE #2: TO APPROVE OR DENY THE REZONING REQUEST:

Motion Option 1: *“I make a motion that Planning Board recommend the City Council **APPROVE** the proposed zoning map amendment because the site is appropriate for the land uses and densities allowed.”*

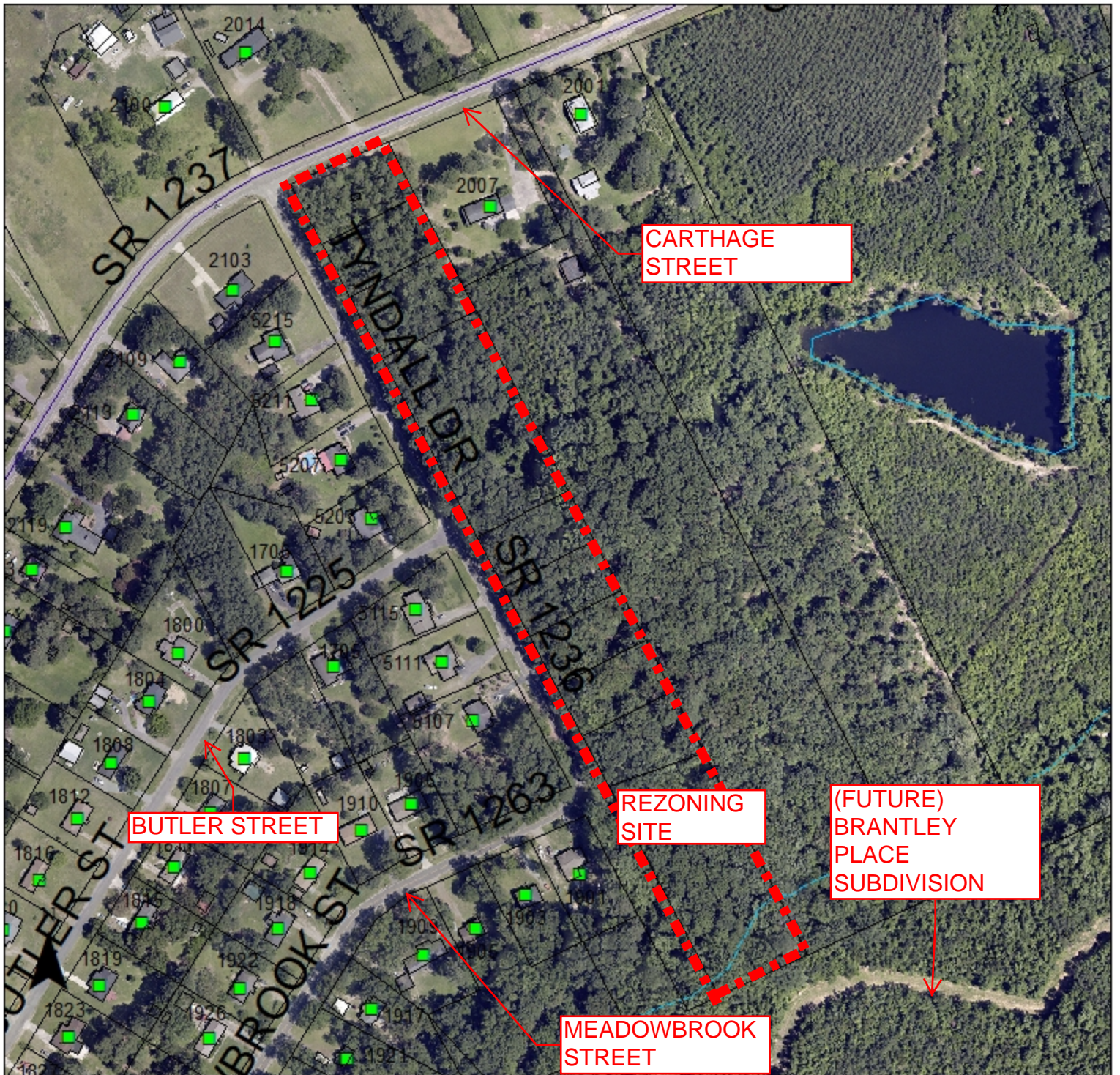
Motion Option 2: *“I make a motion that Planning Board recommend the City Council **DENY** the proposed zoning map amendment because the site is appropriate for the land uses and densities allowed.”*

Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.



ZONING MAP AMENDMENT
Request to rezone 7.2 acres
with frontage on Tyndall Drive and Carthage Street
from R-12 to R-10.

This is a graphic illustration and not a legal document.
All information is comprised of layers of data that may or may not align correctly.



ZONING MAP AMENDMENT
Request to rezone 7.2 acres
with frontage on Tyndall Drive and Carthage Street
from R-12 to R-10.

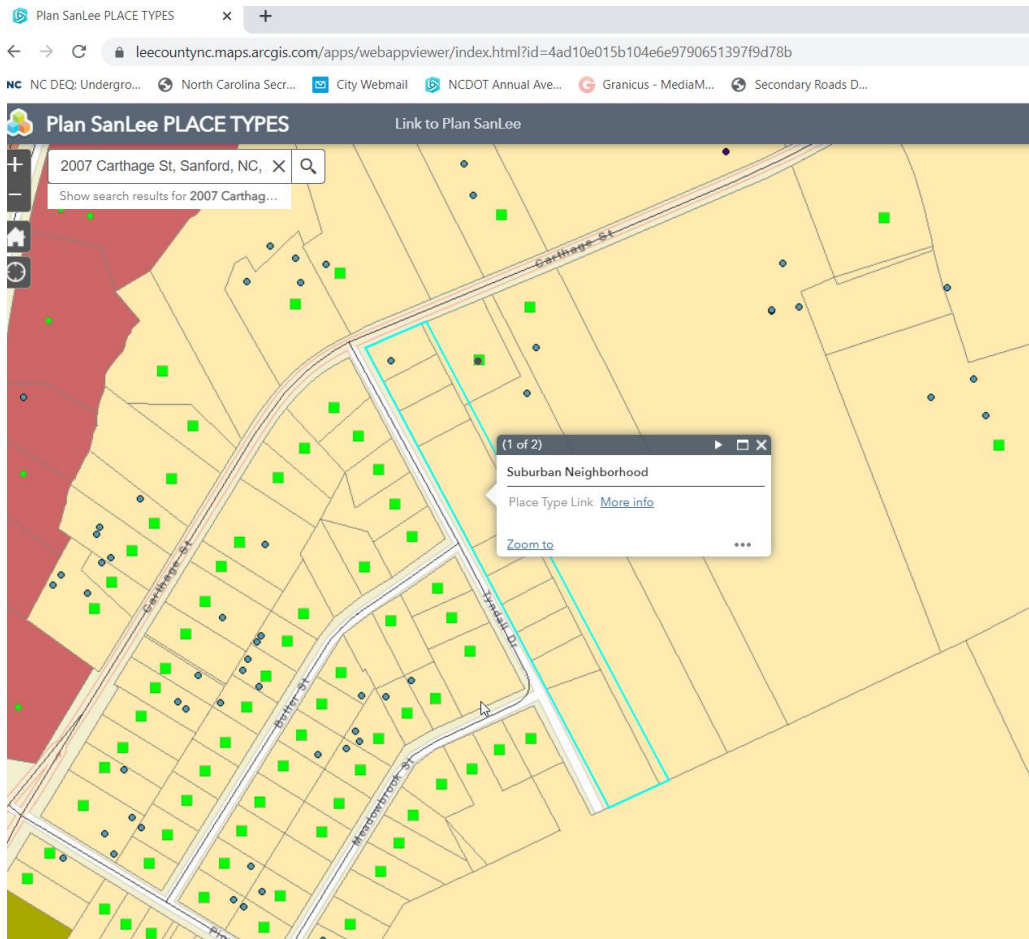
This is a graphic illustration and not a legal document.
All information is comprised of layers of data that may or may not align correctly.



ZONING MAP AMENDMENT
 Request to rezone 7.2 acres
 with frontage on Tyndall Drive and Carthage Street
 from R-12 to R-10.

This is a graphic illustration and not a legal document.
 All information is comprised of layers of data that may or may not align correctly.

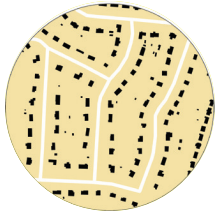
Plan SanLee - Long Range Plan – Interactive Map of Site



Place_Types

Place Types

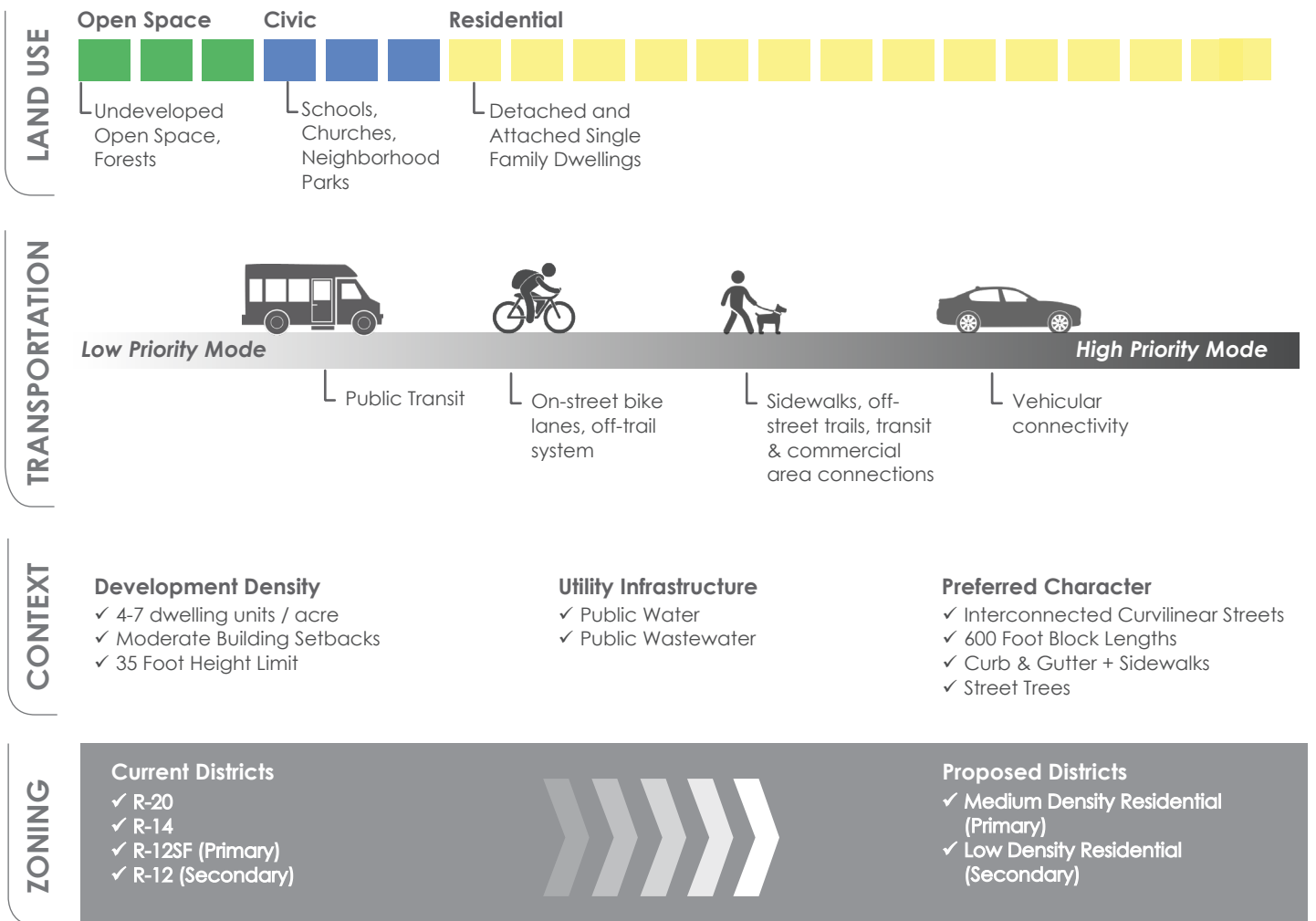
- Commercial Corridor
- Countryside
- Crossroads
- Downtown
- Industrial Center
- Maker District
- Mixed Use Activity Center
- Neighborhood Center
- Neighborhood Transition
- Professional and Institutional Campus
- Suburban Neighborhood
- Urban Neighborhood
- Village Center
- Village Neighborhood



SUBURBAN NEIGHBORHOOD

- ✓ Residential areas on the outskirts of a core urbanized area
- ✓ Facilitates large scale development of single family residential
- ✓ Walkable, with high degree of transportation connectivity between neighborhoods and surrounding network thoroughfares

Local Example - Westlake Valley Neighborhood in Sanford



R-12, RESIDENTIAL MIXED ZONING DISTRICT

This list was created by Sanford/Lee County Planning & Development staff as a summary of the permitted land uses within a specific zoning district and is intended for general informational purposes. Staff makes every effort to ensure that the information provided is accurate and up-to-date; however, it is recommended that you verify with Planning & Development staff that the proposed use is permitted within the specific zoning district and discuss any/all development requirements prior to pursuing a project. This information is applicable for the jurisdictions of the City of Sanford, Lee County and the Town of Broadway in North Carolina.

USES PERMITTED BY RIGHT

The uses listed below are permitted by right, subject to any/all other applicable standards of the Unified Development Ordinance (for example, parking requirements).

<u>Accessory Uses</u>
Accessory uses (See Section 5.1)
<u>Residential Uses</u>
Dwelling, Duplex (two-family dwelling)
Dwelling, Modular home
Dwelling, Single-family detached
<u>Arts, Recreation & Entertainment</u>
Parks, playgrounds, and athletic fields operated on a noncommercial basis
<u>Education, Public Administration, Health Care, and Institutional</u>
Day care facility, Adult
Religious Complex (less than 350 seats), new site
Religious Complex (any size), addition to existing complex/site
Schools, Pre-K –Secondary (nursery and preschool, grade schools, elementary, middle, and high school), addition to existing site
<u>Transportation, Communication, and Utilities</u>
Utility lines (including electric lines, phone/cable lines, distribution circuits, gas/fuel lines, water lines, steam/air conditioning lines, irrigation channels, and sewer/waste water lines)
<u>Agriculture</u>
Animal Production and Support Services, (unincorporated Lee County)
Crop Production and Support Functions, (unincorporated Lee County)
Forestry and Logging and Support Services, (unincorporated Lee County)

USES PERMITTED WITH DEVELOPMENT REGULATIONS

The uses listed below may either be permitted by right or upon approval of a Special Use Permit, but are also subject to the requirements of Article 5 Supplemental Development Regulations of the Unified Development Ordinance (for example, daycares are required to install a fence around outdoor play areas).

<u>Residential Uses</u>
Dwelling, Multifamily (three or more units) (See Section 10.3)
Dwelling, Single-family attached (See Section 10.3)
Home Occupations (See Section 5.16)
<u>Accommodations and Group Living</u>
Family Care Homes (See NCGS 168-21 and Section 5.12)
<u>Industrial & Manufacturing Uses</u>
Landfills, LCID (2 acres or less in size) (See Section 5.19)
<u>Education, Public Administration, Health Care, and Institutional</u>
Day Care facility, Home Child Care (See Section 5.10)

USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT

The uses listed below are permitted in the respective zoning district only after review and approval of a Special Use Permit by the Board of Adjustment for the applicable jurisdiction in accordance with Article 3 Zoning and Permitting Procedures, Section 3.5 Special Use Permits of the Unified Development Ordinance. Special uses are subject to any/all applicable general design standards, any development regulations that apply to the specific use and those requirements that may reasonably be imposed by the respective board as per the Unified Development Ordinance.

<u>Accommodations and Group Living</u>
Dormitories for the students of colleges commercial schools, staff of hospitals
Child and Youth Services
Nursing, Supervision, Adult Care Homes, Group Care Facilities and other rehabilitative services
<u>Arts, Recreation & Entertainment</u>
Fitness and recreational sports, gym, health spa, reducing salon, swimming pool/auditorium, racquet club or athletic club (not otherwise listed)
Golf courses, public and private
Golf driving ranges
Sports stadiums or arenas
<u>Education, Public Administration, Health Care, and Institutional</u>
Civic, Social, and Fraternal Organizations, including community centers, meeting halls, community halls, reception halls, wedding halls for assembly and recreation
Fire, sheriff, and emergency services
Governmental Functions, not otherwise listed
Libraries
Religious Complex (more than 350 seats), new site

Schools, Continuing Education (alternative, adult colleges and universities, and technical, trade and, other specialty schools)
Schools, Pre-K – Secondary (nursery and preschool, grade schools, elementary, middle, and high school) new site
<u>Transportation, Communication, and Utilities</u>
Sewage treatment and Water treatment plants
<u>Agriculture</u>
Crop Production and Support Functions (Sanford and Broadway)

**USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT
THAT HAVE SPECIFIC DEVELOPMENT REGULATIONS**

The uses listed below are permitted in the respective zoning district only after review and approval of a Special Use Permit by the Board of Adjustment for the applicable jurisdiction in accordance with Article 3 Zoning and Permitting Procedures, Section 3.5 Special Use Permits of the Unified Development Ordinance. In addition to any/all applicable general design standards and those requirements that may reasonably be imposed by the respective board, these uses have specific standards that must be adhered to as per the Unified Development Ordinance (for example, fencing is required around the base of telecommunication towers, including any structures or guy wires).

<u>Residential Uses</u>
Accessory Dwellings (See Section 10.4)
<u>Accommodations and Group Living</u>
Bed and breakfast inn (See Section 5.4)
<u>Industrial & Manufacturing Uses</u>
Landfills, C&D or LCID (greater than 2 acres in size) (See Section 5.20)
Mining and Quarries, Unincorporated Lee County and City of Sanford only (See Section 5.23)
<u>Education, Public Administration, Health Care, and Institutional</u>
Cemeteries, public and private (does not include individual family plots) (See Section 5.6)
Day Care facility, Child Care Center (See Section 5.10)
Day Care facility, Adult (See Section 5.38)
<u>Transportation, Communication, and Utilities</u>
Solar Collectors, Commercial (See Section 5.39)
Telecommunication towers (See Section 5.33)

R-10, RESIDENTIAL MIXED ZONING DISTRICT

This list was created by Sanford/Lee County Planning & Development staff as a summary of the permitted land uses within a specific zoning district and is intended for general informational purposes. Staff makes every effort to ensure that the information provided is accurate and up-to-date; however, it is recommended that you verify with Planning & Development staff that the proposed use is permitted within the specific zoning district and discuss any/all development requirements prior to pursuing a project. This information is applicable for the jurisdictions of the City of Sanford, Lee County and the Town of Broadway in North Carolina.

USES PERMITTED BY RIGHT

The uses listed below are permitted by right, subject to any/all other applicable standards of the Unified Development Ordinance (for example, parking requirements).

<u>Accessory Uses</u>
Accessory uses (See Section 5.1)
<u>Residential Uses</u>
Dwelling, Duplex (two-family dwelling)
Dwelling, Modular home
Dwelling, Single-family detached
<u>Arts, Recreation & Entertainment</u>
Parks, playgrounds, and athletic fields operated on a noncommercial basis
<u>Education, Public Administration, Health Care, and Institutional</u>
Religious Complex (less than 350 seats), new site
Religious complex (any size), addition to existing complex/site
Schools, Pre-K –Secondary (nursery and preschool, grade schools, elementary, middle, and high school), addition to existing site
<u>Transportation, Communication, and Utilities</u>
Utility lines (including electric lines, phone/cable lines, distribution circuits, gas/fuel lines, water lines, steam/air conditioning lines, irrigation channels, and sewer/waste water lines)
<u>Agriculture</u>
Animal Production and Support Services, (unincorporated Lee County)
Crop Production and Support Functions, (unincorporated Lee County)
Forestry and Logging and Support Services, (unincorporated Lee County)

USES PERMITTED WITH DEVELOPMENT REGULATIONS

The uses listed below may either be permitted by right or upon approval of a Special Use Permit, but are also subject to the requirements of Article 5 Supplemental Development Regulations of the Unified Development Ordinance (for example, daycares are required to install a fence around outdoor play areas).

<u>Residential Uses</u>
Dwelling, Multifamily (three or more units) (See Section 10.3)
Dwelling, Single-family attached (See Section 10.3)
Home Occupations (See Section 5.16)
<u>Accommodations and Group Living</u>
Family Care Homes (See NCGS 168-21) (See Section 5.12)
<u>Industrial & Manufacturing Uses</u>
Landfills, LCID (2 acres or less in size) (See Section 5.19)
<u>Education, Public Administration, Health Care, and Institutional</u>
Day Care facility, Home Child Care (See 5.10)

USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT

The uses listed below are permitted in the respective zoning district only after review and approval of a Special Use Permit by the Board of Adjustment for the applicable jurisdiction in accordance with Article 3 Zoning and Permitting Procedures, Section 3.5 Special Use Permits of the Unified Development Ordinance. Special uses are subject to any/all applicable general design standards, any development regulations that apply to the specific use and those requirements that may reasonably be imposed by the respective board as per the Unified Development Ordinance.

<u>Accommodations and Group Living</u>
Dormitories for the students of colleges, commercial schools, staff of hospitals
Child and Youth Services
Nursing, Supervision, Adult Care Homes, Group Care Facilities and other rehabilitative services
<u>Arts, Recreation & Entertainment</u>
Fitness and recreational sports, gym, health spa, reducing salon, swimming pool/auditorium, racquet club or athletic club (not otherwise listed)
Golf courses, public and private
Golf driving ranges
Sports stadiums or arenas
<u>Education, Public Administration, Health Care, and Institutional</u>
Civic, Social, and Fraternal Organizations, including community centers, meeting halls, community halls, reception halls, wedding halls, for assembly and recreation
Fire, sheriff, and emergency services
Governmental Functions, not otherwise listed

Libraries
Religious Complex (more than 350 seats), new site
Schools, Continuing Education (alternative, adult colleges and universities, and technical, trade, and other specialty schools)
Schools, Pre-K – Secondary (nursery and preschool, grade schools, elementary, middle, and high school), new site
<u>Transportation, Communication, and Utilities</u>
Sewage treatment and Water treatment plants
<u>Agriculture</u>
Crop Production and Support Functions, (Sanford and Broadway)

**USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT
THAT HAVE SPECIFIC DEVELOPMENT REGULATIONS**

The uses listed below are permitted in the respective zoning district only after review and approval of a Special Use Permit by the Board of Adjustment for the applicable jurisdiction in accordance with Article 3 Zoning and Permitting Procedures, Section 3.5 Special Use Permits of the Unified Development Ordinance. In addition to any/all applicable general design standards and those requirements that may reasonably be imposed by the respective board, these uses have specific standards that must be adhered to as per the Unified Development Ordinance (for example, fencing is required around the base of telecommunication towers, including any structures or guy wires).

<u>Residential Uses</u>
Accessory Dwellings (See Section 10.4)
<u>Accommodations and Group Living</u>
Bed and breakfast inn (See Section 5.4)
<u>Industrial & Manufacturing Uses</u>
Landfills, C&D or LCID (greater than 2 acres in size) (See Section 5.20)
Mining and Quarries, Unincorporated Lee County and City of Sanford only (See Section 5.23)
<u>Education, Public Administration, Health Care, and Institutional</u>
Cemeteries, public and private (does not include individual family plots) (See Section 5.6)
Day Care facility, Child Care Center (See Section 5.10)
Day care facility, Adult (See Section 5.38)
<u>Transportation, Communication, and Utilities</u>
Telecommunication towers (See Section 5.33)

ADJOINING PROPERTY OWNERS LIST

PETITION BY: Lamco Custom Builders, LLC
 REQUEST: Rezone from Residential-Mixed (R-12) to Residential-Mixed (R-10)
 LOCATION: 10 tracts of land comprising 7.2 acres total with frontage on Tyndall Drive
 PIN: 9631-87-0005-00, 9631-77-8298-00, 9631-77-8336-00, 9631-77-7497-00, 9631-77-7545-00, 9631-77-7604-00, 9631-77-5895-00, 9631-78-4086-00, 9631-78-4126-00, and 9631-78-3276-00
 DATE: 2022-06-09

No.	PIN	PROPERTY ADDRESS	OWNER 1	OWNER 2	MAIL	MAIL STREET	MAIL CITY	ST.	ZIP
01	9631-78-6205-00	2007 CARTHAGE ST	HENNINGS, GROVER F	HENNINGS, NELLIE	2007	CARTHAGE ST	SANFORD	NC	27330
02	9631-77-9723-00	0 CARTHAGE ST	HENNINGS, GROVER F		2007	CARTHAGE ST	SANFORD	NC	27330
03	9631-86-5415-00	2100 BRANTLEY RD	COPPER RIDGE DEVELOPMENT LLC	-	-	PO BOX 2825	SANFORD	NC	27331
04	9631-77-7094-00	1901 MEADOWBROOK ST	HARRIS, ARIANNA A	-	1901	MEADOW-BROOK ST	SANFORD	NC	27330
05	9631-77-6217-00	5107 TYNDALL DR	LEON, MARIAN KAY	-	5107	5107 TYNDALL DR	SANFORD	NC	27330
06	9631-77-5431-00	5111 TYNDALL DR	PARKER, MICHAEL TODD	-	5111	TYNDALL DR	SANFORD	NC	27330
07	9631-77-4581-00	5115 TYNDALL DR	MORA, ALDO D		5115	TYNDALL DR	SANFORD	NC	27330
08	9631-77-4605-00	5203 TYNDALL DR	RITCH, SAMUEL K SR	RITCH, FRANCINE T	5203	TYNDALL DR	SANFORD	NC	27330
09	9631-77-2795-00	5207 TYNDALL DR	FUENTES, ROXANA MARTINEZ	FUENTES, CARLOS ESTEBAN	5207	TYNDALL DR	SANFORD	NC	27330
10	9631-77-3808-00	5211 TYNDALL DR	BUSTOS, MARTIN P	-	5211	TYNDALL DR	SANFORD	NC	27330
11	9631-77-2939-00	5215 TYNDALL DR	SONIA, MARK C	-	5215	TYNDALL DR	SANFORD	NC	27330
12	9631-78-1141-00	2103 CARTHAGE ST	BATCHELOR, JUSTIN L	BATCHELOR, LAURA J	3875	CASTLE ROCK FARM RD	PITTSBORO	NC	27312
13	9631-78-0329-00	2100 CARTHAGE ST	JOHNSON, THOMAS WAYNE	-	2100	CARTHAGE ST	SANFORD	NC	27330
14	9631-78-2619-00	2014 CARTHAGE ST	SANCHEZ, PEDRO	SANCHEZ, TRINIDAD	2014	CARTHAGE ST	SANFORD	NC	27330
15	9631-78-3913-00	0 CARTHAGE ST	SANCHEZ, PEDRO	SANCHEZ, TRINIDAD	2014	CARTHAGE ST	ABERDEEN	NC	27330
16	APPLICANT AND PROPERTY OWNER	SUBJECT PROPERTY	LAMCO CUSTOM BUILDERS, LLC	MR. TONY TORO, VICE PRESIDENT	7424	CHAPEL HILL ROAD, SUITE 203	RALEIGH	NC	27607

0 Property Address number = Vacant, no addressed structures on the parcel



Zoning Map Amendment (Rezoning) Application

Circle Jurisdiction That Applies:

City of Sanford

Lee County

Town of Broadway

1. Applicant Name: Lacy Oldham
2. Applicant Address: 1524 Clearwater Dr. Sanford, NC 27330
3. Applicant Telephone: 9197705197 LOWHAMJR@WINDSTREAM.NET
4. Name and Address of Property Owner(s) if different than applicant:

5. Location of Subject Property: 1611 Kelly Drive, Sanford NC 27331
Lee Co. P.I.N. 965299497600
6. Total Area included in Rezoning Request: 11.59 Acres
7. Zoning Classification: Current: R1 Requested: General Commercial or office
8. Existing Land Use(s): Commercial use for Oldham and Oldham Inc Grading
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): Selling property, highest and best use
10. Signature(s) of Applicant (and Property Owners if different from Applicant).

I hereby acknowledge that the information contained herein is true. It is further understood that this application will be reviewed for completeness and accuracy and that it shall not be scheduled for official consideration until all required contents are submitted in proper form to the Sanford/Lee Zoning & Design Review Department.

LACY OLDHAM, JR

Lacy Oldham
Signature of Property Owner(s) (Sign & Print)

05/12/22

Date

Required Attachments/Submittals

- A. A completed rezoning application (incomplete applications/submittals will not be accepted or processed).
- B. A copy of a current Lee County Tax Map illustrating the location of the area to be rezoned. If the exterior boundary of the area to be rezoned does not follow along existing property boundaries, then the applicant shall be required to submit a metes and bounds (legal) description describing the area requested for rezoning.
- C. A copy of the latest deed for the subject property as recorded at the Lee County Register of Deeds Office.
- D. A \$500.00 Application fee, payable to the City of Sanford is required before processing the application.
- E. *If the requested rezoning is for a Conditional Zoning District, a Supplemental Application for Conditional Zoning District must also be included, along with an additional \$250.00 fee (\$750 total fee for Conditional Zoning).
- F. Typically, the submission deadline is the first day of each month at 12:00pm/noon for the rezoning to be heard the following month. Specific dates provided upon request.

STAFF USE ONLY

Date Received: _____ Fee Paid: _____ Application No.: _____

Staff Signature: _____ Energov Case No.: _____

CITY OF SANFORD
CITY COUNCIL AND PLANNING BOARD
PUBLIC HEARING INFORMATION
JUNE 21, 2022

REQUEST

Mr. Lacy Oldham, Jr. is requesting to rezone one 11.59 acre tract of land addressed as 1607/1611 Kelly Drive from Residential Single-family (R-20) and Residential Single-family with a Mobile Home Park Overlay District (R-20/MH) to General Commercial (C-2) to allow the subject property to be marketed & redeveloped in an commercial manner. Therefore, he has submitted this Zoning Map Amendment Application for your consideration. This is a standard general use rezoning request, as opposed to a conditional rezoning request; therefore, no site plan/subdivision plans or building plans are required as part of the rezoning request

Public notification consisted of publishing a legal notice in the local newspaper, notification by mail to adjacent property owners, and public hearing signs placed on the property as per the requirements of the North Carolina General Statutes.

GENERAL INFORMATION

Applicant:	Mr. Lacy Oldham, Jr.
Property Owner:	Oldham & Oldham, Inc. Lacy Oldham, Jr., President & Registered Agent
Request:	Residential Single-family (R-20) and R-20/MH to General Commercial (C-2)
Location:	1607/1611 Kelly Drive, Sanford, NC 27330
Acreage:	11.59 +/-
Tax Parcels:	9652-99-4976-00
Tax Map:	9653.04 and 9652.02
Township:	East Sanford
Commissioner Dist.:	1 (not proposed to be annexed at this time)
Fire District:	Cape Fear Fire Dept.
Schools:	Deep River Elementary East Lee Middle School Lee Senior High School

SITE DESCRIPTION

The site is located off of Kelly Drive, between the Central Carolina Community college and the US Hwy 421 Bypass. It is currently developed with the shop/office for Oldham & Oldham, Inc., a grading contractor business.

ZONING DISTRICT INFORMATION

Existing Zoning: The Residential Single-family (R-20) zoning district is established to provide areas for low-density single-family uses, with a maximum of two dwelling units per acre, which may provide buffers between the agricultural and the higher density areas of the County of Lee. It includes density and minimum lot size requirements to allow for market and design flexibility, while preserving the neighborhood character.

Minimum lot size:	20,000sf
Minimum lot width:	100ft
Minimum lot depth:	125ft
Minimum building setback, front:	30ft, measured from the r/o/w of the public street
Minimum building setback, rear:	30ft, measured from the rear property line
Minimum building setback, side(s):	15ft, measured from the side property lines
Maximum building height:	40ft
Maximum impervious surface:	N/A, not taking into consideration watershed regulations

Examples of uses permitted by right within the R-20 zoning district include detached single-family homes (site/stick built and modular), parks/playgrounds/athletic fields operated on a noncommercial basis, and religious complexes/churches (less than 350 seats). There is a list of permitted uses for this zoning district included within the agenda for your reference. The R-20 zoning district with a Mobile Home Overlay District allows the same permitted uses as the R-20 zoning district and mobile home parks.

Proposed Zoning: The General Commercial (C-2) zoning district is established to provide areas for general commercial activities designed to serve the community such as shopping centers, repair shops, wholesale businesses, and retail sales with limited outdoor display of goods and limited outdoor operations. This district promotes a broad range of commercial operations and services necessary for large regions of the County, providing community balance. C-2 zones should be located on or within proximity to major thoroughfares.

Minimum lot size:	N/A
Minimum lot width:	50ft
Minimum lot depth:	100ft
Minimum building setback, front:	10ft, measured from the r/o/w of the public street
Minimum building setback, rear:	Determined by the required landscape buffer yard width
Minimum building setback, side(s):	Determined by the required landscape buffer yard width
Maximum building height:	N/A
Maximum impervious surface:	80%, not taking into consideration watershed regulations

Examples of uses permitted by right within the C-2 zoning district include administrative services, antique shops, appliance sales/repair/maintenance, bakeries, computer & software sales, convenience stores with & without gas sales, dry cleaning & laundry, farm/landscape/garden supply with or without outdoor storage, grocery stores & supermarkets (all sizes), hardware/home centers/lumber yard/ heating & plumbing with indoor & outdoor storage, motor vehicle sales & service, office buildings, professional services (legal, accounting, architectural, etc.), real estate sales/rental/leasing, restaurants with drive-in or drive-through facilities, upholstery & furniture refinishing, and wholesale. There is a list of permitted uses for this zoning district included within the agenda for your reference.

Adjacent Zoning

North:	Residential Single-family (R-20)
South:	Residential Single-family (R-20)
East:	Residential Single-family (R-20) and R-20/MH
West:	Residential Single-family (R-20)

Adjacent Land Use

North: US Hwy 421 Bypass
 South: Vacant land, wooded
 East: Vacant land, partially cleared
 West: Vacant land, wooded and houses in the Clearwater Forest subdivision

PLAN SANLEE

The long-range land use plan identifies a portion of this site as Professional and Institutional Campus, which accommodates large scale professional uses located at critical nodes or activity centers along major roadways. Development is organized in a campus style design and is well integrated into the surrounding development patterns. The local example is the Central Carolina Hospital Area in Sanford. Information from the land use plan is provided as attachments to this report for your reference.

LOCAL OVERLAY DISTRICTS

Upon review of the local overlay districts, the following are applicable for this site:

UDO, Article 4 Zoning District Regulations, Section 4.14 Watershed Conservation Overlay District:

The subject property is within the Watershed Conservation Overlay District, specifically the Cape Fear/Lee County Watershed Protected Area. A watershed is a basin-like landform delineated by ridgelines that descend into lower elevations that carries rain water from the land into soils, ground waters, creeks, and streams, eventually making its way to larger rivers and the ocean. Development within this area is allowed, but there are maximum density and built upon area requirements designed to ensure the health of the watershed. Development in this area must comply with the UDO watershed regulations.

General Note: The following is a general note included with all rezoning requests: Sanford, Lee County, and Broadway do not have a local grading permit or stormwater ordinance and rely on the NC Department of Environmental Quality to regulate land disturbing activities. For questions or concerns regarding land disturbing activities, contact the NC Division of Energy, Mineral, and Land Resources Sediment Program via mail 1612 Mail Service Center, Raleigh, NC 27699-1612, via phone at 877-623-6748 or visit the NCDEQ website at <http://deq.nc.gov>. The physical address of the office is 217 W. Jones Street, Raleigh, NC 27603

UTILITIES

There is a public water main line along Kelly Road. Public sewer would need to be extended to serve future development on this site. This information is per our GIS mapping system and, if the rezoning is approved, all new development and/or water and sewer connections must be approved by the City of Sanford Public Works Dept./Engineering Dept. to verify compliance with all policies and regulations, including – but not limited to – off site improvements or upgrades. Private wells and septic systems must be approved by the Lee County Environmental Health Dept. and/or the appropriate State agency, whichever is applicable.

TRANSPORTATION

There is frontage on Kelly Drive (SR 1521), which is a NCDOT maintained public road with a 60ft width right-of-way that widens as it approaches the US Hwy 421 Bypass. This information is per our GIS mapping system and NCDOT must approve any proposed driveways via the site plan

review/approval process to verify compliance with all applicable regulations, including – but not limited to - traffic studies and roadway improvements/turn lanes.

2011 Lee County Comprehensive Transportation Plan: This plan illustrates Kelly Drive as an existing boulevard that needs improvement. It also illustrates a proposed realignment of Kelly Drive, southwest of this site.

NCDOT Average Annual Daily Traffic Count (AADT): There is a 2020 NCDOT AADT count of 3,500 vehicles per day on Kelly Drive in the general area of the subject property.

DEVELOPMENT STANDARDS

If rezoned, all of the uses permitted in the C-2 zoning district would be allowed and any future redevelopment of the subject property will be required to meet the current development standards of the UDO.

STAFF RECOMMENDATION

The rezoning request complies with the *Plan SanLee* long-range plan designation of Professional and Institutional Campus, which lists General Commercial (C-2) as a proposed zoning district (secondary) with commercial uses allowed. Also, the site adjoins the US 421 Hwy Bypass. Based on this rationale, staff is supportive of this rezoning request as it appears to align with be the future plan for this area. The boards will need to take into consideration the adjoining residential subdivision and the possible impact that commercial zoning may have on the area residents when determining if they are comfortable with this area transitioning to match the long-range plan at this time.

Additional information presented at the public hearing should also be considered in the recommendation and the final decision regarding the requested zoning map amendment.

PLANNING BOARD RECOMMENDATION

Per state law, when conducting a review of a proposed zoning text or map amendment, the planning board shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board. If no written report is received from the planning board within 30 days of referral of the amendment to that board, the governing board may act on the amendment without the planning board report. The governing board is not bound by the recommendations, if any, of the planning board. Also, please be aware that the Planning Board may acknowledge that the zoning map amendment is not consistent with the *Plan SanLee* long range plan and still vote to approve the request; however, an explanation should be included within the motion.

Sample Motions

The Planning Board shall provide a written recommendation to the City Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board. These sample motions are provided by staff based on information in the *Plan SanLee* land use plan. The Planning Board members

are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

VOTE #1: APPROVE A STATEMENT ON CONSISTENCY WITH THE PLAN SANLEE AS IT RELATES TO THIS REZONING REQUEST:

Motion Option 1: *“I make a motion that the proposed zoning map amendment **IS** consistent with the Plan SanLee long range plan designation of Professional and Institutional Campus because General Commercial zoning is listed as a proposed secondary district and commercial uses are allowed.”*

Motion Option 2: *“I make a motion that the proposed zoning map amendment **IS NOT** consistent with the Plan SanLee long range plan designation of Professional and Institutional Campus because Office & Institutional is listed as the primary proposed district.”*

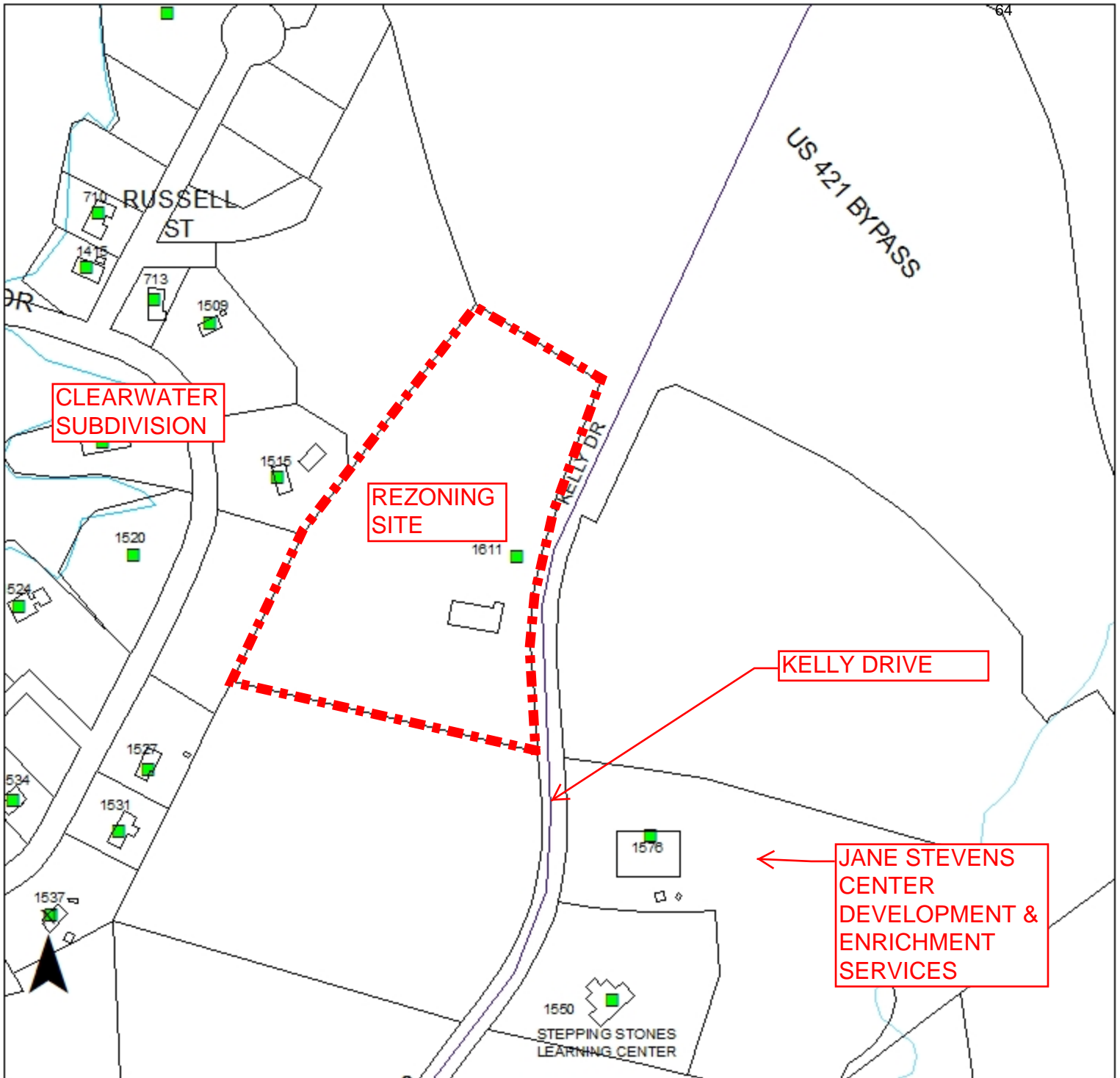
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

VOTE #2: TO APPROVE OR DENY THE REZONING REQUEST:

Motion Option 1: *“I make a motion that Planning Board recommend the City Council **APPROVE** the proposed zoning map amendment because the site is appropriate for a commercial land use.”*

Motion Option 2: *“I make a motion that the Planning Board recommend the city Council **DENY** the rezoning request because the site is not appropriate for a commercial land use.”*

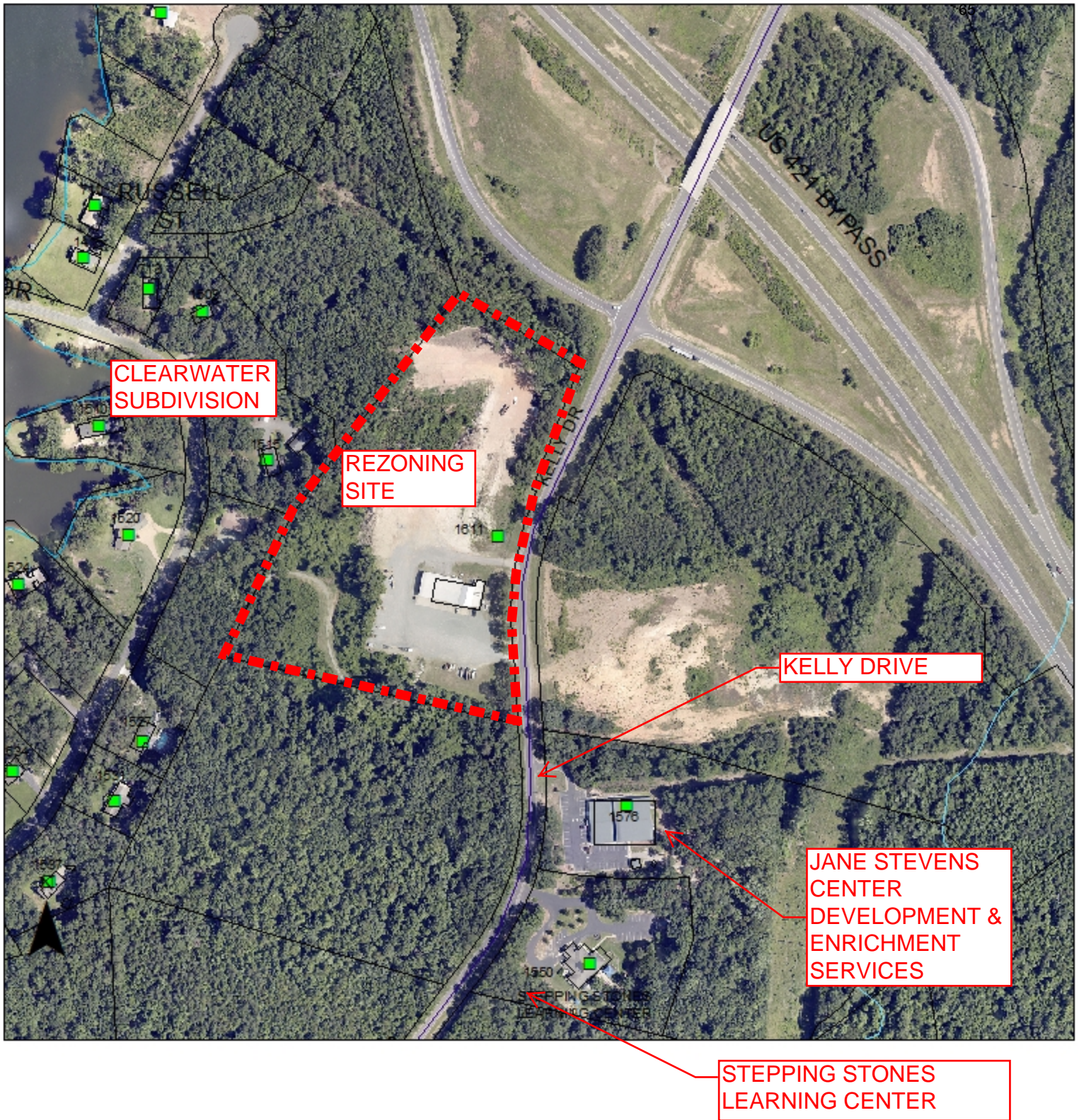
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.



ZONING MAP AMENDMENT
Request to rezone 11.59 acres at 1607/1611 Kelly Drive

from R-20 and R-20/MH to C-2

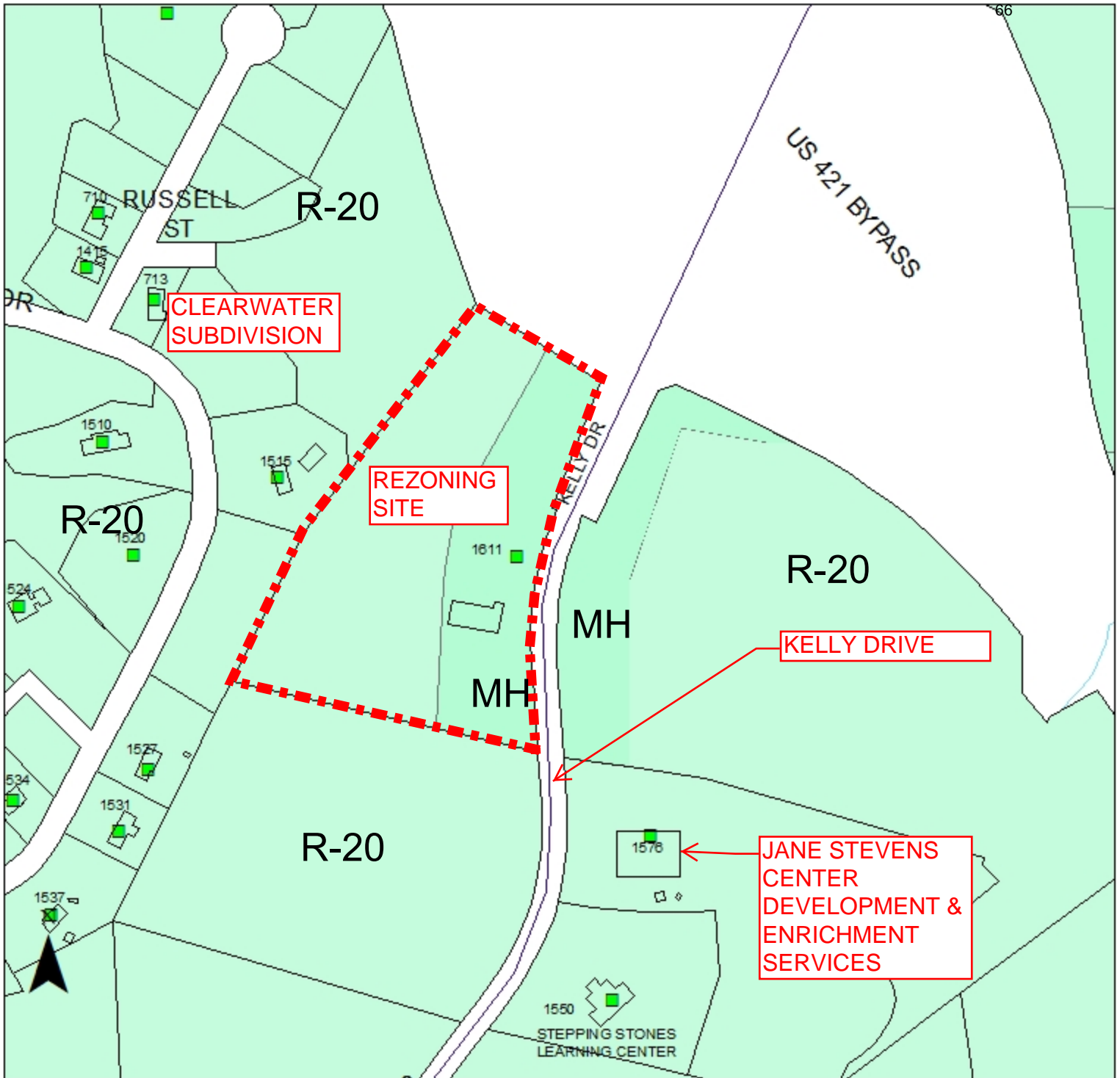
This is a graphic illustration and not a legal document.
All information is comprised of layers of data that may or may not align correctly.



ZONING MAP AMENDMENT
Request to rezone 11.59 acres at 1607/1611 Kelly Drive

from R-20 and R-20/MH to C-2

This is a graphic illustration and not a legal document.
All information is comprised of layers of data that may or may not align correctly.

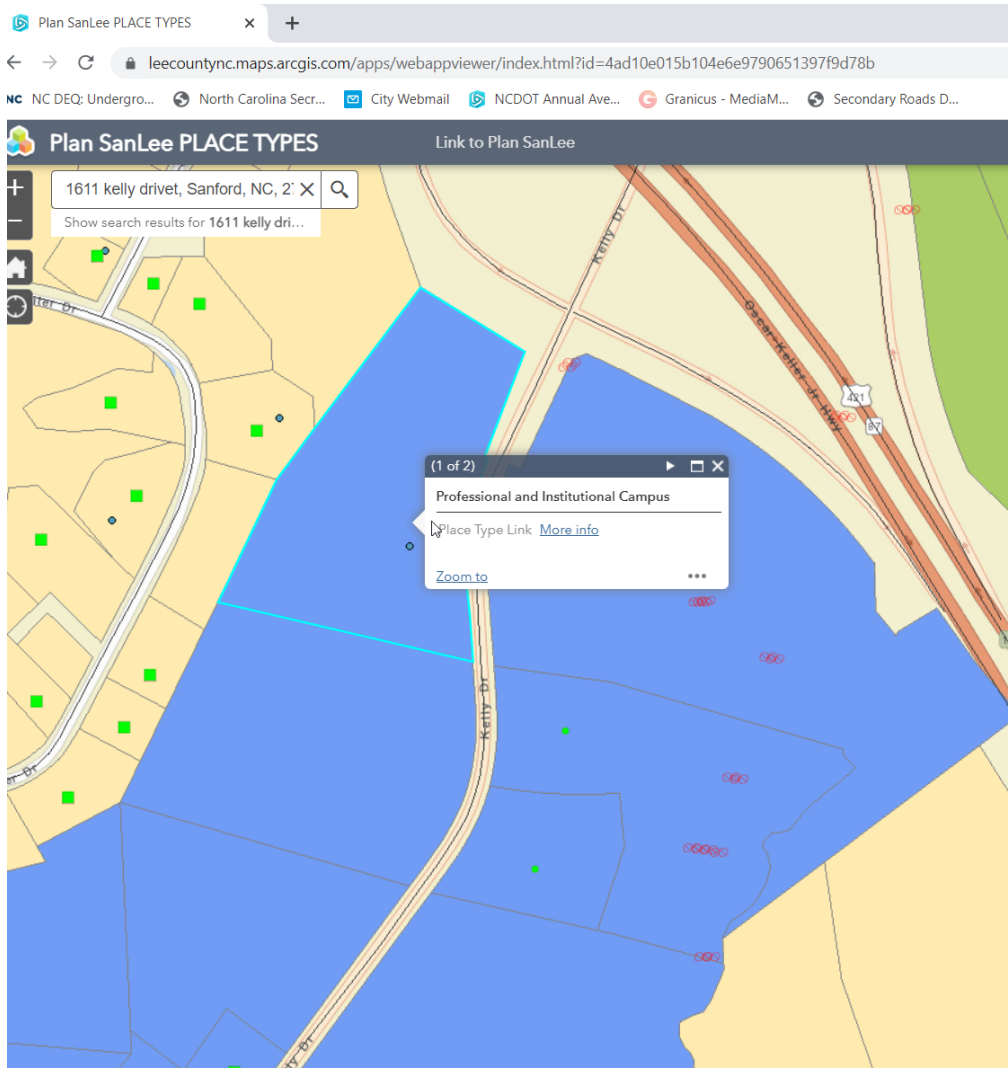


ZONING MAP AMENDMENT
Request to rezone 11.59 acres at 1607/1611 Kelly Drive

from R-20 and R-20/MH to C-2

This is a graphic illustration and not a legal document.
All information is comprised of layers of data that may or may not align correctly.

Plan SanLee - Long Range Plan – Interactive Map of Site



Place_Types

Place Types

- Commercial Corridor
- Countryside
- Crossroads
- Downtown
- Industrial Center
- Maker District
- Mixed Use Activity Center
- Neighborhood Center
- Neighborhood Transition
- Professional and Institutional Campus
- Suburban Neighborhood
- Urban Neighborhood
- Village Center
- Village Neighborhood



PROFESSIONAL AND INSTITUTIONAL CAMPUS

- ✓ Accommodates large scale professional uses located at critical nodes or activity centers along major roadways
- ✓ Development is organized in a 'campus' style design and is well integrated into surrounding development patterns

Local Example - Central Carolina Hospital Area in Sanford



Civic
Government Services, Public Gathering Spaces, Parks

Open Space
Undeveloped Open Space

Commercial
Convenience Retail, Personal Services

Employment
Large Scale Professional Offices, Corporate Headquarters, Research and Development Facilities, Medical Centers, Educational Institutions, Business Services

LAND USE



Low Priority Mode

High Priority Mode

On-street bike lanes, off-street paths and greenways

Public Transit

Sidewalks

Vehicular connectivity

TRANSPORTATION

Development Density

- ✓ Moderate to Large Lot Sizes
- ✓ Moderate to Deep Setbacks
- ✓ 75 Foot Height Limit

Utility Infrastructure

- ✓ Public Water
- ✓ Public Wastewater

Preferred Character

- ✓ 2-4 Lane Urban Street Network
- ✓ Sidewalks
- ✓ Street + Parking Landscaping
- ✓ Surface + Structured Parking

CONTEXT

Current Districts

- ✓ OI / LI (Primary)
- ✓ HC / C-2 (Secondary)



Proposed Districts

- ✓ Office & Institutional
- ✓ General Commercial (Secondary)

ZONING

RA, RESIDENTIAL AGRICULTURAL ZONING DISTRICT

This list was created by Sanford/Lee County Planning & Development staff as a summary of the permitted land uses within a specific zoning district and is intended for general informational purposes. Staff makes every effort to ensure that the information provided is accurate and up-to-date; however, it is recommended that you verify with Planning & Development staff that the proposed use is permitted within the specific zoning district and discuss any/all development requirements prior to pursuing a project. This information is applicable for the jurisdictions of the City of Sanford, Lee County, and the Town of Broadway in North Carolina.

USES PERMITTED BY RIGHT

The uses listed below are permitted by right, subject to any/all other applicable standards of the Unified Development Ordinance (for example, parking requirements).

<u>Accessory Uses</u>
Accessory uses (See Section 5.1)
<u>Residential Uses</u>
Dwelling, Duplex (two-family dwelling)
Dwelling, Modular home
Dwelling, Single-family detached
<u>General Sales or Service</u>
Repair of any goods, equipment or vehicles, the manufacture, assembly or sales of which are permitted in that zoning district
<u>Industrial & Manufacturing Uses</u>
Pottery Manufacturing & Sales
<u>Arts, Recreation & Entertainment</u>
Botanical garden & arboreta
Parks, playgrounds, and athletic fields operated on a noncommercial basis
<u>Education, Public Administration, Health Care, and Institutional</u>
Religious Complex (less than 350 seats), new site
Religious Complex (any size), addition to existing complex/site
Schools, Pre-K – Secondary (nursery and preschool, grade schools, elementary, middle, and high school), addition to existing site
<u>Transportation, Communication, and Utilities</u>
Utility lines (including electric lines, phone/cable lines, distribution circuits, gas/fuel lines, water lines, steam/air conditioning lines, irrigation channels, and sewer/waste water lines)
<u>Agriculture</u>
Animal Production and Support Services, (unincorporated Lee County)
Crop Production and Support Functions, (unincorporated Lee County)
Crop Production and Support Functions, (Sanford and Broadway)
Forestry and Logging and Support Services, (Unincorporated Lee County)
Livestock sales and markets

USES PERMITTED WITH DEVELOPMENT REGULATIONS

The uses listed below may either be permitted by right or upon approval of a Special Use Permit, but are also subject to the requirements of Article 5 Supplemental Development Regulations of the Unified Development Ordinance (for example, daycares are required to install a fence around outdoor play areas).

<u>Residential Uses</u>
Accessory Dwellings (See Section 10.4)
Dwelling, Manufactured home, Class A Unincorporated Lee County and Town of Broadway only (See Section 10.5)
Dwelling, Manufactured home, Class B Unincorporated Lee County only (See Section 10.5)
Home Occupations (See Section 5.16)
Manufactured Home for Hardship Unincorporated Lee County only (See Section 10.6)
Travel Trailer / Recreational Vehicle / Motor Home / Camper, to be used as a Temporary Residence, Unincorporated Lee County and ETJ areas of Sanford and Town of Broadway (See Section 5.34.2.9)
<u>Accommodations and Group Living</u>
Bed & breakfast inn (See Section 5.4)
Family Care Homes (See NCGS 168-21) (See Section 5.12)
<u>Industrial & Manufacturing Uses</u>
Landfills, LCID (2 acres or less in size) (See Section 5.19)
<u>Art, Recreation & Entertainment</u>
Stables/Riding Academies
Stable, Accessory to Dwelling
<u>Education, Public Administration, Health Care, and Institutional</u>
Cemeteries, public and private (does not include individual family plots (See Section 5.6)
Day Care facility, Home Child Care (See Section 5.10)
<u>Transportation, Communication, and Utilities</u>
Solar Collectors, Residential (See Section 5.40)

USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT

The uses listed below are permitted in the respective zoning district only after review and approval of a Special Use Permit by the Board of Adjustment for the applicable jurisdiction in accordance with Article 3 Zoning and Permitting Procedures, Section 3.5 Special Use Permits of the Unified Development Ordinance. Special uses are subject to any/all applicable general design standards, any development regulations that apply to the specific use and those requirements that may reasonably be imposed by the respective board as per the Unified Development Ordinance.

<u>Accommodations and Group Living</u>
Dormitories for the students of colleges, commercial schools, staff of hospitals
Nursing, Supervision, Adult Care Homes, Group Care Facilities and other rehabilitative services
<u>General Services</u>

Farm, landscape, and garden supply sales (feed, seed, fertilizer, farm hardware, lawn furniture, mulch, fencing, fountains, statuaries, and other incidental sales of products or related items) - (with indoor storage only)
Farm, landscape, and garden supply sales (feed, seed, fertilizer, farm hardware, lawn furniture, mulch, fencing, fountains, statuaries, and other incidental sales of products or related items) - (with outdoor storage)
<u>Arts, Recreation & Entertainment</u>
Amphitheater
Fitness and recreational sports, gym, health spa, reducing salon, swimming pool/auditorium, racquet club or athletic club (not otherwise listed)
Golf courses, public and private
Golf driving ranges
Hunting and trapping, game retreats, game and fishing preserves
Outdoor stage, bandstand, or similar structure (maximum 3,000 sq. ft.)
Performance Theaters (outdoor)
Performance Theaters or auditoria (indoor)
Recreation activities, commercial indoor, not otherwise listed
Sports stadiums or arenas
Studios for artists, designers, musicians, photographers, sculptors, woodworking (not as home occupation)
Zoos
<u>Education, Public Administration, Health Care, and Institutional</u>
Civic, Social, and Fraternal Organizations, including community centers, meeting halls, community halls, reception halls, wedding halls for assembly and recreation
Day care facility, Adult
Fire, sheriff and emergency services
Governmental Functions, not otherwise listed
Libraries
Religious Complex (more than 350 seats), new site
Schools, Continuing Education (alternative, adult colleges and universities, and technical, trade, and other specialty schools)
Schools, Pre-K – Secondary (nursery and preschool, grade schools, elementary, middle, and high school), new site
<u>Transportation, Communication, and Utilities</u>
Airports, Heliports, and Support Establishments
Gas or electric generation distribution facilities, compressor stations, or substations
Sewage treatment and Water treatment plants
<u>Agriculture</u>
Animal Production and Support Services, (Sanford and Broadway)
Forestry and Logging and Support Services, (Sanford and Broadway)

**USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT
THAT HAVE SPECIFIC DEVELOPMENT REGULATIONS**

The uses listed below are permitted in the respective zoning district only after review and approval of a Special Use Permit by the Board of Adjustment for the applicable jurisdiction in accordance with Article 3 Zoning and Permitting Procedures, Section 3.5 Special Use Permits of the Unified Development Ordinance. In addition to any/all applicable general design standards and those requirements that may reasonably be imposed by the respective board, these uses have specific standards that must be adhered to as per the Unified Development Ordinance (for example, fencing is required around the base of telecommunication towers, including any structures or guy wires).

<u>Residential Uses</u>
Dwelling, Manufactured home, Class A City of Sanford only (See Section 10.5)
Dwelling, Manufactured home, Class B City of Sanford and Town of Broadway only (See 10.5)
Dwelling, Manufactured home, Class C Unincorporated Lee County only (See Section 10.5)
Rural Family Occupation Commercial/Industrial Unincorporated Lee County only (See Section 5.30)
<u>General Services</u>
Animal Hospitals, Veterinary services, Animal Shelters, Kennels/Animal Pet Services (See Section 5.3)
Nurseries and greenhouses, commercial (See Section 5.25)
Rural family occupation – Commercial/Industrial Unincorporated Lee County only (See Section 5.30)
<u>Industrial & Manufacturing Uses</u>
Landfills, C&D or LCID (greater than 2 acres in size) (See Section 5.20)
Mining and Quarries, Unincorporated Lee County and City of Sanford only (See Section 5.23)
Mining and Quarries, EXCEPT Oil and Gas Extraction Town of Broadway (See Section 5.23)
Mining and Quarries, Oil and Gas Extraction Town of Broadway (See Section 5.41)
<u>Arts, Recreation & Entertainment</u>
Campgrounds (See Section 5.29)
Raceways, drag strips (motorized vehicles) (See Section 5.27)
Recreation activities, commercial outdoor (defined in Article 5), not otherwise listed (See Section 5.28)
Travel Trailer Parks (See Section 5.36)
<u>Education, Public Administration, Health Care, and Institutional</u>
Day Care facility, Child Care Center (See Section 5.10)
Day Care facility, Adult (See Section 5.38)
<u>Transportation, Communication, and Utilities</u>
Solar Collectors, Commercial (See Section 5.39)
Telecommunication towers (See Section 5.33)

C-2, GENERAL COMMERCIAL ZONING DISTRICT

This list was created by Sanford/Lee County Planning & Development staff as a summary of the permitted land uses within a specific zoning district and is intended for general informational purposes. Staff makes every effort to ensure that the information provided is accurate and up-to-date; however, it is recommended that you verify with Planning & Development staff that the proposed use is permitted within the specific zoning district and discuss any/all development requirements prior to pursuing a project. This information is applicable for the jurisdictions of the City of Sanford, Lee County and the Town of Broadway in North Carolina.

USES PERMITTED BY RIGHT

The uses listed below are permitted by right, subject to any/all other applicable standards of the Unified Development Ordinance (for example, parking requirements).

<u>Accessory Uses</u>
Accessory uses (See Section 5.1)
<u>Accommodations and Group Living</u>
Dormitories for the students of colleges, commercial schools, staff of hospitals
Group Home/Residential Care Facility, Level I
Group Home/Residential Care Facility, Level II
Nursing, Supervision, Adult Care Homes, Group Care Facilities and other rehabilitative services
<u>General Sales or Service</u>
ABC Store (liquor sales), incorporated area only
Administrative Services, Travel Arrangement and Reservation Services, Investigation and Security Services (locksmiths)
Agricultural equipment, sales and service
Antique Shops
Appliance Sales, Repair and Maintenance (no outside storage)
Art dealers, supplies, sales and services
Auction sales, general merchandise (no vehicular sales)
Bakeries, retail, including manufacturing of goods for sale on the premises only
Bicycle (non motorized) Sales and/or Repair
Books, Magazines, music, etc.
Camera and Photographic Supplies
Clothing, Jewelry, Luggage, Shoes, etc.
Computer and Software Sales
Consumer goods, not otherwise listed
Convenience stores, without gas sales
Convenience stores, with gas sales
Consignment Shops, Used Merchandise Store (not otherwise listed)
Dry cleaning and laundry

Electronic equipment (small), sales and service
Farm, Landscape, and Garden Supply Sales (feed, seed, fertilizer, farm hardware, lawn furniture, mulch, fencing, fountains, statuaries, and other incidental sales of products or related items) (with indoor storage)
Farm, Landscape, and Garden Supply Sales (feed, seed, fertilizer, farm hardware, lawn furniture, mulch, fencing, fountains, statuaries, and other incidental sales of products or related items) (with outdoor storage)
Farmers Markets and market shops, including open markets
Finance and Insurance Services (Bank, Credit and Finance, Insurance-related)
Flea markets (indoors)
Florist
Furniture or home furnishing sales
Gasoline stations
Grocery stores and Supermarkets (less than 25,000 sq. ft. GFA)
Grocery stores and Supermarkets (more than 25,000 sq. ft. GFA)
Hardware, home centers, lumber yard, heating and plumbing etc., outside storage
Hardware, home centers, lumber yard, heating and plumbing etc., inside storage
Heavy Equipment, sales and service
Leasing/Rental Recreational Goods (Furniture, Party Supplies, Sporting Goods)
Leasing, Commercial and Industrial Machinery and Equipment
Gun shops and Gunsmiths
Mail order or direct selling establishments / Electronic Shopping and Mail-Order Houses
Medical equipment sales, rental or leasing
Monument and cut stone sales
Motion picture, Video and Audio Production
Motorcycle, Motorized Scooters, ATV Sales and/or Leasing/Rental (Indoor display)
Motorcycle, Motorized Scooters, ATV Sales and/or Leasing/Rental (Outdoor display)
Motor Vehicle Parts, Accessories, Tire Sales, enclosed building only
Motor Vehicle, Motorcycle, ATVs, Boats, RVs, etc., repair and service
Nurseries and greenhouses, commercial (See Section 5.25)
Office building (general)
Palmistry services, Fortune Tellers, Astrologers
Pawnshops (as defined by NCGS 91A-2)
Personal Services (e.g. nail salons, barbers, shoe repair, and similar establishments), not otherwise listed
Pet store or pet supply store
Pharmacy or drugstore, without drive through facility
Pharmacy or drugstore, with drive through facility
Printing and Publishing Services
Professional Services (Legal, Accounting, Architectural, Graphic, Consulting Services, Research and Development, Advertising, etc.)
Real Estate, Sales, Rental & Leasing
Repair of any goods, equipment or vehicles, the manufacture, assembly or sales of which are permitted in that zoning district

Restaurants, with drive-in or drive-through facilities
Restaurants, no drive-in or drive-through facilities
Retail sales or service establishments, not listed elsewhere, and conducted within an enclosed building
Services to buildings and dwellings (Extermination, Janitorial, Landscaping, Carpet and Upholstery cleaning, Packing and crating, etc.), no outside storage
Services to buildings and dwellings (Extermination, Janitorial, Landscaping, Carpet and Upholstery cleaning, Packing and crating, etc.), with outside storage
Shopping Center, less than 25,000 sq. ft.
Sporting goods, toys, and hobby sales, excluding guns and gunsmiths
Tattoo Parlor/Tattoo Studio and/or Body Piercing
Tobacco or Tobacconist
Upholstery and furniture refinishing
Wholesale trade, generally, with operations conducted and merchandise stored entirely within a building and not otherwise listed
<u>Industrial & Manufacturing Uses</u>
Contractors' offices/shop without outdoor storage areas
Paper and Printing materials manufacturing
Pottery Manufacturing & Sales
Sign manufacturing
Warehouse structures, generally
<u>Arts, Recreation & Entertainment</u>
Aquarium or Planetarium
Amphitheater
Art galleries
Botanical gardens & arboreta
Bowling alley
Exhibition, convention, or conference structure
Fitness and recreational sports, gym, health spa, reducing salon, swimming pool/auditorium, racquet club or athletic club (not otherwise listed)
Golf driving ranges
Golf, miniature
Movie Theater
Museums and art galleries
Outdoor stage, bandstand, or similar structure (maximum 3,000 sq. ft.)
Parks, playgrounds, and athletic fields, operated on a noncommercial basis
Performance Theaters (outdoor)
Performance Theaters or auditoria (indoor)
Recreation activities, commercial indoor, not otherwise listed
Skating Rink – Ice or Roller Skating
Sports stadiums or arenas
Studios for artists, designers, musicians, photographers, sculptors, woodworking (not as home occupation)
Zoos

<u>Education, Public Administration, Health Care, and Institutional</u>
Civic, Social, and Fraternal Organizations, including community centers, meeting halls, community halls, reception halls, wedding halls, for assembly and recreation
Crematorium & Embalming
Day Care facility, Adult (See Section 5.38)
Fire, sheriff, and emergency services
Funeral homes
Governmental Functions, not otherwise listed
Hospitals
Libraries
Medical and dental clinics or offices, ambulatory or outpatient care, family planning and care, and blood or organ banks
Post office
Religious Complex (less than 350 seats), new site
Religious Complex (more than 350 seats), new site
Religious Complex (any size), addition to existing complex/site
Schools, Continuing Education (alternative, adult, colleges and universities, and technical, trade and other specialty schools)
Schools, Pre-K-Secondary (nursery and preschool, grade schools, elementary, middle, and high school), new site
Schools, Pre-K-Secondary (nursery and preschool, grade schools, elementary, middle, and high school), addition to existing site
Schools, Fine and Performing Arts
Social assistance, welfare and charitable services
<u>Transportation, Communication, and Utilities</u>
Bus passenger stations/terminals/shelters
Parking lots, parking structures or underground parking areas (commercial or governmental)
Radio and TV stations and studios (excluding transmission tower)
Taxi and Limousine Service
Utility lines (including, electric lines, phone/cable lines, distribution circuits, gas/fuel lines, water lines, steam/air conditioning lines, irrigation channels, and sewer/waste water lines)
<u>Agriculture</u>
Animal Production and Support Services, (unincorporated Lee County)
Crop Production and Support Functions, (unincorporated Lee County)
Crop Production and Support Functions, (Sanford and Broadway)
Forestry and Logging and Support Services, (unincorporated Lee County)

USES PERMITTED WITH DEVELOPMENT REGULATIONS

The uses listed below may either be permitted by right or upon approval of a Special Use Permit, but are also subject to the requirements of Article 5 Supplemental Development Regulations of the Unified Development Ordinance (for example, daycares are required to install a fence around outdoor play areas).

<u>Residential Uses</u>
Home Occupations (See Section 5.16)
<u>Accommodations and Group Living</u>
Bed and breakfast inn (See Section 5.4)
Hotel, Motel, and tourist court (See Section 5.17)
<u>General Sales or Service</u>
Animal Hospitals, Veterinary services, Animal Shelters, Kennels / Animal Pet Services (See Section 5.3)
Car Washes and Car Care Centers (See Section 5.5)
Flea markets (outdoors) (See Section 5.14)
Freestanding Ice Vending Unit (See Section 5.37)
Manufactured home and/or storage building sales (See Section 5.21)
Mini-warehousing/Self-service storage leasing (See Section 5.22)
Motor Vehicles (automobiles), Boats, RVs Sales and/or Leasing/Rental (See Section 5.24)
Shopping Center/Superstore, 25,000 – 100,000 sq. ft. (See Section 10.2)
Shopping Center/Superstore, over 100,000 sq. ft. (See Section 10.2)
Wine Shop (See Section 5.43)
<u>Industrial & Manufacturing Uses</u>
Brewery (Microbrewery, See Section 5.42)
Landfills, LCID (2 acres or less in size) (See Section 5.19)
<u>Arts, Recreation & Entertainment</u>
Drive-in theaters (See Section 5.11)
Entertainment Establishment (lounges, discos, nightclubs, pool halls and/or private clubs) (See Section 5.26)
Recreation activities, commercial outdoor (defined in Article 5), not otherwise listed (See Section 5.28)
<u>Education, Public, Administration, Health Care, and Institutional</u>
Cemeteries, public and private (does not include individual family plots) (See Section 5.6)
Community food services (See Section 5.7)
Day Care facility, Child Care Center (See Section 5.10)
Day Care facility, Home Child Care (See Section 5.10)

USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT

The uses listed below are permitted in the respective zoning district only after review and approval of a Special Use Permit by the Board of Adjustment for the applicable jurisdiction in accordance with Article 3 Zoning and Permitting Procedures, Section 3.5 Special Use Permits of the Unified Development Ordinance. Special uses are subject to any/all applicable general design standards, any development regulations that apply to the specific use and those requirements that may reasonably be imposed by the respective board as per the Unified Development Ordinance.

<u>Accommodations and Group Living</u>
Group Home/Residential Care Facility, Level III
Group Home/Residential Care Facility, Level IV
<u>Industrial & Manufacturing Uses</u>
Contractors' offices/shop with outdoor storage areas
Manufacturing, excluding others uses listed in this table
<u>Arts, Recreation & Entertainment</u>
Amusement or Theme Park Establishment
<u>Transportation, Communication, and Utilities</u>
Public utility storage and service yards
Sewage treatment and Water treatment plants

**USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT
THAT HAVE SPECIFIC DEVELOPMENT REGULATIONS**

The uses listed below are permitted in the respective zoning district only after review and approval of a Special Use Permit by the Board of Adjustment for the applicable jurisdiction in accordance with Article 3 Zoning and Permitting Procedures, Section 3.5 Special Use Permits of the Unified Development Ordinance. In addition to any/all applicable general design standards and those requirements that may reasonably be imposed by the respective board, these uses have specific standards that must be adhered to as per the Unified Development Ordinance (for example, fencing is required around the base of telecommunication towers, including any structures or guy wires).

<u>Industrial & Manufacturing Uses</u>
Landfills, C&D or LCID (greater than 2 acres in size) (See Section 5.20)
Mining and Quarries, Unincorporated Lee County and City of Sanford Only (See Section 5.23)
<u>Transportation, Communications, and Utilities</u>
Telecommunication towers (See Section 5.33)
Solar Collectors, Commercial (See Section 5.39)
Telecommunications towers (See Section 5.33)

ADJOINING PROPERTY OWNERS LIST

PETITION BY: Mr. Lacy Oldham

REQUEST: Rezone from Residential Single-family (R-20) and R-20 with a Mobile Home Park Overlay District to C-2

LOCATION: 1607/1611 Kelly Drive

PIN: 9652-99-4976-00

DATE: 2022-06-09

No.	PIN	PROPERTY ADDRESS	OWNER 1	OWNER 2	MAIL	MAIL STREET	MAIL CITY	ST.	ZIP
01	9652-79-8713-00	0 CLEARWATER DR	CLEARWATER FOREST INC	-	-	PO BOX 518	SANFORD	NC	27331
02	9653-90-1147-00	1515 CLEARWATER DR	HALL, JOHN V	HALL, LINDA A	1515	CLEARWATER DR	SANFORD	NC	27330
03	9652-99-0823-00	1520 CLEARWATER DR	TAYLOR, DAVID	TAYLOR, RITA	1520	CLEARWATER DR	SANFORD	NC	27330
04	9652-89-8551-00	1527 CLEARWATER DR	WALDEN, JOHN I JR	WALDEN, NANCY GUNTER	1527	CLEARWATER DR	SANFORD	NC	27330
05	9652-89-7352-00	1531 CLEARWATER DR	BEACH, WILLIAM	BEACH, COLEEN	1531	CLEARWATER DR	SANFORD	NC	27330
06	9662-09-4100-00	1576 KELLY DR	JANE STEVENS CENTER DEV & ENRICHMENT SERV	-	1576	KELLY DRIVE	SANFORD	NC	27330
07	9662-08-5769-00	0 KELLY DR	PIDAPARTHI, RAMAKRISHNA R	-	2006	OLD CHAPMAN DR	APEX	NC	27502
08	9663-10-1847-00	1940 KELLY DR	PIDAPARTHI, RAMAKRISHNA R	-	2006	OLD CHAPMAN DR	APEX	NC	NC
09	9653-92-4961-00	1366 SAN-LEE DR	HARRINGTON, SAM C	-	1366	SAN-LEE DR	SANFORD	NC	27330
10	APPLICANT AND PROPERTY OWNER	SUBJECT PROPERTY	LACY OLDHAM		1524	CLEARWATER DR	SANFORD	NC	27330

0 Property Address number = Vacant, no addressed structures on the parcel



Zoning Map Amendment (Rezoning) Application

Circle Jurisdiction That Applies:

City of Sanford

Lee County

Town of Broadway

1. Applicant Name: Rhetson Companies, Inc.
2. Applicant Address: 2075 Juniper Lake Road West End, NC 27376
3. Applicant Telephone: (910) 944-0881
4. Name and Address of Property Owner(s) if different than applicant:
CPW Development Partners, LLC
2075 Juniper Lake Road
5. Location of Subject Property: Tramway Road and Jefferson Davis Highway (Southeast Corner), on Marketplace Dr
Lee Co. P.I.N. 9631-53-6433-00, 9631-62-1820-00
6. Total Area included in Rezoning Request: 24.60 Acres
7. Zoning Classification: Current: General Commercial (C-2) Requested: CZ Type 1
8. Existing Land Use(s): Vacant
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): To allow for the development of apartments with a maximum density of 16 units per acre.

10. Signature(s) of Applicant (and Property Owners if different from Applicant).

I hereby acknowledge that the information contained herein is true. It is further understood that this application will be reviewed for completeness and accuracy and that it shall not be scheduled for official consideration until all required contents are submitted in proper form to the Sanford/Lee Zoning & Design Review Department.

Brian K. Clodfelter

5/25/2022

Signature of Property Owner(s) (Sign & Print)

Date

Required Attachments/Submittals

- A. A completed rezoning application (incomplete applications/submittals will not be accepted or processed).
- B. A copy of a current Lee County Tax Map illustrating the location of the area to be rezoned. If the exterior boundary of the area to be rezoned does not follow along existing property boundaries, then the applicant shall be required to submit a metes and bounds (legal) description describing the area requested for rezoning.
- C. A copy of the latest deed for the subject property as recorded at the Lee County Register of Deeds Office.
- D. A \$500.00 Application fee, payable to the City of Sanford is required before processing the application.
- E. *If the requested rezoning is for a Conditional Zoning District, a Supplemental Application for Conditional Zoning District must also be included, along with an additional \$250.00 fee (\$750 total fee for Conditional Zoning).
- F. Typically, the submission deadline is the first day of each month at 12:00pm/noon for the rezoning to be heard the following month. Specific dates provided upon request.

STAFF USE ONLY

Date Received: _____

Fee Paid: _____

Application No.: _____

Staff Signature: _____

Energov Case No.: _____



\$750 FEE

*(\$750 Total Conditional Rezoning Fee,
No Standard Rezoning Fee Included with this Request.)*

Supplemental Application for Conditional Zoning District
(To be submitted with an Application for Zoning Amendment)

Circle Jurisdiction That Applies:

City of Sanford Lee County Town of Broadway

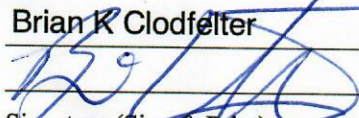
1. Type of Conditional Zoning District (Type 1 or Type 2) Type 1
2. Describe in detail the use(s) requested as part of the Conditional Zoning District (use separate sheet if necessary): The proposed use is a multi-family development with associated amenities for residents such as an on-site swimming pool with poolhouse, mail kiosks, sidewalks, garages, and the like. Stormwater management devices will be incorporated.

3. Describe in detail any additional conditions of development proposed as part of the Conditional Zoning District. Such conditions should include (as applicable):
• The location on the property of the proposed use(s);
• The number of dwelling units;
• The location and extent of supporting facilities such as parking lots, driveways, and access streets;
• The location and extent of all landscaping areas, buffer areas and other special purpose areas
• The timing of development;
• The location and extent of rights-of-way and other areas to be dedicated for public purposes;
• Details on architectural features and scale of proposed structures; and
• The location and extent of any pedestrian elements (sidewalks, trails, etc.).

Conditions may be listed on additional, separate sheets if necessary. Additionally, a scaled site plan shall be submitted illustrating all conditions as described in the text.

Max. Density of 16 units per acre, sidewalks adjacent to all parking areas facing buildings and connected for navigation through the site. Parking ratio of +/- 1.5 spaces / unit. Construction to take place in one phase and begin in 2022.

4. Signature(s) of Applicant (and Property Owners if different from Applicant).
I hereby acknowledge that by submitting this Conditional Zoning application, I am voluntarily requesting that restrictions on the use of land and/or zoning conditions of development be placed upon the subject property as included in this petition. An application fee in the amount of \$750.00 (see Fee Schedule), payable to The City of Sanford is required before processing the application. The application submission deadline is the second Friday of the month. The petition will be heard the following month at the scheduled public hearing.

Brian K Clodfelter

Signature (Sign & Print)

5/25/22
Date

Most honorable Board Members,

There are a few aspects of the proposed Conditional Zoning Permit request that staff suggested we provide more detail. One item being the water and sewer connections. The current development as it exists, is served by City water and sewer. The development has a private lift station on site. If the Conditional Zoning Permit request is approved, any required and needed improvements and/or capacity improvements to the onsite lift station. An as-built survey was conducted on the system and we are working with an underground utility contractor to evaluate the current system conditions, potential capacity improvement requirements that might be needed and what if any improvement would be needed down-stream. If a conditional zoning permit is granted, we will work closely with the utility contractor, our engineer and the City's engineering & planning departments as we move into the civil and building design phase.

We propose using the existing water service to the development. During the civil and architectural design phase we will work closely with the City's Engineering and planning departments regarding water system connections and any necessary improvement needed for the proposed development.

Additionally, the existing development was designed as a shopping center. Our proposal is in conformance with the City's Plan SanLee for mixed uses. We feel that the request to change from one City approved concept to another City approved concept (Plan SanLee) is reasonable. Our counsel, Thomas Neville, has confirmed that he has had a number of communications with Susan Patterson and it is his understanding that those issues that staff has requested a solution for, may be satisfied by bringing the rezoning request to the council for approval and further submitting the proposed or preliminary plat for the project and a proposed or preliminary plat including a Master Subdivision Plat for any outparcels.

We have provided a preliminary subdivision plat and updated Master Site plan for your review and consideration.

Thank you for your time and consideration to this Conditional Zoning Request,

John Parker
Project Manager
Rhetson Companies, Inc.
2075 Juniper Lake Road
West End, NC 27376
Office – 910-944-0881
John@Rhetson.com

2075 Juniper Lake Road
West End, NC 27376

910-944-0881 | www.rhetson.com



SITE DATA

ACRES: ± 44.0 AC TOTAL

PIN: 9631-53-6433; 9631-53-0069; 9631-53-6433; 9631-63-1820; 9631-63-3536; 9631-63-6351; 9631-42-7829; 9631-43-8104; 9631-43-8349; 9631-43-9621; 9631-43-9899; 9631-53-2935; 9631-54-4092; 9631-54-7017; 9631-54-9175

EXISTING ZONING: C-2, RA
 PROPOSED ZONING: NC-C

DEVELOPMENT SUMMARY

■ PROP. APARTMENTS	± 24.7 AC
■ PROP. HOTEL	± 4.1 AC
■ PROP. COMMERCIAL	± 11.6 AC TOTAL
① ± 2.0 AC	
② ± 1.4 AC	
③ ± 1.3 AC	
④ ± 1.8 AC	
⑥ ± 1.7 AC	
⑧ ± 1.8 AC	
⑨ ± 1.6 AC	
■ EXIST. COMMERCIAL	± 3.6 AC TOTAL
⑤ ± 2.0 AC	
⑦ ± 1.6 AC	

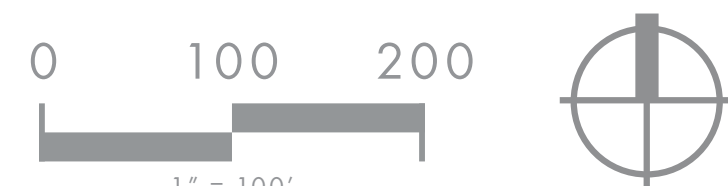
NOTES

1. THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO CHANGE.
2. THIS EXHIBIT WAS PREPARED USING AVAILABLE RECORD INFORMATION, GIS MAPS, RECORD PLANS, AERIAL IMAGERY, AND LAND RECORDS.
3. THIS PLAN WILL BE SUBJECT TO REVIEW AND APPROVAL BY LOCAL AND STATE PLANNING AND ENGINEERING REVIEW AGENCIES.
4. THE WORK OF THIS PRODUCT IS THE PROPERTY OF URBAN DESIGN PARTNERS, PLLC. NO USE OR REPRODUCTION OF THIS PLAN IS PERMITTED WITHOUT WRITTEN AUTHORIZATION FROM URBAN DESIGN PARTNERS, PLLC.



TRAMWAY SOUTH | MASTER PLAN

SANFORD, NC



MAY 26, 2021

22-RDU-028



SITE DATA

ACRES: ± 24.7 AC

PIN: 9631-53-6433; 9631-62-1820; 9631-63-3536;
9631-63-6351

EXISTING ZONING: C-2, RA

PROPOSED ZONING: MF-16

DEVELOPMENT SUMMARY

PROPOSED APARTMENTS

ELEVEN (11) 3-STORY BUILDINGS

TOTAL DU: ± 330 DU TOTAL
1 BEDROOM: ± 165 DU
2 BEDROOM: ± 165 DU

PARKING: ± 1.5 SPACES/DU

PARKING SPACES: 9' x 18' TYP.

OPEN SPACE
REQUIRED: 10% MIN.
PROPOSED: ± 50 %

AMENITIES

AMENITIES WILL INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING:

- ONE (1) CLUBHOUSE WITH:
 - » A FITNESS CENTER
 - » A BUSINESS CENTER/COWORKING SPACE
 - » A MAIL CENTER
- ONE (1) SWIMMING POOL WITH:
 - » GRILLING STATIONS
 - » OUTDOOR PERGOLA OR SHADE STRUCTURE
- ONE (1) DOG PARK

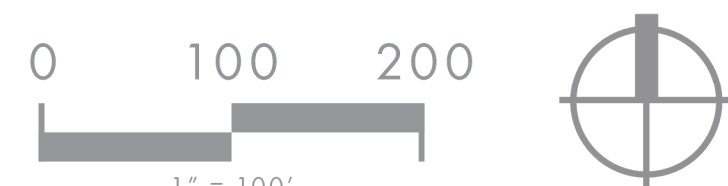
NOTES

1. THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO CHANGE.
2. THIS EXHIBIT WAS PREPARED USING AVAILABLE RECORD INFORMATION, GIS MAPS, RECORD PLANS, AERIAL IMAGERY, AND LAND RECORDS.
3. THIS PLAN WILL BE SUBJECT TO REVIEW AND APPROVAL BY LOCAL AND STATE PLANNING AND ENGINEERING REVIEW AGENCIES.
4. THE WORK OF THIS PRODUCT IS THE PROPERTY OF URBAN DESIGN PARTNERS, PLLC. NO USE OR REPRODUCTION OF THIS PLAN IS PERMITTED WITHOUT WRITTEN AUTHORIZATION FROM URBAN DESIGN PARTNERS, PLLC.



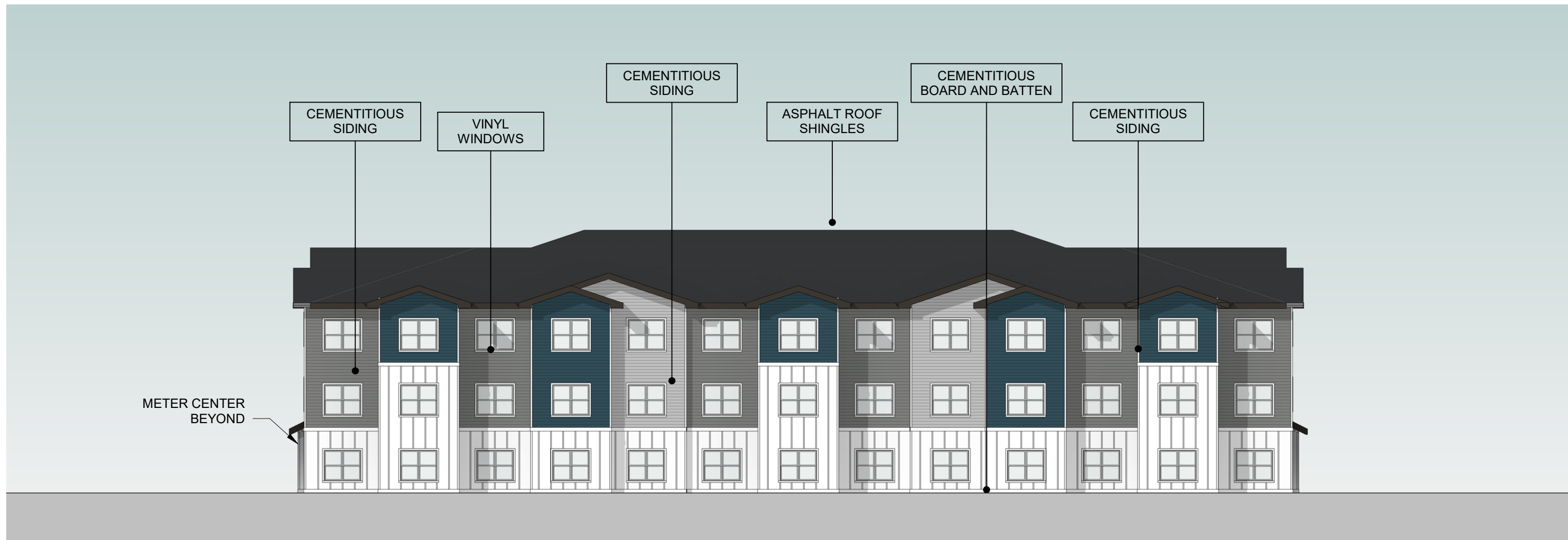
TRAMWAY SOUTH APARTMENTS | CONCEPT PLAN

SANFORD, NC

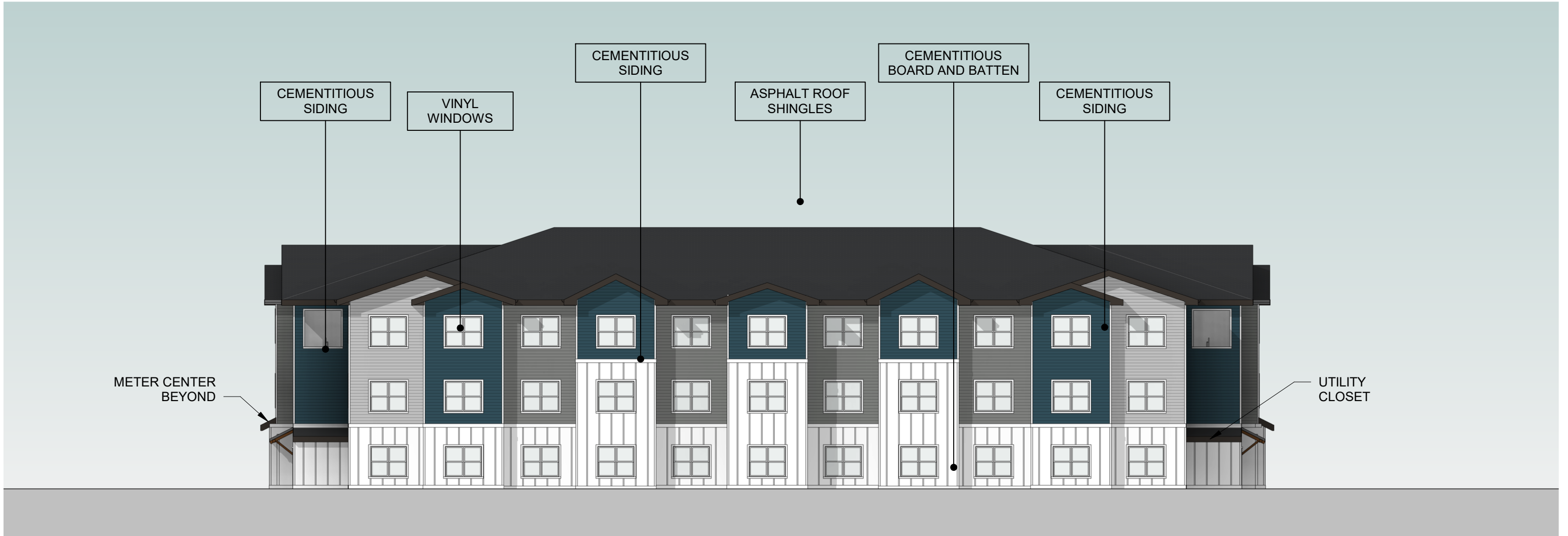


MAY 26, 2021

22-RDU-028



3-STORY FRONT ELEVATION

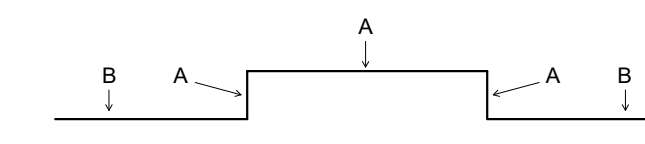


3-STORY BUILDING - REAR ELEVATION

GEN. NOTES

1. ADDRESSING SIGNAGE TO BE LOCATED ON THE SIDE OF THE BUILDING FROM WHERE THE BUILDING IS ADDRESSED (ONE SIDE ONLY). PROVIDE BUILDING ADDRESS IN 6" HIGH LETTERS TO BE APPROVED BY FIRE MARSHALL. ADDRESS NUMBERS TO BE ILLUMINATED.
2. SEE WALL SECTIONS & ENLARGED ELEVATIONS FOR GUARDRAIL HEIGHTS. ALL BALCONIES OR WALKWAYS ELEVATED MORE THAN 30" IN VERTICAL RISE TO HAVE MINIMUM 3'-6" HIGH GUARDRAILS AS PER THE BUILDING CODE.
3. REFER TO SPECIFICATIONS FOR ALL EXTERIOR MATERIALS. THE WALL SECTIONS AND DETAILS SHOWN IN THIS SET REFLECT FIBER CEMENT PANEL SIDING WITH S4 TRIM. ALL MATERIAL WIDTHS TO REMAIN SAME SIZE IF ANY PRODUCT SUBSTITUTION IS MADE. CONTACT ARCHITECT IF THERE ARE ANY DISCREPANCIES IN DETAILS DUE TO PRODUCT SUBSTITUTIONS.
4. SEE ROOF PLAN FOR OVERHANG DIAGRAM DESIGNS.
5. APPLY AN ADDITIONAL 12" LAYER OF MOISTURE BARRIER (6" EACH SIDE) AT INSIDE/OUTSIDE CORNERS FULL HEIGHT OF WALL (TYP).
6. PROVIDE CONT. BUILDING WRAP OVER SHEATHING - TYVEK "COMMERCIAL WRAP" TO BE BASIS OF DESIGNER SPECIFICATIONS.
7. INSTALL BUILDING WRAP SYSTEM CONTINUOUS AT ALL WALL SURFACES PRIOR TO EXTERIOR FINISH INSTALLATION.
8. TERM FLASH BUILDING WRAP AT PENETRATIONS DETAILS & MANU. RECOMMENDATIONS.
9. PROVIDE PRE-FAB FLASHING BOOTS OR FLANGED EXHAUST LOUVER AT DUCT PENETRATIONS AT WALLS (TYP).
10. PROVIDE SEALANT AT VERTICAL TRANSITIONS BETWEEN WALL FINISHES.
11. PROVIDE METAL FLASHING AT HORIZONTAL TRANSITIONS BETWEEN WALL FINISHES.

MATERIAL (A) AND COLOR AT FACE OF BAY RETURNS AROUND THE SIDES AND BACK TO THE BUILDING (TYP)



SYM. LEGEND

- XX DENOTES MATERIAL
- XX DENOTES WINDOW NUMBER (SEE SHEET AX-XX FOR SCHEDULE)

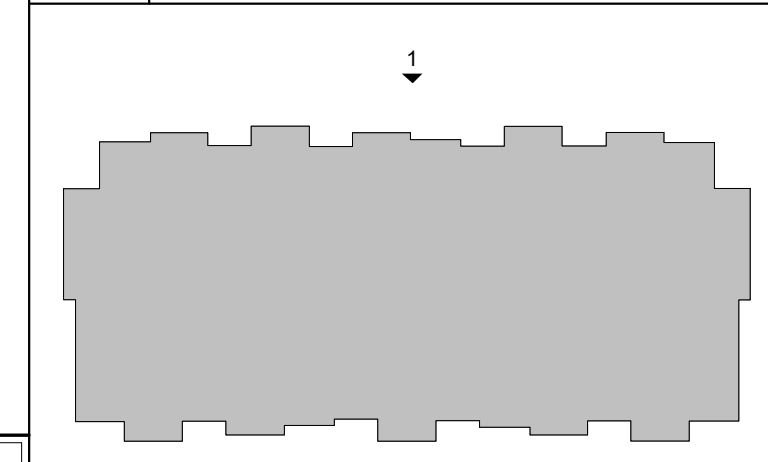
MATERIALS

- M1 BRICK VENEER, RUNNING BOND
- M2 FIBER CEMENT LAP SIDING
- M3 FIBER CEMENT PANEL
- M4 ARCHITECTURAL SHINGLE ROOF
- M5 VINYL WINDOW
- M6 FIBER CEMENT FASCIA, PAINTED
- M7 ALUMINUM GUTTER & DOWNSPOUTS

PAINT COLORS

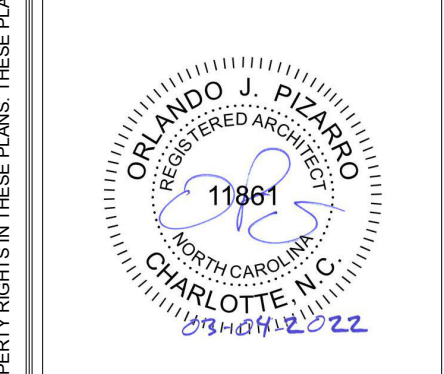
- P1 PAINT COLOR 1
- P2 PAINT COLOR 2
- P3 PAINT COLOR 3
- P4 PAINT COLOR 4

KEY PLAN



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

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



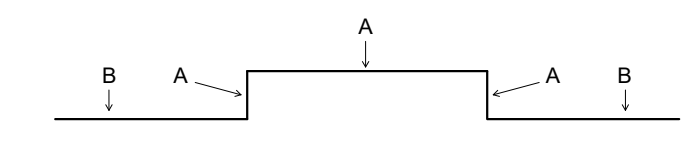
PROJECT: 221078
 DATE: 03.04.2022
 REVISIONS: DATE

DRAWN BY: RL, CA, KH
 CHECKED BY: AS, OP
 ENLARGED EXTERIOR ELEVATIONS

GEN. NOTES

1. ADDRESSING SIGNAGE TO BE LOCATED ON THE SIDE OF THE BUILDING FROM WHERE THE BUILDING IS ADDRESSED (ONE SIDE ONLY). PROVIDE BUILDING ADDRESS IN 4" HIGH LETTERS TO BE APPROVED BY FIRE MARSHALL. ADDRESS NUMBERS TO BE ILLUMINATED.
2. SEE WALL SECTIONS & ENLARGED ELEVATIONS FOR GUARDRAIL HEIGHTS. ALL BALCONIES OR WALKWAYS ELEVATED MORE THAN 30" IN VERTICAL RISE TO HAVE MINIMUM 3'-6" HIGH GUARDRAILS AS PER THE BUILDING CODE.
3. REFER TO SPECIFICATIONS FOR ALL EXTERIOR MATERIALS. THE WALL SECTIONS AND DETAILS SHOWN IN THIS SET REFLECT FIBER CEMENT PANEL / SIDING WITH 5/4 TRIM. ALL MATERIAL WIDTHS TO REMAIN SAME SIZE IF ANY PRODUCT SUBSTITUTION IS MADE. CONTACT ARCHITECT IF THERE ARE ANY DISCREPANCIES IN DETAILS DUE TO PRODUCT SUBSTITUTIONS.
4. SEE ROOF PLAN FOR OVERHANG DIAGRAM DESIGNS.
5. APPLY AN ADDITIONAL 12" LAYER OF MOISTURE BARRIER (6" EACH SIDE) AT INSIDE/OUTSIDE CORNERS FULL HEIGHT OF WALL (TYP.).
6. PROVIDE CONT. BUILDING WRAP OVER SHEATHING - TYVEK "COMMERCIAL WRAP" TO BE BASIS OF DESIGNER SPECIFICATIONS.
7. INSTALL BUILDING WRAP SYSTEM CONTINUOUS AT ALL WALL SURFACES PRIOR TO EXTERIOR FINISH INSTALLATION.
8. TERM FLASH BUILDING WRAP AT PENETRATIONS DETAILS & MANU. RECOMMENDATIONS.
9. PROVIDE PRE-FAB FLASHING BOOTS OR FLANGED EXHAUST LOUVER AT DUCT PENETRATIONS AT WALLS (TYP.).
10. PROVIDE SEALANT AT VERTICAL TRANSITIONS BETWEEN WALL FINISHES.
11. PROVIDE METAL FLASHING AT HORIZONTAL TRANSITIONS BETWEEN WALL FINISHES.

MATERIAL (A) AND COLOR AT FACE OF BAY RETURNS AROUND THE SIDES AND BACK TO THE BUILDING (TYP)



SYM. LEGEND

- XX) DENOTES MATERIAL
- XX) DENOTES WINDOW NUMBER (SEE SHEET AX-XX FOR SCHEDULE)

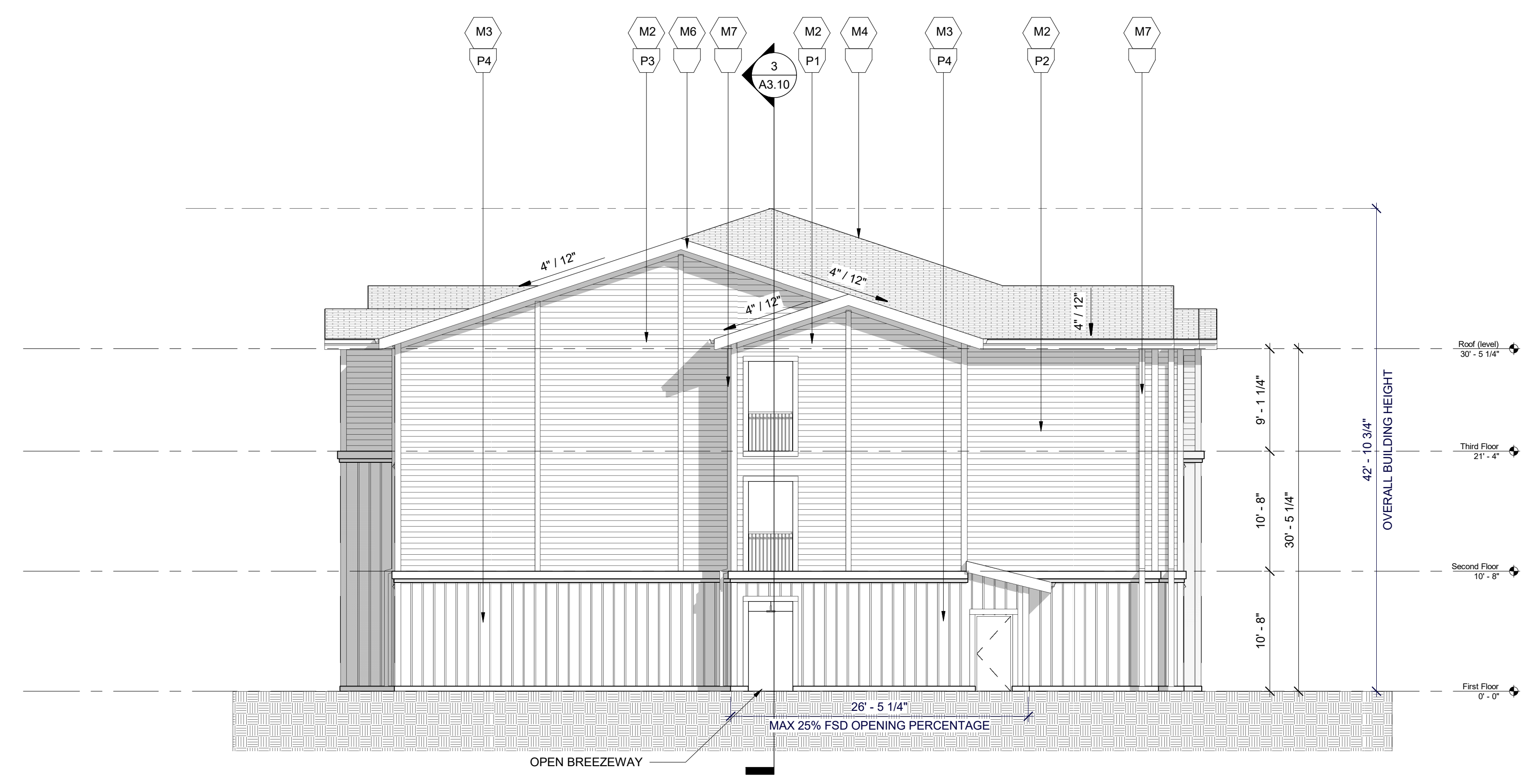
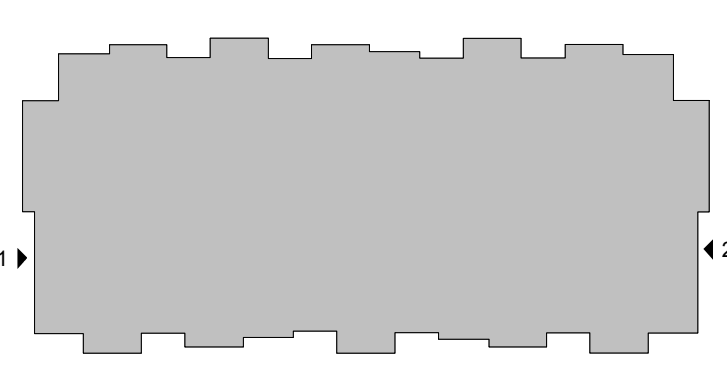
MATERIALS

- M1) BRICK VENEER, RUNNING BOND
- M2) FIBER CEMENT LAP SIDING
- M3) FIBER CEMENT PANEL
- M4) ARCHITECTURAL SHINGLE ROOF
- M5) VINYL WINDOW
- M6) FIBER CEMENT FASCIA, PAINTED
- M7) ALUMINUM GUTTER & DOWNSPOUTS

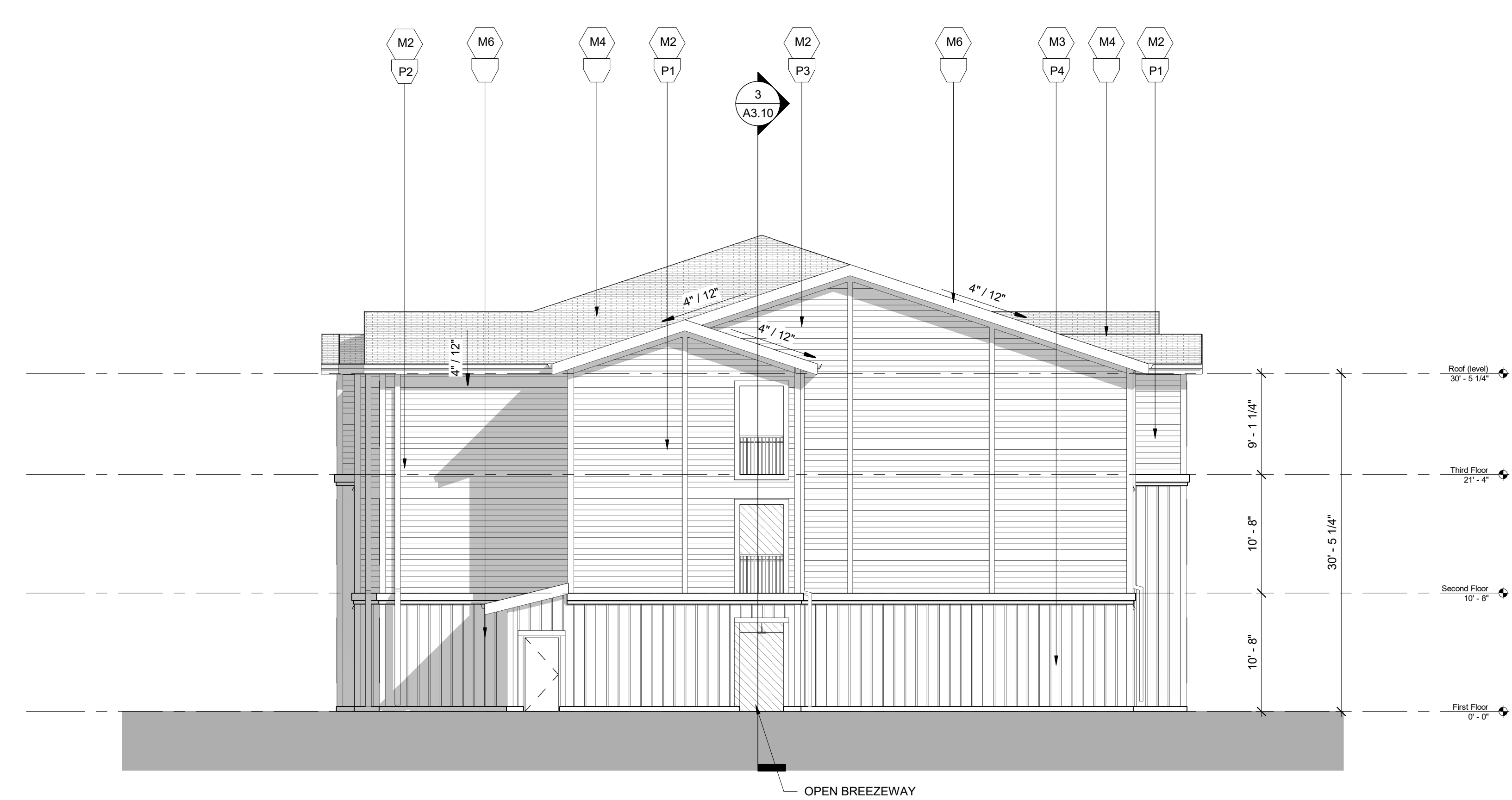
PAINT COLORS

- P1) PAINT COLOR 1
- P2) PAINT COLOR 2
- P3) PAINT COLOR 3
- P4) PAINT COLOR 4

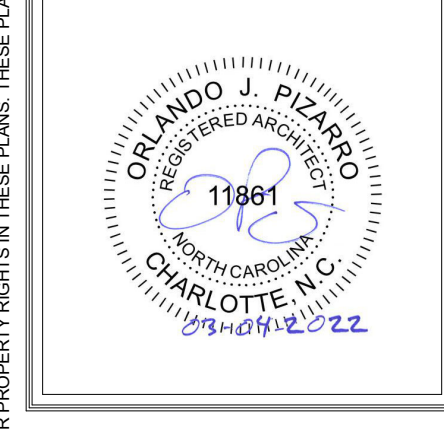
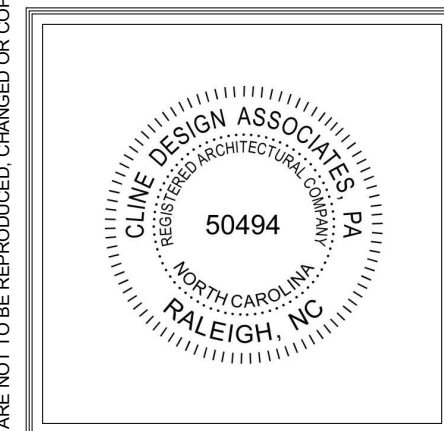
KEY PLAN



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



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



PROJECT:	221078
DATE:	03.04.2022
REVISIONS:	DATE

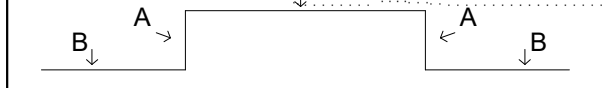
DRAWN BY: RL, CA, KH
CHECKED BY: AS, OP

ENLARGED EXTERIOR ELEVATIONS

GENERAL NOTES

1. ADDRESSING SIGNAGE TO BE LOCATED ON THE SIDE OF THE BUILDING FROM WHERE THE BUILDING IS ADDRESSED (ONE SIDE ONLY). PROVIDE BUILDING ADDRESS IN 6" HIGH LETTERS TO BE APPROVED BY FIRE MARSHALL. ADDRESS NUMBERS TO BE ILLUMINATED.
2. SEE WALL SECTIONS & ENLARGED ELEVATIONS FOR GUARDRAIL HEIGHTS. ALL BALCONIES OR WALKWAYS ELEVATED MORE THAN 30" IN VERTICAL RISE TO HAVE MINIMUM 3'-6" HIGH GUARDRAILS AS PER THE BUILDING CODE.
3. REFER TO SPECIFICATIONS FOR ALL EXTERIOR MATERIALS. THE WALL SECTIONS AND DETAILS SHOWN IN THIS SET REFLECT FIBER CEMENT PANEL / SIDING WITH 5/4 TRIM. ALL MATERIAL WIDTHS TO REMAIN SAME SIZE IF ANY PRODUCT SUBSTITUTION IS MADE. CONTACT ARCHITECT IF THERE ARE ANY DISCREPANCIES IN DETAILS DUE TO PRODUCT SUBSTITUTIONS.
4. SEE ROOF PLAN FOR OVERHANG DIAGRAM DESIGNS.
5. APPLY AN ADDITIONAL 12" LAYER OF MOISTURE BARRIER AT INSIDE/OUTSIDE CORNERS FULL HEIGHT OF WALL (TYP.)
6. PROVIDE CONT. BUILDING WRAP OVER SHEATHING. TYVEK "COMMERCIAL WRAP" TO BE BASIS OF DESIGNER SPECIFICATIONS.
7. INSTALL BUILDING WRAP CONTINUOUS AT ALL WALL SURFACES PRIOR TO EXTERIOR FINISH INSTALLATION.
8. TERM /FLASH BUILDING WRAP AT PENETRATIONS DETAILS & MANU. RECOMMENDATION.
9. PROVIDE PRE-FAB. FLASHING BOOTS OR FLANGED EXHAUST LOUVER AT DUCT PENETRATIONS AT WALLS (TYP).
10. PROVIDE SEALANT AT VERTICAL TRANSITIONS BETWEEN WALL FINISHES.
11. PROVIDE METAL FLASHING AT HORIZONTAL TRANSITIONS BETWEEN WALL FINISHES.

MATERIAL (A) AND COLOR AT FACE OF BAY RETURNS AROUND THE SIDES AND BACK TO THE BUILDING. (TYP.)



SYMBOL LEGEND

- XX DENOTES DOOR NUMBER (SEE SHEET A8.61 FOR DOOR SCHEDULE)
- XX DENOTES WINDOW NUMBER (SEE SHEET A8.61 FOR SCHEDULE)

MATERIALS

- M1 BRICK VENEER
- M2 6" EXPOSURE FIBER CEMENT LAP SIDING
- M3 5/4X8 FIBER CEMENT FASCIA
- M4 ARCHITECTURAL ASPHALT SHINGLE ROOF
- M5 6" FIBER CEMENT CORNER TRIM
- M6 FIBER CEMENT TRIM- SEE SECTIONS & DETAILS FOR SIZES
- M7 VINYL WINDOW
- M8 BRICK SOLDIER
- M9 BRICK ROWLOCK
- M10 PRE-FINISHED ALUMINIUM GUTTER & DOWNSPOUT. PAINT TO MATCH FASCIA. PROVIDE SAMPLES BEFORE INSTALLATION.
- M11 10" SQUARE FIBERGLASS COLUMN
- M12 STOREFRONT DOOR SYSTEM-DARK BRONZE
- M13 DECORATIVE EXTERIOR LIGHTING-DARK BRONZE
- M14 FIBER CEMENT PANEL

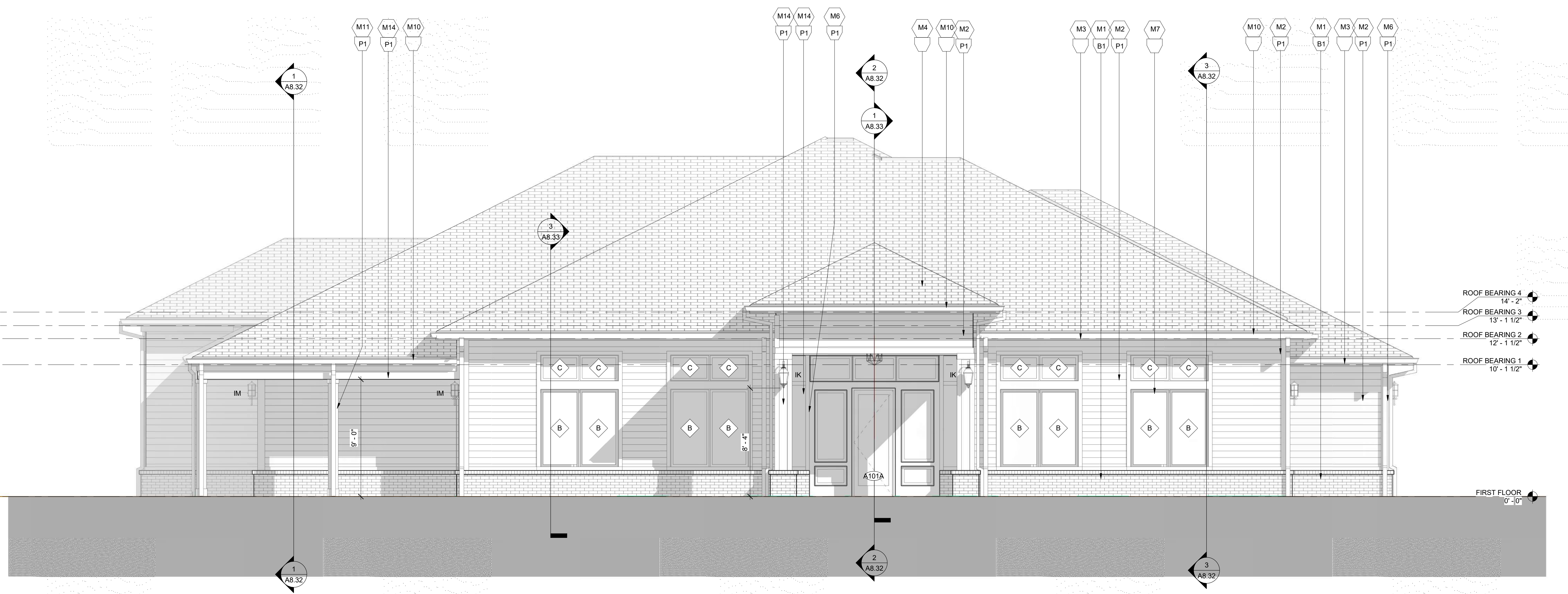
PAINT COLORS

- P1 SW 7065 - ARGOS
- P2 SW 7067 - CITYSCAPE
- P3 SW 7063 - NEBULOUS WHITE
- B1 TAYLOR BRICK - 370 AUTUMN BLEND

KEY PLAN

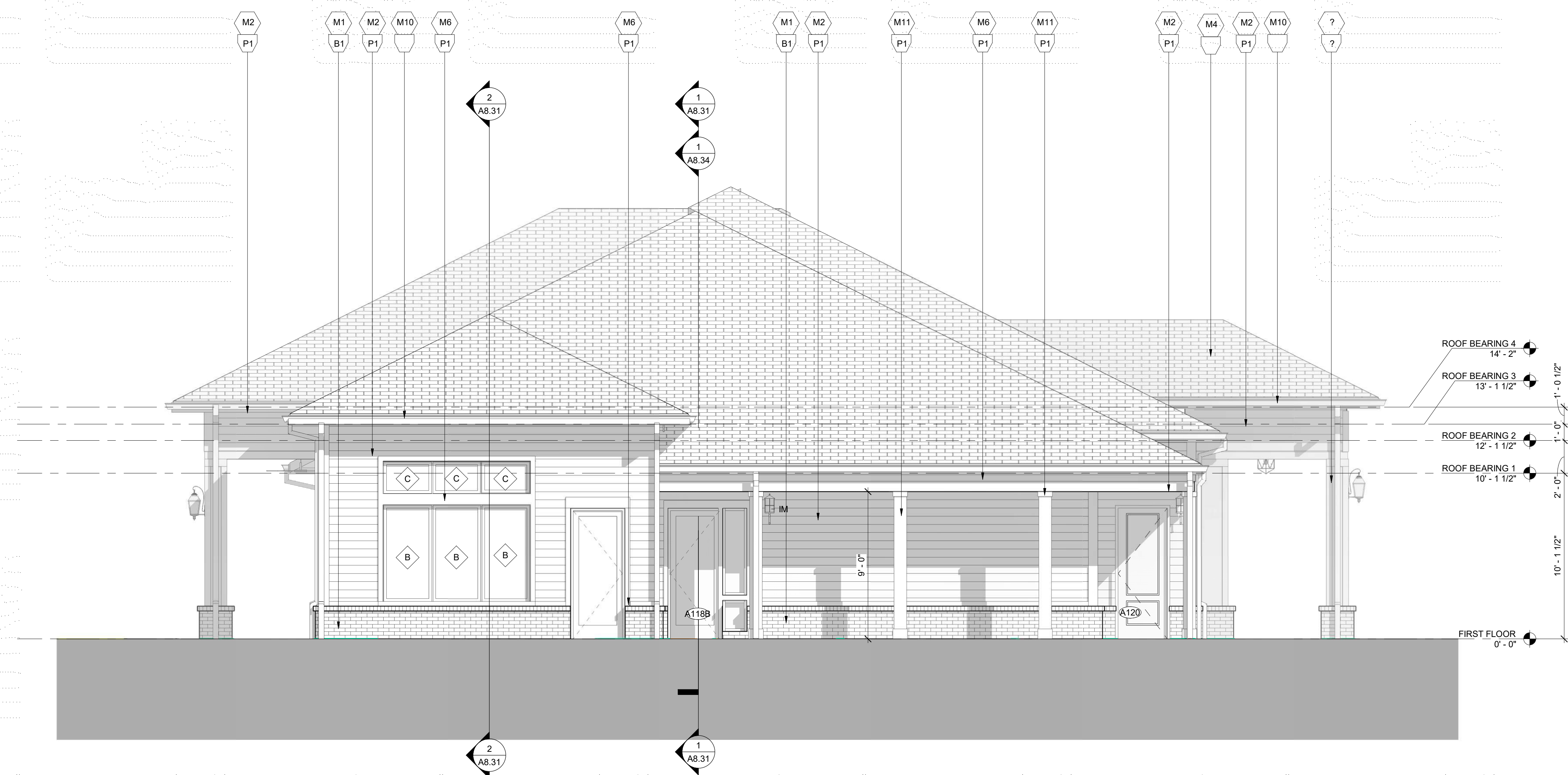


CLUB HOUSE ELEVATION - NORTH
1/4" = 1'-0"

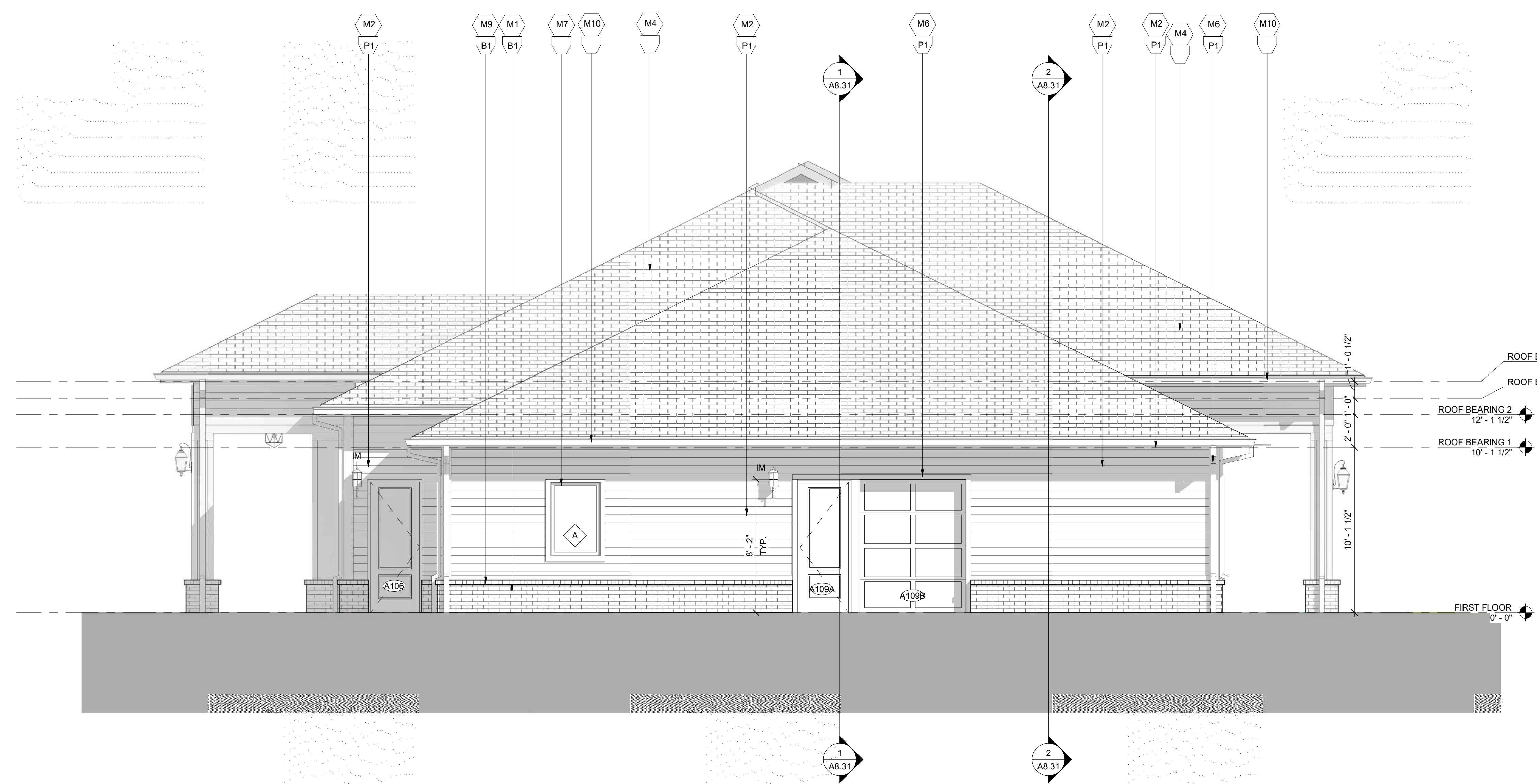


CLUB HOUSE ELEVATION - SOUTH
1/4" = 1'-0"

DATE, COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS, THESE PLANS ARE NOT TO BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. ANY VIOLATION OF THESE TERMS WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW.



CLUB HOUSE ELEVATION - WEST 2
1/4" = 1'-0"



CLUB HOUSE ELEVATION - EAST 1
1/4" = 1'-0"

- GENERAL NOTES**
1. ADDRESSING SIGNAGE TO BE LOCATED ON THE SIDE OF THE BUILDING FROM WHERE THE BUILDING IS ADDRESSED (ONE SIDE ONLY). PROVIDE BUILDING ADDRESS IN 6" HIGH LETTERS TO BE APPROVED BY FIRE MARSHALL. ADDRESS NUMBERS TO BE ILLUMINATED.
 2. SEE WALL SECTIONS & ENLARGED ELEVATIONS FOR GUARDRAIL HEIGHTS. ALL BALCONIES OR WALKWAYS ELEVATED MORE THAN 30" IN VERTICAL RISE TO HAVE MINIMUM 3'-6" HIGH GUARDRAILS AS PER THE BUILDING CODE.
 3. REFER TO SPECIFICATIONS FOR ALL EXTERIOR MATERIALS. THE WALL SECTIONS AND DETAILS SHOWN IN THIS SET REFLECT FIBER CEMENT PANEL / SIDING WITH 5/4 TRIM. ALL MATERIAL WIDTHS TO REMAIN SAME. SEE IF ANY PRODUCT SUBSTITUTION IS MADE. CONTACT ARCHITECT IF THERE ARE ANY DISCREPANCIES IN DETAILS DUE TO PRODUCT SUBSTITUTIONS.
 4. SEE ROOF PLAN FOR OVERHANG DIAGRAM DESIGNS.
 5. APPLY AN ADDITIONAL 12" LAYER OF MOISTURE BARRIER AT INSIDE/OUTSIDE CORNERS FULL HEIGHT OF WALL (TYP.)
 6. PROVIDE CONT. BUILDING WRAP OVER SHEATHING - TYP. "COMMERCIAL WRAP" TO BE BASIS OF DESIGNER SPECIFICATIONS.
 7. INSTALL BUILDING WRAP CONTINUOUS AT ALL WALL SURFACES PRIOR TO EXTERIOR FINISH INSTALLATION.
 8. TERM /FLASH BUILDING WRAP AT PENETRATIONS DETAILS & MANU. RECOMMENDATION.
 9. PROVIDE PRE-FAB. FLASHING BOOTS OR FLANGED EXHAUST LOUVER AT DUCT PENETRATIONS AT WALLS (TYP.)
 10. PROVIDE SEALANT AT VERTICAL TRANSITIONS BETWEEN WALL FINISHES.
 11. PROVIDE METAL FLASHING AT HORIZONTAL TRANSITIONS BETWEEN WALL FINISHES.
- MATERIAL (A) AND COLOR AT FACE OF BAY RETURNS AROUND THE SIDES AND BACK TO THE BUILDING. (TYP.)
- B A A B

- SYMBOL LEGEND**
- XX DENOTES DOOR NUMBER (SEE SHEET A8.61 FOR DOOR SCHEDULE)
 - XX DENOTES WINDOW NUMBER (SEE SHEET A8.61 FOR SCHEDULE)

- MATERIALS**
- (M1) BRICK VENEER
 - (M2) 6" EXPOSURE FIBER CEMENT LAP SIDING
 - (M3) 5/4X8 FIBER CEMENT FASCIA
 - (M4) ARCHITECTURAL ASPHALT SHINGLE ROOF
 - (M5) 6" FIBER CEMENT CORNER TRIM
 - (M6) FIBER CEMENT TRIM- SEE SECTIONS & DETAILS FOR SIZES
 - (M7) VINYL WINDOW
 - (M8) BRICK SOLDIER
 - (M9) BRICK ROWLOCK
 - (M10) PRE-FINISHED ALUMINIUM GUTTER & DOWNSPOUT- PAINT TO MATCH FASCIA. PROVIDE SAMPLES BEFORE INSTALLATION.
 - (M11) 10" SQUARE FIBERGLASS COLUMN
 - (M12) STOREFRONT DOOR SYSTEM-DARK BRONZE
 - (M13) DECORATIVE EXTERIOR LIGHTING DARK BRONZE
 - (M14) FIBER CEMENT PANEL

- PAINT COLORS**
- P1 SW 7065 - ARGOS
 - P2 SW 7067 - CITYSCAPE
 - P3 SW 7063 - NEBULOUS WHITE
 - B1 TAYLOR BRICK - 370 AUTUMN BLEND

KEY PLAN

DATE: COPYRIGHT AND CONCEPT RIGHTS IN THESE PLANS. THESE PLANS ARE NOT TO BE REPRODUCED, COPIED OR COPIES IN ANY FORM OR MANNER WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF CLINE DESIGN ASSOCIATION. ANY VIOLATION OF THESE TERMS WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW.

CITY OF SANFORD
CITY COUNCIL AND PLANNING BOARD
PUBLIC HEARING INFORMATION
JUNE 21, 2022

REQUEST

Rhetson Companies, Inc. is requesting to rezone two adjoining tracts of land totaling 24.60 ± acres with frontage on Marketplace Drive, a private driveway created to serve an unfinished shopping center located in the southeast corner of Tramway Road/NC 78 Hwy and Jefferson Davis Hwy/US Hwy 1 intersection, from General Commercial (C-2) to the Tramway South Apartments Conditional Zoning District to allow the development of a residential apartment community as illustrated on the Tramway South Apartments Concept Plan submitted as part of the application. Therefore, the company has submitted this Zoning Map Amendment Application for your consideration. This is a site plan/subdivision plan specific conditional rezoning request; therefore, the Conceptual Development Plan and proposed conditions are required as part of the rezoning request.

Public notification consisted of publishing a legal notice in the local newspaper, notification by mail to adjacent property owners, and public hearing signs placed on the property as per the requirements of the North Carolina General Statutes.

GENERAL INFORMATION

Applicant:	Rhetson Companies, Inc. Brian K. Clodfelter, Registered Agent and President
Property Owner:	CPW Development Partners, LLC Brian K. Clodfelter, Registered Agent
Request:	General Commercial (C-2) to the Tramway South Apartments CZ District
Location:	(Vacant) 0 Tyndall Drive, Sanford, NC 27330
Acreage:	24.60 ±
Tax Parcels:	9631-53-6433-00 and 9631-62-1820-00
Tax Map:	9631.04
Township:	Pocket
Council Ward:	4
Fire District:	City Station 3
Schools:	Greenwood Elementary SanLee Middle School Southern Lee High School

SITE DESCRIPTION

The site is located in the southeast corner of Tramway Road/NC 78 Hwy and Jefferson Davis Hwy/US Hwy 1 intersection. It is accessed via Marketplace Drive, a private driveway created to serve an unfinished shopping center called The Marketplace at Tramway.

ZONING DISTRICT INFORMATION

Existing Zoning: The General Commercial (C-2) zoning district is established to provide areas for general commercial activities designed to serve the community such as shopping centers, repair shops, wholesale businesses, and retail sales with limited outdoor display of goods and limited outdoor operations. This district promotes a broad range of commercial operations and services necessary for

large regions of the County, providing community balance. C-2 zones should be located on or within proximity to major thoroughfares.

Minimum lot size:	N/A
Minimum lot width:	50ft
Minimum lot depth:	100ft
Minimum building setback, front:	10ft, measured from the r/o/w of the public street
Minimum building setback, rear:	Determined by the required landscape buffer yard width
Minimum building setback, side(s):	Determined by the required landscape buffer yard width
Maximum building height:	N/A
Maximum impervious surface:	80%, not taking into consideration watershed regulations

Examples of uses permitted by right within the C-2 zoning district include administrative services, antique shops, appliance sales/repair/maintenance, bakeries, computer & software sales, convenience stores with & without gas sales, dry cleaning & laundry, farm/landscape/garden supply with or without outdoor storage, grocery stores & supermarkets (all sizes), hardware/home centers/lumber yard/ heating & plumbing with indoor & outdoor storage, motor vehicle sales & service, office buildings, professional services (legal, accounting, architectural, etc.), real estate sales/rental/leasing, restaurants with drive-in or drive-through facilities, upholstery & furniture refinishing, and wholesale. There is a list of permitted uses for this zoning district included within the agenda for your reference.

Proposed Zoning: The Tramway South Apartments Conditional Zoning District is a Type 1 Conditional Zoning District that is created as a stand-alone district with its own unique conditions. Under a Conditional Zoning District Type 1, an owner would have the freedom to develop his/her own unique list of permitted uses and design standards. It is also understood that such a district would need to be designed so as to maintain the integrity and characteristics of the surrounding community as well as conform to the spirit and intent of the Zoning Ordinance. A Conditional Zoning District Type 1 would be most suitable in situations where none of the current conventional Zoning Districts accommodate the desired use(s), such as a large mixed-use planned development in which the owner/developer has a clear vision as to how the property is to be developed.

Only the property owner(s) of a proposed Conditional Zoning District Type 1 shall be eligible to apply for rezoning to a Conditional Zoning District, and all owners of property proposed for inclusion in the conditional zoning must petition for the rezoning. The owner shall specify the use(s) of the property and shall propose additional conditions to ensure compatibility between the development and the surrounding neighborhood. The conditions shall include all of the following (as applicable):

- The location on the property of the proposed use(s);
- The number of dwelling units;
- The location and extent of supporting facilities such as parking lots, driveways, and access streets;
- The location and extent of buffer areas and other special purpose areas;
- The timing of development;
- The location and extent of rights-of-way and other areas to be dedicated for public purposes;
- And any other such conditions the applicant may wish to propose.

The application shall include a site plan/subdivision plan and detailed narrative text that specifies the conditions that will govern the development and use of the property. If approved, this information is legally binding on the land; therefore, the site has to be developed as per the approved plans and conditions even if a property transfer were to take place. Any items not specifically addressed in the rezoning process must comply with the UDO standards.

As reminder, the conditional zoning process is a negotiated zoning process and, as such, the City Council and/or Planning Board may request that certain conditions be considered or altered. However, the petitioner must accept such conditions before inclusion in the conditional zoning district.

The conceptual information submitted for this rezoning request was reviewed by our Sanford/Lee County Technical Review Committee (TRC), which is comprised of staff representatives from various departments and governmental agencies. The TRC was amenable with the rezoning request associated with this project moving forward for review/approval by the Planning Board and the City Council. However, all outstanding TRC requirements and revisions must be addressed prior to the development of the site in the manner proposed. This includes an actual technical review of the development plans for this project to ensure compliance with all required technical specifications and codes of all governmental agencies prior to staff level approvals being issued for the development of the site. For example, NCDOT must approve all proposed connections to NCDOT maintained public roadways and the City Engineering Dept. must approve all proposed public water and sewer extensions/connections.

Please reference the rezoning application, letter, master plan, concept plan, and architectural elevations for information regarding the specifics of this site plan/subdivision plan specific rezoning request.

Adjacent Zoning

North:	General Commercial (C-2)
South:	Residential Restricted (RR)
East:	Residential Agricultural (RA)
West:	General Commercial (C-2)

Adjacent Land Use

North:	Bojangle's restaurant with drive-thru, CVS pharmacy with drive-thru and several vacant outparcels within The Marketplace at Tramway shopping center
South:	McDaniel Farm and Cheshire Farm residential subdivisions
East:	Single-family dwellings
West:	Vacant outparcels within The Marketplace at Tramway shopping center

PLAN SANLEE

The long-range land use plan identifies the subject property as Mixed Use Activity Center, which is a designation that is intended to facilitate the development of large-scale projects that are integrated with a mix of uses. Ideally, this is achieved via a single master-planned unit, but may be contextually integrated into the surrounding development pattern if strong mobility linkages are included. These areas should be located within close proximity to highway interchanges and major arterial roadways. The local example provided is the US Hwy 1/ Spring Lane interchange area in Sanford. Information from the land use plan is provided as attachments to this report for your reference.

LOCAL OVERLAY DISTRICTS

This site is not located within a local overlay district.

General Note: The following is a general note included with all rezoning requests: Sanford, Lee County, and Broadway do not have a local grading permit or stormwater ordinance and rely on the NC Department of Environmental Quality to regulate land disturbing activities. For questions or concerns regarding land disturbing activities, contact the NC Division of Energy, Mineral, and Land Resources Sediment Program via mail 1612 Mail Service Center, Raleigh, NC 27699-1612, via phone at 877-623-6748 or visit the NCDEQ website at <http://deq.nc.gov>. The physical address of the office is 217 W. Jones Street, Raleigh, NC 27603

UTILITIES

There is a public water main line along Marketplace Drive. There is a private sewer main line along Marketplace Drive that connects to a private lift station on site, which is connected to City maintained public sanitary sewer. This information is per our GIS mapping system and, if the rezoning is approved, all new development and/or water and sewer connections must be approved by the City of Sanford Public Works Dept./Engineering Dept. to verify compliance with all policies and regulations, including – but not limited to – off site improvements or upgrades. Private wells and septic systems must be approved by the Lee County Environmental Health Dept. and/or the appropriate State agency, whichever is applicable.

TRANSPORTATION

There is frontage on Marketplace Drive, which is a private driveway created to serve the unfinished shopping center. This information is per our GIS mapping system and NCDOT must approve any proposed driveways via the site plan review/approval process to verify compliance with all applicable regulations, including – but not limited to - traffic studies and roadway improvements/turn lanes. It should be noted that the site does not have access to a public roadway at this time or possibly ever.

2011 Lee County Comprehensive Transportation Plan: This plan does not illustrate Marketplace Drive because it is a private driveway. The plan illustrates Tramway Road/NC Hwy 78 as an existing minor thoroughfare, but does not indicate any proposed changes in the area of the subject property. It illustrates US Hwy 1/Jefferson Davis Hwy as an existing freeway that needs improvement.

NCDOT Average Annual Daily Traffic Count (AADT): There is a 2020 NCDOT AADT count of 9,400 vehicles per day on Tramway Road in the general area of the subject property. There is a 2020 NCDOT AADT count of 25,500 vehicles per day on US Hwy 1/Jefferson Davis Hwy in the general area of the subject property.

DEVELOPMENT STANDARDS

If approved, this information is legally binding on the land; therefore, the site has to be developed as per the approved plans and conditions even if a property transfer were to take place. Any items not specifically addressed in the rezoning process must comply with the UDO standards.

STAFF RECOMMENDATION

The rezoning request complies with the *Plan SanLee* long-range plan designation of Mixed-Use Activity Center which lists multi-family dwellings as land uses with a density of 16 + units per acre, which is

what is proposed in the information submitted with the application. Based on this rationale, staff is supportive of this rezoning request as it appears to align with be the future plan for this area. We would, however, strongly encourage the developer to incorporate other building materials (such as brick) into the exterior design to add visual interest and character to the appearance of the apartment buildings. As is, cementitious siding (fiber cement lap siding & panels) is proposed as the only exterior building material. Staff would also encourage the exterior colors to correspond with the subtle, neutral, earth tone color requirements that are in place for commercial development along US Hwy 1 and Tramway Road so that the buildings will better blend in with the overall development in this corner of the roadways.

The boards will need to take into consideration the adjoining residential subdivision and the possible impact that this conditional zoning may have on the area residents when determining if they are comfortable with this area transitioning to match the long-range plan at this time.

Additional information presented at the public hearing should also be considered in the recommendation and the final decision regarding the requested zoning map amendment.

PLANNING BOARD RECOMMENDATION

Per state law, when conducting a review of a proposed zoning text or map amendment, the planning board shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board. If no written report is received from the planning board within 30 days of referral of the amendment to that board, the governing board may act on the amendment without the planning board report. The governing board is not bound by the recommendations, if any, of the planning board. Also, please be aware that the Planning Board may acknowledge that the zoning map amendment is not consistent with the *Plan SanLee* long range plan and still vote to approve the request; however, an explanation should be included within the motion.

Sample Motions

The Planning Board shall provide a written recommendation to the City Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board. These sample motions are provided by staff based on information in the *Plan SanLee* land use plan. The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

VOTE #1: APPROVE A STATEMENT ON CONSISTENCY WITH THE PLAN SANLEE AS IT RELATES TO THIS REZONING REQUEST:

Motion Option 1: *“I make a motion that the proposed zoning map amendment **IS** consistent with the Plan SanLee long range plan designation of Mixed Use Activity Center because it allows multi-family dwellings with a density of 16+ units per acre.”*

Motion Option 2: *“I make a motion that the proposed zoning map amendment **IS NOT** consistent with the Plan SanLee long range plan designation of Mixed Use Activity Center because it includes only one*

of the encouraged land use components and the associated design is not contextually integrated into the surrounding development pattern.”

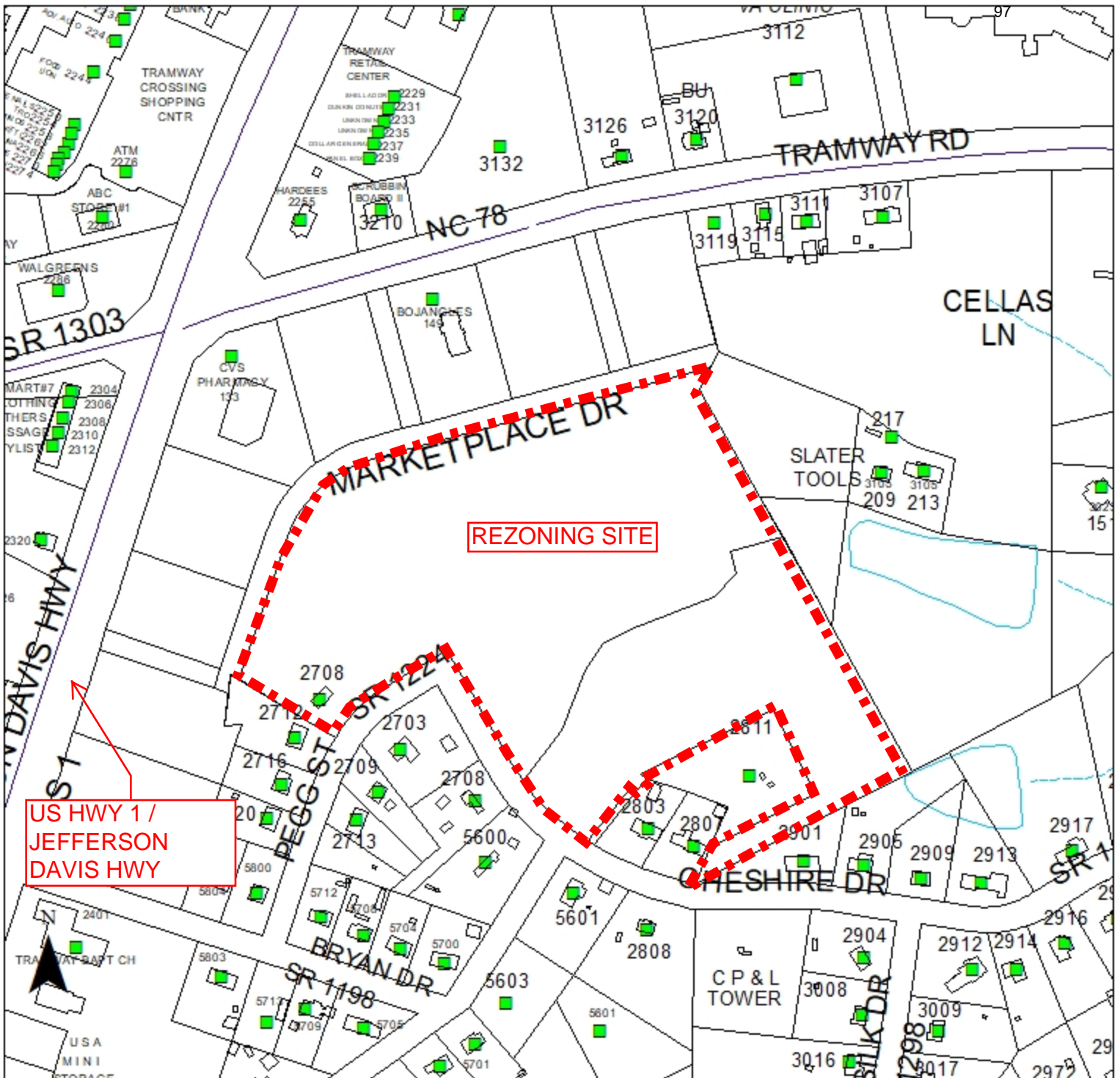
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

VOTE #2: TO APPROVE OR DENY THE REZONING REQUEST:

Motion Option 1: *“I make a motion that Planning Board recommend the City Council **APPROVE** the proposed zoning map amendment because the site is appropriate for the land uses and densities allowed.”*

Motion Option 2: *“I make a motion that Planning Board recommend the City Council **DENY** the proposed zoning map amendment because the site is appropriate for the land uses and densities allowed.”*

Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.



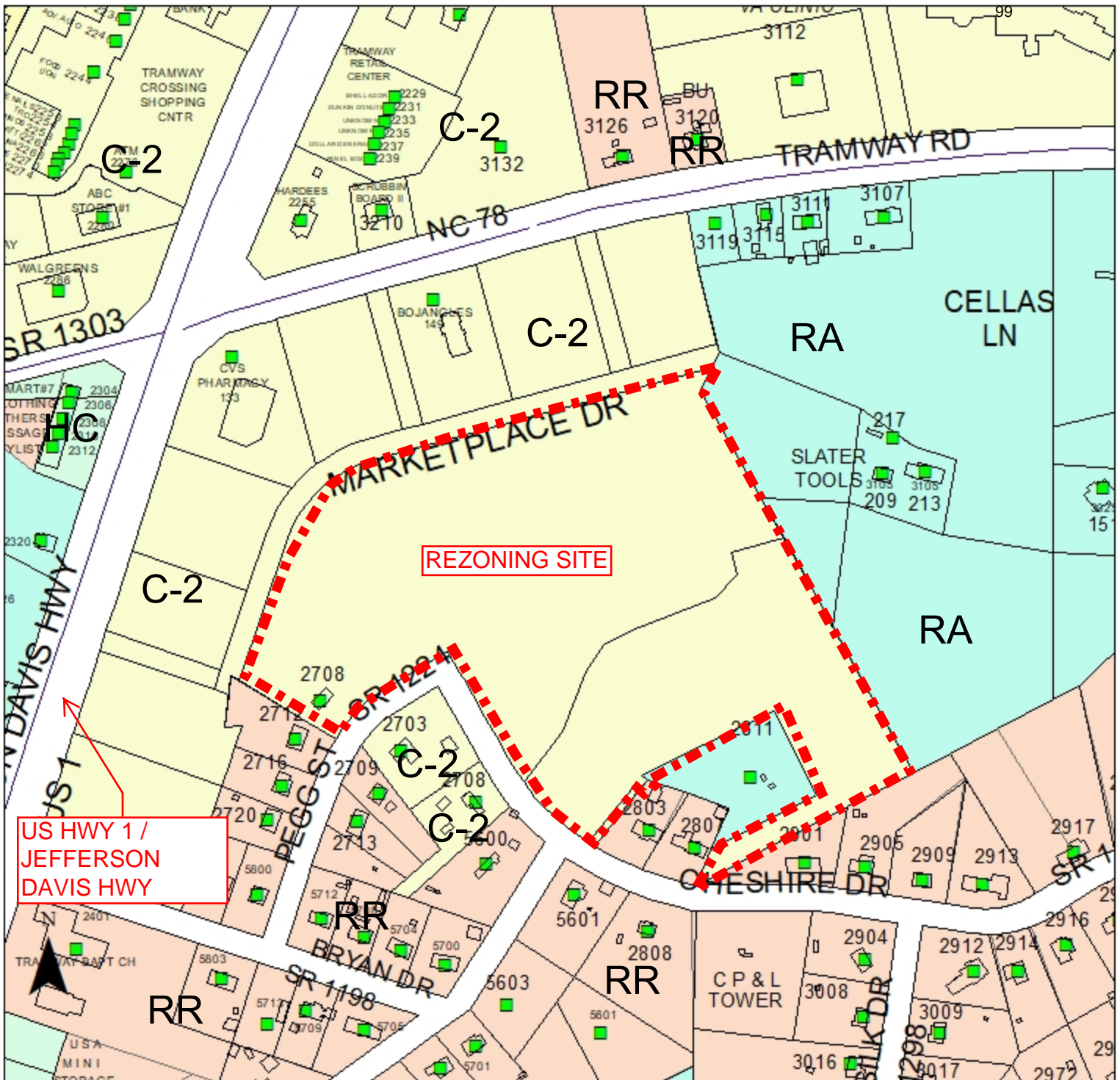
ZONING MAP AMENDMENT
 Request to rezone 24.60 acres
 from C-2 to Tramway South Apts CZ.

This is a graphic illustration and not a legal document.
 All information is comprised of layers of data that may or may not align correctly.



ZONING MAP AMENDMENT
Request to rezone 24.60 acres
from C-2 to Tramway South Apts CZ.

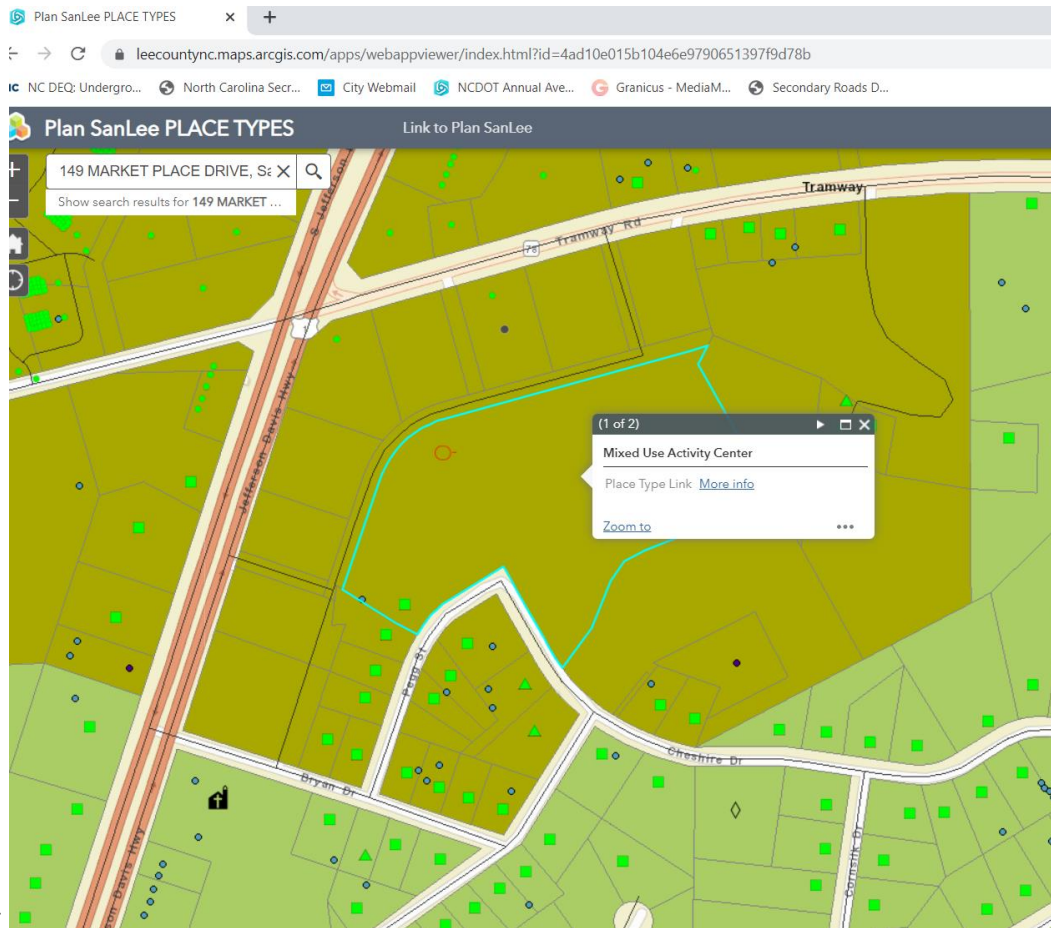
This is a graphic illustration and not a legal document.
All information is comprised of layers of data that may or may not align correctly.



ZONING MAP AMENDMENT
 Request to rezone 24.60 acres
 from C-2 to Tramway South Apts CZ.

This is a graphic illustration and not a legal document.
 All information is comprised of layers of data that may or may not align correctly.

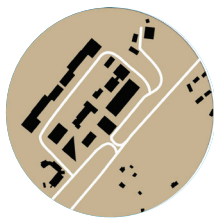
Plan SanLee - Long Range Plan – Interactive Map of Site



Place_Types

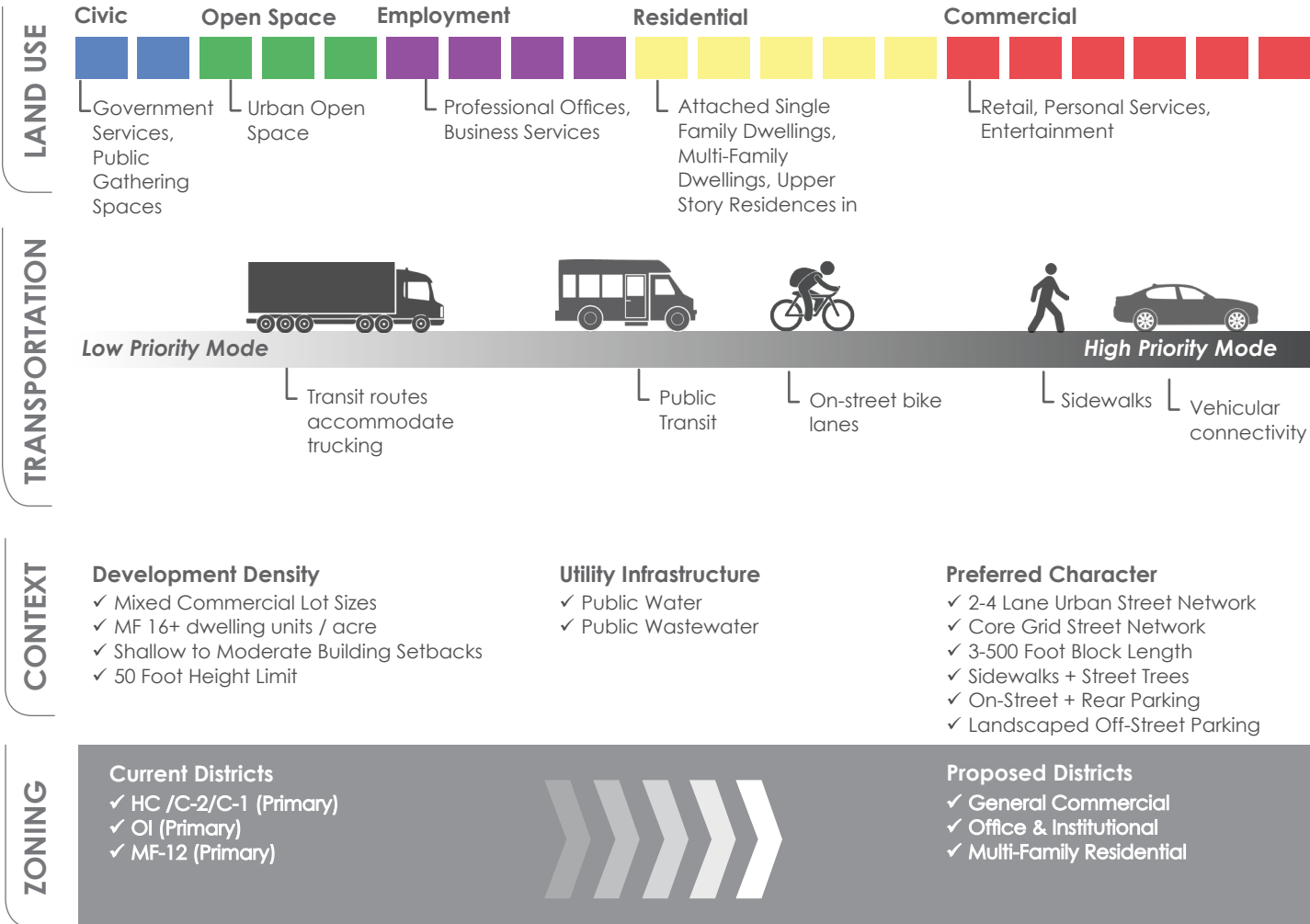
Place Types

- Commercial Corridor
- Countryside
- Crossroads
- Downtown
- Industrial Center
- Maker District
- Mixed Use Activity Center
- Neighborhood Center
- Neighborhood Transition
- Professional and Institutional Campus
- Suburban Neighborhood
- Urban Neighborhood
- Village Center
- Village Neighborhood



MIXED USE ACTIVITY CENTER

- ✓ Facilitate development of large scale integrated mix of uses
 - ✓ Single master-planned unit, but contextually integrated into surrounding development pattern including strong mobility linkages
 - ✓ Within close proximity to highway interchanges and major arterials
- Local Example - US 1 / Spring Lane Interchange Area in Sanford**



C-2, GENERAL COMMERCIAL ZONING DISTRICT

This list was created by Sanford/Lee County Planning & Development staff as a summary of the permitted land uses within a specific zoning district and is intended for general informational purposes. Staff makes every effort to ensure that the information provided is accurate and up-to-date; however, it is recommended that you verify with Planning & Development staff that the proposed use is permitted within the specific zoning district and discuss any/all development requirements prior to pursuing a project. This information is applicable for the jurisdictions of the City of Sanford, Lee County and the Town of Broadway in North Carolina.

USES PERMITTED BY RIGHT

The uses listed below are permitted by right, subject to any/all other applicable standards of the Unified Development Ordinance (for example, parking requirements).

<u>Accessory Uses</u>
Accessory uses (See Section 5.1)
<u>Accommodations and Group Living</u>
Dormitories for the students of colleges, commercial schools, staff of hospitals
Group Home/Residential Care Facility, Level I
Group Home/Residential Care Facility, Level II
Nursing, Supervision, Adult Care Homes, Group Care Facilities and other rehabilitative services
<u>General Sales or Service</u>
ABC Store (liquor sales), incorporated area only
Administrative Services, Travel Arrangement and Reservation Services, Investigation and Security Services (locksmiths)
Agricultural equipment, sales and service
Antique Shops
Appliance Sales, Repair and Maintenance (no outside storage)
Art dealers, supplies, sales and services
Auction sales, general merchandise (no vehicular sales)
Bakeries, retail, including manufacturing of goods for sale on the premises only
Bicycle (non motorized) Sales and/or Repair
Books, Magazines, music, etc.
Camera and Photographic Supplies
Clothing, Jewelry, Luggage, Shoes, etc.
Computer and Software Sales
Consumer goods, not otherwise listed
Convenience stores, without gas sales
Convenience stores, with gas sales
Consignment Shops, Used Merchandise Store (not otherwise listed)
Dry cleaning and laundry

Electronic equipment (small), sales and service
Farm, Landscape, and Garden Supply Sales (feed, seed, fertilizer, farm hardware, lawn furniture, mulch, fencing, fountains, statuaries, and other incidental sales of products or related items) (with indoor storage)
Farm, Landscape, and Garden Supply Sales (feed, seed, fertilizer, farm hardware, lawn furniture, mulch, fencing, fountains, statuaries, and other incidental sales of products or related items) (with outdoor storage)
Farmers Markets and market shops, including open markets
Finance and Insurance Services (Bank, Credit and Finance, Insurance-related)
Flea markets (indoors)
Florist
Furniture or home furnishing sales
Gasoline stations
Grocery stores and Supermarkets (less than 25,000 sq. ft. GFA)
Grocery stores and Supermarkets (more than 25,000 sq. ft. GFA)
Hardware, home centers, lumber yard, heating and plumbing etc., outside storage
Hardware, home centers, lumber yard, heating and plumbing etc., inside storage
Heavy Equipment, sales and service
Leasing/Rental Recreational Goods (Furniture, Party Supplies, Sporting Goods)
Leasing, Commercial and Industrial Machinery and Equipment
Gun shops and Gunsmiths
Mail order or direct selling establishments / Electronic Shopping and Mail-Order Houses
Medical equipment sales, rental or leasing
Monument and cut stone sales
Motion picture, Video and Audio Production
Motorcycle, Motorized Scooters, ATV Sales and/or Leasing/Rental (Indoor display)
Motorcycle, Motorized Scooters, ATV Sales and/or Leasing/Rental (Outdoor display)
Motor Vehicle Parts, Accessories, Tire Sales, enclosed building only
Motor Vehicle, Motorcycle, ATVs, Boats, RVs, etc., repair and service
Nurseries and greenhouses, commercial (See Section 5.25)
Office building (general)
Palmistry services, Fortune Tellers, Astrologers
Pawnshops (as defined by NCGS 91A-2)
Personal Services (e.g. nail salons, barbers, shoe repair, and similar establishments), not otherwise listed
Pet store or pet supply store
Pharmacy or drugstore, without drive through facility
Pharmacy or drugstore, with drive through facility
Printing and Publishing Services
Professional Services (Legal, Accounting, Architectural, Graphic, Consulting Services, Research and Development, Advertising, etc.)
Real Estate, Sales, Rental & Leasing
Repair of any goods, equipment or vehicles, the manufacture, assembly or sales of which are permitted in that zoning district

Restaurants, with drive-in or drive-through facilities
Restaurants, no drive-in or drive-through facilities
Retail sales or service establishments, not listed elsewhere, and conducted within an enclosed building
Services to buildings and dwellings (Extermination, Janitorial, Landscaping, Carpet and Upholstery cleaning, Packing and crating, etc.), no outside storage
Services to buildings and dwellings (Extermination, Janitorial, Landscaping, Carpet and Upholstery cleaning, Packing and crating, etc.), with outside storage
Shopping Center, less than 25,000 sq. ft.
Sporting goods, toys, and hobby sales, excluding guns and gunsmiths
Tattoo Parlor/Tattoo Studio and/or Body Piercing
Tobacco or Tobacconist
Upholstery and furniture refinishing
Wholesale trade, generally, with operations conducted and merchandise stored entirely within a building and not otherwise listed
<u>Industrial & Manufacturing Uses</u>
Contractors' offices/shop without outdoor storage areas
Paper and Printing materials manufacturing
Pottery Manufacturing & Sales
Sign manufacturing
Warehouse structures, generally
<u>Arts, Recreation & Entertainment</u>
Aquarium or Planetarium
Amphitheater
Art galleries
Botanical gardens & arboreta
Bowling alley
Exhibition, convention, or conference structure
Fitness and recreational sports, gym, health spa, reducing salon, swimming pool/auditorium, racquet club or athletic club (not otherwise listed)
Golf driving ranges
Golf, miniature
Movie Theater
Museums and art galleries
Outdoor stage, bandstand, or similar structure (maximum 3,000 sq. ft.)
Parks, playgrounds, and athletic fields, operated on a noncommercial basis
Performance Theaters (outdoor)
Performance Theaters or auditoria (indoor)
Recreation activities, commercial indoor, not otherwise listed
Skating Rink – Ice or Roller Skating
Sports stadiums or arenas
Studios for artists, designers, musicians, photographers, sculptors, woodworking (not as home occupation)
Zoos

Education, Public Administration, Health Care, and Institutional
Civic, Social, and Fraternal Organizations, including community centers, meeting halls, community halls, reception halls, wedding halls, for assembly and recreation
Crematorium & Embalming
Day Care facility, Adult (See Section 5.38)
Fire, sheriff, and emergency services
Funeral homes
Governmental Functions, not otherwise listed
Hospitals
Libraries
Medical and dental clinics or offices, ambulatory or outpatient care, family planning and care, and blood or organ banks
Post office
Religious Complex (less than 350 seats), new site
Religious Complex (more than 350 seats), new site
Religious Complex (any size), addition to existing complex/site
Schools, Continuing Education (alternative, adult, colleges and universities, and technical, trade and other specialty schools)
Schools, Pre-K-Secondary (nursery and preschool, grade schools, elementary, middle, and high school), new site
Schools, Pre-K-Secondary (nursery and preschool, grade schools, elementary, middle, and high school), addition to existing site
Schools, Fine and Performing Arts
Social assistance, welfare and charitable services
Transportation, Communication, and Utilities
Bus passenger stations/terminals/shelters
Parking lots, parking structures or underground parking areas (commercial or governmental)
Radio and TV stations and studios (excluding transmission tower)
Taxi and Limousine Service
Utility lines (including, electric lines, phone/cable lines, distribution circuits, gas/fuel lines, water lines, steam/air conditioning lines, irrigation channels, and sewer/waste water lines)
Agriculture
Animal Production and Support Services, (unincorporated Lee County)
Crop Production and Support Functions, (unincorporated Lee County)
Crop Production and Support Functions, (Sanford and Broadway)
Forestry and Logging and Support Services, (unincorporated Lee County)

USES PERMITTED WITH DEVELOPMENT REGULATIONS

The uses listed below may either be permitted by right or upon approval of a Special Use Permit, but are also subject to the requirements of Article 5 Supplemental Development Regulations of the Unified Development Ordinance (for example, daycares are required to install a fence around outdoor play areas).

<u>Residential Uses</u>
Home Occupations (See Section 5.16)
<u>Accommodations and Group Living</u>
Bed and breakfast inn (See Section 5.4)
Hotel, Motel, and tourist court (See Section 5.17)
<u>General Sales or Service</u>
Animal Hospitals, Veterinary services, Animal Shelters, Kennels / Animal Pet Services (See Section 5.3)
Car Washes and Car Care Centers (See Section 5.5)
Flea markets (outdoors) (See Section 5.14)
Freestanding Ice Vending Unit (See Section 5.37)
Manufactured home and/or storage building sales (See Section 5.21)
Mini-warehousing/Self-service storage leasing (See Section 5.22)
Motor Vehicles (automobiles), Boats, RVs Sales and/or Leasing/Rental (See Section 5.24)
Shopping Center/Superstore, 25,000 – 100,000 sq. ft. (See Section 10.2)
Shopping Center/Superstore, over 100,000 sq. ft. (See Section 10.2)
Wine Shop (See Section 5.43)
<u>Industrial & Manufacturing Uses</u>
Brewery (Microbrewery, See Section 5.42)
Landfills, LCID (2 acres or less in size) (See Section 5.19)
<u>Arts, Recreation & Entertainment</u>
Drive-in theaters (See Section 5.11)
Entertainment Establishment (lounges, discos, nightclubs, pool halls and/or private clubs) (See Section 5.26)
Recreation activities, commercial outdoor (defined in Article 5), not otherwise listed (See Section 5.28)
<u>Education, Public, Administration, Health Care, and Institutional</u>
Cemeteries, public and private (does not include individual family plots) (See Section 5.6)
Community food services (See Section 5.7)
Day Care facility, Child Care Center (See Section 5.10)
Day Care facility, Home Child Care (See Section 5.10)

USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT

The uses listed below are permitted in the respective zoning district only after review and approval of a Special Use Permit by the Board of Adjustment for the applicable jurisdiction in accordance with Article 3 Zoning and Permitting Procedures, Section 3.5 Special Use Permits of the Unified Development Ordinance. Special uses are subject to any/all applicable general design standards, any development regulations that apply to the specific use and those requirements that may reasonably be imposed by the respective board as per the Unified Development Ordinance.

<u>Accommodations and Group Living</u>
Group Home/Residential Care Facility, Level III
Group Home/Residential Care Facility, Level IV
<u>Industrial & Manufacturing Uses</u>
Contractors' offices/shop with outdoor storage areas
Manufacturing, excluding others uses listed in this table
<u>Arts, Recreation & Entertainment</u>
Amusement or Theme Park Establishment
<u>Transportation, Communication, and Utilities</u>
Public utility storage and service yards
Sewage treatment and Water treatment plants

**USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT
THAT HAVE SPECIFIC DEVELOPMENT REGULATIONS**

The uses listed below are permitted in the respective zoning district only after review and approval of a Special Use Permit by the Board of Adjustment for the applicable jurisdiction in accordance with Article 3 Zoning and Permitting Procedures, Section 3.5 Special Use Permits of the Unified Development Ordinance. In addition to any/all applicable general design standards and those requirements that may reasonably be imposed by the respective board, these uses have specific standards that must be adhered to as per the Unified Development Ordinance (for example, fencing is required around the base of telecommunication towers, including any structures or guy wires).

<u>Industrial & Manufacturing Uses</u>
Landfills, C&D or LCID (greater than 2 acres in size) (See Section 5.20)
Mining and Quarries, Unincorporated Lee County and City of Sanford Only (See Section 5.23)
<u>Transportation, Communications, and Utilities</u>
Telecommunication towers (See Section 5.33)
Solar Collectors, Commercial (See Section 5.39)
Telecommunications towers (See Section 5.33)

ADJOINING PROPERTY OWNERS LIST

PETITION BY: Rhetson Companies, Inc
 REQUEST: General Commercial (C-2) to the Tramway South Apartments Conditional Zoning District
 LOCATION: rezone two adjoining tracts of land totaling 24.60 ± acres with frontage on Marketplace Drive,
 PIN: 9631-53-6433-00 and 9631-62-1820-00
 DATE: 2022-06-09

No.	PIN	PROPERTY ADDRESS	OWNER 1	OWNER 2	MAIL	MAIL STREET	MAIL CITY	ST.	ZIP
01	9631-54-9175-00 VACANT OUTPARCEL	0 TRAMWAY RD OUTPARCEL 1 MARKETPLACE AT TRAMWAY PLAT 2012/120	WORNOM & PERKINS LLC	-	-	PO BOX 525	SANFORD	NC	27331
02	9631-54-8152-00 NE DRIVEWAY BETWEEN 2 VACANT OUTPARCELS FRONTING TRAMWAY ROAD	0 TRAMWAY RD 50' PRIV RD ESMT #3 MARKETPLACE AT TRAMWAY PLAT 2012/120	CAMEL SADDLE PROPERTIES LLC	-	402	FORESTWOOD PARK RD	SANFORD	NC	27330
03	9631-54-7017-00 VACANT OUTPARCEL	0 TRAMWAY RD OUTPARCEL 2 MARKETPLACE AT TRAMWAY PLAT 2012/120	NEW MARKETPLACE AT TRAMWAY LLC	-	-	PO BOX 525	SANFORD	NC	27331
04	9631-54-4092-00 BOJANGLES	149 MARKETPLACE DR OUTPARCEL 3 MARKETPLACE AT TRAMWAY PLAT 2012/120	TRI-ARC FOOD SYSTEMS INC	-	4905	WATERS EDGE DR	RALEIGH	NC	27606
05	9631-53-3969-00 SE DRIVEWAY BETWEEN BOJANGLES AND A VACANT OUTPARCEL FRONTING TRAMWAY ROAD	0 TRAMWAY RD 50' PRIV RD ESMT #2 MARKETPLACE AT TRAMWAY PLAT 2012/120	CAMEL SADDLE PROPERTIES LLC	-	402	FORESTWOOD PARK RD	SANFORD	NC	27330
06	9631-53-2935-00	0 TRAMWAY RD OUTPARCEL 4	NEW MARKETPLACE AT TRAMWAY LLC	-	-	PO BOX 525	SANFORD	NC	27331

		MARKETPLACE AT TRAMWAY PLAT 2012/120							
07	9631-43-9899-00 CVS	133 MARKETPLACE DR OUTPARCEL 5 MARKETPLACE AT TRAMWAY PLAT 2012/120	ECC SANFORD NC LLC	-	3130	CROW CANYON PL	SANFORD	CA	94583
08	9631-43-9621-00 A VACANT OUTPARCEL FRONTING US HWY 1	0 TRAMWAY RD OUTPARCEL 6 MARKETPLACE AT TRAMWAY PLAT 2012/120	WORNOM & PERKINS LLC	-	-	PO BOX 525	SANFORD	NC	27331
09	9631-43-8349-00 A VACANT OUTPARCEL FRONTING US HWY 1	0 TRAMWAY RD OUTPARCEL 7 MARKETPLACE AT TRAMWAY PLAT 2012/120	WORNOM & PERKINS LLC	-	-	PO BOX 525	SANFORD	NC	27331
10	9631-43-8208-00 EASTERN DRIVEWAY BETWEEN 2 VACANT OUTPARCELS FRONTING US HWY 1	50' PRIV RD ESMT #1 MARKETPLACE AT TRAMWAY PLAT 2012/120	CAMEL SADDLE PROPERTIES LLC	-	402	FORESTWOOD PARK RD	SANFORD	NC	27330
11	9631-43-8104-00 A VACANT OUTPARCEL FRONTING US HWY 1	0 TRAMWAY RD OUTPARCEL 8 MARKETPLACE AT TRAMWAY PLAT 2012/120	CPW DEVELOPMENT PARTNERS LLC	-	2075	JUNIPER LAKE RD	WEST END	NC	27376
12	9631-42-7829-00	0 JEFFERSON DAVIS HWY TRACT 1 PLAT 2012/17	NEW MARKETPLACE AT TRAMWAY LLC	-	-	PO BOX 525	SANFORD	NC	27331
13	9631-53-0069-00	2712 PEGG ST (VACANT LOT FORMERLY DEVELOPED WITH A HOUSE)	CPW DEVELOPMENT PARTNERS LLC	-	2075	JUNIPER LAKE RD	WEST END	NC	27376
14	9631-52-3943-00	2709 PEGG ST	GILLIKIN, LINA DEAN	-	2709	PEGG ST	SANFORD	NC	27330
15	9631-53-4038-00	2703 PEGG ST (VACANT LOT FORMERLY DEVELOPED WITH A HOUSE)	CPW DEVELOPMENT PARTNERS LLC	-	2075	JUNIPER LAKE RD	WEST END	NC	27376

16	9631-52-5911-00	2708 CHESHIRE DR (VACANT LOT FORMERLY DEVELOPED WITH A HOUSE)	CPW DEVELOPMENT PARTNERS LLC	-	2075	JUNIPER LAKE RD	WEST END	NC	27376
17	9631-52-5789-00 HOUSE	5600 MCDANIEL DR LOT 48, 49* MCDANIEL FARM	HOLT, DONNA D (LIFE ESTATE)	-	5600	MCDANIEL DR	SANFORD	NC	27330
18	9631-52-7696-00 HOUSE	5601 MCDANIEL DR LOT 62, 63* MCDANIEL FARM	REID, JANA LYNN	-	5601	MCDANIEL DR	SANFORD	NC	27330
19	9631-52-9558-00 HOUSE	2808 CHESHIRE DR LOT 63*, 64, 65 MCDANIEL FARM	HAIRE, BRENDA LOUISE	-	2807	MCDANIEL DR	SANFORD	NC	27330
20A	9631-62-1594-00 TOWER PH 2	0 CHESHIRE DR	DUKE ENERGY PROGRESS INC	-	550	S TRYON ST	CHARLOTTE	NC	28202
20B	9631-52-8971-00 VACANT 0.05 OF AN ACRE	0 CHESHIRE DR	OLDHAM, GREG	-	710	VALLEY RD	SANFORD	NC	27330
21	9631-52-9848-00 HOUSE	2803 CHESHIRE DR LOT 46 MCDANIEL FARM	BLOODWORTH, DAVID	BLOODWORTH, VICKI W	2803	CHESHIRE DR	SANFORD	NC	27330
22	9631-62-0854-00 HOUSE	2807 CHESHIRE DR LOT 46* MCDANIEL FARM	HAIRE, BRENDA L	-	2807	CHESHIRE DR	SANFORD	NC	27330
23	9631-63-1090-00 WATER TOWER	2811 CHESHIRE DR	SANFORD, CITY OF	-	-	PO BOX 3729	SANFORD	NC	27331
24	9631-62-3800-00 HOUSE	2901 CHESHIRE DR LEGAL1 LOT 1 PHASE I CHESHIRE FARMS	HICKERSON, LONNIE M	-	3612	LEE AVE	SANFORD	NC	27330
25	9631-62-4896-00 HOUSE	2905 CHESHIRE DR LEGAL1 LOT 2 PHASE I CHESHIRE FARMS	TAYLOR, MELINDA BOWEN	TAYLOR, JEFFREY PAUL	2905	CHESHIRE DR	SANFORD	NC	27330
26	9631-62-6812-00 HOUSE	2909 CHESHIRE DR LEGAL1 LOT 3 PHASE I CHESHIRE FARMS	BLANCO, ROBERTO	BLANCO, TERESA	2909	CHESHIRE DR	SANFORD	NC	27330
27	9631-63-6351-00 1 EXISITNG POND AND 1 STORMWATER POND THAT SERVES MARKETPLACE AT TRAMWAY	0 CELLAS LN TRACT 1 PLAT 2012/130	CPW DEVELOPMENT PARTNERS LLC	-	2075	JUNIPER LAKE RD	WEST END	NC	27376
28	9631-63-3536-00	0 CELLAS LN TRACT 2	CPW DEVELOPMENT PARTNERS LLC	-	2075	JUNIPER LAKE RD	S WEST END	NC	27376

	SANITARY SEWER LIFT STATION FOR MARKETPLACE AT TRAMWAY	PLAT 2012/130							
29	9631-63-5740-00 2 HOUSES	209 CELLAS LN 213 CELLA LN	SLATER, WILLIAM S	SLATER, DEBORAH G	209	CELLAS LN	SANFORD	NC	27330
30	9631-63-2870-00 VACANT	0 CELLAS LN	BLACK, TIFFANY LAUREN	BLACK, CHRISTOPHER T	209	CELLAS LN	SANFORD	NC	27330
31	9631-64-4094-00 VACANT	0 CELLAS LN	GITTINS, MARY MARCELLA C	-	-	PO BOX 302	SANFORD	NC	27331
23	9631-53-5833-00 MARKET PLACE DRIVE INTERIOR DRIVEWAY	0 TRAMWAY RD COMMON AREA #1 MARKETPLACE AT TRAMWAY PLAT 2012/120	CPW DEVELOPMENT PARTNERS LLC	-	2075	JUNIPER LAKE RD	WEST END	NC	27376
33	APPLICANT	-	RHETSON COMPANIES, INC.	-	2075	JUNIPER LAKE RD	WEST END	NC	27376
34	OWNER 9631-53-6433-00	0 TRAMWAY RD DEVELOPER TRACT MARKETPLACE AT TRAMWAY PLAT 2012/120	CPW DEVELOPMENT PARTNERS LLC	-	2075	JUNIPER LAKE RD	WEST END	NC	27376
35	OWNER 9631-62-1820-00	0 TRAMWAY RD COMMON AREA #2 MARKETPLACE AT TRAMWAY PLAT 2012/120	CPW DEVELOPMENT PARTNERS LLC	-	2075	JUNIPER LAKE RD	WEST END	NC	27376

0 Property Address number = Vacant, no addressed structures on the parcel

Sanford/Lee County

Planning and Development
P.O. Box 3729, Sanford, NC 27331-3729

June 9, 2022

Dear Adjacent Property Owner:

The Unified Development Ordinance (UDO) for Sanford, North Carolina requires that adjacent property owners be notified when a request for a change in zoning classification has been scheduled for a public hearing before the Sanford City Council and Planning Board.

CITY OF SANFORD PUBLIC NOTICE

Notice is hereby given that the Sanford City Council and Planning Board will hold joint legislative hearings on Tuesday, June 21, 2022 in the Council Chambers of the Sanford Municipal Building at 225 E. Weatherspoon Street, Sanford, N.C. The hearings will begin at 6:00 p.m. or as soon thereafter as deemed practical by the Boards. Public hearings are intended to provide the public an opportunity to be heard. The Boards will consider the following applications to amend the Official Zoning Map of the City of Sanford, N.C.:

1. ZONING MAP AMENDMENT / REZONING APPLICATION, PB ITEM 2022-0601

Application by Trinity Capital Advisors, LLC to rezone 13 tracts of land comprising 616.72 acres total with frontage on Rod Sullivan Road (SR 1483) and Jefferson Davis Hwy / US Hwy 1 from Residential Agricultural (RA) to Light Industrial (LI). The subject property is owned by Stephens Enterprises, LLC and is identified as Lee County Tax Parcels 9667-72-1752-00, 9667-50-6965-00, 9666-78-7977-00, 9666-69-3230-00, 9666-58-4589-00, 9666-57-0619-00, 9666-47-9499-00, 9666-47-9279-00, 9666-47-9077-00, 9666-57-5048-00, 9666-65-7121-00, 9666-54-6675-00, and 9666-53-8950-00 as depicted on Tax Maps 9667.04, 9666.02, 9666.01, and 9666.03.

Please be aware that the public hearing for this zoning map amendment/rezoning request will be held only if the City Council votes to annex the subject property into the corporate City limits, for which the public hearing will also be held on June 21, 2022.

2. ZONING MAP AMENDMENT / REZONING APPLICATION, PB ITEM 2022-0602

Application by Lamco Custom Builders, LLC to rezone 10 tracts of land comprising 7.2 acres total with frontage on Tyndall Drive (SR 1236) from Residential-Mixed (R-12) to Residential-Mixed (R-10) The subject property is identified as Lee County Tax Parcels 9631-87-0005-00, 9631-77-8298-00, 9631-77-8336-00, 9631-77-7497-00, 9631-77-7545-00, 9631-77-7604-00, 9631-77-5895-00, 9631-78-4086-00, 9631-78-4126-00, and 9631-78-3276-00 as depicted on Tax Map 9631.04.

Please be aware that the public hearing for this zoning map amendment/rezoning request will be held only if the City Council votes to annex the subject property into the corporate City limits, for which the public hearing will also be held on June 21, 2022.



3. ZONING MAP AMENDMENT / REZONING APPLICATION, PB ITEM 2022-0603
Application by Pinnacle Partners, LLC to amend the Brookshire Conditional Zoning District, which was approved in November of 2021 to allow the development of a residential subdivision with a multi-family area and a commercial area as illustrated on the Brookshire Subdivision Conceptual Development Plan with conditions. This is a site plan/subdivision plan specific conditional district; therefore, more detailed information regarding the project design was required prior to moving forward with the development of the site, which the applicant has submitted for consideration at this time. The subject property is comprised of three adjoining tracts of land totaling 168 ± acres with frontage on Valley Road (SR 1325), Forestwood Park Road (SR 1384), and Boone Trail Road/US 421 Hwy and is identified as Lee County Tax Parcels 9624-96-0209-00, 9634-04-4681-00, 9634-14-7642-00, as depicted on Lee County Tax Maps 9642.02, 9642.04, 9634.01 and 9634.03

4. ZONING MAP AMENDMENT / REZONING APPLICATION, PB ITEM 2022-0604
Application by Lacy Oldham to rezone a 11.59 tract of land addressed as 1607/1611 Kelly Drive (SR 1521) from Residential Single-family (R-20) and Residential Single-family (R-20) with a Mobile Home Park Overlay District to General Commercial (C-2). The subject property is owned by Oldham & Oldham, Inc. and is identified as Lee County Tax Parcel 9652-99-4976-00 as depicted on Tax Maps 9653.04 and 9652.02.

5. ZONING MAP AMENDMENT / REZONING APPLICATION, PB ITEM 2022-0605
Application by Rhetsen Companies, Inc. to rezone two adjoining tracts of land totaling 24.60 ± acres with frontage on Marketplace Drive, a private driveway created to serve an unfinished shopping center located in the southeast corner of Tramway Road/NC 78 Hwy and Jefferson Davis Hwy/US Hwy 1 intersection, from General Commercial (C-2) to the Tramway South Apartments Conditional Zoning District to allow the development of a residential apartment community as illustrated on the Tramway South Apartments Concept Plan submitted as part of the application. The subject property is identified as Lee County Tax Parcels 9631-53-6433-00 and 9631-62-1820-00, as depicted on Lee County Tax Map 9631.04.

The public is cordially invited to attend. Further information may be obtained from the Sanford/Lee County Zoning & Design Review Department, 115 Chatham Street, Suite 1, Sanford, NC 27330 or by calling (919) 718-4656. Upon request and with 24-hour notice, the City will provide an interpreter for the hearing impaired or any other type of auxiliary aid. The Sanford Planning Board agenda will be posted on the City of Sanford website at <https://www.sanfordnc.net/AgendaCenter> prior to the meeting date.

Cualquier ciudadano que tenga preguntas o comentarios de las cosas al referido, puede comunicarse a el departamento de desarrollo para Sanford/Condado de Lee, llame al (919) 718-4656.

SUBMIT QUESTIONS OR CONCERNS REGARDING THIS MATTER TO:

Amy J. McNeill, Zoning Administrator
Sanford/Lee County Zoning & Design Review Dept.
115 Chatham Street, Suite 1, Sanford, NC 27330
919-718-4656, Ext. 5397 or amy.mcneill@sanfordnc.nc

CITY OF SANFORD PUBLIC NOTICE

Notice is hereby given that the Sanford City Council and Planning Board will hold joint legislative hearings on Tuesday, June 21, 2022 in the Council Chambers of the Sanford Municipal Building at 225 E. Weatherspoon Street, Sanford, N.C. The hearings will begin at 6:00 p.m. or as soon thereafter as deemed practical by the Boards. These are public hearings to provide the public an opportunity to be heard. The Boards will consider the following applications to amend the Official Zoning Map of the City of Sanford, NC:

1. ZONING MAP AMENDMENT APPLICATION, PB ITEM 2022-0601

Application by Trinity Capital Advisors, LLC to rezone 13 tracts of land comprising 616.72 acres total with frontage on Rod Sullivan Road (SR 1483) and Jefferson Davis Hwy / US Hwy 1 from Residential Agricultural (RA) to Light Industrial (LI). The subject property is owned by Stephens Enterprises, LLC and is identified as Lee County Tax Parcels 9667-72-1752-00, 9667-50-6965-00, 9666-78-7977-00, 9666-69-3230-00, 9666-58-4589-00, 9666-57-0619-00, 9666-47-9499-00, 9666-47-9279-00, 9666-47-9077-00, 9666-57-5048-00, 9666-65-7121-00, 9666-54-6675-00, and 9666-53-8950-00 as depicted on Tax Maps 9667.04, 9666.02, 9666.01, and 9666.03.

Please be aware that the public hearing for this zoning map amendment/rezoning request will be held only if the City Council votes to annex the subject property into the corporate City limits, for which the public hearing will also be held on June 21, 2022.

2. ZONING MAP AMENDMENT APPLICATION, PB ITEM 2022-0602

Application by Lamco Custom Builders, LLC to rezone 10 tracts of land comprising 7.2 acres total with frontage on Tyndall Drive (SR 1236) from Residential-Mixed (R-12) to Residential-Mixed (R-10) The subject property is identified as Lee County Tax Parcels 9631-87-0005-00, 9631-77-8298-00, 9631-77-8336-00, 9631-77-7497-00, 9631-77-7545-00, 9631-77-7604-00, 9631-77-5895-00, 9631-78-4086-00, 9631-78-4126-00, and 9631-78-3276-00 as depicted on Tax Map 9631.04.

Please be aware that the public hearing for this zoning map amendment/rezoning request will be held only if the City Council votes to annex the subject property into the corporate City limits, for which the public hearing will also be held on June 21, 2022.

3. ZONING MAP AMENDMENT APPLICATION, PB ITEM 2022-0603

Application by Pinnacle Partners, LLC to amend the Brookshire Conditional Zoning District, which was approved in November of 2021 to allow the development of a residential subdivision with a multi-family area and a commercial area as illustrated on the Brookshire Subdivision Conceptual Development Plan with conditions. This is a site plan/subdivision plan specific conditional district; therefore, more detailed information regarding the project design was required prior to moving forward with the development of the site, which the applicant has submitted for consideration at this time. The subject property is comprised of three adjoining tracts of land totaling 168 ± acres with frontage on Valley Road (SR 1325), Forestwood Park

↑
MOVED TO JULY

Road (SR 1384), and Boone Trail Road/US 421 Hwy and is identified as ~~Lee County Tax Parcels 9624-96-0209-00, 9634-04-4681-00, 9634-14-7642-00~~, as depicted on Lee County Tax Maps ~~9642.02, 9642.04, 9634.01~~ and 9634.03

4. ZONING MAP AMENDMENT APPLICATION, PB ITEM 2022-0604

Application by Lacy Oldham to rezone a 11.59 tract of land addressed as 1607/1611 Kelly Drive (SR 1521) from Residential Single-family (R-20) and Residential Single-family (R-20) with a Mobile Home Park Overlay District to General Commercial (C-2). The subject property is owned by Oldham & Oldham, Inc. and is identified as Lee County Tax Parcel 9652-99-4976-00 as depicted on Tax Maps 9653.04 and 9652.02.

5. ZONING MAP AMENDMENT APPLICATION, PB ITEM 2022-0605

Application by Rhetsen Companies, Inc. to rezone two adjoining tracts of land totaling 24.60 ± acres with frontage on Marketplace Drive, a private driveway created to serve an unfinished shopping center located in the southeast corner of Tramway Road/NC 78 Hwy and Jefferson Davis Hwy/US Hwy 1 intersection, from General Commercial (C-2) to the Tramway South Apartments Conditional Zoning District to allow the development of a residential apartment community as illustrated on the Tramway South Apartments Concept Plan submitted as part of the application. The subject property is identified as Lee County Tax Parcels 9631-53-6433-00 and 9631-62-1820-00, as depicted on Lee County Tax Map 9631.04.

The public is cordially invited to attend. Further information may be obtained from the Sanford/Lee County Zoning & Design Review Department, 115 Chatham Street, Suite 1, Sanford, NC 27330 or by calling (919) 718-4656. Upon request and with 24-hour notice, the City will provide an interpreter for the hearing impaired or any other type of auxiliary aid.

Cualquier ciudadano que tenga preguntas o comentarios de las cosas al referido, puede comunicarse a el departamento de desarrollo para Sanford/Condado de Lee, llame al (919) 718-4656.

By Bonnie Davis, Clerk
City of Sanford

Please publish in the Legal Notices Section of the Sanford Herald on Friday, June 10, 2022 and on Friday, June 17, 2022. If you have any questions regarding this notice, please call Amy McNeill at 718-4656, ext. 5397. Please reference this account number (30031885) on the invoice and refer to as Sanford Planning Board Public Hearing Notice. Please send publisher's affidavit to the Community Development Office, P.O. Box 3729, Sanford, NC, and attention: Angela Baker.

City of Sanford

City Council Actions on Items Requiring a Planning Board Recommendation

1. ZONING MAP AMENDMENT APPLICATION, PB ITEM 2022-0501
Application by Arista Development, LLC to rezone a one-acre portion of a 3.11-acre tract of land with frontage on Center Church Road (SR 1303) and US Hwy 1/Jefferson Davis Hwy from Residential Restricted (RR) and Residential Agricultural (RA) to Highway Commercial (HC). The subject property is owned by Bradley D. McNeill and Joy Farrell McNeill and is identified as a portion of Lee County Tax Parcel 9631-43-3781-00as depicted on Tax Map 9631.03.
SPB Action: May 24, 2022 recommended to approve (rezone to HC) as presented by a unanimous vote.
SCC Action: June 7, 2022 voted to approve (rezone to HC) as presented by a unanimous vote.
2. ZONING MAP AMENDMENT APPLICATION, PB ITEM 2022-0503
Application by The Jakel Organization, LLC to rezone one vacant 2.07-acre tract of land with frontage on Blumont Drive and US 421 Hwy from Residential Single-family (R-20) to General Commercial (C-2). The subject property is owned by Hwy 54 Partners, LLC and is identified as Lee County Tax Parcel 9661-37-3621-00 as depicted on Tax Map 9666.01.
SPB Action: May 24, 2022 recommended to approve as presented by a unanimous vote.
SCC Action: June 7, 2022 voted to approve as presented by a unanimous vote.
3. MAJOR SUBDIVISION PRELIMINARY PLAT, CASE 2022-0504
Consideration of a preliminary subdivision plat for Brick Capital CDC, Washington Avenue Subdivision, a 15.45-acre residential subdivision with frontage on Washington Avenue that is proposed for development with 45 single-family homes served by City of Sanford maintained public water, sewer, and streets. The subject property is identified as Lee County Tax Parcel 9642-63-2855-00 as depicted on Tax Map 9642.04.
SPB Action: May 24, 2022 recommended to approve as presented by a unanimous vote.
SCC Action: June 7, 2022 voted to approve as presented by a unanimous vote.
4. MAJOR SUBDIVISION PRELIMINARY PLAT, CASE 2022-0505
Consideration of a preliminary subdivision plat for Midtown Village South, a 288.74-acre residential subdivision with frontage on Colon Road and Lower Moncure Road that is proposed for development with 732 single-family homes and 161 townhomes served by City of Sanford maintained public water, sewer, and streets. The subject property is identified as Lee County Tax Parcels 9653-17-6784-00, 9653-26-3853-00, 9643-15-4239-00, 9653-24-1951-00, 9653-25-6511-00, 9653-34-3218-00, 9635-36-6299-00, 9653-46-2729-00, 9653-46-6325-00, 9653-46-8365-00, 9653-56-5753-00, and 9653-57-3523-00 as depicted on Tax Maps 9653.01, 9653.02, 9643.02, 9653.14, and 9653.13
SPB Action: May 24, 2022 recommended to approve with the following conditions by a unanimous vote. There will be no public roadway connection to Eastwood Drive or Skyview Drive (no connection is illustrated on the plans), the roadway connection to White Oak Drive/Red Oak Drive will not be used as a construction entrance, and that there will be a 30ft buffer and fence required along the property lines shared with the Lunney Family (9653-35-339-00) and the Lemons family (9653-44-1828-00) as illustrated on the Detailed Site Plan, Sheet 4 of 4 (sheet 2.4) of the plans,

which were agreed to by the applicant as part of the conditional rezoning per review of the information on file. Also, the staff is to verify the accuracy of the watershed information and ensure that it is corrected as needed and a stub street to extend to the perimeter property line instead of the cul-de-sac in the townhome area off of Colon Road as recommended by staff was included as part of the recommendation. This was agreed to by the applicant.

SCC Action: June 7, 2022 voted to approve as presented by a unanimous vote with the same conditions included with the Planning Board recommendation.