

# CITY OF SANFORD PLANNING BOARD

## REGULAR MEETING

Tuesday, September 20, 2022, 6:00 PM

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

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**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 October 4, 2022 and action may or may not be taken at that time per the discretion of the City Council.

**A. APPROVAL OF AGENDA**

**B. APPROVAL OF MINUTES** -August 16, 2022

**C. DISCLOSURE OF CONFLICT OF INTEREST**

**D. OLD BUSINESS**

**E. NEW BUSINESS**

PUBLIC HEARINGS WITH THE CITY COUNCIL TO CONSIDER ITEMS 1 – 6:

1. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-0901

Application by Glenn Godfrey to rezone 196.87 acres consisting of five parcels of vacant land on Carbonton Road and Petty Road from Residential Restricted and Residential Single-Family District (R-14) to the Residential Mixed District (R-10) so to allow the subject property to be developed with a residential subdivision. The subject property is identified as Lee County Tax Parcels 9623-70-2817-00, 9623-61-1527-00, 9623-73-6095-00, 9623-82-1343-00 & 9623-82-4721-00, as depicted on Lee County Tax Maps 9623.04 & 9622.02.

*Staff Contact: Curtis Lee at 919-718-4657, Ext. 5543 or [curtis.lee@sanfordnc.net](mailto:curtis.lee@sanfordnc.net)*

2. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-0902

Application by Brian Richards of Urban Design Partners to rezone two adjoining tracts of land totaling 46.7 +/- acres with frontage on Wicker Street from Residential-Mixed (R-12) to the Reeves Property Conditional Zoning District to allow the development of a 233-lot residential community (71 single-family homes and 162 townhome units) as illustrated on the “Reeves Property Conditional Zoning Site Plan” and conceptual architectural elevations submitted as part of the application. The subject property is identified as Lee County Tax Parcels 9642-26-3017-00 & 9642-25-6727-00, as depicted on Lee County Tax Maps 9642.01 & 9642.03.

*Staff Contact: Amy McNeill at 919-718-4657, Ext. 5397 or [amy.mcneill@sanfordnc.net](mailto:amy.mcneill@sanfordnc.net)*

3. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-0903

Application by Randy King of Pulte Home Company LLC rezone one (1) tract of land comprising 47.35 +/- acres at 1715 Carthage Street from Residential Mixed (R-12) to the Carthage Street Residential Subdivision Conditional Zoning District to allow for the development of “a diverse development of single family and ranch detached dwellings” as described on the “1715 Carthage Street Concept Sketch” submitted as part of the application. The subject property is identified as Lee County Tax Parcel 9641-09-5617-00, as depicted on Lee County Tax Map 9641.01.

*Staff Contact: Curtis Lee at 919-718-4657, Ext. 5543 or [curtis.lee@sanfordnc.net](mailto:curtis.lee@sanfordnc.net)*

4. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-0904  
Application by Brian Richards of Urban Design Partners to rezone one (1) tract of land comprising 7.21 +/- acres at 3239 NC Hwy 87 S from General Commercial (C-2) to the Truelove Street Apartments Conditional Zoning District to allow for the development of a multi-family development as depicted in the “Truelove St. Concept Plan” submitted as part of the application. The subject property is identified as Lee County Tax Parcels 9661-27-0612-00, as depicted on Lee County Tax Map 9661.01.  
*Staff Contact: Curtis Lee at 919-718-4657, Ext. 5543 or curtis.lee@sanfordnc.net*
5. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-0905  
Mark Lyczkowski is requesting to rezone one (1) tract of land comprising 22.27 +/- acres at Hawkins Avenue and Cape Jasmine Drive from Residential Mixed (R-12) to the Hawkins Village Apartments Conditional Zoning District to develop the property for multi-family residential development as described on the “Hawkins Village Conceptual Plan” submitted as part of the application. The subject property is identified as Lee County Tax Parcels 9644-60-0952-00, as depicted on Lee County Tax Map 9644.04.  
*Staff Contact: Curtis Lee at 919-718-4657, Ext. 5543 or curtis.lee@sanfordnc.net*
6. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-0906  
Application by Brandon Harrington of Harrington Properties of NC is requesting to rezone two (2) adjoining tracts of land comprising 2.93 +/- acres at Goldsboro Ave, Barnes St, and Cooper St from Residential Mixed (R-12) to the Goldsboro Avenue Conditional Zoning District to allow the development of 25 townhomes as illustrated on the “Harrington Residential Development Plan” submitted as part of the application. The subject property is identified as Lee County Tax Parcels 9652-28-9577-00 & 9652-38-0432-00, as depicted on Lee County Tax Map 9652.06.  
*Staff Contact: Curtis Lee at 919-718-4657, Ext. 5543 or curtis.lee@sanfordnc.net*
7. MAJOR SUBDIVISION PRELIMINARY PLAT, CASE 2022-0907 (No public hearing required)  
LAMCO Custom Builders, LLC, is seeking approval of a preliminary plat for the third phase of Brantley Place, a proposed major residential development consisting of nineteen lots intended for detached single-family homes. This project originally began as Carthage Square subdivision, which was approved and platted in 2020 by Mr. Mark Lyczkowski. Since then, LAMCO Customer Builders has purchased the lots and agreed to coordinate with Groce Companies’ in developing this site as an additional phase of the Brantley Place subdivision, the preliminary plat for which was approved in 2021 and is currently under construction. This proposed subdivision will allow for nine additional lots, but also the extension of public sewer along Tyndall Drive, as well as the extension of public sidewalk and curb/gutter along one side of the street. The site was recently rezoned from R-12 Residential Mixed to R-10 Residential Mixed in July of this year. All lots proposed are intended to be served by public water, public sewer, and public streets, all to be maintained by the City of Sanford.
8. ZONING MAP AMENDMENT APPLICATION, PB ITEM 2022-0908  
Consideration of a text amendment to the Unified Development Ordinance, Table 4.6-1 Permitted Use Matrix to revise the land use categories “Religious Complex (less than 350 seats), new site” and “Religious Complex (more than 350 seats), new site” to remove the prohibition preventing this land use from being located within the central business district (CBD) zoning classification.

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

**G. REPORTS**

Actions by the Sanford City Council

**H. ADJOURNMENT**

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

The City of Sanford Planning Board met for a regular meeting in the West End Conference Room of the Sanford Municipal Center at 225 E. Weatherspoon Street, Sanford, N.C. 27330 on Tuesday, August 16, 2022. The meeting was called to order at 6:00 P.M.

**ROLL CALL**

**Members Present:** Ken Britton, Chair  
Bill Murphy  
Jeff Foster  
Gina Bycura  
Gloria Perez, Alternate

**Members Absent:** Ed Ashburn  
Richard Oldham, Vice-Chair

**Staff Present:** Eric Nance, Clerk;  
Thomas Mierisch, Planner II  
Curtis Lee, Planner I  
David Montgomery, Long Range-Transportation Planner

Also serving as staff and legal counsel for the board at this meeting was Kevin Hornik Esquire, of the Brough Law Firm, PLLC at 1526 E. Franklin Street, Chapel Hill, N.C 27514.

**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.

Chair Britton stated that, all information relevant should have been presented during the public hearing and the planning board may ask for additional clarification about information received during the public hearing but may not receive any new information. Recommendations made this evening will be presented to the city council for their consideration on September 6, 2022 and any action may or may not be taken at that time per their discretion.

**APPROVAL/DISAPPROVAL OF AGENDA**

Chair Britton entertained a motion to approve the agenda. Board member Foster made a motion to approve the agenda, seconded by board member Perez and carried unanimously.

**APPROVAL OF MINUTES**

Chair Britton entertained a motion to approve the minutes of the July 26, 2022 meeting. Board member Foster made a motion to approve the minutes, seconded by board member Perez and carried unanimously.

**DISCLOSURE OF CONFLICTS OF INTEREST**

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

### OLD BUSINESS

None

### NEW BUSINESS

#### 1. UDO TEXT AMENDMENT, PB ITEM 2022-0801

Consideration of a text amendment to the Unified Development Ordinance, Consideration of text amendments to the jointly adopted UDO, with an update to Article 4: Sections 1-8 (Zoning District Regulations), Article 6 (Subdivisions), Article 9.2 (Storm Water Management), and Article 10.4 (Accessory Dwellings) and remove the language in Article 4: Sections 9 (Planned Unit Development), 10 (Traditional Neighborhood Development), and 15 (Residential Design Standards Overlay District).

### DISCUSSION

Chair Britton gave introduction to the UDO Text Amendment application and opened the floor for discussion. Staff person Montgomery stated that one of the things that they are recommending is that the amendments will not take effect until January 1<sup>st</sup>, 2023 for several reasons, the first being they didn't know if there were going to be any changes to the text amendment. The second reason is that it gives us opportunity to really get into the map changes when we are up-zoning property. The laws for public hearing notices are substantial, so it gives us time, and we are looking at November for that part of it. Lastly, we want to give the development community enough time to transition from the current rules. He stated that there will be a period of time where they can either go by the former rules or choose to go by the new rules.

Board member Foster stated concerns about stormwater, to which Staff person Montgomery said, we are following state rules on stormwater.

Chair Britton asked, what the reason was behind the 7' street yard? Staff person Montgomery said, at first it was 8', developer feedback led to the lowering of the street yard requirement to 6'; however, Engineering said they wanted a planting strip behind the sidewalk for utilities which made the right-of-way an odd number of 53' [with the 6' street yard] so we went to 55' and brought the planting strip back to 7'.

Board member Murphy asked, the utilities will be between the sidewalk and the house? Staff person Montgomery said, that is correct.

Board member Foster asked, will there still be a utility easement required outside of the right-of-way? Staff person Montgomery said, you would have an easement.

Referencing proposed amendments to Accessory Dwelling Unit regulations, Board member Murphy asked, what defines a dwelling? Staff person Montgomery said, it may be on septic or sewer. Staff person Mierisch said, it would have to meet building code. Staff person Montgomery

said, it would be reviewed like a normal house and go through building inspections.

Chair Britton asked, if pre-fab homes were allowed. Staff person Montgomery stated that you could have a modular home. Staff person Mierisch stated that the UDO allows different types of manufactured homes in other zoning districts and that modulars are already allowed in the city as well as any other zoning district.

Board member Foster asked, would it be better to go with a 300 sq ft minimum size with regards to ADU's where septic is concerned? Staff person Montgomery said Building Inspections recommends 400 sq ft.

Board member Foster initiated discussion concerning the possibility of tiny home communities within Sanford. Staff person Mierisch briefly discussed the possibility of such a proposal by highlighting other developments in Greensboro. Board member Bycura also provided examples of other tiny home villages in North Carolina.

Board member Foster asked, as it pertains to amenities, if we drop it down to 30 lots and depending on what that amenity looks like, if it is a \$60,000 cost to construct it is \$2,000 extra per lot. Staff person Montgomery pointed out that the UDO already covers the 30 lots and triggers the second point of ingress / egress which is the reason we picked that number.

Board member Foster shared his concern on cul-de-sac length to which Staff person Mierisch stated the UDO covers this under Article 6.

Chair Britton asked, are we requiring certain materials on ADU's to match the principal structure? Staff person Montgomery stated that this is not conditional, we just didn't want extremes. We are asking that the ADU compliments the existing principal dwelling. Attorney to the Board Kevin Hornik stated that this is an instance where you are saying that there is an existing structure on the lot and you want to add a new accessory dwelling unit and we want there to be some consistency in material between the two.

### **DECISION**

With no further discussion, Chair Britton opened the floor for a motion for the first vote regarding consistency with the long-range plan. Board member Perez made the motion that the updated UDO amendments are in accordance with the Plan San-Lee. Board member Foster seconded the motion and it was approved unanimously.

Chair Britton called for a motion of recommendation to City Council. Board member Foster made the motion to recommend that the Planning Board support Staff recommendations as presented. Board member Bycura seconded and the motion was approved unanimously.

### **OTHER BUSINESS**

None

### **STAFF REPORT**

Staff person Mierisch gave the staff report included in the Planning Board agenda packet.

**ADJOURNMENT**

With no further business to come before the board, the motion to adjourn was made by Board member Murphy, seconded by Board member Perez, and carried unanimously. The meeting was adjourned at 7:46 P.M.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**BY:** \_\_\_\_\_  
Ken Britton, Chair

**ATTEST:** \_\_\_\_\_  
Eric Nance, Clerk



# City of Sanford-Lee County-Town of Broadway ZONING MAP AMENDMENT (REZONING) APPLICATION

Circle the Jurisdiction that Applies:

**City of Sanford**

Lee County

Town of Broadway

In order to apply for a Zoning Map Amendment (Rezoning), a completed application, fee, and all supporting documentation is required to be turned in to the Sanford-Lee County Community Department. Information regarding the submittal requirements, deadline dates, and meeting dates is provided in a separate handout specific to each jurisdiction that is available upon request.

For questions concerning this process, you may contact the Sanford-Lee County Community Development Department, Zoning & Design Review Division, on the first floor of the historic Buggy company Building at 115 Chatham Street in downtown Sanford, N.C. during regular business hours M-F 8:00am to 5:00pm. Staff does require a consultation with the applicant and property owner prior to accepting a Zoning Map Amendment (Rezoning) Application to explain the process and legalities associated with this request. For additional information or questions please contact Amy J. McNeill, Zoning Administrator at 919-718-4656, ext. 5397 or amy.mcneill@sanfordnc.net.

1. Applicant Name: Glenn Godfrey
2. Applicant Address: P.O. Box 2399 Sanford NC 27331
3. Applicant Telephone: 9197749446 Email: southernwindstream.net
4. Name and Address of Property Owner(s) if different than applicant: \_\_\_\_\_  
\_\_\_\_\_
5. Location of Subject Property: Carbanon Road  
Lee Co. P.I.N. See Attached List - \_\_\_\_\_ - 00
6. Total Area included in Rezoning Request: 196.87 Acres
7. Zoning Classification: Current: RR and R14  
Requested: R10
8. Existing Land Use(s): Timber

9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): \_\_\_\_\_  
Residential 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 County Community Development Department.*

*[Handwritten Signature]*

5.16.22

Signature of Applicant (Sign & Print)

Date

*Southern Properties of Sanford LLC*  
*[Handwritten Signature]* *MANAGE*

5.16.22

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

Date

*Pinville Inc* *[Handwritten Signature]* *Perez*

**Required Attachments/Submittals**

- A. 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.
- B. A copy of the latest deed for the subject property as recorded at the Lee County Register of Deeds Office.
- C. A \$500.00 Application fee, payable to the City of Sanford is required before processing the application.
- D. \*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).
- E. 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: 2022-06-01

Fee Paid: \$500.00

Application No.: 2022-0701

Staff Signature: \_\_\_\_\_

Energov Case No.: ZMA-005189-2022

## Rezoning Caribton Road Tax Pin #

9623-70-2817-00	Southern Properties RR to R10
9623-61-1527-00	Southern Properties RR to R10
9623-73-6095-00	Southern Properties RR to R10
9623-82-1343-00	Southern Properties RR to R10
9623-82-4721-00	Pinnacle Inc. R14 to R10



**CITY OF SANFORD**  
**CITY COUNCIL AND PLANNING BOARD**  
**PUBLIC HEARING INFORMATION**  
**September 20, 2022**

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*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 September 20<sup>th</sup>, 2022..*

**REQUEST**

Glenn Godfrey is requesting to rezone 196.87 acres consisting of five parcels of vacant land on Carbonton Road and Petty Road from Residential Restricted and Residential Single-Family District (R-14) to the Residential Mixed District (R-10) so to allow the subject property to be developed with a residential subdivision. Therefore, Glenn Godfrey 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 nor subdivision plans nor 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: Glenn Godfrey  
Property Owner: Southern Properties of Sanford, LLC & Pinnacle Inc.  
Request: RR & R14 to R10  
Location: Vacant (Carbonton Rd & Petty Rd), Sanford, NC 27331  
Acreage: 196.87  
Tax Parcels: 9623-70-2817-00, 9623-61-1527-00, 9623-73-6095-00, 9623-82-1343-00  
& 9623-82-4721-00  
Tax Map: 9623.04 & 9622.02  
Township: West Sanford  
Council Ward: Unassigned  
Fire District: Northwest Pocket Fire Department & City Station #3  
Schools: JR Ingram Elementary School | West Lee Middle School | Lee Senior High School & Southern Lee High School

**SITE DESCRIPTION**

The site is located on Carbonton Rd between Cricket Hearth Rd and Luanne St with stub street access from Tuscany Pl and Creek Trl within the Hearthfield Lakes subdivision. The lots are currently vacant and wooded.

## **ZONING DISTRICT INFORMATION**

Existing Zoning: The area proposed for rezoning currently has two separate zoning classifications: Residential Restricted (RR) and Residential Single-Family District (R-14).

The Residential Restricted (RR) district is established to provide areas for low-density single-family uses, with a maximum of one and one-half (1.5) dwelling units per acre. Property zoned RR should include only those tracts which abut or are in close proximity to existing large lot single family development, making RR an appropriate transition district between rural, agricultural, and suburban uses.

Minimum lot size:	30,000sf or 0.69 of an acre
Minimum lot width:	100ft
Minimum lot depth:	150ft
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 RR 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), 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), and schools (addition to existing site). There is a list of all permitted uses for this zoning district, including the uses subject to supplemental development standards and/or requiring the issuance of a Special Use Permit, within the agenda packet for your reference.

The R-14 district is established to provide areas for medium density, single-family residential uses, with a maximum of three (3) dwelling units per acre, where adequate public facilities and services exist with capacity to serve development. R-14 provides minimum lot size and density requirements in order to allow for market and design flexibility while preserving the neighborhood character.

Minimum lot size:	14,000sf or 0.32 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, 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-14 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), 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), and schools (addition to existing site). There is a list of all permitted uses for this zoning district, including the uses subject to supplemental development standards and/or requiring the issuance of a Special Use Permit, within the agenda packet for your reference.

Proposed Zoning: The **Residential Mixed District (R-10)** 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
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, measured from the side property lines
Maximum building height:	40
Maximum impervious surface:	N/A, not taking into consideration watershed regulations

Examples of uses permitted by right within the R-10 zoning district include 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), duplex (two-family) dwellings, 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), and schools (nursery and preschool, grade schools, elementary, middle, and high school; addition to existing site). There is a list of all permitted uses for this zoning district, including the uses subject to supplemental development standards and/or requiring the issuance of a Special Use Permit, within the agenda packet for your reference.

Adjacent Zoning:

North:	Residential Restricted (RR)
South:	Residential Restricted (RR)
East:	Residential Single-Family District (R-14)
West:	Residential Restricted (RR)

Adjacent Land Use:

North:	Single-family dwellings and vacant/wooded land
South:	Single-family dwellings and vacant/wooded land
East:	Single-family dwellings (Brownstone & Hearthfield Lakes subdivisions)
West:	Single-family dwellings and vacant/wooded land; Winding Creek Farm subdivision

## **PLAN SANLEE**

The long-range use plan identifies the majority of the site as Countryside, which accommodates agricultural and undeveloped lands outside the Urban Service Areas, encourages the preservation of the county's agricultural heritage, conserves and maintains rural lifestyles, and limits residential density. The local example is the Avent's Ferry Road Corridor in northeast Lee County. The area of the site included in this land use designation is approximately 191.9 acres, or approximately 97.5% of the site. The other 2.5%--the parcel with ParID 9623-82-4721-00—is identified as Suburban Neighborhood which accommodates residential areas on the outskirts of core urbanized areas, facilitates the development of large-scale neighborhoods, including mixed-use components in appropriate areas, and walkable neighborhoods with a high degree of transportation connectivity between those neighborhoods and surrounding network thoroughfares. Information from the land use plan is provided as attachments to this report for your reference.

## **LOCAL OVERLAY DISTRICTS**

Per GIS, the subject property is located within the Deep River Watershed which places the property in the Watershed Conservation Overlay District. The subject property also features a FEMA Flood Zone Designation of AE surrounding the Patterson Creek in the northwest parcel with ParID 9623-82-4721-00. The property does not appear to be located in a local historic district. 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**

The site appears to have access to public water via a main line along Carbonton Rd and access to public sewer at the rear of the site via a main line extension from the existing Hearthfield Lakes and Brownstone subdivisions. 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.

## **TRANSPORTATION**

There is frontage on Carbonton Rd (NC-42), which is a NCDOT maintained public road with a 60ft right-of-way, a 2020 NCDOT AADT of 2,500 vehicles per day in the general area of the subject property. The 2011 Lee County Transportation Plan designated NC-42 as a thoroughfare within its plan with a further recommendation that it become a boulevard with a recommended connection to Pendergrass Rd (SR 1334). 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.

## **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 does not comply with the *Plan SanLee* long-range plan as the designation of majority Countryside does not include R-10 as a preferred zoning district and the intensity of R-10 uses are significantly higher than those desired in the Countryside future land-use area. Furthermore, this rezoning does not adhere to current development patterns in the surrounding area due to the desired density of the development compared to the residential single-family dwellings surrounding the site—the surrounding subdivisions (Hearthfield Lakes, Brownstone) are zoned R-14 and Winding Creek Farm is zoned RR. Therefore, staff is NOT supportive of the proposed rezoning. The boards will need to take into consideration adjoining zoning districts and land-use intensity compared to the proposed project and the potential uses it would allow if granted, and they should also acknowledge that permitting this rezoning would constitute an amendment to the *Plan SanLee* future land-use map.

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 Countryside and Suburban Neighborhood because*

*the parcel, with ParID 9623-82-4721-00, is within the Suburban Neighborhood land use area which has similar residential intensity as the residential mixed (R-10) zoning district allows.”*

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 Countryside and Suburban Neighborhood because the property is located primarily, approximately 97.5%, within the Countryside land use area which does not accommodate the land uses and intensity of the residential mixed (R-10) zoning district.*

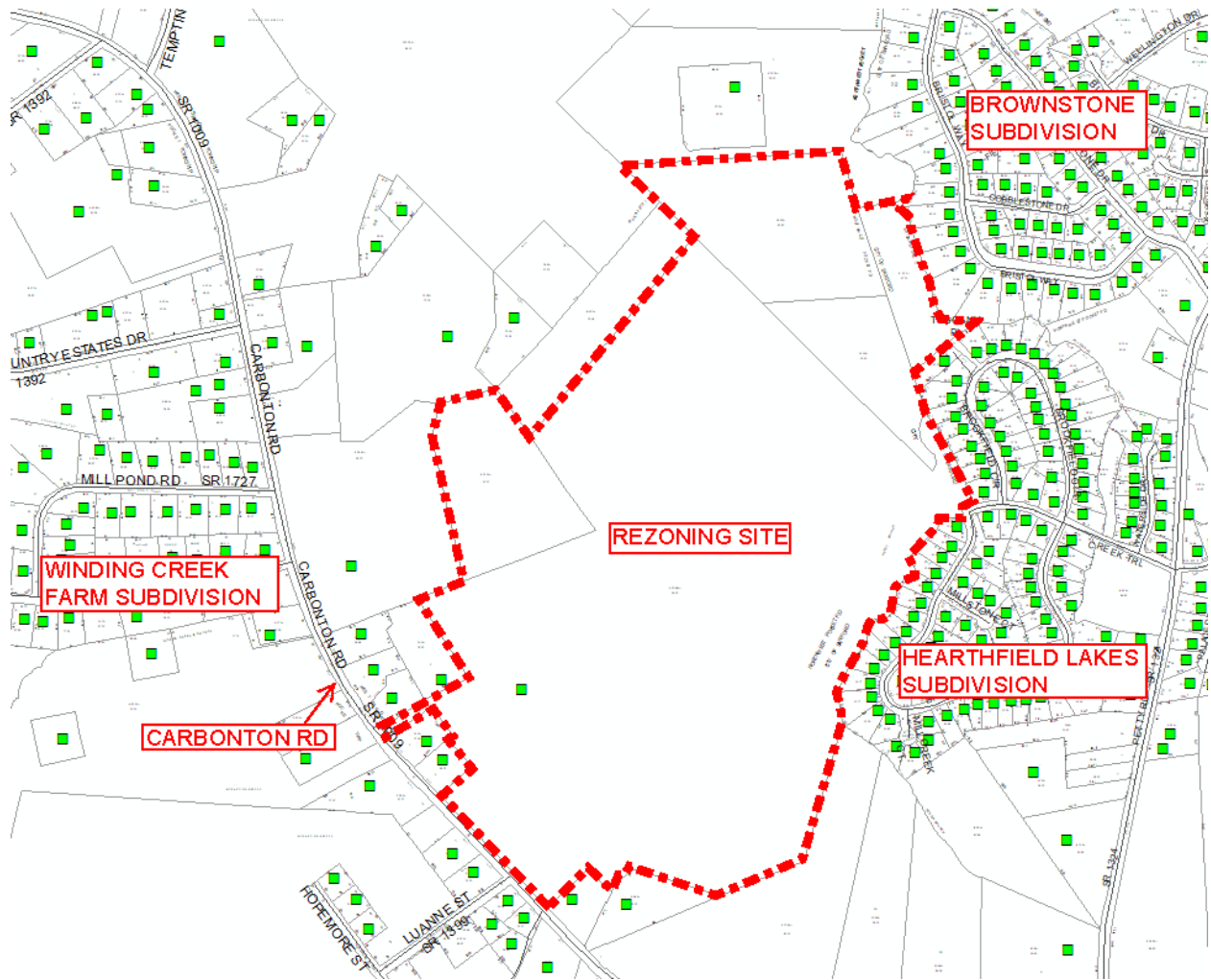
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

## **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 residential mixed (R-10) 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 residential mixed (R-10) 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.



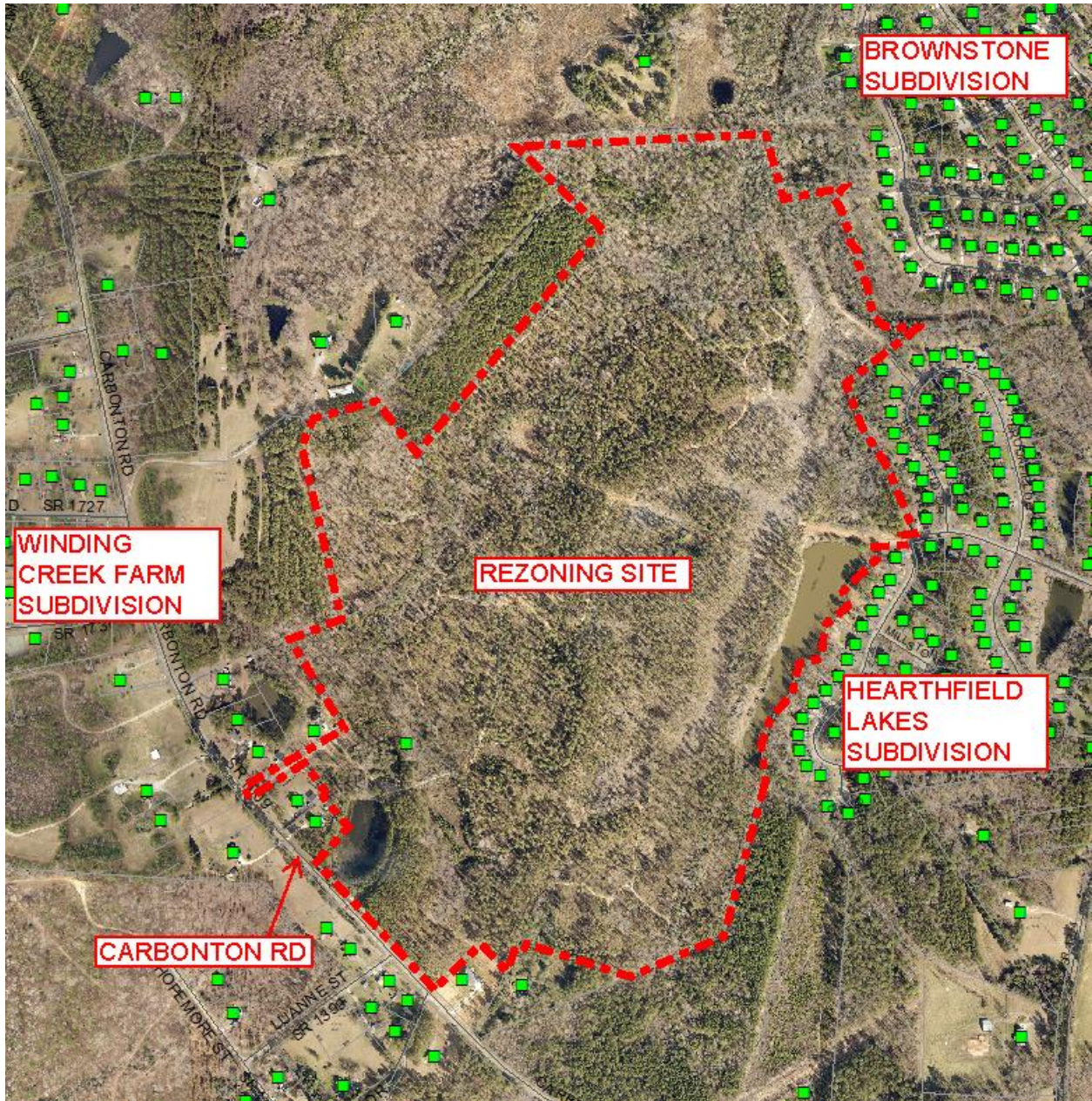
## ZONING MAP AMENDMENT

Request to rezone 196.87 acres on Carbonton Rd

from RR & R-14 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.

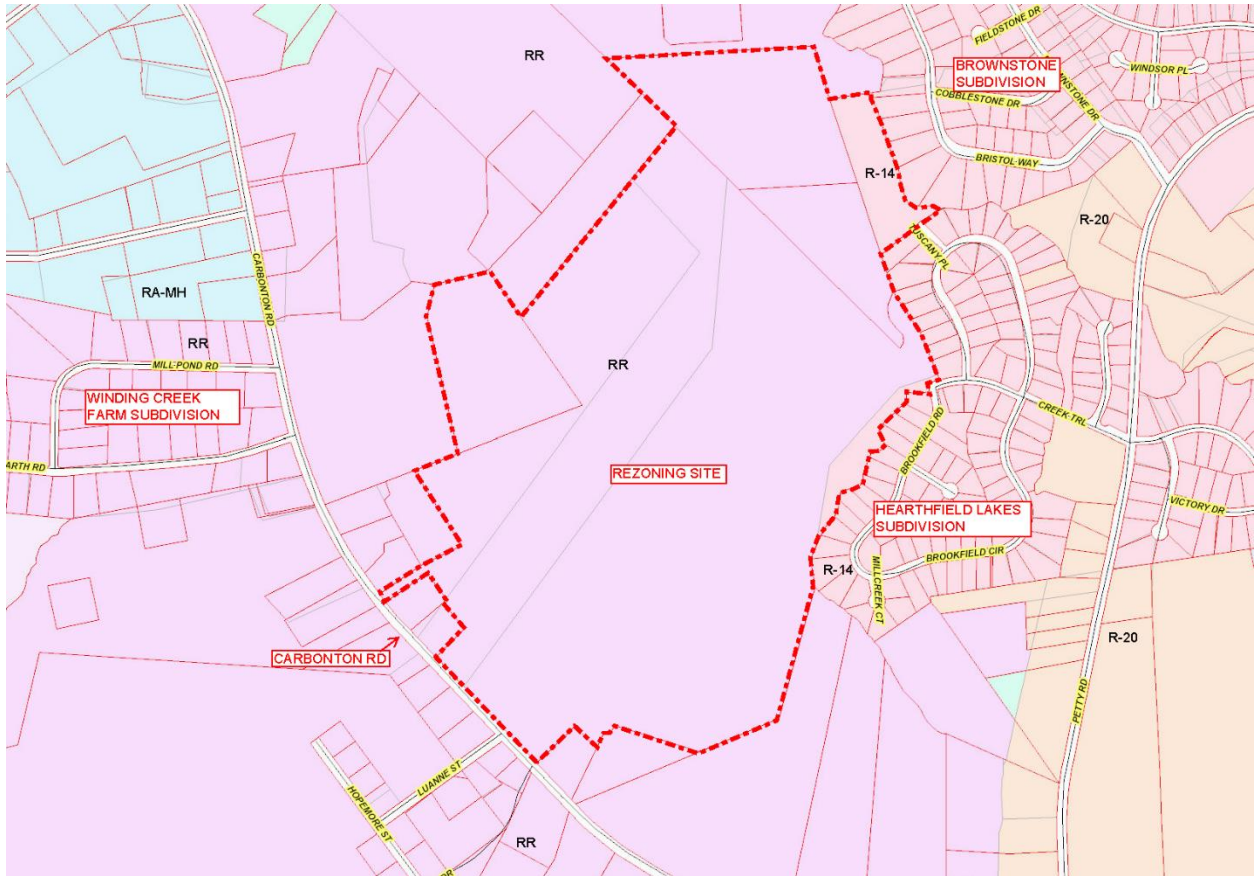


## ZONING MAP AMENDMENT

Request to rezone 196.87 acres on Carbonton Rd

from RR & R-14 to R-10

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## ZONING MAP AMENDMENT

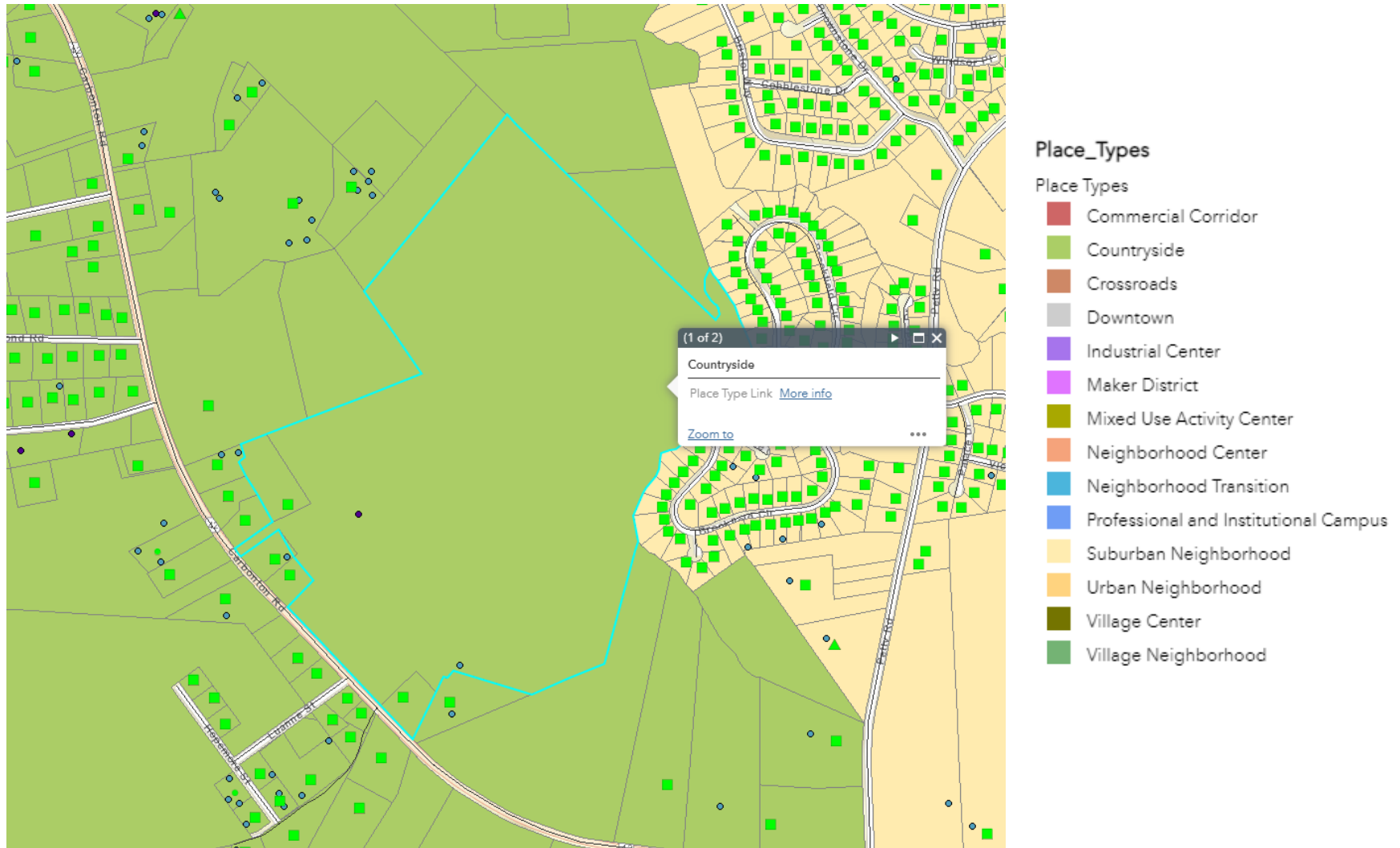
Request to rezone 196.87 acres on Carbonton Rd

from RR & R-14 to R-10

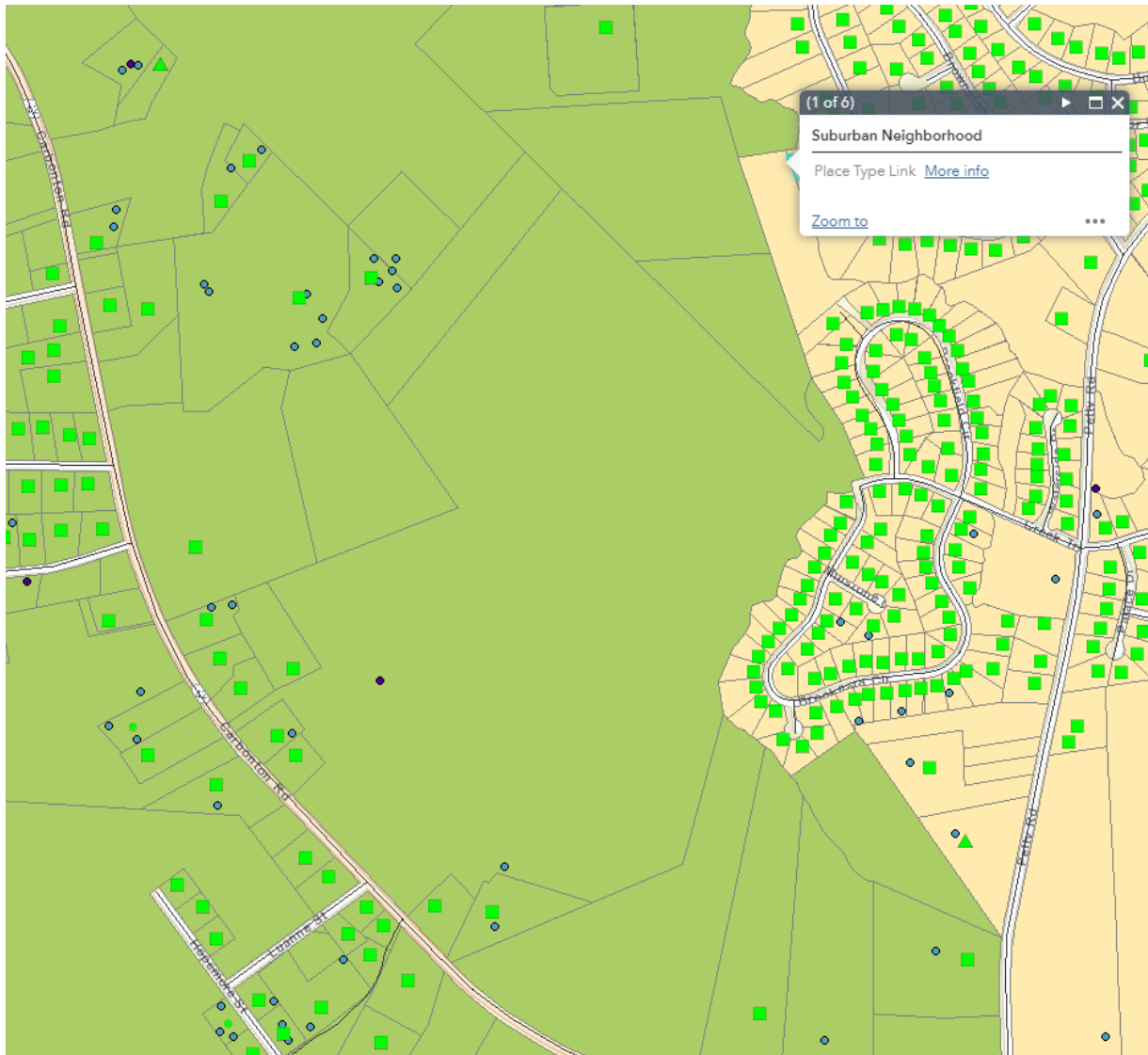
This is a graphic illustration and not a legal document.

All information is comprised of layers of data that may or may not align correctly.

# Plan SanLee – Long Range Plan – Interactive Map of Site



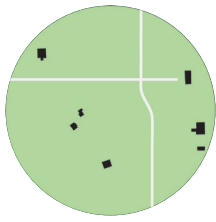
# Plan SanLee – Long Range Plan – Interactive Map of Site



## Place\_Types

### Place Types

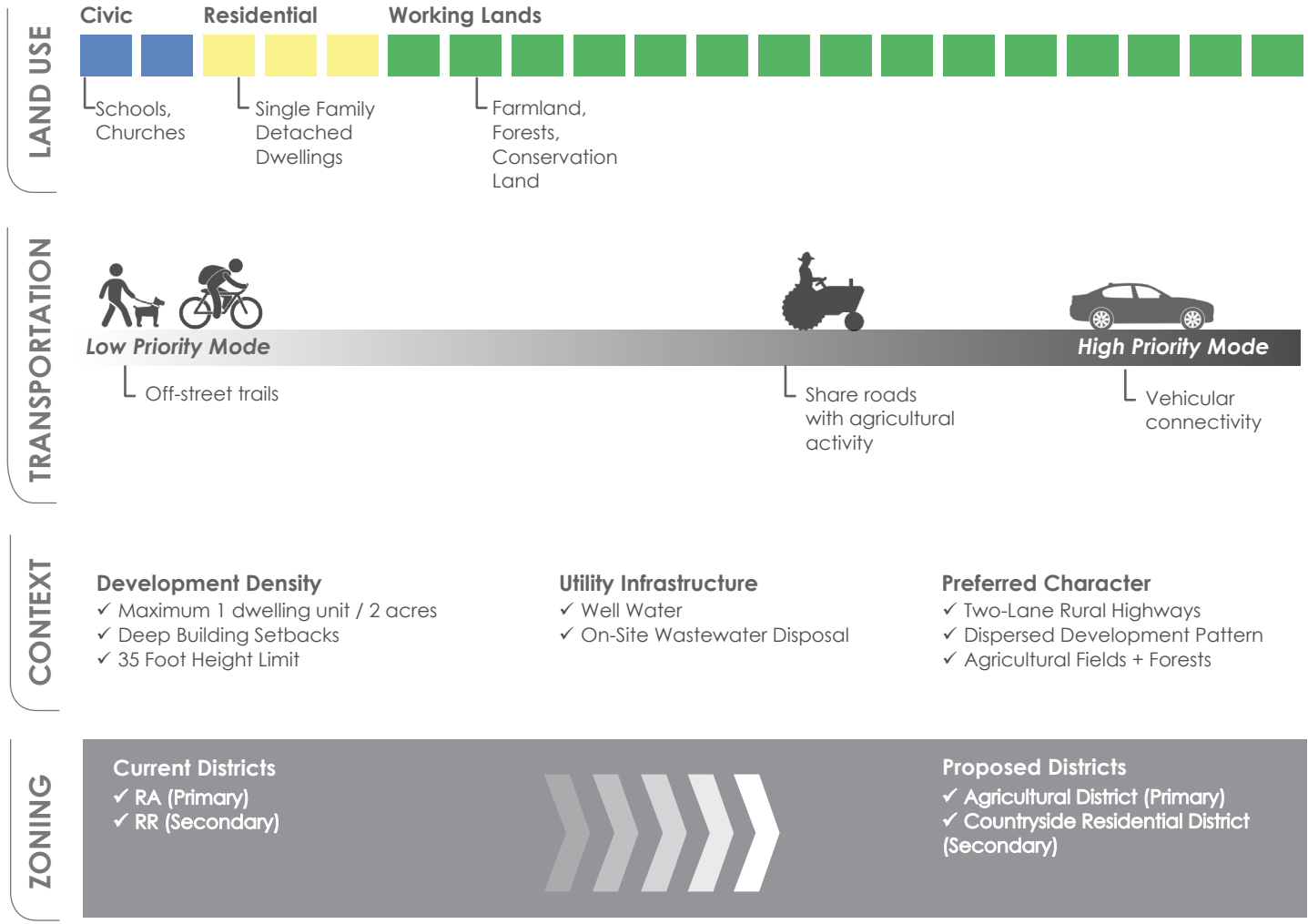
- Commercial Corridor
- Countryside
- Crossroads
- Downtown
- Industrial Center
- Maker District
- Mixed Use Activity Center
- Neighborhood Center
- Neighborhood Transition
- Professional and Institutional Campus
- Suburban Neighborhood
- Urban Neighborhood
- Village Center
- Village Neighborhood

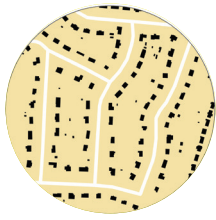


## COUNTRYSIDE

- ✓ 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

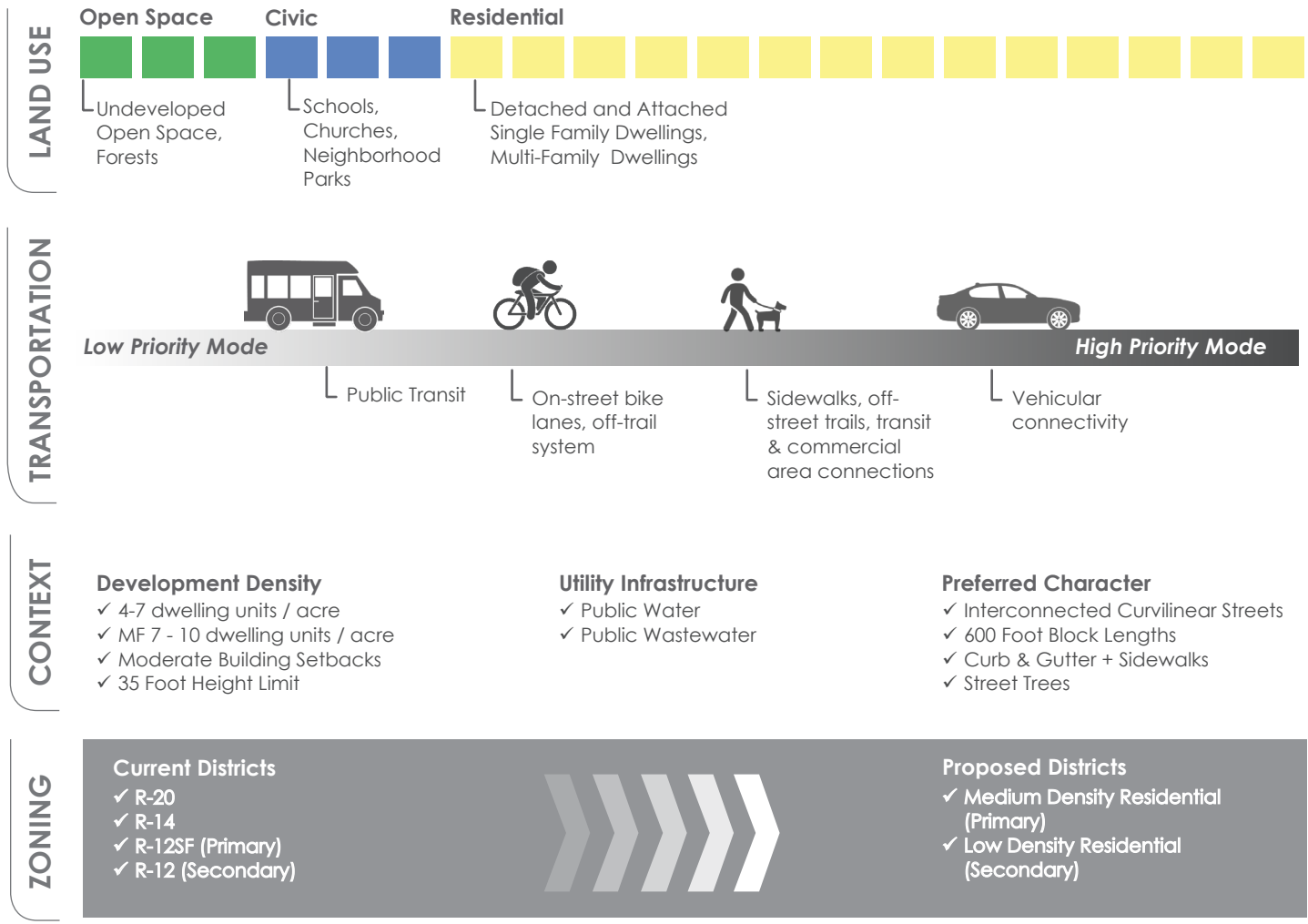
**Local Example - Avents Ferry Road Corridor in northeast Lee County**





## SUBURBAN NEIGHBORHOOD

- ✓ Residential areas on the outskirts of a core urbanized area
- ✓ Facilitates the development of large scale neighborhoods, including mixed use components in appropriate areas
- ✓ Walkable, with high degree of transportation connectivity between neighborhoods and surrounding network thoroughfares
- ✓ **Local Example - Westlake Valley Neighborhood in Sanford**



## **RR, RESIDENTIAL RESTRICTED 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).

<b><u>Accessory Uses</u></b>
Accessory uses (See Section 5.1)
<b><u>Residential Uses</u></b>
Dwelling, Modular home
Dwelling, Single-family detached
<b><u>Arts, Recreation &amp; Entertainment</u></b>
Parks, playgrounds, and athletic fields operated on a noncommercial basis
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
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
<b><u>Transportation, Communication, and Utilities</u></b>
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)
<b><u>Agriculture</u></b>
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).

<b><u>Residential Uses</u></b>
Accessory Dwellings (See Section 10.4)
Home Occupations (See Section 5.16)
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)
<b><u>Accommodations and Group Living</u></b>
Bed & breakfast inn (See Section 5.4)
Family Care Homes (See NCGS 168-21) (See Section 5.12)
<b><u>Industrial &amp; Manufacturing Uses</u></b>
Landfills, LCID (2 acres or less in size) (See Section 5.19)
<b><u>Art, Recreation &amp; Entertainment</u></b>
Stables/Riding Academies
Stable, Accessory to Dwelling
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
Day Care facility, Home Child Care (See Section 5.10)
<b><u>Transportation, Communication, and Utilities</u></b>
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.

<b><u>Accommodations and Group Living</u></b>
Dormitories for the students of colleges, commercial schools, staff of hospitals
Nursing, Supervision, Adult Care Homes, Group Care Facilities and other rehabilitative services
<b><u>Arts, Recreation &amp; Entertainment</u></b>
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
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
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

<b><u>Transportation, Communication, and Utilities</u></b>
Sewage treatment and Water treatment plants
<b><u>Agriculture</u></b>
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).

<b><u>Industrial &amp; Manufacturing Uses</u></b>
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)
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
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)
<b><u>Transportation, Communication, and Utilities</u></b>
Solar Collectors, Commercial (See Section 5.39)
Telecommunication towers (See Section 5.33)

## **R-14, RESIDENTIAL SINGLE FAMILY 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).

<b><u>Accessory Uses</u></b>
Accessory uses (See Section 5.1)
<b><u>Residential Uses</u></b>
Dwelling, Modular home
Dwelling, Single-family detached
<b><u>Arts, Recreation &amp; Entertainment</u></b>
Parks, playgrounds, and athletic fields operated on a noncommercial basis
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
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
<b><u>Transportation, Communication, and Utilities</u></b>
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)
<b><u>Agriculture</u></b>
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).

<b><u>Residential Uses</u></b>
Home Occupations (See Section 5.16)
<b><u>Accommodations and Group Living</u></b>

Family Care Homes (See NCGS 168-21) (See Section 5.12)
<b><u>Industrial &amp; Manufacturing Uses</u></b>
Landfills, LCID (2 acres or less in size) (See Section 5.19)
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
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.

<b><u>Accommodations and Group Living</u></b>
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
<b><u>Arts, Recreation &amp; Entertainment</u></b>
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
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
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
<b><u>Transportation, Communication, and Utilities</u></b>
Sewage treatment and Water treatment plants
<b><u>Agriculture</u></b>
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).

<b><u>Industrial &amp; Manufacturing Uses</u></b>
Landfills, C&D or LCID (greater than 2 acres in size) (See Section 5.20)
Mining and Quarries, <b>Unincorporated Lee County and City of Sanford only</b> (See Section 5.23)
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
Cemeteries, public and private (does not include individual family plots) (See Section 5.6)
Day Care facility, Child Care Center (See Section 5.10)
<b><u>Transportation, Communication, and Utilities</u></b>
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).

<b><u>Accessory Uses</u></b>
Accessory uses (See Section 5.1)
<b><u>Residential Uses</u></b>
Dwelling, Duplex (two-family dwelling)
Dwelling, Modular home
Dwelling, Single-family detached
<b><u>Arts, Recreation &amp; Entertainment</u></b>
Parks, playgrounds, and athletic fields operated on a noncommercial basis
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
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
<b><u>Transportation, Communication, and Utilities</u></b>
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)
<b><u>Agriculture</u></b>
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).

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

<b><u>Accommodations and Group Living</u></b>
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
<b><u>Arts, Recreation &amp; Entertainment</u></b>
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
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
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
<b><u>Transportation, Communication, and Utilities</u></b>
Sewage treatment and Water treatment plants
<b><u>Agriculture</u></b>
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).

<b><u>Residential Uses</u></b>
Accessory Dwellings (See Section 10.4)
<b><u>Accommodations and Group Living</u></b>
Bed and breakfast inn (See Section 5.4)
<b><u>Industrial &amp; Manufacturing Uses</u></b>
Landfills, C&D or LCID (greater than 2 acres in size) (See Section 5.20)
Mining and Quarries, <b>Unincorporated Lee County and City of Sanford only</b> (See Section 5.23)
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
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)
<b><u>Transportation, Communication, and Utilities</u></b>
Telecommunication towers (See Section 5.33)

# ADJOINING PROPERTY OWNERS LIST

PETITION BY: Glenn Godfrey

REQUEST: Rezone from Residential Restricted and Residential Single-Family (R-14) to Residential Mixed (R-10)

LOCATION: 0 (Vacant) Carbonton Rd and Petty Rd

PIN: 9623-70-2817-00, 9623-61-1527-00, 9623-73-6095-00, 9623-82-1343-00 & 9623-82-4721-00

DATE: 2022-05-16

PIN	Parcel Address	Owner	Owner2	Mail Address	Mail City	State	Zip
9623-62-7419-00	0 CARBONTON RD	WILLIAMS, SHARON BALDWIN		3007 POPLAR SPRINGS CHURCH RD	SANFORD	NC	27330
9623-61-1527-00	0 CARBONTON RD	SOUTHERN PROPERTIES OF SANFORD LLC		PO BOX 2399	SANFORD	NC	27331
9623-82-6232-00	504 TUSCANY PL	PHILLIPS, BRANDI C		504 TUSCANY PL	SANFORD	NC	27330
9623-82-6074-00	404 BROOKFIELD CIR	BRADLEY, MELISSA		21517 NC HWY 912	BENNETT	NC	27208
9623-81-8708-00	416 BROOKFIELD CIR	HUYNH, THANH VAN		416 BROOKFIELD CIR	SANFORD	NC	27330
9623-81-8740-00	420 BROOKFIELD CIR	HUYNH, TRANG		420 BROOKFIELD CIR	SANFORD	NC	27330
9623-82-7156-00	400 BROOKFIELD CIR	THOMAS, KATIE MAE		400 BROOKFIELD CIR	SANFORD	NC	27330
9623-81-7856-00	412 BROOKFIELD CIR	ROY, JAMES D		412 BROOKFIELD CIR	SANFORD	NC	27330
9623-81-8681-00	424 BROOKFIELD CIR	RICHARDSON, SYLVIA NICOLE		424 BROOKFIELD CIR	SANFORD	NC	27330
9623-82-9376-00	362 BROOKFIELD CIR	GODFREY, CHRISTOPHER LEE-AARON		362 BROOKFIELD CIR	SANFORD	NC	27330
9623-73-4626-00	3868 CARBONTON RD	MORRISON, CHERIE	WILLIAMS, CLINTON M	1135 ROSEPINE DR	CARY	NC	27519
9623-80-1377-00	144 BROOKFIELD CIR	PIERCE, EDWARD CALVITT JR	PIERCE, SAMANTHA WENDES	144 BROOKFIELD CIR	SANFORD	NC	27330

9623-80-2407-00	140 BROOKFIELD CIR	TYSON, GARY T	TYSON, KIMBERLY J W	140 BROOKFIELD CIR	SANFORD	NC	27330
9623-80-4898-00	120 BROOKFIELD CIR	ELLIOTT, PRESTON R	ELLIOTT, MICHIELE	120 BROOKFIELD CIR	SANFORD	NC	27330
9623-80-2555-00	136 BROOKFIELD CIR	COMBS, JOHN W		136 BROOKFIELD CIR	SANFORD	NC	27330
9623-80-4789-00	124 BROOKFIELD CIR	SULLIVAN, RACHEL VERNON	SULLIVAN, NICHOLAS CONOR	124 BROOKFIELD CIR	SANFORD	NC	27330
9623-80-5938-00	116 BROOKFIELD CIR	MAULDIN, MARK ANTHONY	MAULDIN, KALEY CROSS	116 BROOKFIELD CIR	SANFORD	NC	27330
9623-80-3657-00	132 BROOKFIELD CIR	CHAPMAN, BRANDON A	CHAPMAN, LINDSAY B	132 BROOKFIELD CIR	SANFORD	NC	27330
9623-80-4723-00	128 BROOKFIELD CIR	DAVENPORT, GREG P	DAVENPORT, LISA C	128 BROOKFIELD CIR	SANFORD	NC	27330
9623-73-5400-00	0 CARBONTON RD	MORRISON, CHERIE	WILLIAMS, CLINTON M	1135 ROSEPINE DR	CARY	NC	27519
9623-81-9322-00	2701 CREEK TR	BROWN, MATTHEW	BROWN, JESSIE DARE	2701 CREEK TRAIL	SANFORD	NC	27330
9623-81-9512-00	2700 CREEK TR	TOLER, HENRY	TOLER, CARLENE	2700 CREEK TRAIL	SANFORD	NC	27330
9623-81-7219-00	100 BROOKFIELD CIR	THOMPSON, WILLIAM H	THOMPSON, KAREN D	100 BROOKFIELD CIR	SANFORD	NC	27330
9623-81-5086-00	112 BROOKFIELD CIR	SMITH, RICHARD L	SMITH, PATRICIA	112 BROOKFIELD CIR	SANFORD	NC	27330
9623-81-6281-00	104 BROOKFIELD CIR	JOHNSON, SUSAN B		104 BROOKFIELD CIR	SANFORD	NC	27330
9623-81-6124-00	108 BROOKFIELD CIR	NOLEN, BERRY RONDALE	NOLEN, LORETTA RIDDLE	108 BROOKFIELD CIR	SANFORD	NC	27330
9623-81-9136-00	101 BROOKFIELD CIR	SHACKELFORD, JERRY		101 BROOKFIELD CIR	SANFORD	NC	27330
9623-82-8690-00	2629 BRISTOL WAY	HUNTER, JOHN B	HUNTER, ANNA H	2629 BRISTOL WAY	SANFORD	NC	27330

9623-82-6932-00	2641 BRISTOL WAY	ALDEN, JULIA LOVE	ALDEN, GARY LEE	2641 BRISTOL WAY	SANFORD	NC	27330
9623-82-6881-00	2637 BRISTOL WAY	CRUZ, JOEL G	CRUZ, EVELIN D	2637 BRISTOL WAY	SANFORD	NC	27330
9623-82-7648-00	2633 BRISTOL WAY	ANDERSON, MELODY		2633 BRISTOL WAY	SANFORD	NC	27330
9623-83-6013-00	2645 BRISTOL WAY	COX, SHANNON K	COX, KELLY T	2645 BRISTOL WAY	SANFORD	NC	27330
9623-83-5196-00	2701 BRISTOL WAY	MILLER, DAVID	MILLER, RHONDA	2701 BRISTOL WAY	SANFORD	NC	27330
9623-82-4721-00	0 PETTY RD	PINNACLE INC		2217 LEE AVE	SANFORD	NC	27331
9623-73-6095-00	0 CARBONTON RD	SOUTHERN PROPERTIES OF SANFORD LLC		PO BOX 2399	SANFORD	NC	27331
9623-82-1343-00	0 CARBONTON RD	SOUTHERN PROPERTIES OF SANFORD LLC		PO BOX 2399	SANFORD	NC	27331
9623-51-4335-00	3800 CARBONTON RD	HALL, THOMAS	HALL, CYNTHIA	3800 CARBONTON RD	SANFORD	NC	27330
9623-52-6485-00	3864 CARBONTON RD	BARNES, DEBORAH C	BARNES, JAMES E	3864 CARBONTON RD	SANFORD	NC	27330
9623-62-2338-00	3862 CARBONTON RD	DAVID, KYLE GLEN	DAVID, DENISE LEIGH	3862 CARBONTON RD	SANFORD	NC	27330
9623-82-8356-00	366 BROOKFIELD CIR	MCDONALD, DANELLE P		366 BROOKFIELD CIR	SANFORD	NC	27330
9622-79-8013-00	0 CARBONTON RD	MAD M&R LLC		709 CROSWELL CT	WHITSETT	NC	27377
9623-80-1167-00	0 CARBONTON RD	MAD M&R LLC		709 CROSWELL CT	WHITSETT	NC	27377
9623-81-7904-00	408 BROOKFIELD CIR	M & J EMPIRE PROPERTIES LLC		1220 COOL SPRINGS RD	SANFORD	NC	27330
9623-53-7960-00	0 TEMPTING CHURCH RD	CILIBERTO, SAMUEL DAVID		1517 W FALL CIR	SANFORD	NC	27330

9623-80-1277-00	148 BROOKFIELD CIR	STUMPF, JAMES T	STUMPF, BIANKA R	148 BROOKFIELD CIR	SANFORD	NC	27330
9623-70-2817-00	0 CARBONTON RD	SOUTHERN PROPERTIES OF SANFORD LLC		PO BOX 2399	SANFORD	NC	27331
9622-69-0333-00	3627 CARBONTON RD	BRADIAN, TREVOR GEORGE	BRADIAN, JACQUELINE PATTERSON	3627 CARBONTON RD	SANFORD	NC	27330
9622-69-2108-00	3605 CARBONTON RD	HARRIS, KAITLYN ROSE		3605 CARBONTON RD	SANFORD	NC	27330
9622-69-3017-00	3589 CARBONTON RD	WILLIAMS, MICHAEL	WILLIAMS, DORA Q	3589 CARBONTON RD	SANFORD	NC	27330
9622-59-9405-00	3631 CARBONTON RD	SMITH, TERRY EDWARD JR	SMITH, LAURA BRADIAN	3631 CARBONTON RD	SANFORD	NC	27330
9623-50-7650-00	3720 CARBONTON RD	JACOBS, JAMES ROBERT	JACOBS, MELANIE ANN	3720 CARBONTON RD	SANFORD	NC	27330
9623-50-5394-00	3728 CARBONTON RD	KELLOGG, DAVID M	KELLOGG, MICHELE E	3728 CARBONTON RD	SANFORD	NC	27330
9622-59-8953-00	3686 CARBONTON RD	KNUTZEN, DAVID	KNUTZEN, JENNIFER	3686 CARBONTON RD	SANFORD	NC	27330
9622-68-4833-00	3568 CARBONTON RD	LANGSTON, BRUCE A	LANGSTON, JODI L	3568 CARBONTON RD	SANFORD	NC	27330
9622-69-9250-00	3550 CARBONTON RD	WATSON, RALPH JAMES (LIFE ESTATE)		3550 CARBONTON RD	SANFORD	NC	27330
9622-59-7670-00	3639 CARBONTON RD	BRADIAN, TAYLOR GREY		402 ABBOTT DR	SANFORD	NC	27330
9623-50-7131-00	3690 CARBONTON RD	RATTZ, RICHARD S	RATTZ, LISA H	3690 CARBONTON RD	SANFORD	NC	27330
9622-69-6138-00	3563 CARBONTON RD	THOMAS, TODD A	MCPHERSON-THOMAS, CHRISTINE D	3562 CARBONTON RD	SANFORD	NC	27330
9623-50-2014-00	3721 CARBONTON RD	FARRELL, MARY	FARRELL, JOHN	3687 CARBONTON RD	SANFORD	NC	27330
9623-40-1102-00	0 CARBONTON RD	FARRELL, MARY ELIZABETH PATTERSON		3687 CARBONTON RD	SANFORD	NC	27330

9622-59-4799-00	3687 CARBONTON RD	FARRELL, MARY P	FARRELL, JOHN W	3687 CARBONTON RD	SANFORD	NC	27330
N/A	N/A	GLENN GODFREY		PO BOX 2399	SANFORD	NC	27331

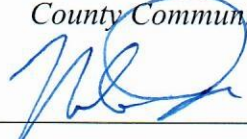
0 property address number = vacant; no addressed structures on the parcel

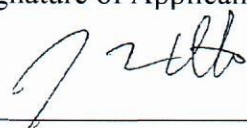


9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): \_\_\_\_\_  
 -Conditional Zoning in accordance with the Site Plan  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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 County Community Development Department.*

 / Micah Jones \_\_\_\_\_ 5-20-22 \_\_\_\_\_  
 Signature of Applicant (Sign & Print) Date

 / Marion Uter \_\_\_\_\_ 5-20-22 \_\_\_\_\_  
 Signature of Property Owner(s) (Sign & Print) Date

- Required Attachments/Submittals**
- A. 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.
  - B. A copy of the latest deed for the subject property as recorded at the Lee County Register of Deeds Office.
  - C. A \$500.00 Application fee, payable to the City of Sanford is required before processing the application.
  - D. \*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).
  - E. 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.: \_\_\_\_\_



**SITE DATA**

ACRES: ± 48.94 AC TOTAL

PIN: 9642-26-3017, 9642-25-6727

EXISTING ZONING: R-12

PROPOSED ZONING: RESIDENTIAL CONDITIONAL

**DEVELOPMENT SUMMARY**

TOTAL RESIDENTIAL	± 233 DU
SINGLE FAMILY	± 71 DU
TOWNHOMES	± 162 DU

OPEN SPACE: ± 20 AC (40%)

**LEGEND**

- TOWNHOME (20'X55')
- SINGLE FAMILY LOTS (MIN. 40'X125')
- EX. SEWER GRAVITY MAIN
- EX. GREENWAY TRAIL
- FUTURE GREENWAY EXTENSION
- PROP. GREENWAY TRAIL
- 100 YEAR FLOODPLAIN (AE ZONE)

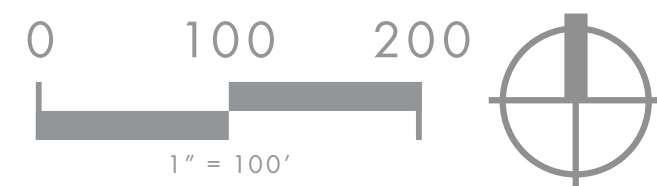
**NOTES**

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.



**REEVES FARM** | CONCEPT PLAN

1039 Carthage St, Sanford, NC, 27330



August 26, 2022

22-RDU-069

555 Fayetteville St. 3rd Floor Raleigh, NC 27601 | [urbandesignpartners.com](http://urbandesignpartners.com) | 919.275.5002

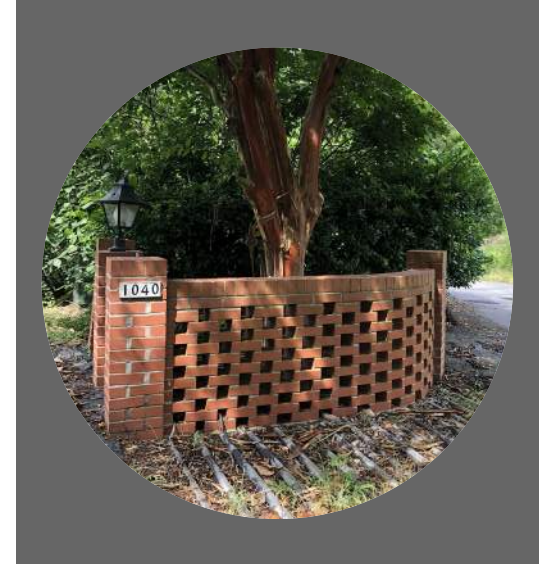
A **mattamy**HOMES COMMUNITY

URBAN  
DESIGN  
PARTNERS

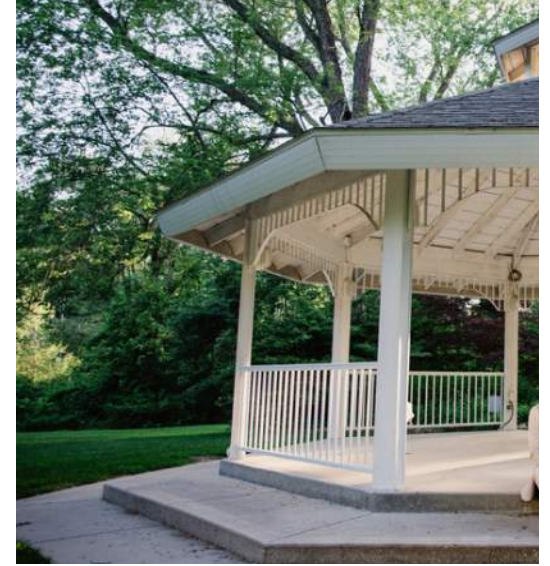
LANDSCAPE ARCHITECTURE • CIVIL ENGINEERING

REEVES

# COMMUNITY VISION



# COMMUNITY VISION



# MASTER PLAN

Reeves Farms is a walkable residential community consisting of a variety of housing types, open space, and amenities.

Single Family:  $\pm$  71 DU

Townhomes:  $\pm$  162 DU

Total Site Area:  $\pm$ 48.9 AC

Open Space:  $\pm$  20 AC

Greenway Trail:  $\pm$  1/2 MILE



# COMMUNITY AMENITIES

## LEGEND

- ① THE GATEWAY / TRAIL
- ② POND
- ③ OPEN SPACE
- ④ DOG PARK
- ⑤ COMMUNITY GARDEN
- ⑥ CENTRAL GREEN



# THE GATEWAY - TODAY



# THE GATEWAY - TOMORROW



1



# POND AMENITY



2



2



1



2



**R** SCM + EXISTING POND  
AMENITY CONCEPT  
FARM



1



2

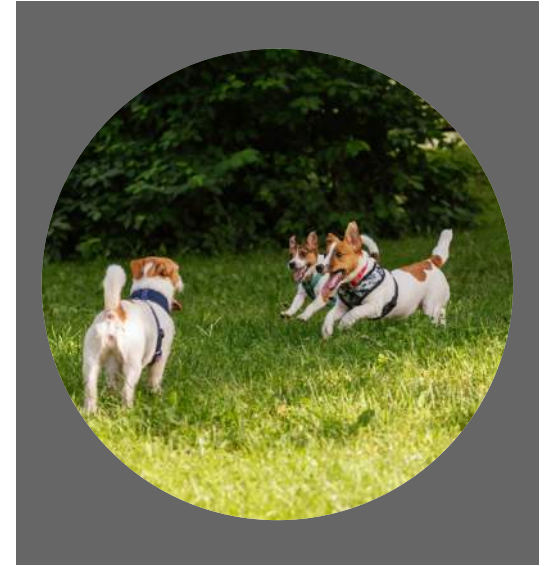
ESP mattamyHOMES



URBAN  
DESIGN  
PARTNERS  
LANDSCAPE ARCHITECTURE • CIVIL ENGINEERING

**mattamyHOMES**

# OPEN SPACE & DOG PARK



**R** OPEN SPACE  
DOG PARK  
FARM

ESP mattamyHOMES 

URBAN  
DESIGN  
PARTNERS  
LANDSCAPE ARCHITECTURE • CIVIL ENGINEERING

**mattamyHOMES**

# COMMUNITY GARDEN & CENTRAL GREEN



5



6



5



5



5



6



# HARDSCAPE VISION

## HARDSCAPE OPTIONS



# ARCHITECTURE TOWNHOMES



2 STORY

MASONRY ACCENTS

GABLE ROOF

HORIZONTAL STAGGER

1 & 2 CAR GARAGES

ARCHITECTURAL ASPHALT SHINGLES

# ARCHITECTURE SINGLE FAMILY



1 & 2 STORY | ARCHITECTURAL ASPHALT SHINGLES | GABLE ROOF

2 CAR GARAGES | MASONRY ACCENTS

THANK YOU

URBAN  
DESIGN  
PARTNERS

LANDSCAPE ARCHITECTURE • CIVIL ENGINEERING

**mattamy**HOMES

 **ESP**

**CITY OF SANFORD**  
**CITY COUNCIL AND PLANNING BOARD**  
**PUBLIC HEARING INFORMATION**  
**SEPTEMBER 20, 2022**

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*This item was tabled by the City Council at the July 19th meeting during the public hearing to allow the applicant additional time to revise the design to address the concerns expressed by the City Council and the staff recommendation comments.*

**REQUEST**

Brian Richards of Urban Design Partners is requesting to rezone two adjoining tracts of land totaling 46.7 +/- acres with frontage on Wicker Street from Residential-Mixed (R-12) to the Reeves Property Conditional Zoning District to allow the development of a 233-lot residential community (71 single-family homes and 162 townhome units) as illustrated on the “Reeves Farm Concept Plan” and conceptual architectural elevations submitted as part of the application. This is a site plan/subdivision plan specific conditional rezoning request; therefore, the conceptual development plans 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: Urban Design Partners (Brian Richards)  
Property Owners: Reeves Farm Landco, LLC  
Request: Rezone from Residential-Mixed (R-12) to Reeves Property Conditional Zoning District  
Location: 1039, 1040, and 1041 Carthage Street, Sanford, NC 27330  
The site is address off of Carthage Street, but has public road frontage and another driveway off of Wicker Street.  
Acreage: 46.7  
Tax Parcels: 9642-26-3017-00 and 9642-25-6727-00  
Tax Map: 9642.01 and 9642.03  
Township: West Sanford  
Council Ward: Ward 4  
Fire District: Central Fire Station  
Schools: J.R. Ingram Elementary | West Lee Middle School | Lee Senior High School

**SITE DESCRIPTION**

The site has frontage on Wicker Street and is located opposite the Kiwanis Family Park. It is on the south side of Wicker Street, between the Parkview Retirement Center at 1801 Wicker Street and the Elks Lodge at 910 Carthage Street.

## **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.

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 right-of-way 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 for residential development that is not within a watershed

Examples of uses permitted by right within the R-12 zoning district include single-family homes, duplexes, and churches (less than 350 seats). Uses permitted subject to supplemental development regulations unique to the use include townhomes, multi-family dwellings, family care homes, and home child care centers. Uses permitted upon issuance of a Special Use Permit by the Board of Adjustment include group care facilities, golf courses, churches (more than 350 seats), and new schools. There is a list of permitted uses for this zoning district included within the agenda for your reference.

Proposed Zoning: The Reeves Property 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/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.

The following information is applicable for the Reeves Property Conditional Zoning District.

- 46.7 +/- acres total site
- Developed as a residential subdivision, with townhomes and single-family homes
- 233 lots total
- 71 single-family homes
- 162 townhome units
- Density is approximately 5 units per acre (233 units / 46.7 acres = 4.99 units per acre)
- Single family home setbacks are 20ft front, 15ft rear, and 5ft side (10ft corner)
- Single-family home lot width is 40ft x 125ft depth = 5,000sf
- Townhome setbacks are 20ft front and 15ft rear
- Townhome lot width is 20ft x 100ft depth = 2,000sf
- Total open space provided is 20 acres (20 acres / 46.7 acres = 42.8% open space)
- Sidewalks would be installed on both sides of the new public roads
- Curb and gutter would be incorporated into the new public roads
- Stormwater facilities would be incorporated into the design as illustrated on the concept plan
- Street trees shall be installed as illustrated on the concept plan with one tree per single-family lot and one tree between townhome buildings (due to the proximity of driveways).
- Shall grant an easement as deemed necessary by the City for connection to the adjoining YMCA and proposed greenways (along the existing stream crossing).

A preliminary subdivision plat that corresponds with the overall design, uses, conditions, design standards, and maximum densities denoted within this rezoning application and on the concept plans

shall be required to be approved by the City Council prior to the issuance of final plat recordation and development permits for the parcels included within the Reeves Property Conditional Zoning District. Please reference the concept subdivision/site/architectural plans (Reeves Property Conditional Re-Zoning Site Plan and architectural plans) submitted as part of the rezoning application. The portion of the design located within the 100-year floodplain is subject to review/compliance with the floodplain regulations of the UDO at the time of the actual technical plan review by the TRC and the design may need to be revised accordingly.

#### Adjacent Zoning

North: Residential Mixed (R-12), Opposite Wicker Street  
South: Residential Mixed (R-12)  
East: General Commercial (C-2) and Office & Institutional (O&I)  
West: Residential Mixed (R-12)

#### Adjacent Land Use

North: Kiwanis Family Park, Opposite Wicker Street  
South: A house on 60 acres at 1312 Carthage Street  
East: General Commercial (C-2) and Office & Institutional (O&I)  
West: Parkview Retirement Center and a house on 28 acres at 2614 Buffalo Church Rd

#### **PLAN SANLEE**

The long-range land use plan identifies the property as Urban Neighborhood, which are higher density residential neighborhoods in the City core that are walkable to adjacent urban commercial districts, in which grid street networks are the typical development form. The local example is North 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> Streets in Sanford. Information from the land use plan is provided as attachments to this report for your reference.

#### **LOCAL OVERLAY DISTRICTS**

Per GIS, the subject property is not located within a local historic district or a Watershed Conservation Overlay District. The site does have Flood Hazard Area/floodplain along the eastern property line associated with Skunk Creek. Townhome development would be subject to the multi-family design standards; however, a conditional rezoning request may alter these standards.

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 six-inch public water main line located in the right-of-way of Wicker Street. Public sewer is proposed to be extended from existing sewer located on the adjoining lot owned by the City of Sanford. 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.

### **TRANSPORTATION**

There is approximately 846 feet of frontage on Wicker Street, which is a NCDOT maintained public roadway with a 100ft right-of-way in the area of the subject property. 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 Wicker Street as an existing boulevard with no improvement noted.

NCDOT Average Annual Daily Traffic Count (AADT): There is a 2020 NCDOT AADT of 6,200 vehicles per day near the Legion Drive intersection.

### **DEVELOPMENT STANDARDS**

If rezoned, the land uses, densities, and design associated with the Reeves Property Conditional Zoning District would apply. Any design standards not addressed within the conditional zoning district would be required to meet the current general development standards of the UDO.

Regarding future development of the subject property, a preliminary subdivision plat that corresponds with the overall design, uses, conditions, design standards, and maximum densities denoted within this application and on the concept plans (civil and architectural) will be required to be approved by the Sanford City Council in the same procedural manner as all preliminary major subdivision plats prior to the signing/recordation of the final plat and issuance of development permits for the parcels included within the Reeves Property Conditional Zoning subject property.

### **PUBLIC INFORMATION MEETING**

Provided below is information regarding a prior public information meeting for your reference:

A public information meeting was held on Monday, March 7, 2022 at 6:00pm in the Council Chambers at the Sanford Municipal Center with two adjoining property owners, three staff members, and three applicant/property owner representatives in attendance. The main topics of conversation/concerns discussed were as follows:

- The site is unique with regard to location & local historical significance (Reeves family); therefore, the development of the site should have a unique design customized to this site and not a “blanket” design as is typical of development by most tract builders.
- The existing homes and site improvements (tennis courts), etc. will be demolished with only an existing bridge over the creek remaining.
- There is a lack of tree preservation within this design and within the City in general. Other towns seem to value the preservation of existing trees, which can enhance the existing community as well as new development.
- The land disturbance/grading that would be required for this site to be developed as illustrated on the plan would change the appearance of the site and perhaps require retaining walls to be constructed along Wicker Street, which is the part of the site with the lower elevations.

- The mass grading of the site in order to develop it in the manner proposed may dramatically alter the existing appearance of the site.
- A larger undisturbed (& enhanced if warranted) landscape buffer should be created along the perimeter property line adjoining the Parkview Retirement Center to assist with separating this new residential development from the assisted living/nursing facility.
- Concern was expressed regarding the potential for dogs/cats/domestic pets for 253 new residents within this subdivision to roam the adjoining properties and become a nuisance to others who live in the area.
- Concern was expressed regarding the potential for the children of 253 new residents within this subdivision to trespass onto the larger adjoining tracts of land and to use the neighbor's land as their open space (walking, climbing trees, riding bicycles, riding ATVs, etc.); thereby, being a nuisance and safety issue for the adjoining property owner.
- The applicant was asked to install a fence along the rear property line adjoining the 59.9 acres owned by the Larue family (1312 Carthage Street), citing the all of the concerns previously mentioned. Their property has been in Mrs. Larue's family for many years and they feel very protective of it. They already have problems with illegal dumping from area residents and litter.

A public information meeting was held on Thursday, July 14<sup>th</sup>, 2022 in the Buggy Factory Conference Room with one adjoining property owner present. The main topics of conversation/concerns discussed were as follows:

- Further concern was expressed regarding the potential for dogs/cats/domestic pets for 253 new residents within this subdivision to roam the adjoining properties and become a nuisance to others who live in the area.
- Further concern was expressed regarding the potential for the children of 253 new residents within this subdivision to trespass onto the larger adjoining tracts of land and to use the neighbor's land as their open space and recreation.
- The applicant was asked to install a fence along the rear property line adjoining the 59.9 acres owned by the Larue family (1312 Carthage Street), citing the all of the concerns previously mentioned at this meeting and the previous neighborhood meeting on March 7<sup>th</sup>.

### **STAFF RECOMMENDATION**

The rezoning request complies with the *Plan SanLee* designation of Urban Neighborhood which lists single-family dwellings up to 10 units per acre as a desired development density (the proposed project has a density of 5 units per acre). Furthermore, the proposed project meets the preferred character of the Urban Neighborhood future land-use area in that it implements curb and gutter with sidewalks on both sides of the right-of-way, street trees, and the developer has offered to implement on-street parking if the City chooses to accept it. The proposed development also seeks to prioritize the transportation methods listed in the *Plan SanLee* including: sidewalks, off-street trails, and proposed future connections with the adjoining YMCA. Staff acknowledges that the applicant has greatly improved the proposed project in comparison with previous iterations and has incorporated staff recommendations regarding walking trails, open space, connectivity, and streetscape improvements. The developer has responded to concerns regarding development within the floodplain and has amended the plan to remove construction from within the floodplain along with a greater retention of existing natural buffers; however, the developer has chosen not to submit a grading plan as was previously recommended. Overall, staff is supportive of the rezoning request as the applicant has worked closely with staff to correct prior issues from previous iterations of this project.

Any/all revisions may trigger an amendment to the conditional zoning district despite any language to the contrary on information submitted by the applicant. 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

### **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 ZONING MAP AMENDMENT:**

Motion Option 1: *“I make a motion that the proposed zoning map amendment **IS** consistent with the Plan SanLee long range plan designation of Urban Neighborhood because it does allow attached and detached single-family dwellings as proposed land uses.”*

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 Urban Neighborhood because the design does not incorporate several of the design features that are components of this designation, such as sidewalks along Wicker Street that would make it walkable to adjacent/nearby urban commercial districts.”*

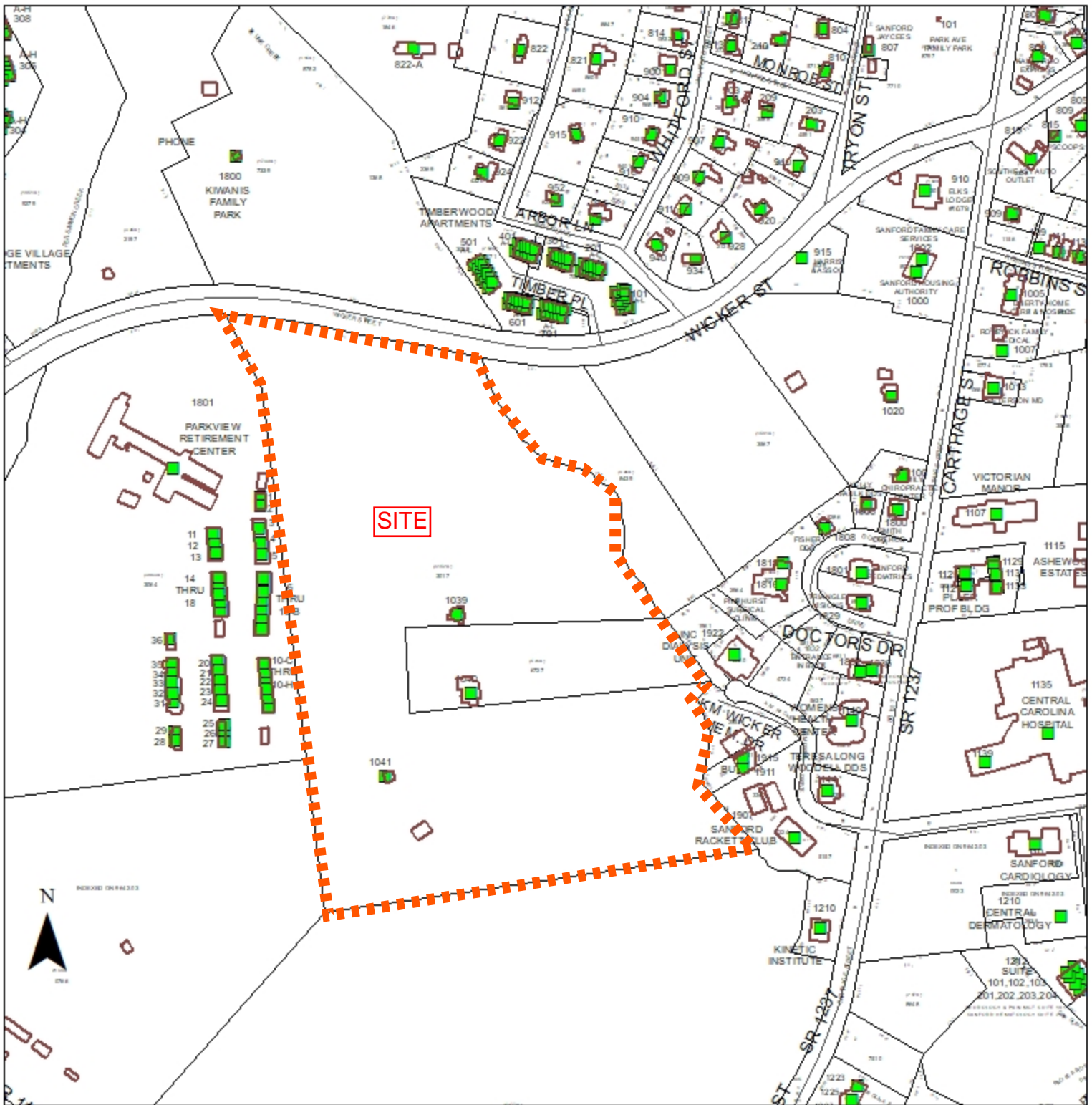
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

### **VOTE #2: TO APPROVE OR DENY THE ZONING MAP AMENDMENT:**

Motion Option 1: *“I make a motion that Planning Board recommend the City Council **APPROVE** the proposed zoning map amendment because it is reasonable and in the public interest since the adopted long-range plan is supportive of the land uses and the design submitted as part of the conditional rezoning request utilizes public water and sewer.*

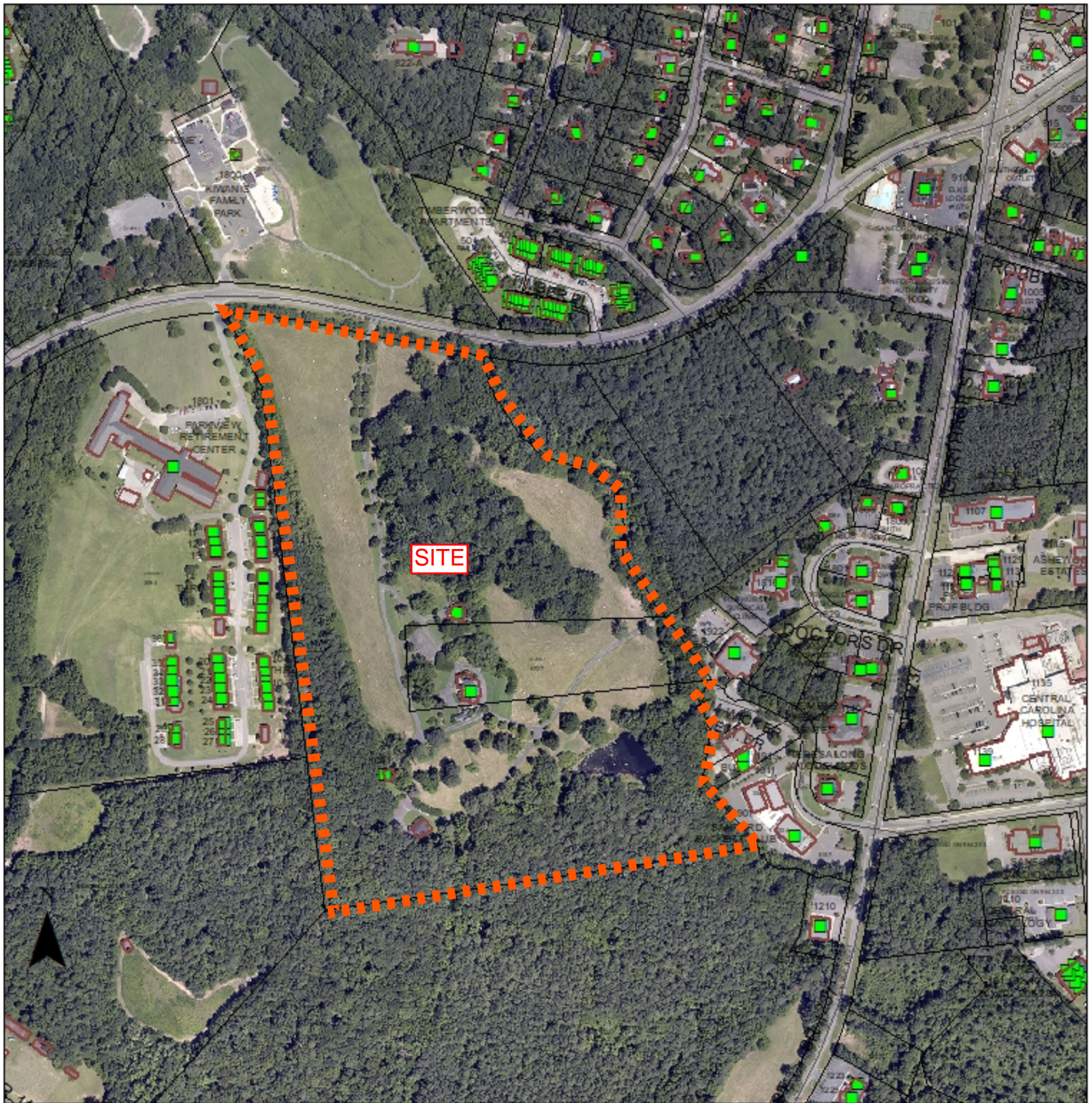
Motion Option 2: *“I make a motion that the Planning Board recommend the City Council **DENY** the rezoning request because the proposed design submitted as part of the conditional rezoning request is not appropriate for this location.”*

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 / REZONING APPLICATION CASE 2021-1203**  
Request to rezone from R-12 to Reeves Property CZ  
to allow the development of a residential subdivision  
as illustrated on a conceptual development plan.

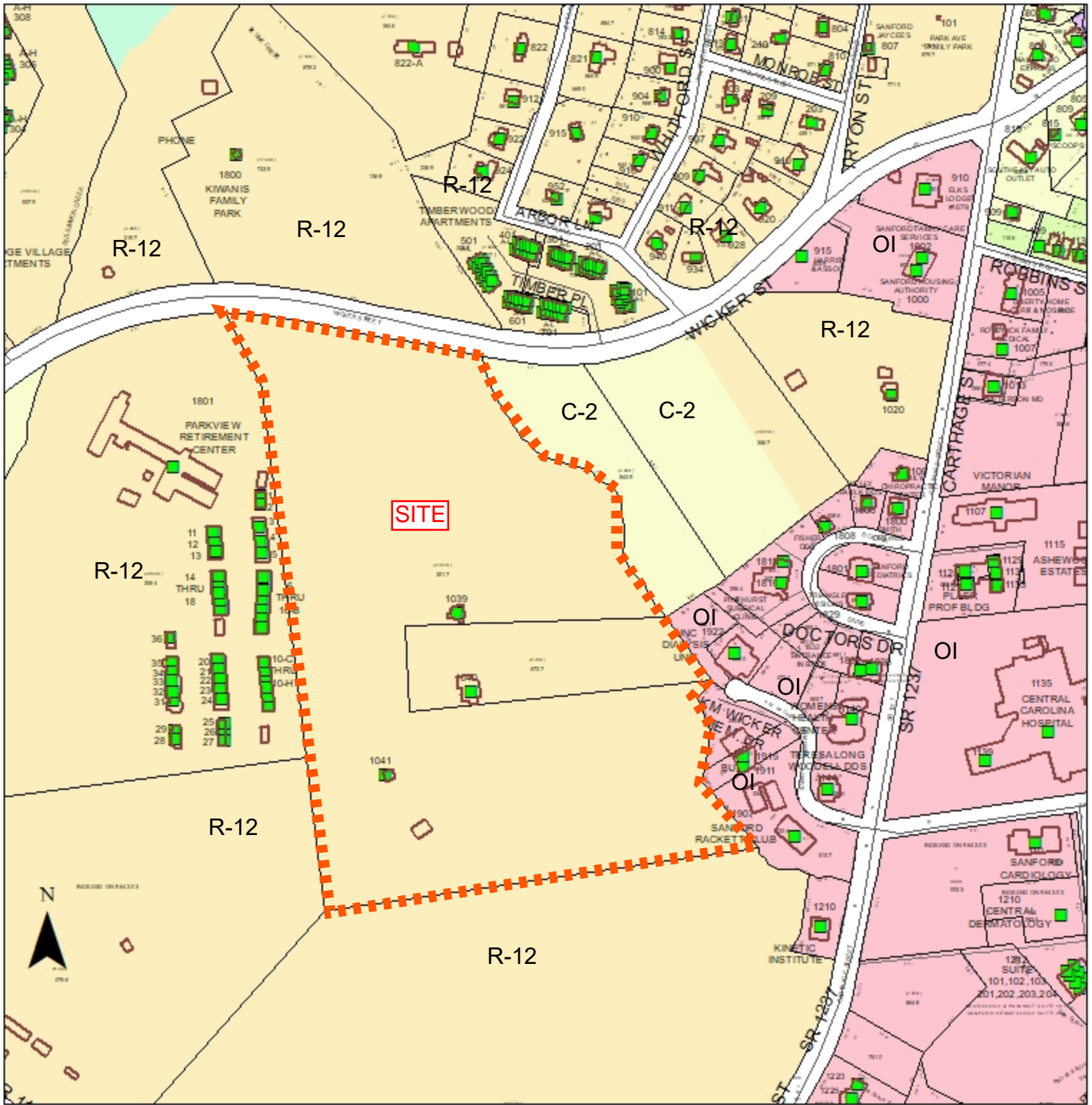
This is a graphic illustration and not a legal document.  
All information is comprised of layers of data that may or may not align correctly.



## ZONING MAP AMENDMENT / REZONING APPLICATION

Request to rezone from R-12 to Reeves Property CZ  
to allow the development of a residential subdivision  
as illustrated on a conceptual development plan.

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 / REZONING APPLICATION CASE 2021-1203**  
 Request to rezone from R-12 to Reeves Property CZ  
 to allow the development of a residential subdivision  
 as illustrated on a conceptual development plan.

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





## URBAN NEIGHBORHOOD

- ✓ Higher density residential neighborhoods in the city core
  - ✓ Walkable to adjacent urban commercial districts
  - ✓ Grid street networks are the typical development form
- Local Example - North 4th, 5th and 6th Streets in Sanford**



Undeveloped Open Space,

Churches, Schools, Civic Organizations, Government Services, Parks

Detached and Attached Single Family Dwellings, Multi-Family Dwellings, Mother-in-law suites

LAND USE



Low Priority Mode

Public Transit



Vehicular connectivity



On-street bike lanes, off-trail system



High Priority Mode

Sidewalks, off-street trails, transit & commercial area connections

TRANSPORTATION

### Development Density

- ✓ SF up to 10 dwelling units / acre
- ✓ MF 10 - 16 dwelling units / acre
- ✓ Shallow Building Setbacks
- ✓ 45 Foot Height Limit

### Utility Infrastructure

- ✓ Public Water
- ✓ Public Wastewater

### Preferred Character

- ✓ Urban Grid Street Network
- ✓ 400 Foot Block Lengths
- ✓ Curb & Gutter + Sidewalks
- ✓ Street Trees
- ✓ On-Street Parking

CONTEXT

### Current Districts

- ✓ R-12
- ✓ R-10
- ✓ R-6
- ✓ MF-12 (Primary)
- ✓ R-12SF (Secondary)



### Proposed Districts

- ✓ Urban Residential
- ✓ Multi-Family Residential
- ✓ Medium Density Residential

ZONING

## **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).

<b><u>Accessory Uses</u></b>
Accessory uses (See Section 5.1)
<b><u>Residential Uses</u></b>
Dwelling, Duplex (two-family dwelling)
Dwelling, Modular home
Dwelling, Single-family detached
<b><u>Arts, Recreation &amp; Entertainment</u></b>
Parks, playgrounds, and athletic fields operated on a noncommercial basis
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
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
<b><u>Transportation, Communication, and Utilities</u></b>
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)
<b><u>Agriculture</u></b>
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).

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

<b><u>Accommodations and Group Living</u></b>
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
<b><u>Arts, Recreation &amp; Entertainment</u></b>
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
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
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
<b><u>Transportation, Communication, and Utilities</u></b>
Sewage treatment and Water treatment plants
<b><u>Agriculture</u></b>
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).

<b><u>Residential Uses</u></b>
Accessory Dwellings (See Section 10.4)
<b><u>Accommodations and Group Living</u></b>
Bed and breakfast inn (See Section 5.4)
<b><u>Industrial &amp; Manufacturing Uses</u></b>
Landfills, C&D or LCID (greater than 2 acres in size) (See Section 5.20)
Mining and Quarries, <b>Unincorporated Lee County and City of Sanford only</b> (See Section 5.23)
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
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)
<b><u>Transportation, Communication, and Utilities</u></b>
Solar Collectors, Commercial (See Section 5.39)
Telecommunication towers (See Section 5.33)

**ADJOINING PROPERTY OWNERS LIST**

PETITION BY: Brian Richards (Urban Design Partners)  
 REQUEST: Rezone from Residential-Mixed (R-12) to the Reeves Property Conditional Zoning District.  
 LOCATION: 1039, 1040, and 1041 Carthage Street, Sanford, NC 27330  
 PIN: Lee County Tax Parcels 9642-26-3017-00 and 9642-25-6727-00  
 DATE: 2022-02-28

PIN	Parcel Address	Owner	Owner 2	Mail Address	Mail City	Mail State	Mail Zip
9642-27-4171-00	401 TIMBERWOOD PL	ARBOR LANE ASSOC LTD PARTNERSHIP		503 CARTHAGE ST	SANFORD	NC	27330
9642-16-3064-00	1801 WICKER ST	OSCAR & ELDERLENE KELLER FAMILY LLC		PO BOX 4057	SANFORD	NC	27331
9642-35-1961-00	0 K M WICKER MEMORIAL DR	SHASHANK LLC D/B/A ARRAMREDDY POLIS		3309 CRAGBURN PL	FAYETTEVILLE	NC	28306
9642-35-2880-00	1922 K M WICKER MEMORIAL DR	SHASHANK LLC D/B/A ARRAMREDDY POLIS		3309 CRAGBURN PL	FAYETTEVILLE	NC	28306
9642-14-0766-00	2614 BUFFALO CHURCH RD	OSCAR & ELDERLENE KELLER FAMILY LLC		PO BOX 4057	SANFORD	NC	27331
9642-35-3417-00	1911 K M WICKER MEMORIAL DR	LEHALL LLC		3009 WOODGREEN DR	RALEIGH	NC	27607
9642-25-6727-00	1040 CARTHAGE ST	REEVES FARM LANDCO LLC		11118 US HWY 31	SPANISH FORT	AL	36527
9642-26-3017-00	1039 CARTHAGE ST	SARAH C REEVES FAMILY LTD PARTNERSHIP		2754 LAKEVIEW DR	RALEIGH	NC	27609
9642-24-5331-00	1312 CARTHAGE ST	LARUE, JANE S		PO BOX 4052	SANFORD	NC	27331
9642-26-8439-00	0 CARTHAGE ST	CITY OF SANFORD		PO BOX 3729	SANFORD	NC	27331
9642-35-2557-00	1915 K M WICKER MEMORIAL DR	LEHALL LLC		3009 WOODGREEN DR	RALEIGH	NC	27607
9642-35-4236-00	1907 K M WICKER MEMORIAL DR	YMCA OF THE TRIANGLE AREA, INC		801 CORPORATE CENTER DR	RALEIGH	NC	27607
9642-18-0618-00	1800 WICKER ST	COUNTY OF LEE		PO BOX 1968	SANFORD	NC	27331
9642-17-8383-00	1800 WICKER ST	CITY OF SANFORD		PO BOX 3729	SANFORD	NC	27331
N/A	N/A	DONALD SUGGS		1020 CARTHAGE ST	SANFORD	NC	27330
N/A	N/A	CRITERIA DEVELOPMENT (APPLICANT)		11118 US HWY 31	SPANISH FORT	AL	36527
N/A	N/A	BRIAN RICHARDS (URBAN DESIGN PARTNERS)		555 FAYETTEVILLE ST, 3 <sup>RD</sup> FLOOR	RALEIGH	NC	27601

0 property address number = vacant; no addressed structures no the parcel



# Zoning Map Amendment (Rezoning) Application

Circle Jurisdiction That Applies:

City of Sanford

Lee County

Town of Broadway

1. Applicant Name: Randy King / Pulte Home Company, LLC
2. Applicant Address: 1225 Crescent Green Dr; Suite 250; Cary, NC 27518
3. Applicant Telephone: 919-816-1146
4. Name and Address of Property Owner(s) if different than applicant:  
1715 Carthage Street, LLC / Timothy R Smith  
105 Weston Estates Way, Cary NC 27513
5. Location of Subject Property: 1715 Carthage Street, Sanford NC  
Lee Co. P.I.N. 9641-09-5617
6. Total Area included in Rezoning Request: 47.35 Acres
7. Zoning Classification: Current: R-12 Requested: conditional R-6
8. Existing Land Use(s): mostly vacant
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning):  
to propose a diverse development of single family and ranch detached dwellings.

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.*

1715 Carthage Street LLC  
By: Timothy R Smith  
Signature of Property Owner(s) (Sign & Print)

April 27, 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: \_\_\_\_\_ 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): Single Family Detached Homes. See attached Concept Plan.

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.

See attached Conditions

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.*

Timothy R Smith / 1715 Carthage Street LLC

  
Signature (Sign & Print)

4-27-22  
Date

**\$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): See attached map

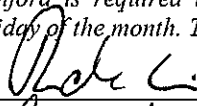
3. Describe in detail any additional conditions of development proposed as part of the Conditional Zoning District. Such conditions should include (as applicable):
  - The location on the property of the proposed use(s);
  - The number of dwelling units;
  - The location and extent of supporting facilities 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.

See attached conditions

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.*

  
Randy King

Signature (Sign & Print)

8/22/2022

Date



# Zoning Map Amendment (Rezoning) Application

Circle Jurisdiction That Applies:

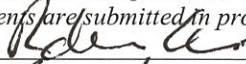
City of Sanford

Lee County

Town of Broadway

1. Applicant Name: Randy King
2. Applicant Address: 1225 Crescent Green Dr; Suite 250; Cary, NC 27518
3. Applicant Telephone: 919-816-1146
4. Name and Address of Property Owner(s) if different than applicant:  
W M Holt Jr  
1414 Stoneridge Rd, Sanford, NC 27330
5. Location of Subject Property: 1715 Carthage Street  
Lee Co. P.I.N. 9641-09-5617
6. Total Area included in Rezoning Request: 47.35 Acres
7. Zoning Classification: Current: R-12 Requested: conditional district
8. Existing Land Use(s): mostly vacant
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning):  
to proposed a diverse development of single family detached dwellings
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.*

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

8/22/2020  
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.

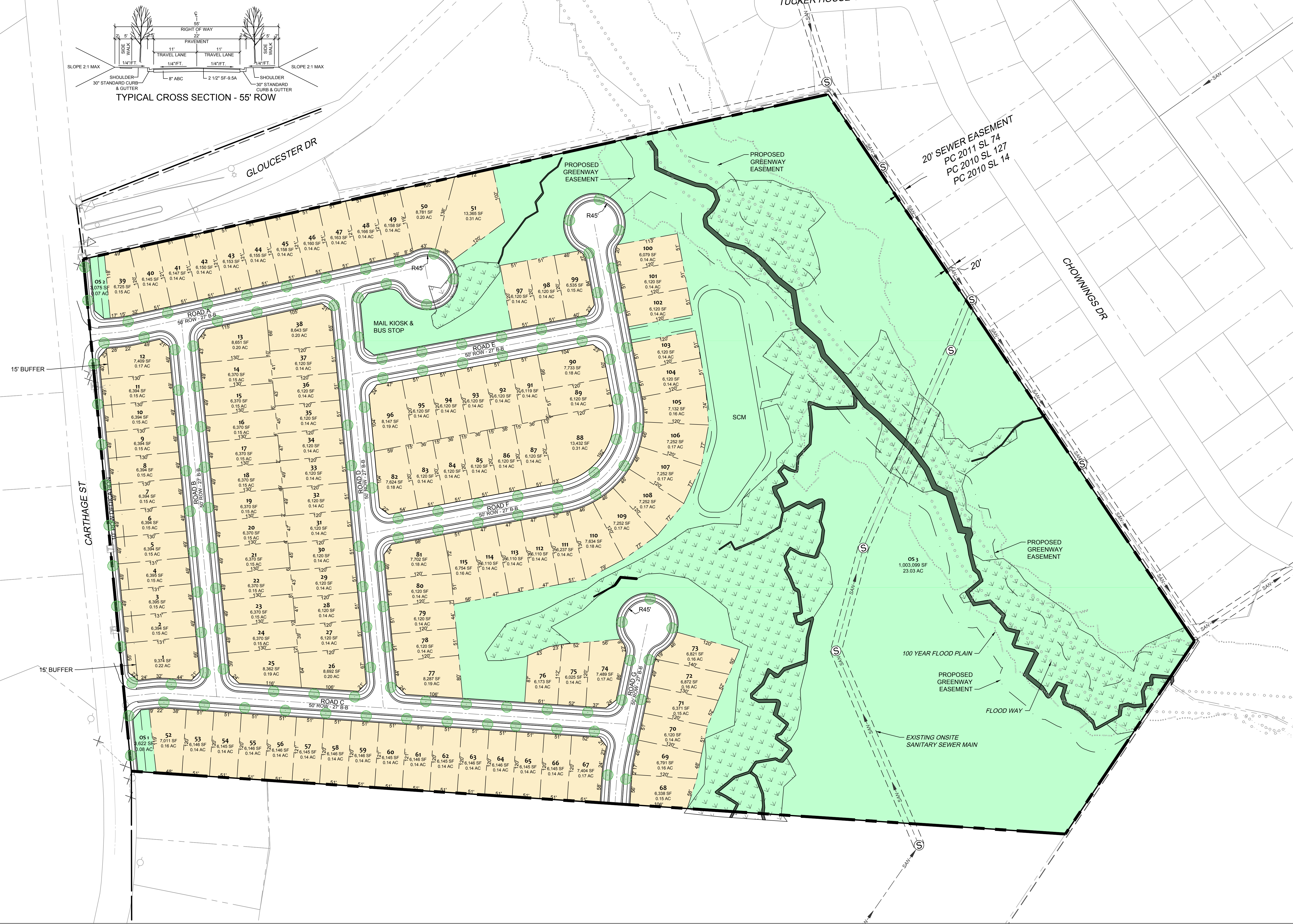
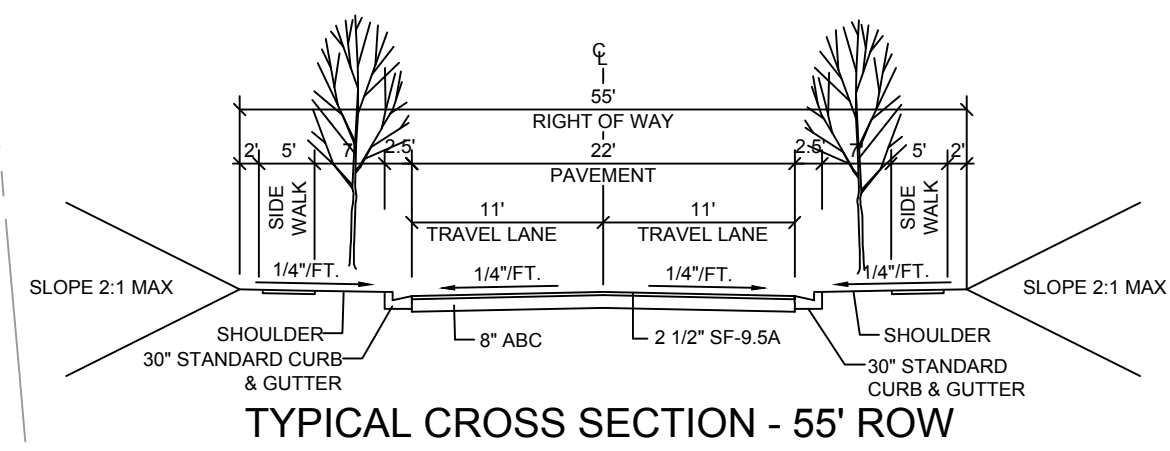
### STAFF USE ONLY

Date Received: \_\_\_\_\_ Fee Paid: \_\_\_\_\_ Application No.: \_\_\_\_\_

Staff Signature: \_\_\_\_\_ Energov Case No.: \_\_\_\_\_

The subject property is illustrated and labeled on the Conceptual Development Plan.

- All homes shall be single-family detached, with a minimum lot size of 6,000 sf.
- Minimum lot widths will be 45' at the front setback. The following setbacks apply to the principal structures:
  - Front-20' as measured from the right of way of the public street;
  - Rear-15' as determined by the orientation of the house & rear property line;
  - Side-5' as measured from the left & right side property lines; and
  - Corner Side-10' as measured from the secondary public right of way.
- At least 50% of the lots shall have a minimum lot width of 51' at the front setback and the same setbacks for principal structures as listed above.
- Ranch homes will have a minimum of 1,500 square feet of heated area. Two-story homes will have a minimum of 1,700 square feet of heated area.
- No home can be constructed with either an exterior elevation (front façade) or color palette that is identical to the home on either side or directly across the street from it.
- All homes must include a two-car enclosed garage
- All homes must include either a front-facing roof gable, a dormer, or covered front porch.
- All front and side yards must be sodded
- Rear yards can be seeded and strawed
- All driveways must be concrete
- All homes must have concrete walks from the driveway or front sidewalk to the front door
- The mail kiosk will be covered
- Street trees to be placed 80' O.C. maximum. 80' O.C may be exceeded at intersections and easements.
- A 15' buffer shall be provided along Carthage St. One (1) of the following will be provided: a) landscaped screening b) fence or c) berm



# 1715 CARTHAGE STREET

CONCEPT SKETCH - July 20, 2022

47.36 AC  
 PINS: 9641-09-5617  
 EXISTING ZONING: R-12  
 PROPOSED ZONING: CONDITIONAL DISTRICT  
 PROPOSED DENSITY: 2.43 DU/A  
 TOTAL OPEN SPACE: 23.18 AC (49%)

31 - 45'-51' WIDE 6,000 SF SINGLE FAMILY LOTS  
 84 - 6,000 SF SINGLE FAMILY LOTS  
**MAXIMUM NUMBER OF LOTS: 115**

**CITY OF SANFORD**  
**CITY COUNCIL AND PLANNING BOARD**  
**PUBLIC HEARING INFORMATION**  
**September 20<sup>th</sup>, 2022**

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**REQUEST**

Randy King of Pulte Home Company LLC is requesting to rezone one (1) tract of land comprising 47.35 +/- acres at 1715 Carthage Street from Residential Mixed (R-12) to the Carthage Street Residential Subdivision Conditional Zoning District to allow for the development of “a diverse development of single family and ranch detached dwellings” as described on the “1715 Carthage Street Concept Sketch” submitted as part of the application. This is a site plan/subdivision plan specific conditional rezoning request; therefore, the conceptual development plans 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: Pulte Home Company LLC (Randy King)  
Property Owners: 1715 Carthage Street LLC (Timothy R Smith)  
Request: Rezone from Residential Mixed (R-12) to Carthage Street Residential Subdivision CZ District  
Location: 1715 Carthage Street, Sanford, NC 27330  
Acreage: 47.35  
Tax Parcels: 9641-09-5617-00  
Tax Map: 9641.01  
Township: West Sanford  
Council Ward: Unassigned  
Fire District: Tramway Fire Department  
Schools: JR Ingram Elementary | SanLee Middle School | Southern Lee High School

**SITE DESCRIPTION**

The site is located on Carthage Street between Gloucester Drive and Tyndall Drive. The site has two structures but is primarily vacant and wooded.

**ZONING DISTRICT INFORMATION**

Existing Zoning: The **Residential-Mixed (R-12)** district is established to provide areas for detached single-family homes, 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. 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

*Staff Report - Conditional Rezoning Request from R-12 to Carthage Street Residential Subdivision CZ District*

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 rear property line
Minimum building setback, side(s):	12ft, measured from 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 single-family homes, duplexes, and churches (less than 350 seats). Uses permitted subject to supplemental development regulations unique to the use include townhomes, multi-family dwellings, family care homes, and home child care centers. Uses permitted upon issuance of a Special Use Permit by the Board of Adjustment include group care facilities, golf courses, churches (more than 350 seats), and new schools. There is a list of all permitted uses for this zoning district, including the uses subject to supplemental development standards and/or requiring the issuance of a Special Use Permit, within the agenda packet for your reference.

Proposed Zoning: The Carthage Street Residential Subdivision 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/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.

The following information is applicable for the Reeves Property Conditional Zoning District.

All homes shall be single-family detached, with a minimum lot size of 6,000 sf.

- Minimum lot widths will be 45' at the front setback. The following setbacks apply to the principal structures:
  - Front-20' as measured from the right of way of the public street;
  - Rear-15' as determined by the orientation of the house & rear property line;
  - Side-5' as measured from the left & right side property lines; and
  - Corner Side-10' as measured from the secondary public right of way.
- At least 50% of the lots shall have a minimum lot width of 51' at the front setback and the same setbacks for principal structures as listed above.
- Ranch homes will have a minimum of 1,500 square feet of heated area. Two-story homes will have a minimum of 1,700 square feet of heated area.
- No home can be constructed with either an exterior elevation (front façade) or color palette that is identical to the home on either side or directly across the street from it.
- All homes must include a two-car enclosed garage
- All homes must include either a front-facing roof gable, a dormer, or covered front porch.
- All front and side yards must be sodded
- Rear yards can be seeded and strawed
- All driveways must be concrete
- All homes must have concrete walks from the driveway or front sidewalk to the front door
- The mail kiosk will be covered
- Street trees to be placed 80' O.C. maximum. 80' O.C may be exceeded at intersections and easements.
- A 15' buffer shall be provided along Carthage St. One (1) of the following will be provided: a) landscaped screening b) fence or c) berm

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: Residential Mixed (R-12)

*Staff Report - Conditional Rezoning Request from R-12 to Carthage Street Residential Subdivision CZ District*

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

#### Adjacent Land Use

North: Single-family dwellings (Carthage Colonies Subdivision)  
South: Vacant & wooded land  
East: Single-family dwellings (Carthage Colonies Subdivision)  
West: Single-family dwellings

#### **PLAN SANLEE**

The long-range land use plan identifies the subject property as Suburban Neighborhood which is defined as residential areas on the outskirts of a core urbanized area that facilitate the development of large-scale neighborhoods, including mixed use components in appropriate areas, that are walkable with a high degree of transportation connectivity between neighborhoods and surrounding network thoroughfares. The local example provided 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**

Per Lee County GIS, the subject property does not appear to be located within a local historic district nor a Watershed Conservation Overlay District; however, the site does appear to contain an established Flood Hazard Area (floodplain) running through the rear of the property.

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**

The site appears to have access to public water main lines along Carthage Street. The site appears to have access to public sanitary sewer from lines extending from Tramway Road to Chownings Drive through the rear of the subject property. 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**

The site has frontage on Carthage Street (SR-1237) which is an NCDOT owned and maintained secondary route with a 60ft right-of-way. Gloucester Drive briefly extends parallel to the site from Carthage Street; however, the site does not directly abut Gloucester Drive. 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: The 2011 Lee County Comprehensive Transportation Plan has designated Carthage Street as a major thoroughfare in need of improvement.

NCDOT Average Annual Daily Traffic Count (AADT): There is a 2020 NCDOT AADT count of 4,900 vehicles per day on Carthage Street 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 Suburban Neighborhood which lists medium and low density single-family detached dwellings as a desired land use. The proposed project has incorporated the preferred character of the future land use area with street trees, sidewalks, and interconnected curvilinear streets. Based on this rationale, staff is supportive of this rezoning request as it appears to align with be the future land use plan for this area. 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.

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

### **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 ZONING MAP AMENDMENT:**

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 low density single-family detached dwellings as a secondary future land use.”*

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 is below the desired density for its respective future land use designation.”*

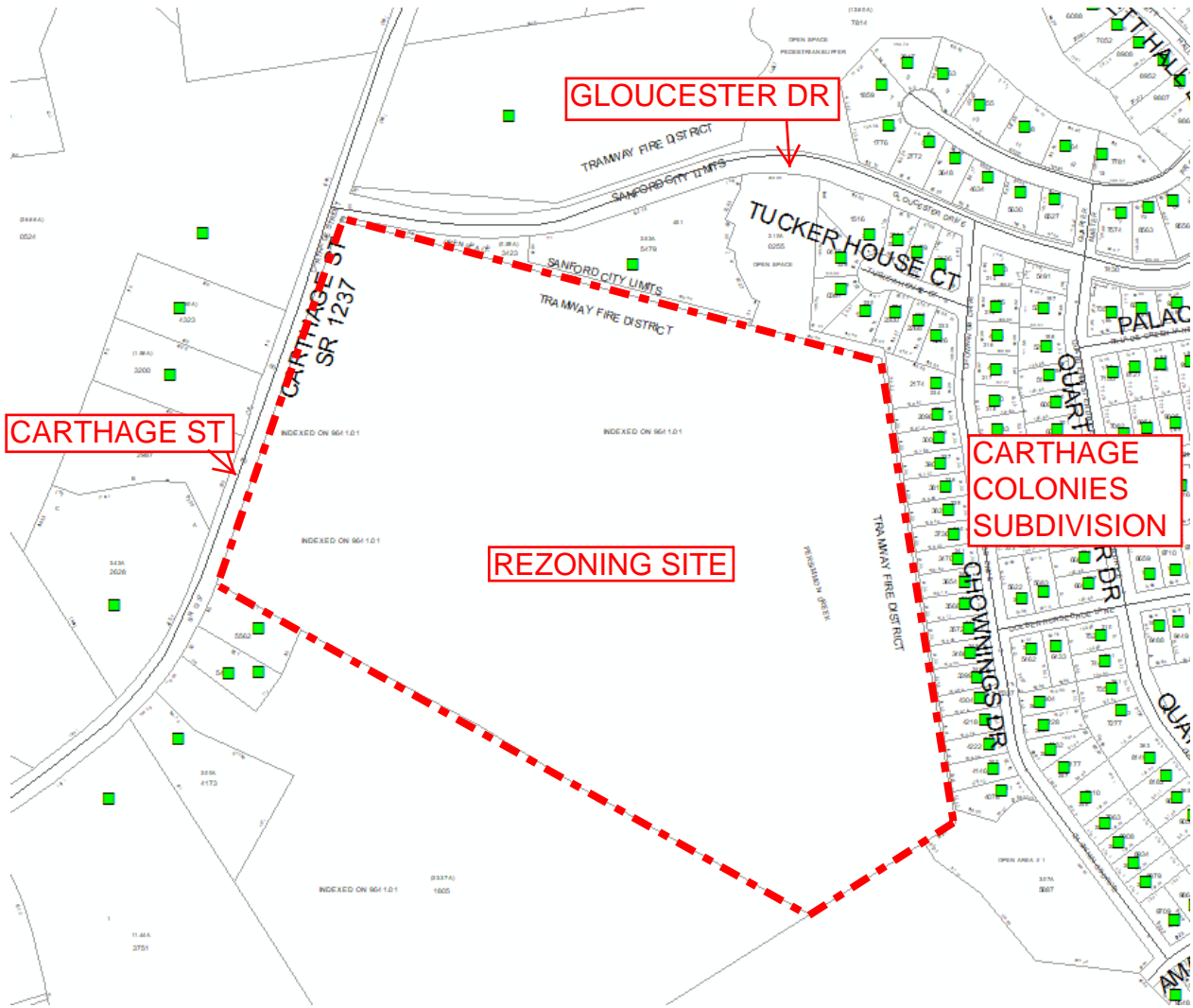
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

**VOTE #2: TO APPROVE OR DENY THE ZONING MAP AMENDMENT:**

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 desired land uses and densities.”*

Motion Option 2: *““I make a motion that Planning Board recommend the City Council **DENY** the proposed zoning map amendment because the site is not appropriate for the desired land uses and densities.”*

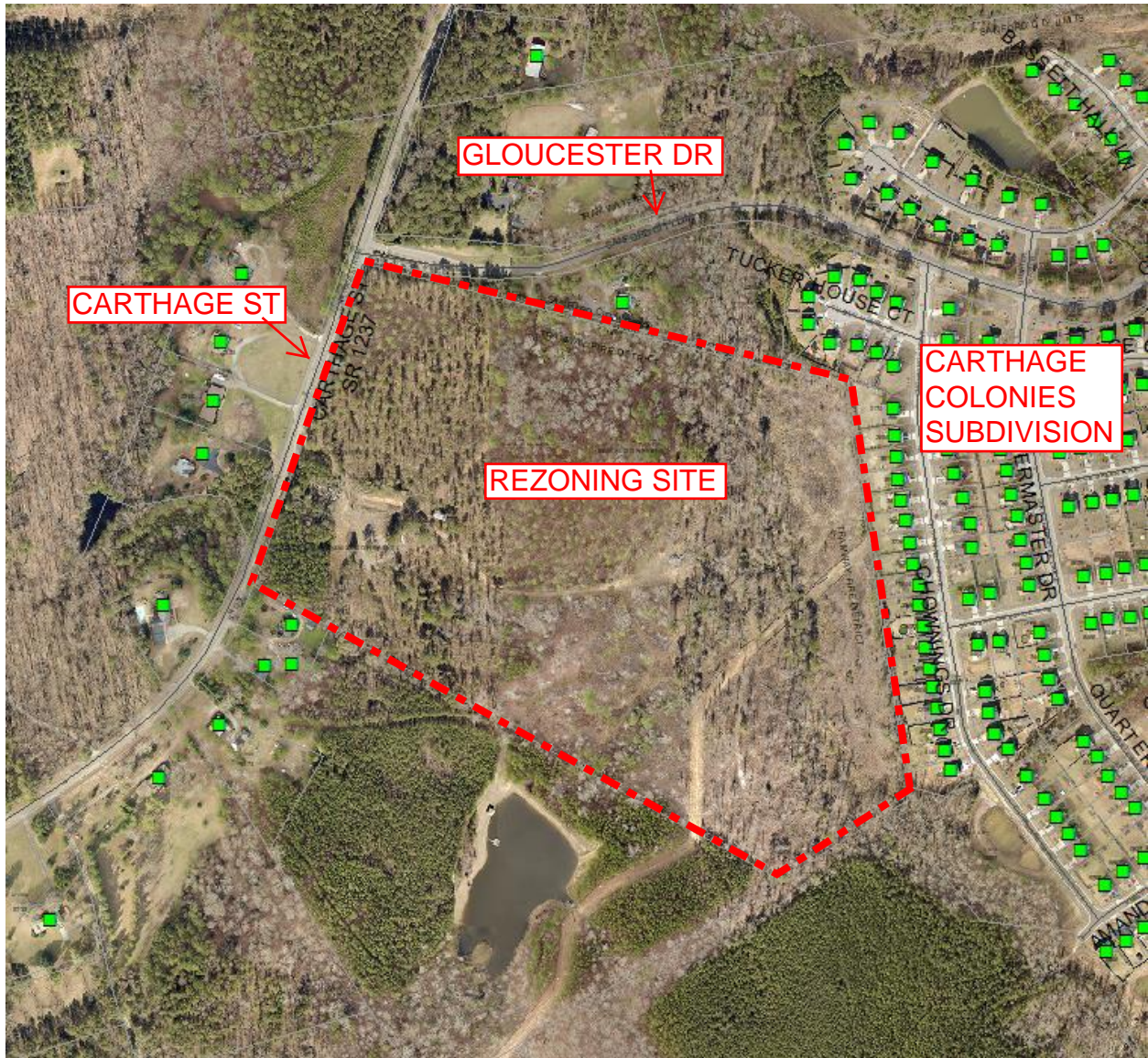
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.



## ZONING MAP AMENDMENT

Request to rezone 47.35 acres at 1715 Carthage Street  
from R-12 to the Carthage Street Residential Subdivision  
Conditional Zoning District

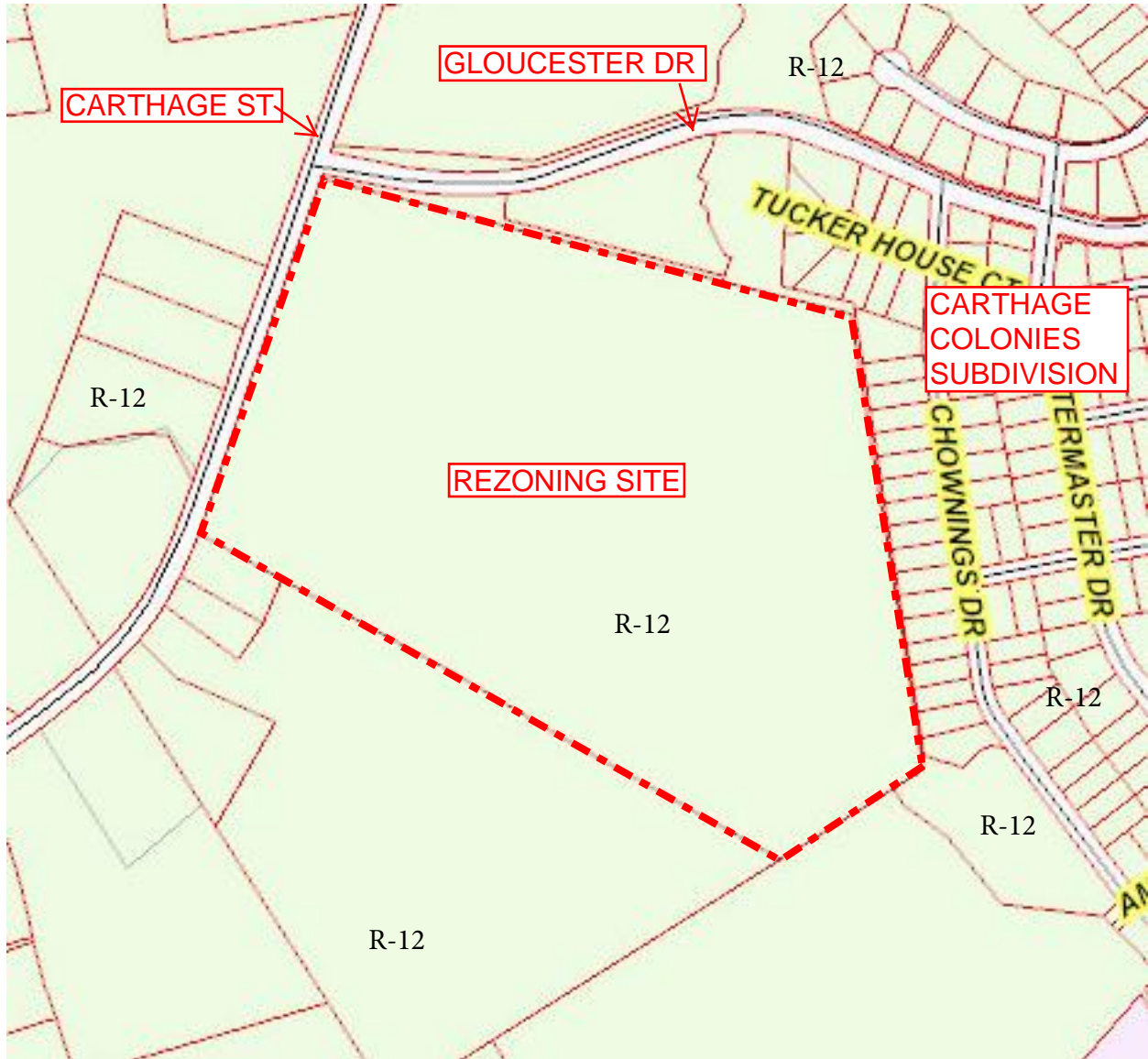
This is a graphic illustration and not a legal document.  
All information is comprised of layers of data that may or may not align correctly.



## ZONING MAP AMENDMENT

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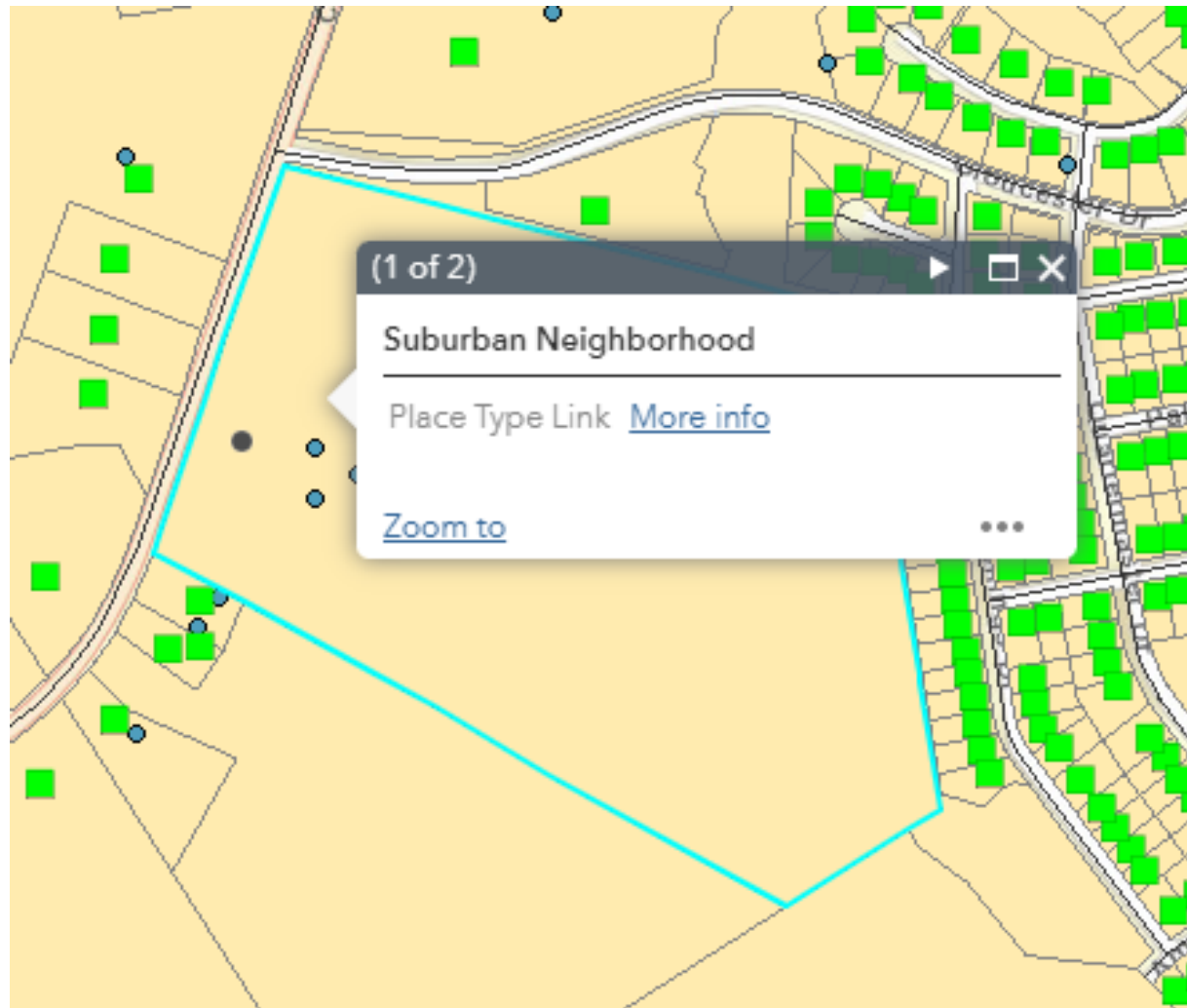


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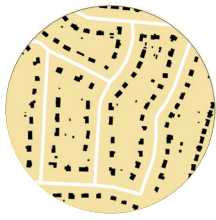
# Plan SanLee – Long Range Plan – Interactive Map of Site



## Place\_Types

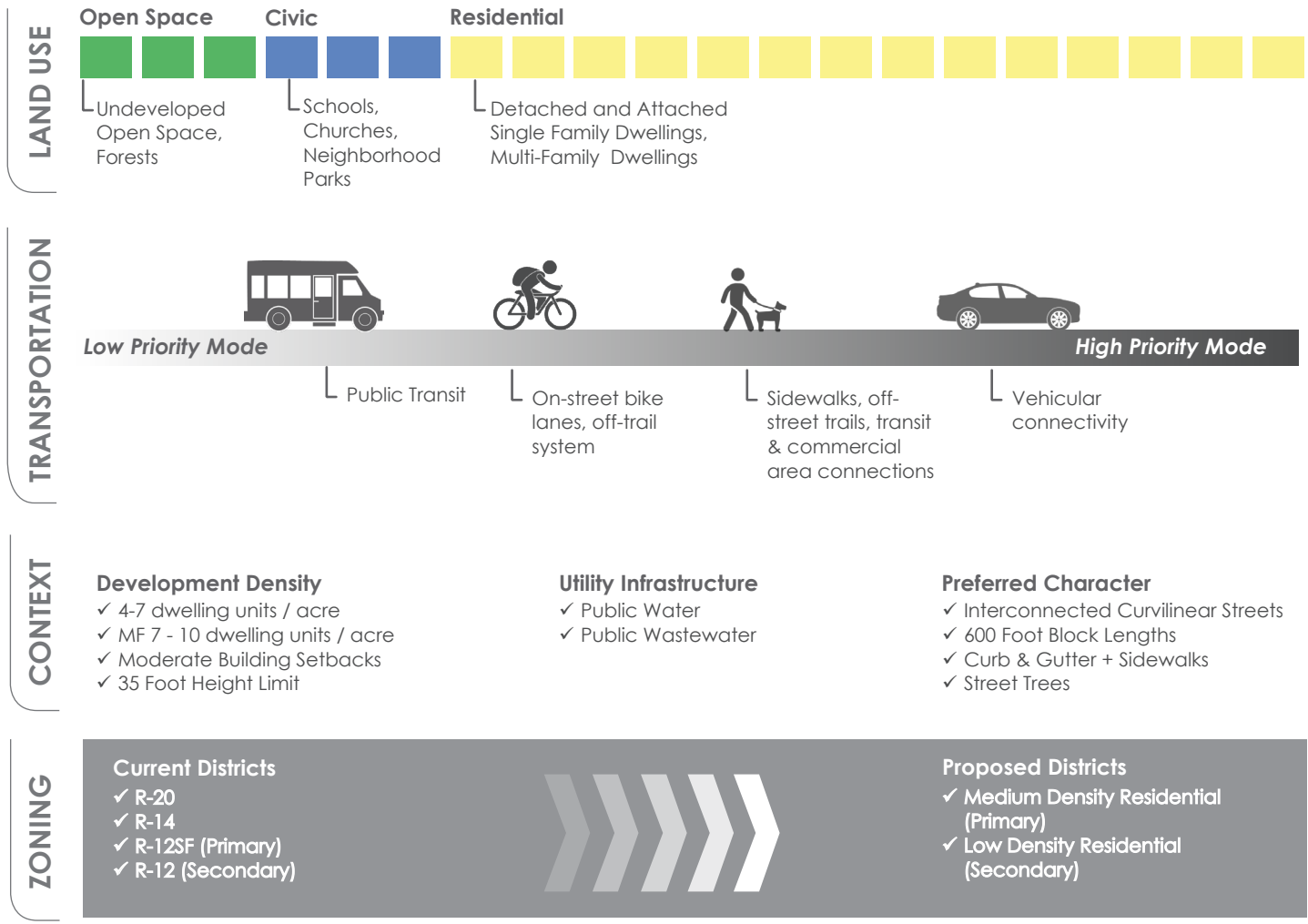
### Place Types

- 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 the development of large scale neighborhoods, including mixed use components in appropriate areas
- ✓ 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).

<b><u>Accessory Uses</u></b>
Accessory uses (See Section 5.1)
<b><u>Residential Uses</u></b>
Dwelling, Duplex (two-family dwelling)
Dwelling, Modular home
Dwelling, Single-family detached
<b><u>Arts, Recreation &amp; Entertainment</u></b>
Parks, playgrounds, and athletic fields operated on a noncommercial basis
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
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
<b><u>Transportation, Communication, and Utilities</u></b>
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)
<b><u>Agriculture</u></b>
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).

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

<b><u>Accommodations and Group Living</u></b>
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
<b><u>Arts, Recreation &amp; Entertainment</u></b>
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
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
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
<b><u>Transportation, Communication, and Utilities</u></b>
Sewage treatment and Water treatment plants
<b><u>Agriculture</u></b>
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).

<b><u>Residential Uses</u></b>
Accessory Dwellings (See Section 10.4)
<b><u>Accommodations and Group Living</u></b>
Bed and breakfast inn (See Section 5.4)
<b><u>Industrial &amp; Manufacturing Uses</u></b>
Landfills, C&D or LCID (greater than 2 acres in size) (See Section 5.20)
Mining and Quarries, <b>Unincorporated Lee County and City of Sanford only</b> (See Section 5.23)
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
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)
<b><u>Transportation, Communication, and Utilities</u></b>
Solar Collectors, Commercial (See Section 5.39)
Telecommunication towers (See Section 5.33)

## ADJOINING PROPERTY OWNERS LIST

PETITION BY: Pulte Home Company LLC (Randy King)

REQUEST: Rezone from Residential Mixed (R-12) to Carthage Street Residential Subdivision CZ District

LOCATION: 1715 Carthage St, Sanford, NC 27330

PIN: 9641-09-5617-00

DATE: 2022-04-27

PIN	Parcel Address	Owner	Owner 2	Mail Address	City	State	Zip
9632-90-0524-00	1700 CARTHAGE ST	BROWN, PHILLIP L		2108 WHIP-POR-WILL LN	SANFORD	NC	27330
9631-99-5562-00	1801 CARTHAGE ST	ROBERTS, ELDRED	ROBERTS, EULEAN	1801 CARTHAGE ST	SANFORD	NC	27330
9632-90-3200-00	1710 CARTHAGE ST	BRUN, LINDSEY	BRUN, JEVON	1710 CARTHAGE ST	SANFORD	NC	27330
9632-90-4323-00	1706 CARTHAGE ST	HUNTER, JAMES W JR	HUNTER, REBECCA T	1706 CARTHAGE ST	SANFORD	NC	27330
9642-00-5829-00	1615 CARTHAGE ST	PHILLIPS, KEITH ARDEN	PHILLIPS, HELEN SUE	1615 CARTHAGE ST	SANFORD	NC	27330
9641-09-5617-00	1715 CARTHAGE ST	1715 CARTHAGE STREET LLC		105 WESTON ESTATES WAY	CARY	NC	27513
9631-99-2987-00	1718 CARTHAGE ST	SILER, DAVID D	SILER, GWENDOLYN W	1718 CARTHAGE ST	SANFORD	NC	27330
9631-99-2628-00	1806 CARTHAGE ST	SCHALLER, BRET	SCHALLER, DIANE K	1806 CARTHAGE ST	SANFORD	NC	27330
9642-00-5479-00	621 GLOUCESTER DR	ROSA, ANTHONY CHARLES	ROSA, TINA M	621 GLOUCESTER DR	SANFORD	NC	27330
9642-10-2268-00	203 TUCKER HOUSE CT	LEE, SASHA-AL		6929 MARLOWE RD	RICHMOND	VA	23225
9641-19-3470-00	120 CHOWNINGS DR	LAMBERT, ANGELA		120 CHOWNINGS DR	SANFORD	NC	27330
9641-19-3654-00	122 CHOWNINGS DR	SANTOS, HILDA E		122 CHOWNINGS DR	SANFORD	NC	27330
9642-10-0367-00	209 TUCKER HOUSE CT	MCMILLAN, TENIKA C		209 TUCKER HOUSE CT	SANFORD	NC	27330
9642-10-1311-00	207 TUCKER HOUSE CT	HANNA, KYLE WATSON	RHODES, REBEKAH	207 TUCKER HOUSE CT	SANFORD	NC	27330
9642-10-2174-00	106 CHOWNINGS DR	NORMAN, QUENTIN	PALMER, TALIAH	106 CHOWNINGS DR	SANFORD	NC	27330
9642-10-2300-00	205 TUCKER HOUSE CT	QUINONES, FERNANDO I		205 TUCKER HOUSE CT	SANFORD	NC	27330
9642-10-2096-00	108 CHOWNINGS DR	SUAREZ, HARRY	SUAREZ, CLAUDIA L	108 CHOWNINGS DR	SANFORD	NC	27330
9642-10-3000-00	110 CHOWNINGS DR	BARRETT, DARRYL K	BARRETT, TAISIA	110 CHOWNINGS DR	SANFORD	NC	27330
9641-19-3904-00	112 CHOWNINGS DR	BENTLEY-JACKSON, LAVERNE		112 CHOWNINGS DR	SANFORD	NC	27330
9641-19-3818-00	114 CHOWNINGS DR	ROMERO, GUSTAVO DAVID RAMOS		114 CHOWNINGS DR	SANFORD	NC	27330
9641-19-3822-00	116 CHOWNINGS DR	ROSADO, IAN O	ROSADO, PEGGIE	116 CHOWNINGS DR	SANFORD	NC	27330

9641-19-3736-00	118 CHOWNINGS DR	STRASSBURG, JAMES A	STRASSBURG, ROMAYNE S	118 CHOWNINGS DR	SANFORD	NC	27330
9641-19-3568-00	124 CHOWNINGS DR	SIMMONS, RICHARD L	SIMMONS, KRISTY M	124 CHOWNINGS DR	SANFORD	NC	27330
9641-19-3572-00	126 CHOWNINGS DR	NAZLEH, SALEH M		126 CHOWNINGS DR	SANFORD	NC	27330
9641-19-3486-00	128 CHOWNINGS DR	VEGA, MILTON R		128 CHOWNINGS DR	SANFORD	NC	27330
9642-00-3423-00	0 GLOUCESTER DR	CARTHAGE COLONIES OWNERS ASSOC INC		PO BOX 37109	CHARLOTTE	NC	28237
9642-10-7814-00	0 GLOUCESTER LN	CARTHAGE COLONIES OWNERS ASSOC INC		PO BOX 37109	CHARLOTTE	NC	28237
9642-10-3226-00	201 TUCKER HOUSE CT	QUUBE HOLDINGS LLC		1413 CARPENTER TOWN LN	CARY	NC	27519
9642-10-0255-00	0 GLOUSESTER DR	RESERVE AT CARTHAGE COLONIES COM ASSOC		207 MILLBROOK RD	RALEIGH	NC	27609
9641-08-1805-00	0 CARTHAGE ST	BERNARD, KEITH G	BERNARD, MARCIA L	158 ARABELLA CT	CARY	NC	27518
9641-19-3399-00	130 CHOWNINGS DR	HEWITT, ANDY G	HEWITT, DELINDA	130 CHOWNINGS DR	SANFORD	NC	27330
9641-19-4146-00	138 CHOWNINGS DR	MCCARRICK, TESSIE Q		138 CHOWNINGS DR	SANFORD	NC	27330
9641-19-4222-00	136 CHOWNINGS DR	CSER, PAUL	CSER, TIPHAINE	136 CHOWNINGS DR	SANFORD	NC	27330
9641-19-4218-00	134 CHOWNINGS DR	HUYNH, KHOA CONG	VO, HANG THI	134 CHOWNINGS DR	SANFORD	NC	27330
9641-19-4304-00	132 CHOWNINGS DR	BEDNARCYK, MARSHA		132 CHOWNINGS DR	SANFORD	NC	27330
9641-18-7421-00	0 FIRE TOWER RD	RUBY & ERNEST MCSWAIN-WORTHY LANDS TRUST		PO BOX 2280	SANFORD	NC	27331
9641-19-4078-00	140 CHOWNINGS DR	SEPULVEDA, RAMON	SEPULVEDA JASMIN	CMR 411 BOX 1416	APO	AE	09112
9641-18-5887-00	0 CHOWNINGS DR	RESERVE AT CARTHAGE COLONIES COM ASSOC		207 MILLBROOK RD	RALEIGH	NC	27609
N/A	N/A	RANDY KING		1225 CRESCENT GREEN DR, SUITE 250	CARY	NC	27518

0 property address number = vacant; no addressed structures no the parcel



# Zoning Map Amendment (Rezoning) Application

Circle Jurisdiction That Applies:

City of Sanford

Lee County

Town of Broadway

1. Applicant Name: Brian Richards
2. Applicant Address: 555 Fayetteville St 3rd Floor Raleigh, NC 27601
3. Applicant Telephone: 919.275.5002
4. Name and Address of Property Owner(s) if different than applicant:  
Highway 54 Partners LLC, 120 Dunedin Ct Cary NC 27511  
Roy Mashburn PO Box 130 Cary, NC 27512
5. Location of Subject Property: 3239 S NC 87 HWY  
Lee Co. P.I.N. 9661-27-0612-00
6. Total Area included in Rezoning Request: ± 7.21 Acres
7. Zoning Classification: Current: C-2 Requested: MF-C
8. Existing Land Use(s): Vacant
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): Proposed multi-family development to be rezoned from existing C-2 to accommodate proposed development.

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 Richards

Roy E. Mashburn Jr.  
Signature of Property Owner(s) (Sign & Print)

6/27/2022

6/27/2022  
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: \_\_\_\_\_ 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): Multi-family development.  
This development falls in the commercial corridor where multi-family is included as a recommended land use.

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.

Proposed conditions shall follow base district MF design standards with the exception of allotted density.

-180 Dwelling Units / 7.2 Acres = 25 units per acre (new density)

- Parking modification to permit overall parking ratio of 1.5 spaces/du

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.*

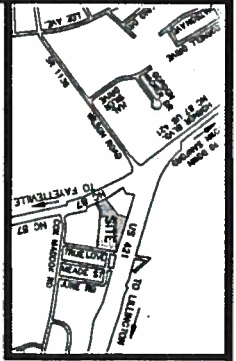
Brian Richards

Roy E. Mastbaum Jr.

Signature (Sign & Print)

6/27/2022

Date



I further certify that the property is not located in a special flood hazard area as determined by the Federal Emergency Management Agency.

STATE OF NORTH CAROLINA  
COUNTY OF LEE  
Leticia Chavally  
REGISTERED PROFESSIONAL LAND SURVEYOR  
DATE: 5/16/2022

1. I further certify that this map was drawn under my supervision.
2. I certify that the survey was made under my supervision and the following information was used to perform the survey:
  - (1) Positional accuracy - ± 0.5" - Less than or equal to 0.02 US feet.
  - (2) Horizontal accuracy - ± 0.01" (0.010m) vertical for each observation.
  - (3) Type of GPS used - Real-time kinematic.
  - (4) Date of GPS use - MAY 2022.
  - (5) Datum/Elevation - NAD 83/2011.
  - (6) Reduction/Free-control use - NCS Concrete Monument - JOHNSON 2 WEST.
  - (7) Reduction/Free-control use - NCS Concrete Monument - JOHNSON 2 WEST.
  - (8) Control/Reference - 0199907281.
  - (9) Under - US Survey feet.

EASTON NCS CONCRETE MONUMENT - JOHNSON 2 WEST  
N 12°21'11.81" E 118.80' R/W (PAVED ROAD)  
JOHNSON 2 WEST HAVD BE ELEVATION 448.87  
GRD BEARING 5.51°27'33" E 7.40802' GRD DISTANCE FROM  
NCS CONCRETE MONUMENT - JOHNSON 2 WEST TO CONTROL - A'

NORTH CAROLINA, LEE COUNTY  
Prepared for registration on the 20th day  
of May 2022 by Leticia Chavally  
at the County of Lee, North Carolina  
Leticia Chavally  
REGISTERED PROFESSIONAL LAND SURVEYOR  
DATE: 5/16/2022

NOTE: THIS SURVEY CREATES A SUBDIVISION OF LAND IN AN AREA CONTROLLED BY A SUBDIVISION ORDINANCE.

1. The surveyor certifies that this map was drawn under my supervision and that the boundaries not surveyed are indicated as drawn from a previous survey or other reference source. The surveyor is not responsible for the accuracy of any such information. This map meets the requirements of the Standards of Practice for Land Surveying in North Carolina (21 N.C.A.C. 160.00) on the 16th day of May 2022.

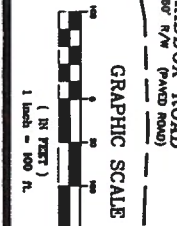
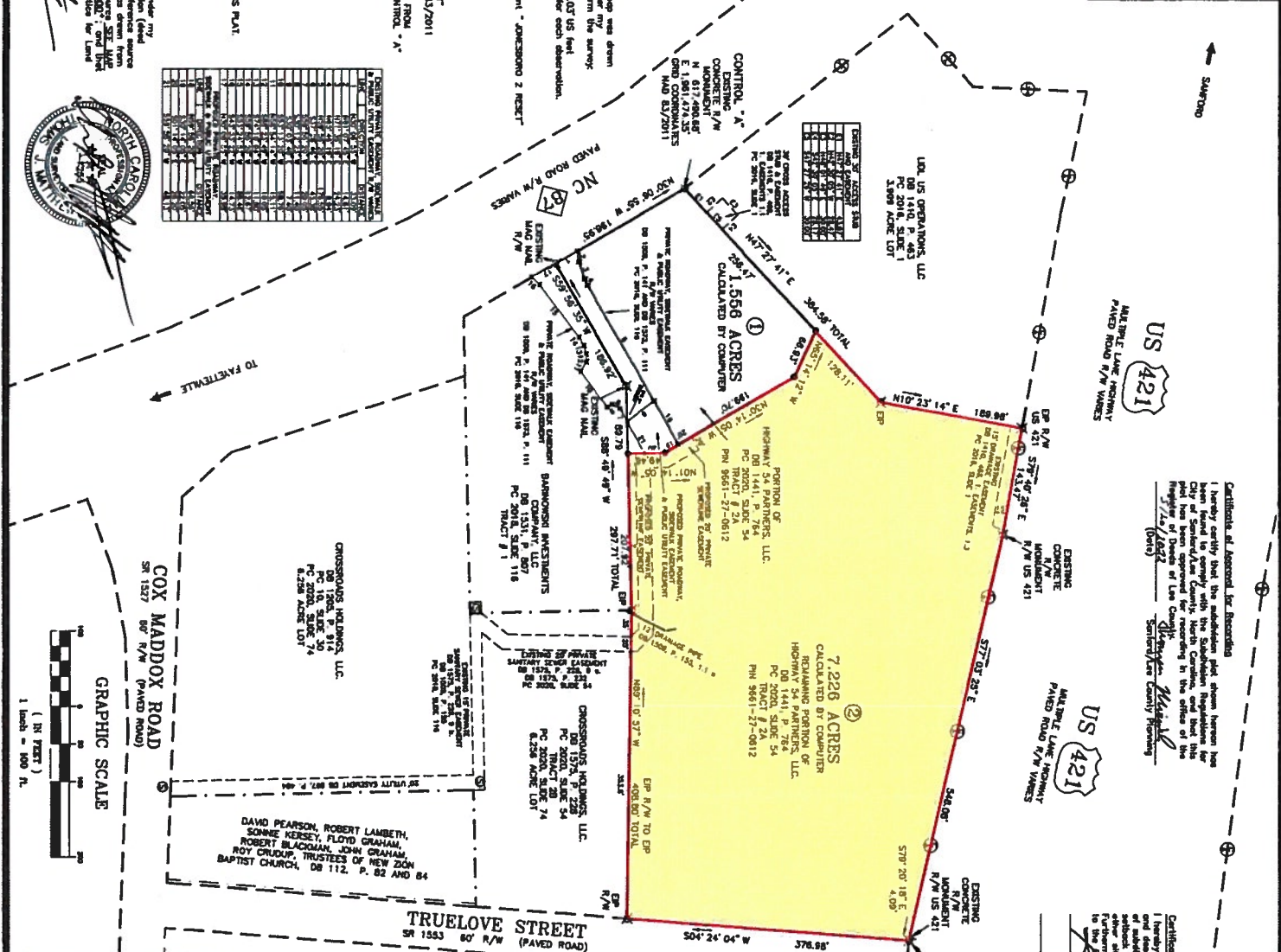
PROFESSIONAL LAND SURVEYOR  
P.L.S. # L-1225

TRACT	ACRES	OWNER
1	1.566	US OPERATIONS, LLC
2	7.226	HIGHWAY 54 PARTNERS, LLC
3	8.792	HIGHWAY 54 PARTNERS, LLC



Certificates of Approval for Subdivision  
I hereby certify that the subdivision plat shown herein has been found to comply with the Subdivision Regulations for the City of Sanford/Alex County, North Carolina, and that this plat has been approved by the Board of Public Works of the City of Sanford/Alex County, North Carolina, on this 16th day of May 2022.

Certificates of Ownership and Deductions  
I hereby certify that I am the owner of the property shown and described herein and that I hereby elect the form of subdivision with my free consent, without malicious building subject, threat, and deduction of streets, ways, parks, and other public facilities, and I hereby agree to pay for the same to the satisfaction of public power and/or water laws.



STATE	COUNTY	TOWNSHIP	DATE COMPLETED
NORTH CAROLINA	LEE	JOHNSON	05-16-2022

PROJECT	SCALE	DATE
THROUGL 1 MATTERS PROFESSIONAL LAND SURVEYOR 288 E. TRADE STREET SANFORD, N.C. 27332 (919) 776-3400 mcl@throssurveying@pobox.com	1" = 100'	2022

**HIGHWAY 54 PARTNERS, LLC.**

OWNER: ROY E. WASHINGTON  
120 DUNN COURT  
CANTY, NC 27311  
REFERENCE: PARTNERS, LLC  
DB 1441, P. 74  
PC 2020, SLIDE 54  
ROY EVANS WASHINGTON  
TRACT 2A  
ROY E. WASHINGTON  
DB 316, P. 535-537  
PC 2021, SLIDE 54  
ROY E. WASHINGTON  
DB 321, P. 487  
PC 4, SLIDE 242  
PN 9661-27-4542

8.792 ACRES TOTAL  
CALCULATED BY COMPUTER

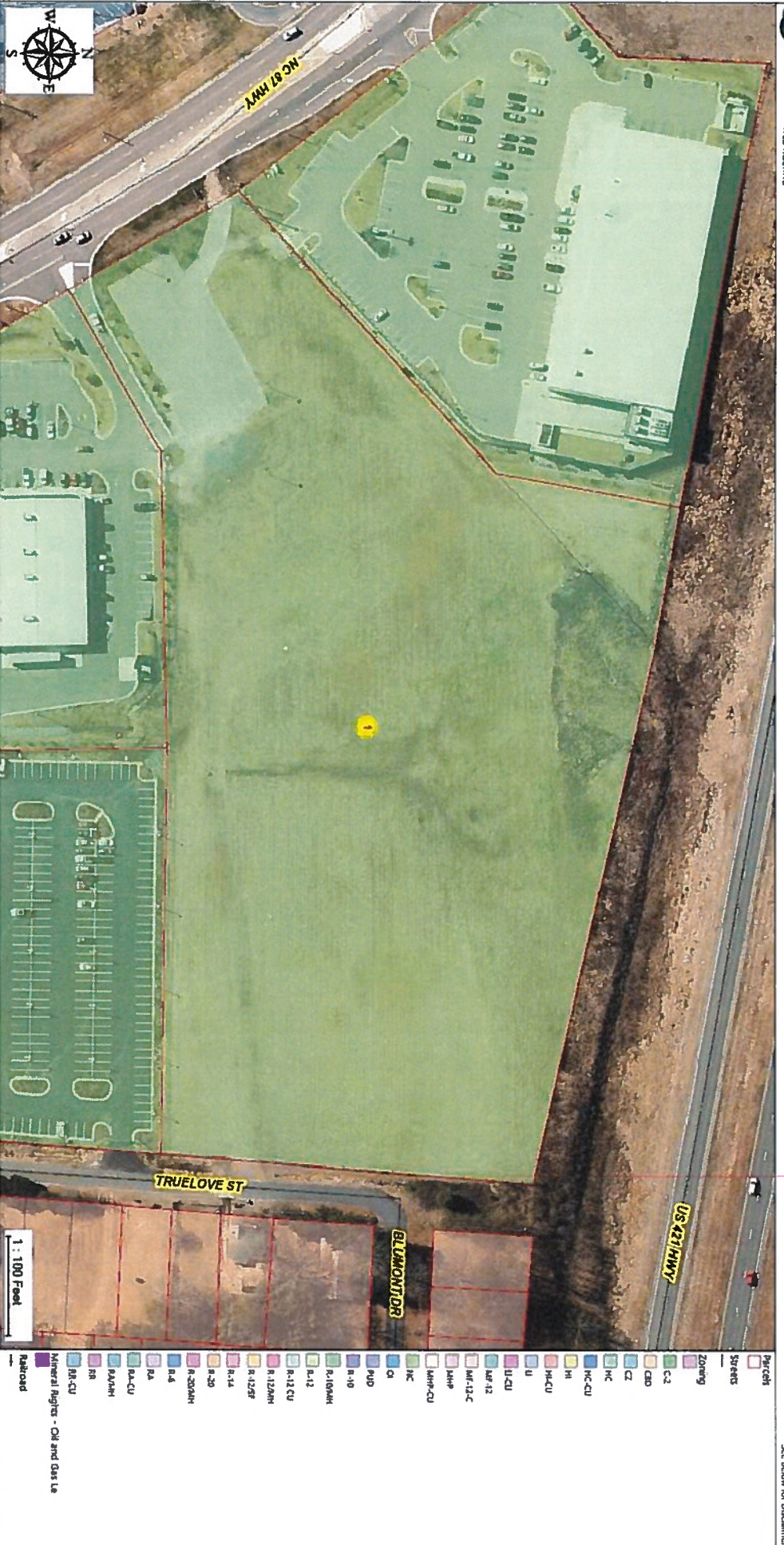
REFERENCE:  
ROY E. WASHINGTON DB 325, P. 306  
ROY E. WASHINGTON DB 481, P. 239 - 306  
ROY E. WASHINGTON DB 875, P. 398 - 405  
ROY E. WASHINGTON DB 981, P. 398 - 405  
PN 9661-27-0429  
ROY E. WASHINGTON DB 316, P. 535-537  
PC 2021, SLIDE 54  
ROY E. WASHINGTON DB 321, P. 487  
PC 4, SLIDE 242  
PN 9661-27-4542

**BLOUNT DRIVE**

NOTE:  
AC. CAL BY COMPUTER  
ZONING - C-2  
OWNER - PRIVATE  
W/IN - 10' FRONT  
MIN. BUILDING SETBACK LINES  
10' FRONT  
0' BACK  
0' SIDE

**MEADE STREET**

NOTE:  
LEGEND  
G - LEGEND  
EP - EXISTING CONCRETE MONUMENT  
EP - EXISTING IRON PIPE  
S - EXISTING RAILROAD SPIKE  
S - SOLD IRON SET  
S - SET RAILROAD SPIKE  
F - TOTAL SETBACK  
F - TOTAL SETBACK  
F - SOLD IRON SET  
F - SOLD IRON SET  
F - EXISTING POLE AND LOFT



This site is prepared for the inventory of real property found within the jurisdiction and is compiled from recorded deeds, plats and other public records and data. Users of this site are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this site. The County of Lee and Duke Solutions, Inc. assumes no legal responsibility for the information contained on this site. Please be advised that you must contact the Lee County Tax Office for accurate tax values. Please contact the Lee County Appraisal Department if any building information is incorrect. The map, layer, data and website (collectively known as "Layers") are for graphical and illustration purposes only. The Lee County Strategic Services Department (hereinafter "Lee County Strategic Services") provides the layer and the information contained within to the general public and has not customized the information for any specific or general purpose. Such information was generated from data maintained by different sources and agencies and as such, some inaccuracies may apply based upon restrictions imposed by other sources or agencies supplying data to Lee County Strategic Services. Lee County Strategic Services does not warrant the accuracy, completeness or adequacy of the contents of the layer. Areas depicted are approximate and are not necessarily accurate to mapping, surveying or engineering standards. The County expressly disclaims liability for errors and omissions in the contents of the site and layer. No warranty of any type, implied, express, statutory, UCC or otherwise, including, but not limited to, the warranties of non-infringement of third party rights, title, accuracy of data, merchantability, or fitness for a particular purpose, is given with respect to the substantive content of this layer or its use in private or commercial financial transactions. The fact of distribution of the layer does not constitute any warranty, express, implied or otherwise. The user assumes the entire risk related to the use of this data. If the user intends to make any legal or financial decision based on this data, the user should independently verify the accuracy of this data. In no event will any of the foregoing local governments or their officers and employees be liable to you or to any third party for any direct, indirect, incidental, consequential, special or exemplary damages or lost profit resulting from any use or misuse of this data. Unless otherwise noted on an individual document, files, documents, and information contained in this layer may be copied and distributed for non-commercial use, provided they are copied and distributed without alteration.



# MISSION PROPERTIES

bespoke multifamily development

# SANFORD TRUELOVE

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REZONING PACKAGE

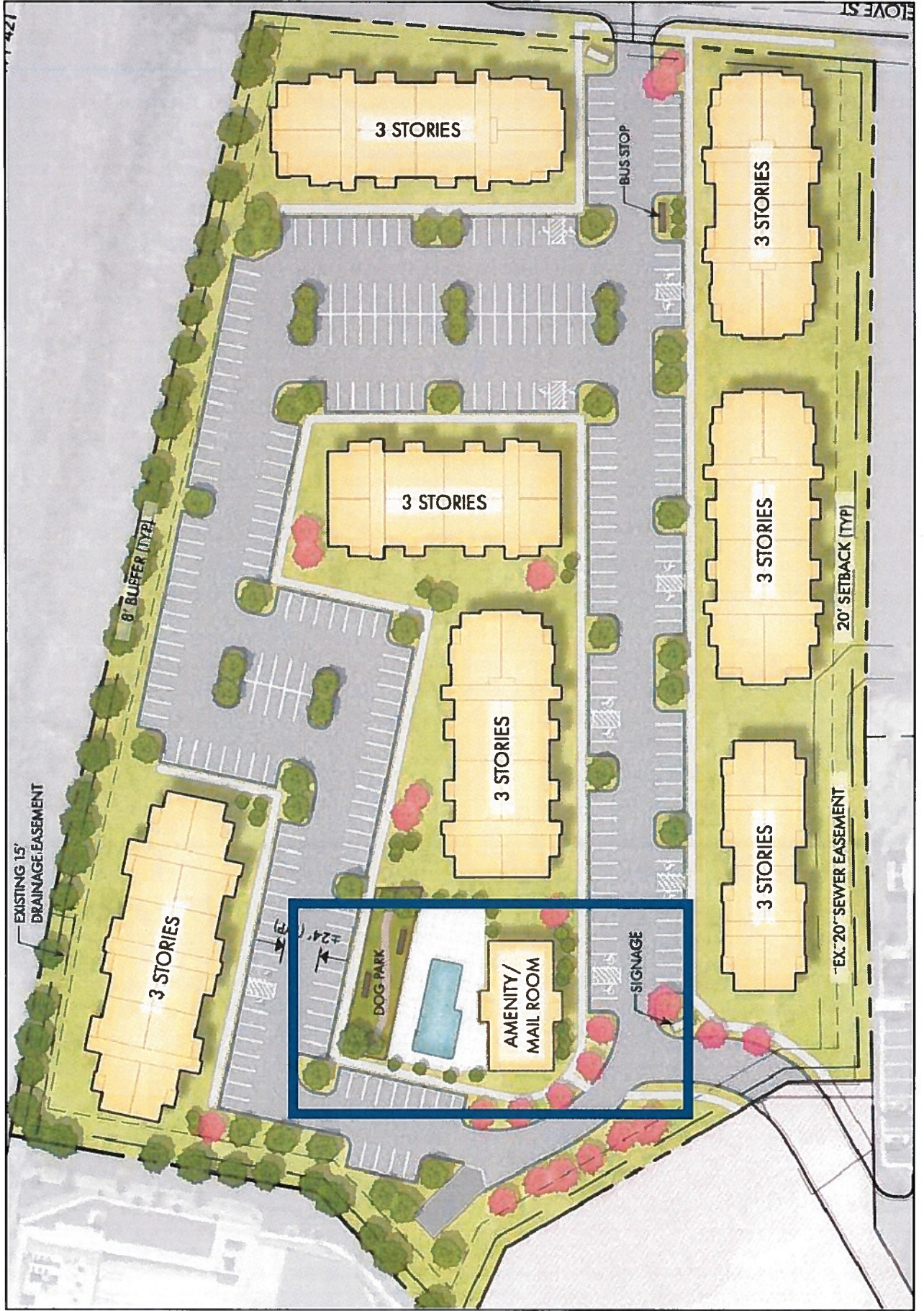
# PROPOSED SITE PLAN : 180 UNITS



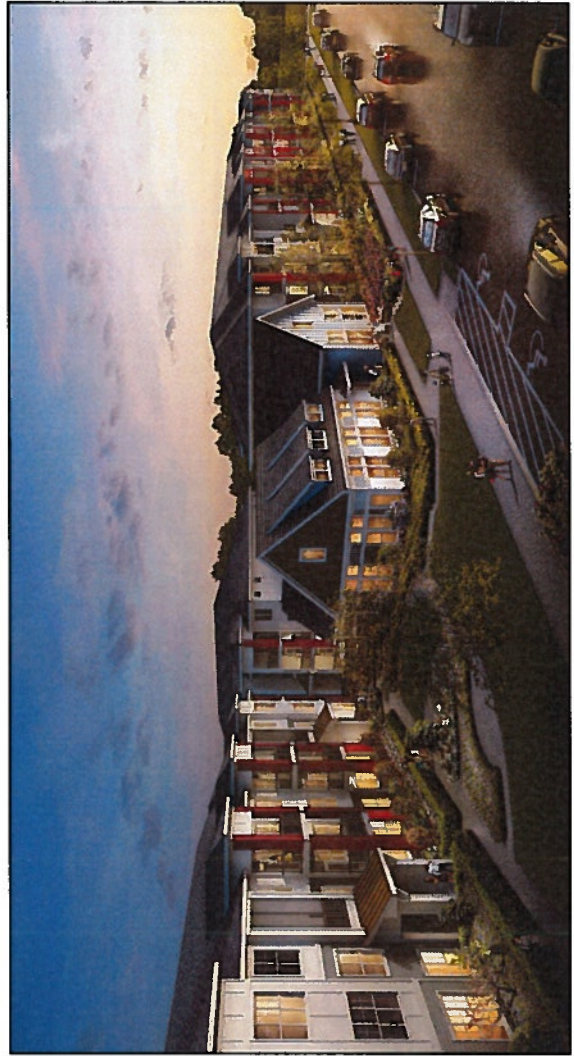
# TYPICAL BUILDING EXTERIOR



# REPRESENTATIVE IMAGES OF PROPOSED DEVELOPMENT



1 ENTRANCE



## 2 LEASING AND AMENITY CENTER



### 3 POOL / OUTDOOR AMENITIES





## TYPICAL BUILDING ELEVATION

**Sanford, NC Apartments**  
MULTI FAMILY COMMUNITY  
MISSION PROPERTIES

PROJECT	2224
DATE	22JUNE
DRAWN BY	CEL
CHECKED BY	CEL
TYPICAL BUILDING	

**A1**





## TYPICAL BUILDING ELEVATION

PROJECT	2224
DATE	22JUNE
DRAWN BY	CEL
CHECKED BY	CEL
TYPICAL BUILDING	

A1

**Sanford, NC Apartments**  
MULTI FAMILY COMMUNITY  
MISSION PROPERTIES

**WLA**  
WAITS LEAF ARCHITECTS, LLC  
1000 W. MAIN STREET, SUITE 100  
CHARLOTTE, NORTH CAROLINA 28202  
PH: 704.376.1300 FX: 704.376.91

# URBAN DESIGN PARTNERS

TRANSFORMING COMMUNITIES THROUGH COLLABORATIVE DESIGN®

Date: June 29, 2022

Re: Truelove Street Apartments - Conditional District Rezoning  
Project No: 22-RDU-032

Most honorable Board Members,

The proposed Conditional Zoning request proposes to rezone a portion of the existing C-2 commercial district to Multi-Family Residential. The subject property is identified as a Commercial Corridor in the SanLee Plan which identifies Multi-Family Residential as a desired use. The property was recently subdivided (PC 2022, Slide 92) in order to create a 1.55 acre commercial parcel along South Horner Blvd and the subject 7.22 acre multifamily parcel. The property is located behind the existing Lidl Grocery, Harbor Freight, and the newly created commercial property which all front along South Horner Blvd to the west. To the north of the property is 421 business, to the south is existing vehicle storage for the car dealership, and to the east are existing single-family homes. The property is accessed via Truelove Street and via a shared access easement to South Horner Blvd/NC 87. Water is accessible to the property via a utility easement from South Horner Blvd to the west and in Truelove Street to the east. Sanitary sewer is available via a utility easement to the South Horner Blvd to the west and a utility easement that enters the property from the southern adjacent property.

The proposed plan calls for up to 180 multifamily apartments (25 units per acre max density) consisting of one-, two-, and three-bedroom units. Amenities on site will include a clubhouse consisting of a fitness center, business center, and lounge, a swimming pool with grilling areas, shade structures, fire pit, and a dog park. Building exteriors shall feature a combination of masonry materials (either or any combination of brick, stucco, or synthetic stone) and cementitious siding products consisting of lap siding and flat panels with batons. Simulated cedar shakes shall also be a permitted exterior material. Windows shall provide divided light grills on at least the upper sash and balconies shall provide railings constructed from either vinyl, or painted aluminum, steel or wood. Powder coated railings shall also be permitted. Primary roof pitches shall be a minimum of 5/12 and shed roofs shall be a minimum of 2/12 pitch. Permitted roofing materials shall consist of asphalt shingles and metal roofing materials. The community will also include enhanced landscape design and plantings above and beyond the City's minimum requirements including but not limited to enhanced landscape buffers, foundation, and parking lot plantings, as well as enhanced entryway and amenity landscape. Please reference the included Planting Concept Plan included in the conditional district rezoning application.

The project team believes the proposed project supports the overall vision of the SanLee Plan for this area by providing a mix of residential housing types and density to support this commercial corridor. Additionally, we believe the proposed multifamily community will provide a much-needed transition between the more intense commercial uses located along South Horner Blvd to the west and single-family residences to the east.

Brian Richards, PLA, LEED AP ND  
Principal  
Urban Design Partners



**SITE DATA**  
 ACRES: ± 7.22  
 PIN: 9661-27-0612-00  
 EXISTING ZONING: C-2  
 PROPOSED ZONING: MF-C

**DEVELOPMENT SUMMARY**

NO. OF APARTMENT BLDGS:	7 BLDGS
TOTAL APARTMENT UNITS:	± 180 UNI'
TOTAL 1 BR:	± 90 UNI'
TOTAL 2 BR:	± 60 UNI'
TOTAL 3 BR:	± 30 UNI'

**APARTMENT PARKING RATIO:** ± 1.58 / UI  
**TOTAL PARKING SPACES:** ± 279 SPAK  
**REQUIRED OPEN SPACE:** ± 5%

- 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.



# TRUVELOVE ST. | CONCEPT PLAN

SANFORD, NC

SITE DATA	
ACRES:	± 7.22 AC.
FIN:	9661-27-0612-00
EXISTING ZONING:	C-2
PROPOSED ZONING:	MF-C

### LANDSCAPE REQUIREMENTS

ALL PLANT MATERIAL TO BE NON-INVASIVE AND SELECTED FROM SANFORD/LEE COUNTY UDO LIST OF ACCEPTABLE PLANT SPECIES (APPENDIX C)

STREET YARDS (SEC. 7.7.3.1):

MIN WIDTH: 8 FT

REQUIRED:  
(1) LARGE TREES OR (2) SMALL TREES PER 50 LF

MINIMUM (1072LF/SOLF) = 22 LARGE TREES (OR 44 SMALL TREES)

PROVIDED TREES:  
(24) LARGE TREES

BUFFER YARDS - TYPE C (SEC. 7.5):

MIN WIDTH: 20 FT

REQUIRED:  
(1) LARGE TREE PER 50 LF  
(1) SMALL TREE PER 75 LF  
(1.0) POINT PER LF

PROVIDED:  
SOUTH EDGE: 616.8 LF  
(12) LARGE TREES  
(23) SMALL TREES  
(71) LARGE SHRUBS  
(49) MEDIUM SHRUBS  
(28) SMALL SHRUBS

WEST EDGE: 305 LF + 226 LF = 531 LF  
(11) LARGE TREES  
(18) SMALL TREES  
(47) LARGE SHRUBS  
(53) MEDIUM SHRUBS  
(35) SMALL SHRUBS

(112)x12+(23)x6+(71)x3+(49)x2+(28)x1=621 POINTS  
(1.0) POINTS PER LF

(11)x12+(18)x6+(47)x3+(63)x2+(36)x1=543 POINTS  
(1.0) POINTS PER LF

PARKING LOT LANDSCAPING (SEC. 7.6.3.1):

REQUIRED:  
(1) LARGE TREE OR (2) SMALL TREES PER 20 SPACES  
(279 SPACES/20 SPACES) = 14 LARGE TREES (OR 28 SMALL TREES)

(8) SMALL SHRUBS PER 20 SPACES  
(279 SPACES/20 SPACES) = 112 SMALL SHRUBS

PROVIDED:  
(38) LARGE TREES  
(120) SMALL SHRUBS



### CONCEPT PLANT SCHEDULE

	STREET YARD - LARGE TREES	22
	TYPE C BUFFER - SMALL TREES	41
	TYPE C BUFFER - LARGE TREES	23
	TYPE C BUFFER - LARGE SHRUBS	116
	TYPE C BUFFER - MEDIUM SHRUBS	112
	TYPE C BUFFER - SMALL SHRUBS	64
	PARKING LOT YARD - LARGE TREES	37
	PARKING LOT YARD - SMALL SHRUBS	138
	SCREENING SHRUBS	318

### 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.



# TRUELOVE APARTMENTS

## Planting Concept - 180 Units



SANFORD, NC

555 Fayetteville St. 3rd Floor Raleigh, 27601

urbanpartners.com

919.275.500

1" = 81'  
JUNE 27, 2022  
22-RDU-03

**CITY OF SANFORD**  
**CITY COUNCIL AND PLANNING BOARD**  
**PUBLIC HEARING INFORMATION**  
**September 20<sup>th</sup>, 2022**

---

**REQUEST**

Brian Richards of Urban Design Partners is requesting to rezone one (1) tract of land comprising 7.21 +/- acres at 3239 NC Hwy 87 S from General Commercial (C-2) to the Truelove Street Apartments Conditional Zoning District to allow for the development of a multi-family development as depicted in the “Truelove St. Concept Plan” submitted as part of the application. This is a site plan/subdivision plan specific conditional rezoning request; therefore, the conceptual development plans 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: Brian Richards (Urban Design Partners)  
Property Owners: Highway 54 Partners (Represented by Roy Mashburn)  
Request: Rezone from General Commercial (C-2) to Truelove Street Apartments Conditional Zoning District  
Location: 3239 NC Hwy 87 S, Sanford, NC 27332  
Acreage: 7.21  
Tax Parcels: 9661-27-0612-00  
Tax Map: 9661.01  
Township: Jonesboro  
Council Ward: Ward 5  
Fire District: City Station #2  
Schools: J Glenn Edwards Elementary | East Lee Middle School | Lee Senior High School

**SITE DESCRIPTION**

The site is located at 3239 NC Hwy 87 S, Sanford, NC 27332 between NC Hwy 87 and the intersection of US Hwy 421 and US 421 Bypass.

**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 Truelove Street 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/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.

The following information is applicable for the Truelove Street Apartments Conditional Zoning District:

- Proposed conditions shall follow the Multifamily (MF-12) General Use Zoning District with the exception of allotted density.
- Density shall be 25 units per acre (180 dwelling units / 7.2 acres = 25 units per acre)
- Parking modification to permit overall parking ratio of 1.5 spaces per dwelling unit.

#### Adjacent Zoning

North: Ashby Village CZ, Residential Single-Family (R-20 & R-20/MH)  
South: General Commercial (C-2), Residential Single-Family (R-20)  
East: Residential Single-Family (R-20)  
West: General Commercial (C-2), Shoppes at Sanford CZ

#### Adjacent Land Use

North: General Commercial (C-2)—Lidl; Pine Village Mobile Home Park across US Hwy 421  
South: General Commercial (C-2)—Harbor Freight Tools  
East: Single-family homes in the Homemont Subdivision  
West: General Commercial (C-2)—Shoppes at Sanford

### **PLAN SANLEE**

The long-range land use plan identifies the property as Commercial Corridor which represents established commercial developments along the highest volume transportation routes, contains what is traditionally known as “strip” development patterns, and implements connectivity and access improvements in future redevelopment. The local example is South Horner Boulevard in Sanford. Information from the land use plan is provided as attachments to this report for your reference.

### **LOCAL OVERLAY DISTRICTS**

Per GIS, the subject property is not located within a local historic district, a Watershed Conservation Overlay District, or an established Flood Hazard Area (floodplain). The apartment development is subject to the multi-family design standards; however, a conditional rezoning request may alter these standards.

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**

The site appears to have access to public water access via main lines along NC Hwy 87 and Truelove St, and it appears the site has access to public sanitary sewer via main lines along NC Hwy 87. 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 offsite improvements or upgrades.

### **TRANSPORTATION**

There is frontage on NC Hwy 87 (NC-87), US Hwy 421 (US-421 BUS), and on Truelove St (NS-9334). NC Hwy 87 and US Hwy 421 are NCDOT owned and maintained while Truelove St is maintained by the City. NC Hwy 87 and US Hwy 421 are identified in the 2011 Lee County Comprehensive Transportation Plan as “Boulevards—Needs Improvement;” Truelove St is not identified in the plan. 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.

NCDOT Average Annual Daily Traffic Count (AADT): There is a 2020 NCDOT AADT of 20,500 vehicles per day on NC Hwy 87 S in the area of the site. There is a 2020 NCDOT AADT of 10,000 vehicles per day on US Hwy 421 in the area of the site.

### **DEVELOPMENT STANDARDS**

If rezoned, the land uses, densities, and design associated with the Truelove Street Apartments Conditional Zoning District would apply. Any design standards not addressed within the conditional zoning district would be required to meet the current general development standards of the UDO.

Regarding future development of the subject property, a preliminary subdivision plat that corresponds with the overall design, uses, conditions, design standards, and maximum densities denoted within this application and on the concept plans (civil and architectural) will be required to be approved by the Sanford City Council in the same procedural manner as all preliminary major subdivision plats prior to the signing/recordation of the final plat and issuance of development permits for the parcels included within the Burns Towns Conditional Zoning subject property.

### **STAFF RECOMMENDATION**

The rezoning request complies with the *Plan SanLee* long-range plan designation of Commercial Corridor which lists multifamily dwellings as a secondary land use; however, the plan lists a density of 16 units per acre in relation to this future land use area while the proposed project has a density of 25 units per acre. Staff is supportive of the rezoning as it meets the other criteria of the *Plan SanLee* and

would improve accessibility of commercial areas from the proposed residential multi-family site; however, the boards will need to take into consideration the adjoining residential subdivision, existing traffic along NC Hwy 87, and the possible impact that this notable increase in density will have on the surrounding area in order to decide upon this proposed development.

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

### **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 ZONING MAP AMENDMENT:**

Motion Option 1: *“I make a motion that the proposed zoning map amendment **IS** consistent with the Plan SanLee long range plan designation of Commercial Corridor because it does allow multifamily dwellings as a proposed land use.”*

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 Commercial Corridor because the proposed development surpasses the density described in the future land use plan for multifamily dwellings within the Commercial Corridor future land use area.*

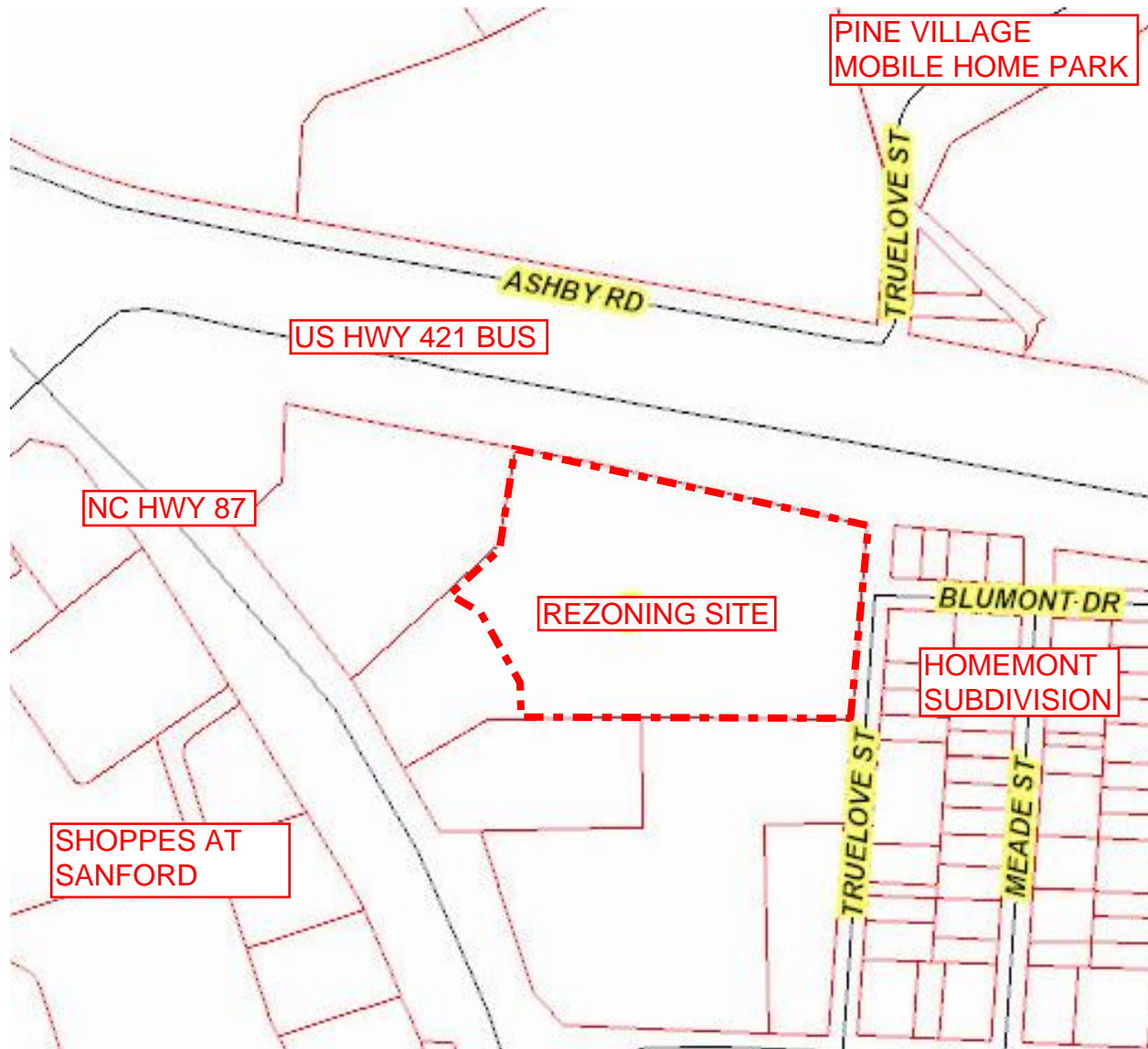
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

### **VOTE #2: TO APPROVE OR DENY THE ZONING MAP AMENDMENT:**

Motion Option 1: *“I make a motion that Planning Board recommend the City Council **APPROVE** the proposed zoning map amendment because it is reasonable and in the public interest since the adopted long-range plan is supportive of the land uses and the design submitted as part of the conditional rezoning request utilizes public water and sewer.*

Motion Option 2: *“I make a motion that the Planning Board recommend the City Council **DENY** the rezoning request because the proposed design submitted as part of the conditional rezoning request is not appropriate for this location.”*

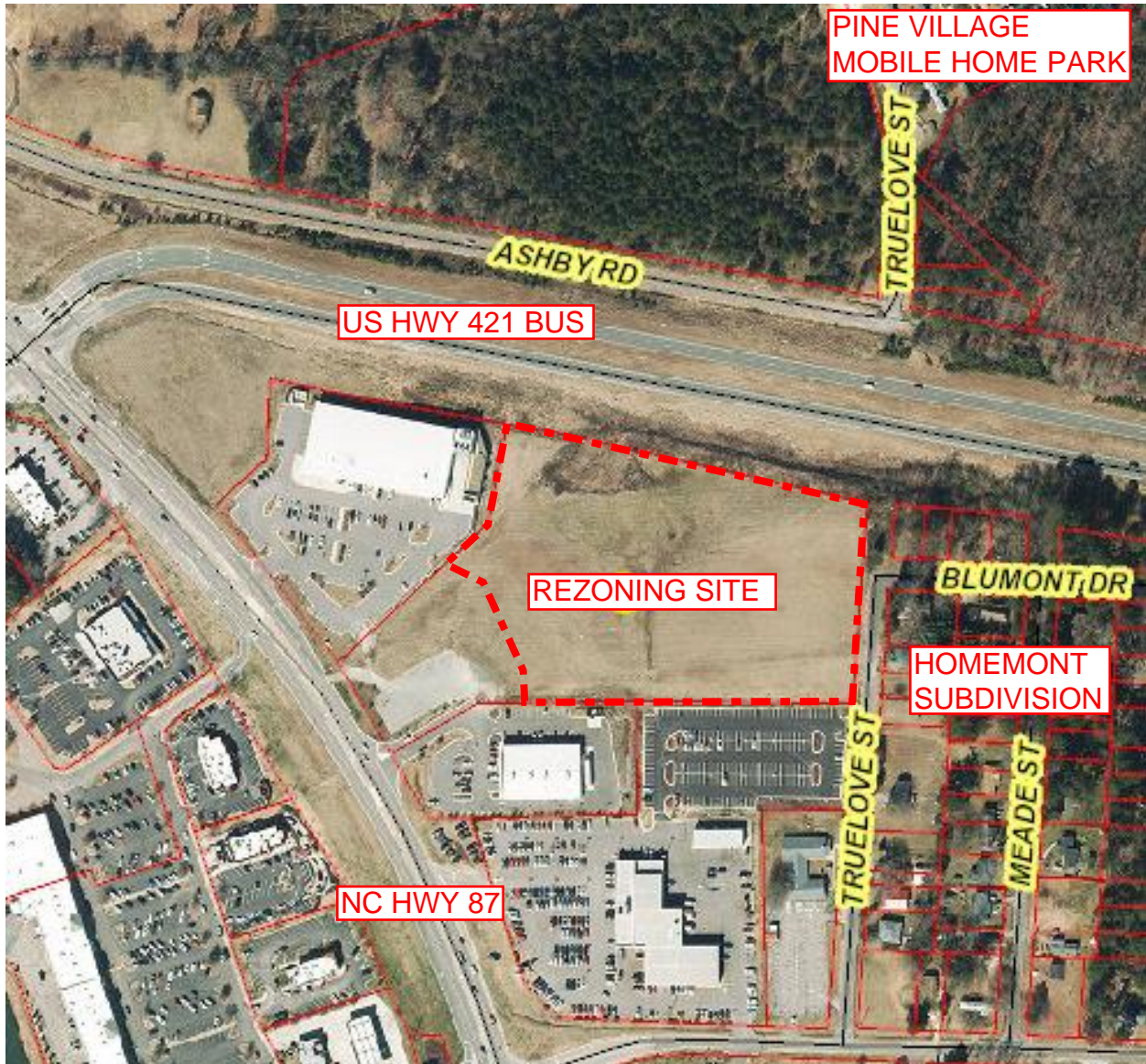
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.



## ZONING MAP AMENDMENT

Request to rezone 7.21 acres at NC Hwy 87 and US Hwy 421  
from C-2 to Truelove Street Apartments CZ District

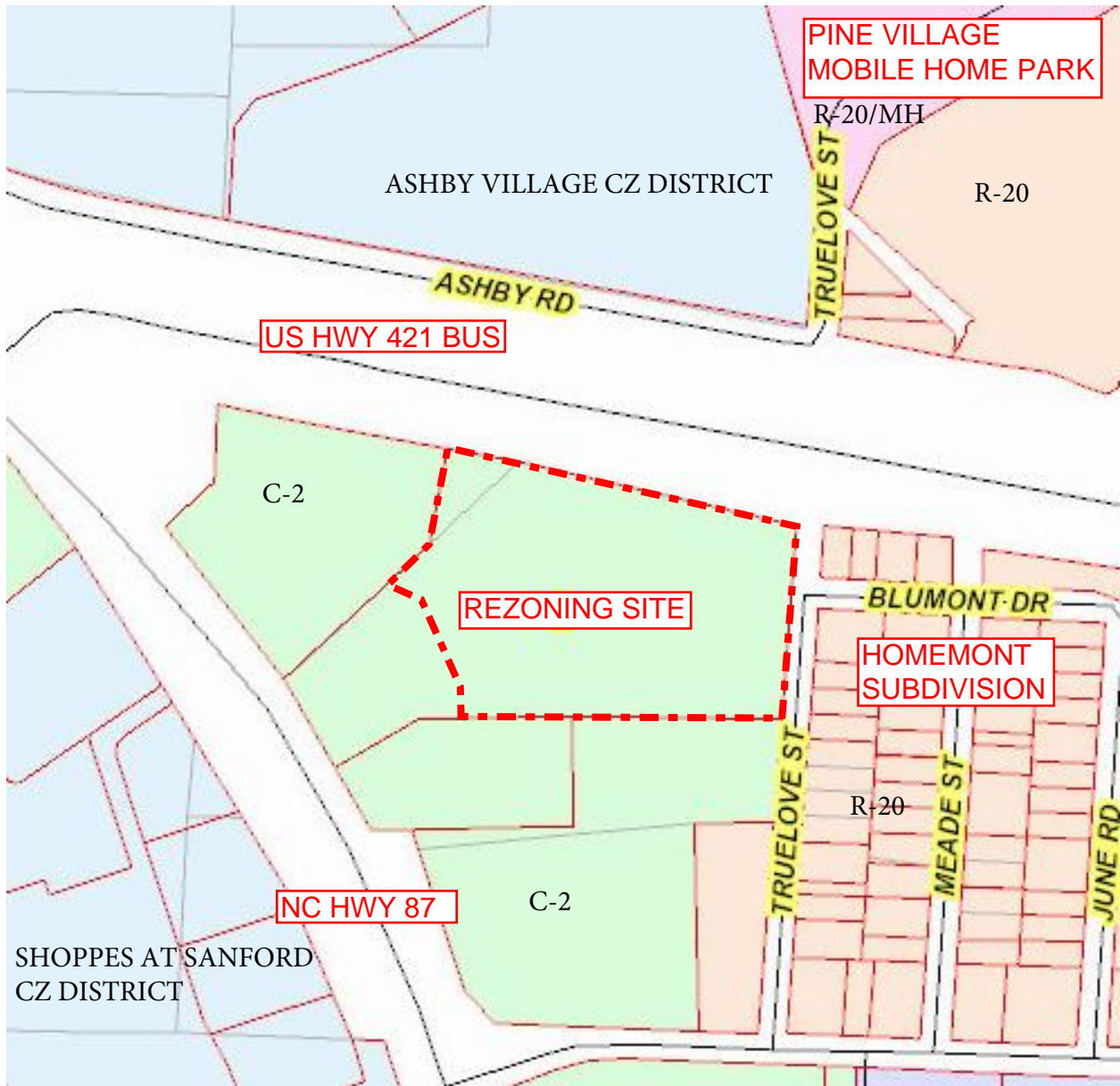
This is a graphic illustration and not a legal document.  
All information is comprised of layers of data that may or may not align correctly.



## ZONING MAP AMENDMENT

Request to rezone 7.21 acres at NC Hwy 87 and US Hwy 421  
from C-2 to Truelove Street Apartments CZ District

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## ZONING MAP AMENDMENT

Request to rezone 7.21 acres at NC Hwy 87 and US Hwy 421  
from C-2 to Truelove Street Apartments CZ District

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

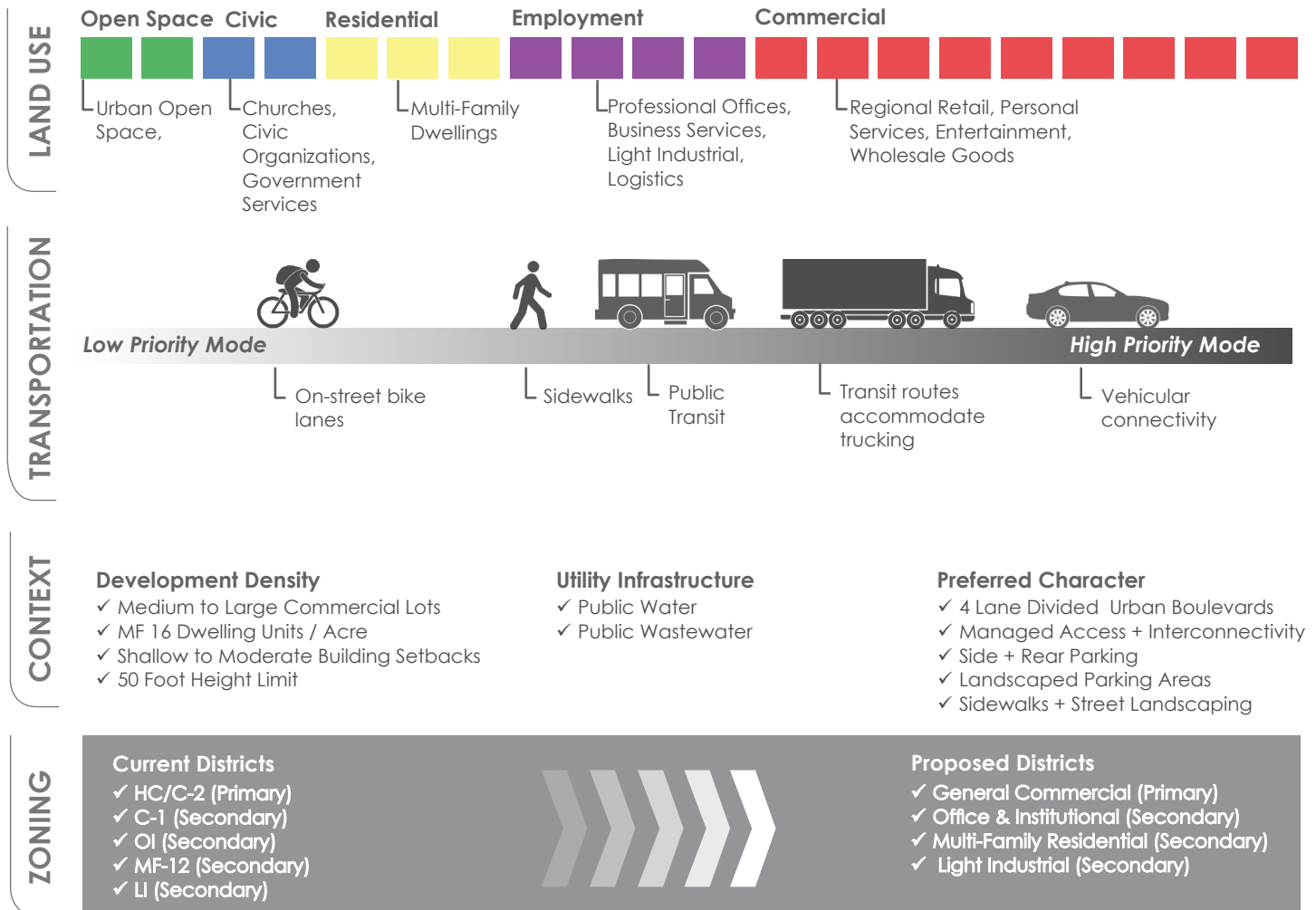
### Place Types

- 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



## COMMERCIAL CORRIDOR

- ✓ Represents established commercial developments along highest volume transportation routes
  - ✓ Traditionally 'strip' development pattern
  - ✓ Connectivity and access improvements in future redevelopment
- Local Example - South Horner Boulevard 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).

<b><u>Accessory Uses</u></b>
Accessory uses (See Section 5.1)
<b><u>Accommodations and Group Living</u></b>
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
<b><u>General Sales or Service</u></b>
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
<b><u>Industrial &amp; Manufacturing Uses</u></b>
Contractors' offices/shop without outdoor storage areas
Paper and Printing materials manufacturing
Pottery Manufacturing & Sales
Sign manufacturing
Warehouse structures, generally
<b><u>Arts, Recreation &amp; Entertainment</u></b>
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

<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
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
<b><u>Transportation, Communication, and Utilities</u></b>
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)
<b><u>Agriculture</u></b>
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).

<b><u>Residential Uses</u></b>
Home Occupations (See Section 5.16)
<b><u>Accommodations and Group Living</u></b>
Bed and breakfast inn (See Section 5.4)
Hotel, Motel, and tourist court (See Section 5.17)
<b><u>General Sales or Service</u></b>
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)
<b><u>Industrial &amp; Manufacturing Uses</u></b>
Brewery (Microbrewery, See Section 5.42)
Landfills, LCID (2 acres or less in size) (See Section 5.19)
<b><u>Arts, Recreation &amp; Entertainment</u></b>
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)
<b><u>Education, Public, Administration, Health Care, and Institutional</u></b>
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.

<b><u>Accommodations and Group Living</u></b>
Group Home/Residential Care Facility, Level III
Group Home/Residential Care Facility, Level IV
<b><u>Industrial &amp; Manufacturing Uses</u></b>
Contractors’ offices/shop with outdoor storage areas
Manufacturing, excluding others uses listed in this table
<b><u>Arts, Recreation &amp; Entertainment</u></b>
Amusement or Theme Park Establishment
<b><u>Transportation, Communication, and Utilities</u></b>
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).

<b><u>Industrial &amp; Manufacturing Uses</u></b>
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)
<b><u>Transportation, Communications, and Utilities</u></b>
Telecommunication towers (See Section 5.33)
Solar Collectors, Commercial (See Section 5.39)

## ADJACENT OWNERS

PETITION BY: Brian Richards (Urban Design Partners)

REQUEST: Rezone from Residential Mixed (C-2) to Truelove Street Apartments Conditional Zoning District

LOCATION: 3239 NC Hwy 87 S, Sanford, NC 27332

PIN: 9661-27-0612-00

DATE: 2022-06-27

PIN	Parcel Address	Owner	Owner2	Mail Address	Mail City	Mail State	Mail Zip
9661-17-6459-00		HIGHWAY 54 PARTNERS LLC		120 DUNEDIN CT	CARY	NC	27511
9661-27-0694-00		HIGHWAY 54 PARTNERS LLC		120 DUNEDIN CT	CARY	NC	27511
9661-17-8330-00	3243 NC 87 HWY	BARINOWSKI INVESTMENT COMPANY LLC		2278 WORTHAM LN	GROVETOWN	GA	30813
9661-28-6176-00	0 ASHBY RD	CAPPS, JACK E		2740 MASTERS DR	LEAGUE CITY	TX	77573
9661-27-5398-00	3313 TRUELOVE ST	COLE, TOTTIE		3435 MEADE ST	SANFORD	NC	27330
9661-27-0190-00	3251 NC 87 HWY	CROSSROADS HOLDINGS LLC		PO BOX 2069	WAKE FOREST	NC	27588
9661-28-0538-00	0 HORNER BLVD	D.R. HORTON INC		2000 AERIAL PKWY	MORRISVILLE	NC	27560
9661-17-5821-00	3209 NC 87 HWY	LIDL US OPERATIONS LLC		3500 CLARK ST	ARLINGTON	VA	22202
9661-27-6403-00	0 TRUELOVE ST	MICKLE, LAWTON E SR & MICKLE, LINDA C/TR	MICKLE LIVING TRUST	7808 ELBERTA DR	SEVERN	MD	21144
9661-27-6408-00	3305 TRUELOVE ST	ROCA, JESUS ALDINA CAMPOS		3404 EVERS AV	SANFORD	NC	27332
9661-27-5766-00	0 BLUMONT DR	SUMPTER, FRED	SUMPTER, EVELYN W	300 BLUMONT DR	SANFORD	NC	27330
9661-27-6505-00	300 BLUMONT DR	SUMPTER, SHERRI NICOLE		665 NW FAIRHAVEN DR	PORT SAINT LUCIE	FL	34983
9661-27-5257-00	3319 TRUELOVE ST	SVNN MANAGEMENT GROUP LLC		1600 THIRD ST	SANFORD	NC	27330
N/A	N/A	BRIAN RICHARDS		555 FAYETTEVILLE ST 3 <sup>RD</sup> FLOOR	RALEIGH	NC	27601

0 property address number = vacant; no addressed structures no the parcel



Zoning Map Amendment (Rezoning) Application

Circle Jurisdiction That Applies:

City of Sanford

Lee County

Town of Broadway

- 1. Applicant Name: Mark Lyczkoski
2. Applicant Address: PO Box 487 Sanford NC 27330
3. Applicant Telephone: 919-842-0334
4. Name and Address of Property Owner(s) if different than applicant: Railroad Town LLC, PO Box 434, Sanford NC 27331
5. Location of Subject Property: Hawkins Ave & Cape Jasmine Dr, Lee Co. P.I.N. 9644-60-0952
6. Total Area included in Rezoning Request: 22.27 Acres
7. Zoning Classification: Current: R-12 Requested: Hawkins Conditional District
8. Existing Land Use(s): vacant
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): to develop the property for multi-family residential
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.

Mark Lyczkoski - Applicant
Signature of Property Owner(s) (Sign & Print)

7-21-22
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.
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): See attached map

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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.).

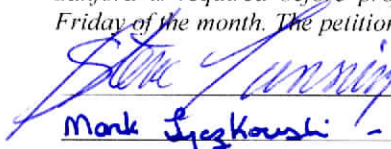
Conditions may be listed on additional, separate sheets if necessary. Additionally, a scaled site plan shall be submitted illustrating all conditions as described in the text.

See attached conditions

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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.*

  
Mark Jyzkowski - APPLICANT

Signature (Sign & Print)

7-21-22  
7-21-22

Date

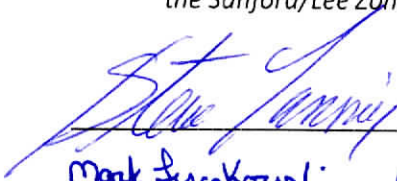
Signature Addendum

**Zoning Map Amendment (Rezoning) Application**

**City of Sanford**

**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.*

  
\_\_\_\_\_  
Mark Lyczkowski    MARK Lyczkowski - APPLICANT

7-21-22  
7-21-22

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

Date

Signature Addendum

**SUPPLEMENTAL APPLICATION**

**FOR CONDITIONAL ZONING DISTRICT**

**City of Sanford**

**4. 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 County Community Development Department.*

  
\_\_\_\_\_  
Signature (Sign & Print)

7-21-22  
\_\_\_\_\_  
Date

Mark Lyczkowski / MARK LYCZKOWSKI - APPLICANT  
\_\_\_\_\_  
Signature (Sign & Print)

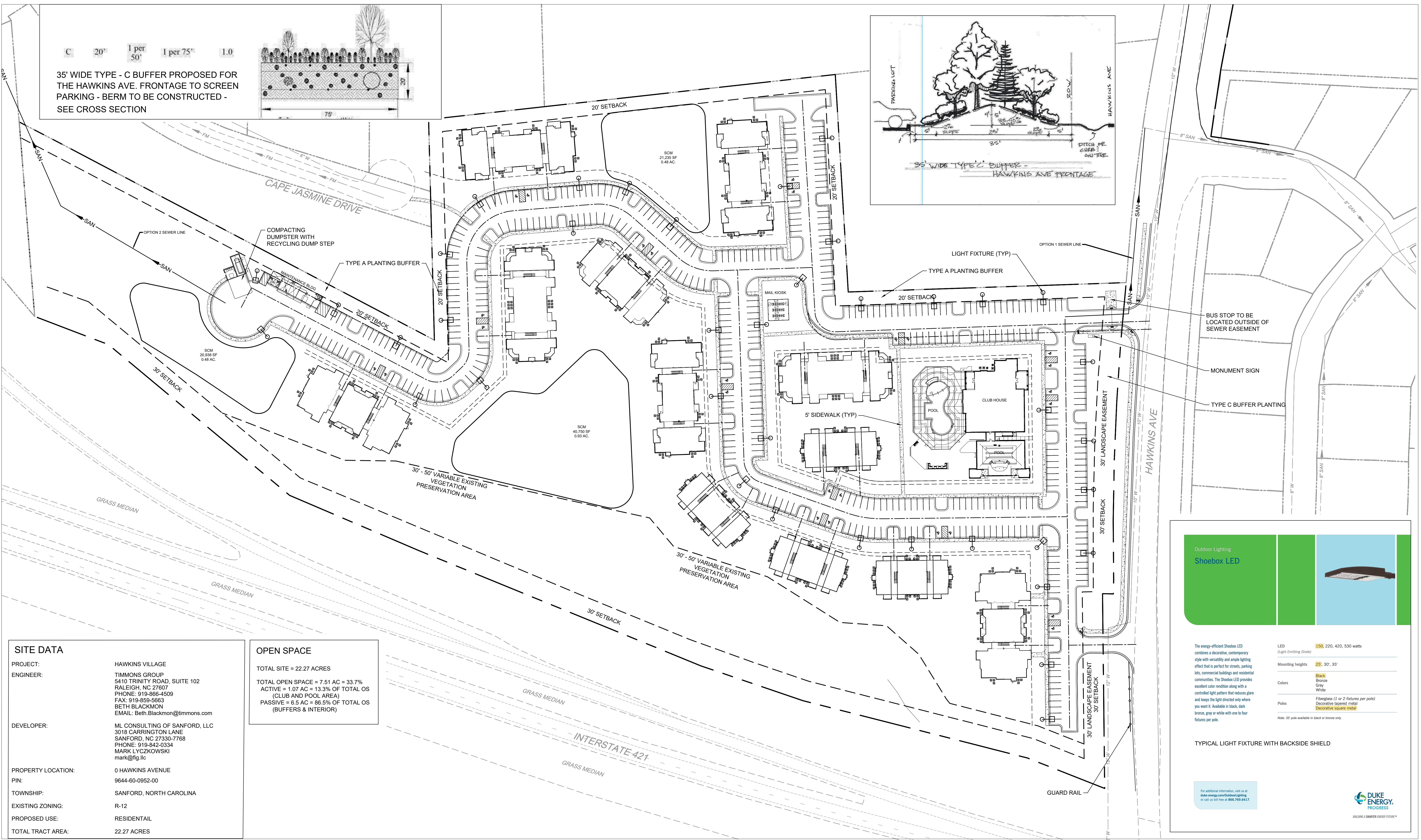
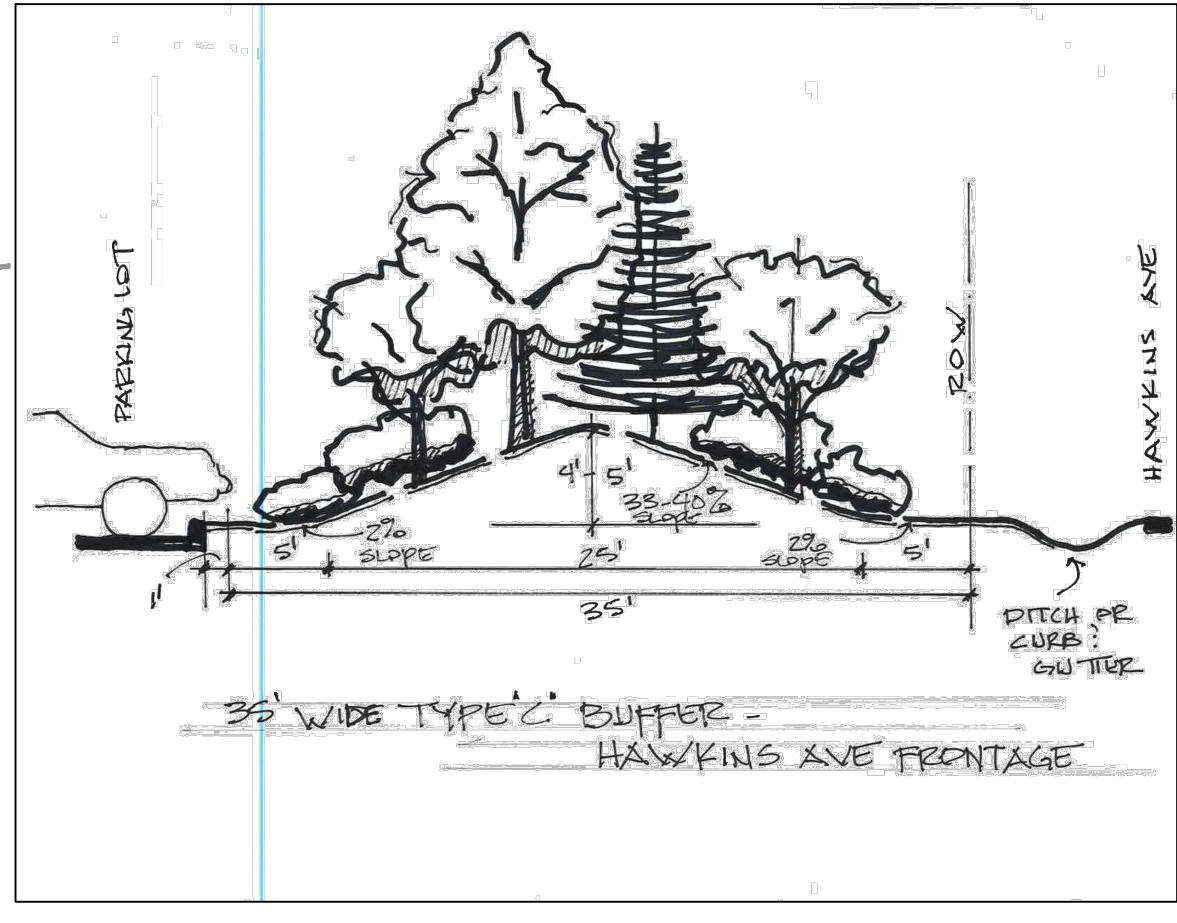
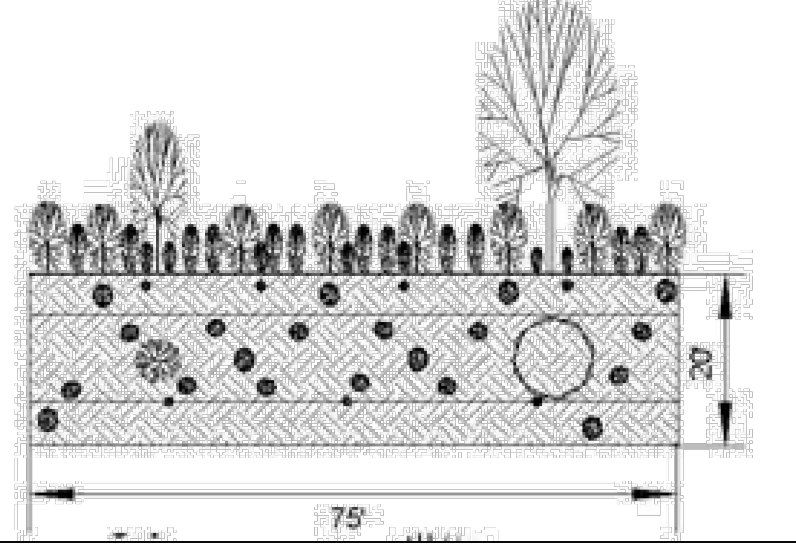
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Signature (Sign & Print)

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C 20' 1 per 50' 1 per 75' 1.0

35' WIDE TYPE - C BUFFER PROPOSED FOR THE HAWKINS AVE. FRONTAGE TO SCREEN PARKING - BERM TO BE CONSTRUCTED - SEE CROSS SECTION



**SITE DATA**

PROJECT: HAWKINS VILLAGE  
 ENGINEER: TIMMONS GROUP  
 DEVELOPER: ML CONSULTING OF SANFORD, LLC  
 PROPERTY LOCATION: 0 HAWKINS AVENUE  
 PIN: 9644-60-0952-00  
 TOWNSHIP: SANFORD, NORTH CAROLINA  
 EXISTING ZONING: R-12  
 PROPOSED USE: RESIDENTIAL  
 TOTAL TRACT AREA: 22.27 ACRES

**OPEN SPACE**

TOTAL SITE = 22.27 ACRES  
 TOTAL OPEN SPACE = 7.51 AC = 33.7%  
 ACTIVE = 1.07 AC = 13.3% OF TOTAL OS (CLUB AND POOL AREA)  
 PASSIVE = 6.5 AC = 86.5% OF TOTAL OS (BUFFERS & INTERIOR)

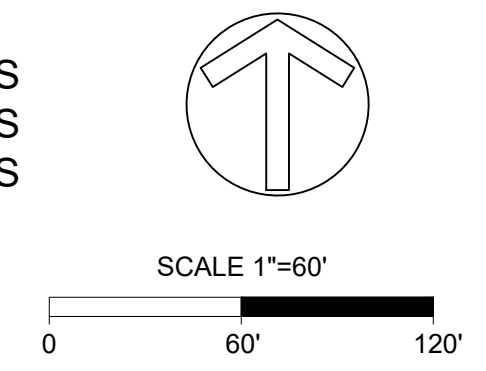
# HAWKINS VILLAGE - SANFORD, NC

## CONCEPTUAL PLAN - September 2, 2022

**ZONING**  
 22.27 ACRES  
 PROPOSED ZONING: MF-12 C

**DENSITY**  
 12 BUILDINGS = 288 UNITS  
 288 UNITS / 22.27 AC = 12.88 UNITS PER ACRE

**PARKING**  
 288 UNITS - 12 BUILDINGS  
 1 BEDROOM UNITS 204 X 1.5 SP/ = 306 SPACES  
 2 BEDROOM UNITS 60 X 1.5 SP/ = 90 SPACES  
 3 BEDROOM UNITS 24 X 2.0 SP/ = 48 SPACES  
 444 PARKING SPACES (REQUIRED)  
 444 PARKING SPACES (PROVIDED)



- GENERAL NOTES:**
- BOUNDARY TAKEN SANFORD / LEE COUNTY GIS.
  - WETLAND AND STREAM DETERMINATIONS PROVIDED BY TIMMONS GROUP
  - THIS PLAN IS CONCEPTUAL IN NATURE AND HAS NOT BEEN REVIEWED BY ANY AGENCY. UNIT COUNT IS SUBJECT TO CHANGE PENDING AND PERMITTING, GRADING, SEWER, AND STORMWATER DESIGN.
  - THIS SITE IS LOCATED IN THE CAPE FEAR BASIN.
  - THIS SITE WILL REQUIRE CITY OF SANFORD REZONING AND SITE PLAN APPROVAL.
  - TEMPORARY OFF SITE CONSTRUCTION EASEMENTS MAY BE REQUIRED FOR GRADING, PROPOSED ROAD IMPROVEMENTS OR UTILITY CONSTRUCTION.

**Outdoor Lighting**  
**Shoebus LED**

The energy-efficient Shoebus LED combines a decorative, contemporary style with versatility and ample lighting effect that is perfect for streets, parking lots, commercial buildings and residential communities. The Shoebus LED provides excellent color rendition along with a controlled light pattern that reduces glare and keeps the light directed only where you want it. Available in black, dark bronze, gray or white with one to four fixtures per pole.

**LED (Light Emitting Diode)** 150, 220, 420, 530 watts

Mounting heights 25', 30', 35'

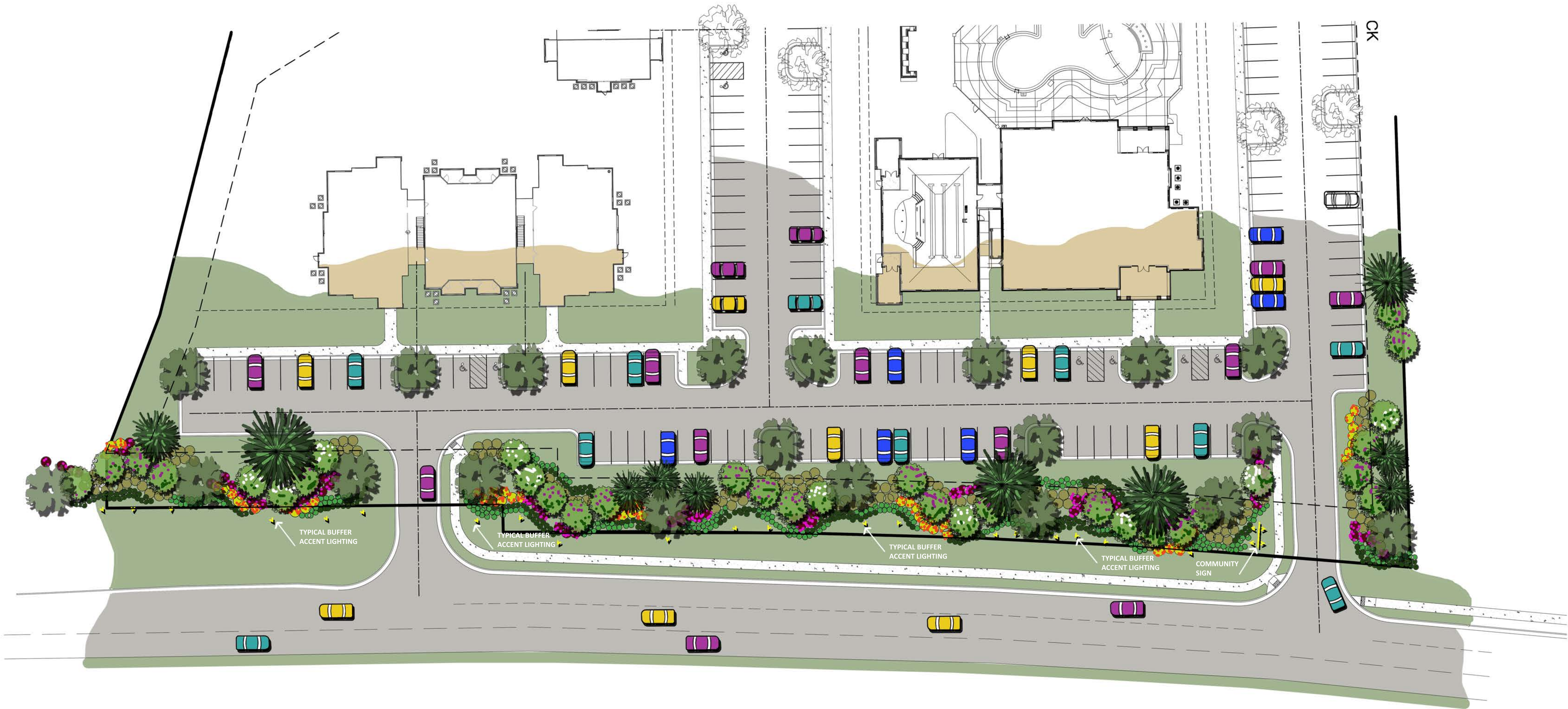
Colors **Black**  
 Bronze  
 Gray  
 White

Poles Fiberglass (1 or 2 fixtures per pole)  
 Decorative tapered metal  
 Decorative square metal

Note: 35' pole available in black or bronze only.

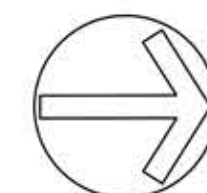
TYPICAL LIGHT FIXTURE WITH BACKSIDE SHIELD

For additional information, visit us at [duke-energy.com/OutdoorLighting](http://duke-energy.com/OutdoorLighting) or call us toll free at 866.700.6417.

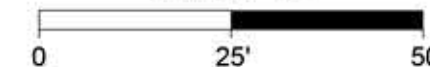


# HAWKINS VILLAGE - SANFORD, NC

BUFFER PLANTING - August 12, 2022



SCALE 1"=25'



S:\31162373-Hawkins\_Village\DWG\52373-331C-SPLAYO-BUFFER.dwg | Plotted by Tim Hess

**CITY OF SANFORD**  
**CITY COUNCIL AND PLANNING BOARD**  
**PUBLIC HEARING INFORMATION**  
**September 20<sup>th</sup>, 2022**

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**REQUEST**

Mark Lyczkowski is requesting to rezone one (1) tract of land comprising 22.27 +/- acres at Hawkins Avenue and Cape Jasmine Drive from Residential Mixed (R-12) to the Hawkins Village Apartments Conditional Zoning District to develop the property for multi-family residential development as described on the “Hawkins Village Conceptual Plan” submitted as part of the application. This is a site plan/subdivision plan specific conditional rezoning request; therefore, the conceptual development plans 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: Mark Lyczkowski  
Property Owners: Railroad Town LLC  
Request: Rezone from Residential Mixed (R-12) to Hawkins Village Apartments Conditional Zoning District  
Location: Hawkins Ave & Cape Jasmine Drive  
Acreage: 22.27  
Tax Parcels: 9644-60-0952-00  
Tax Map: 9644.04  
Township: West Sanford  
Council Ward: Ward 2  
Fire District: Central Fire Station  
Schools: BT Bullock Elementary | East Lee Middle School | Lee Senior High School

**SITE DESCRIPTION**

The site is located on Hawkins Avenue with access to the stub street at Cape Jasmine Dr in the rear of the site. The site is currently vacant and partially wooded.

**ZONING DISTRICT INFORMATION**

Existing Zoning: The **Residential-Mixed (R-12)** district is established to provide areas for detached single-family homes, 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. 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  
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 rear property line
Minimum building setback, side(s):	12ft, measured from 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 single-family homes, duplexes, and churches (less than 350 seats). Uses permitted subject to supplemental development regulations unique to the use include townhomes, multi-family dwellings, family care homes, and home child care centers. Uses permitted upon issuance of a Special Use Permit by the Board of Adjustment include group care facilities, golf courses, churches (more than 350 seats), and new schools. There is a list of all permitted uses for this zoning district, including the uses subject to supplemental development standards and/or requiring the issuance of a Special Use Permit, within the agenda packet for your reference.

Proposed Zoning: The Hawkins Village Apartments Subdivision 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/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: Residential Mixed (R-12)  
South: Residential Mixed (R-12), Residential Single-Family (R-20)  
East: Residential Mixed (R-12), Residential Single-Family (R-20)  
West: Residential Mixed (R-12), Residential Single-Family (R-20)

#### Adjacent Land Use

North: Single-family dwellings (Hawkins Run Subdivision); Kingdom Hall of Jehovah's Witnesses; vacant & wooded land  
South: Single-family dwellings (McNeill Crossing)  
East: Single-family dwellings (Fairway Woods Subdivision)  
West: Vacant land

#### **PLAN SANLEE**

The long-range land use plan identifies the subject property as Neighborhood Center which is defined as small scale mixed-use pedestrian oriented commercial centers located around major intersections within Urban Neighborhoods, transitional areas at the edge of a Commercial Corridor or Downtown, or at the edge of a Suburban Neighborhood. The local example provided is the Bragg St / Oakwood Ave intersection in Sanford. Information from the land use plan is provided as attachments to this report for your reference.

#### **LOCAL OVERLAY DISTRICTS**

Per Lee County GIS, the subject property does not appear to be located within a local historic district nor a Watershed Conservation Overlay District, nor any established Flood Hazard Area (floodplain).

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**

The site appears to have access to public water main lines along Hawkins Avenue and Cape Jasmine Dr. The site appears to have access to public sanitary sewer from main lines extending from Fairway Dr extending across Hawkins Ave. 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**

The site has frontage on Hawkins Avenue (US-1 BUS), Cape Jasmine Drive (NS-99625), and US Hwy 421 Bypass (US-421). Hawkins Avenue and US Hwy 421 are NCDOT owned and maintained; Hawkins Ave has a 100ft right-of-way and US Hwy 421 has a 300ft 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 the site does not have access to a public roadway at this time or possibly ever.

2011 Lee County Comprehensive Transportation Plan: The 2011 Lee County Comprehensive Transportation Plan has designated Hawkins Avenue as a boulevard in need of improvement. US Hwy 421 Bypass was designated as a recommended freeway in the Plan but was completed in 2013.

NCDOT Average Annual Daily Traffic Count (AADT): There is a 2020 NCDOT AADT count of 7,000 vehicles per day on Hawkins Ave in the general area of the subject property, and an NCDOT AADT count of 25,500 vehicles per day on US 421 Bypass in the general area of the 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 generally complies with the *Plan SanLee* long-range plan designation of Neighborhood Center which lists multifamily dwellings as a secondary future land use. The rezoning request adheres to the desired multifamily density of 10 to 16 units per acre; however, due to the acreage of the site, the planning staff does recommend that a portion of the project be dedicated to some commercial or office use, close to Hawkins Avenue. These lower intensity commercial areas are beneficial in serving the immediately surrounding neighborhood with everyday retail essentials and personal services, while also providing a focal point for the neighborhoods that they serve. The boards will also need to take into consideration the adjoining residential subdivision and the possible impact that this conditional zoning may have on the area residents. Additionally, the boards will have to determine whether they need more details to determine the appropriateness of the site in terms of buffering, landscaping, and sidewalks/connectivity.

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

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 ZONING MAP AMENDMENT:**

Motion Option 1: *“I make a motion that the proposed zoning map amendment IS consistent with the Plan SanLee long range plan designation of Neighborhood Center because it allows multifamily dwellings with 10 to 16 units per acre as a future land use.”*

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 Neighborhood Center because it lacks the employment, civic, and commercial uses called for within this future land use area.”*

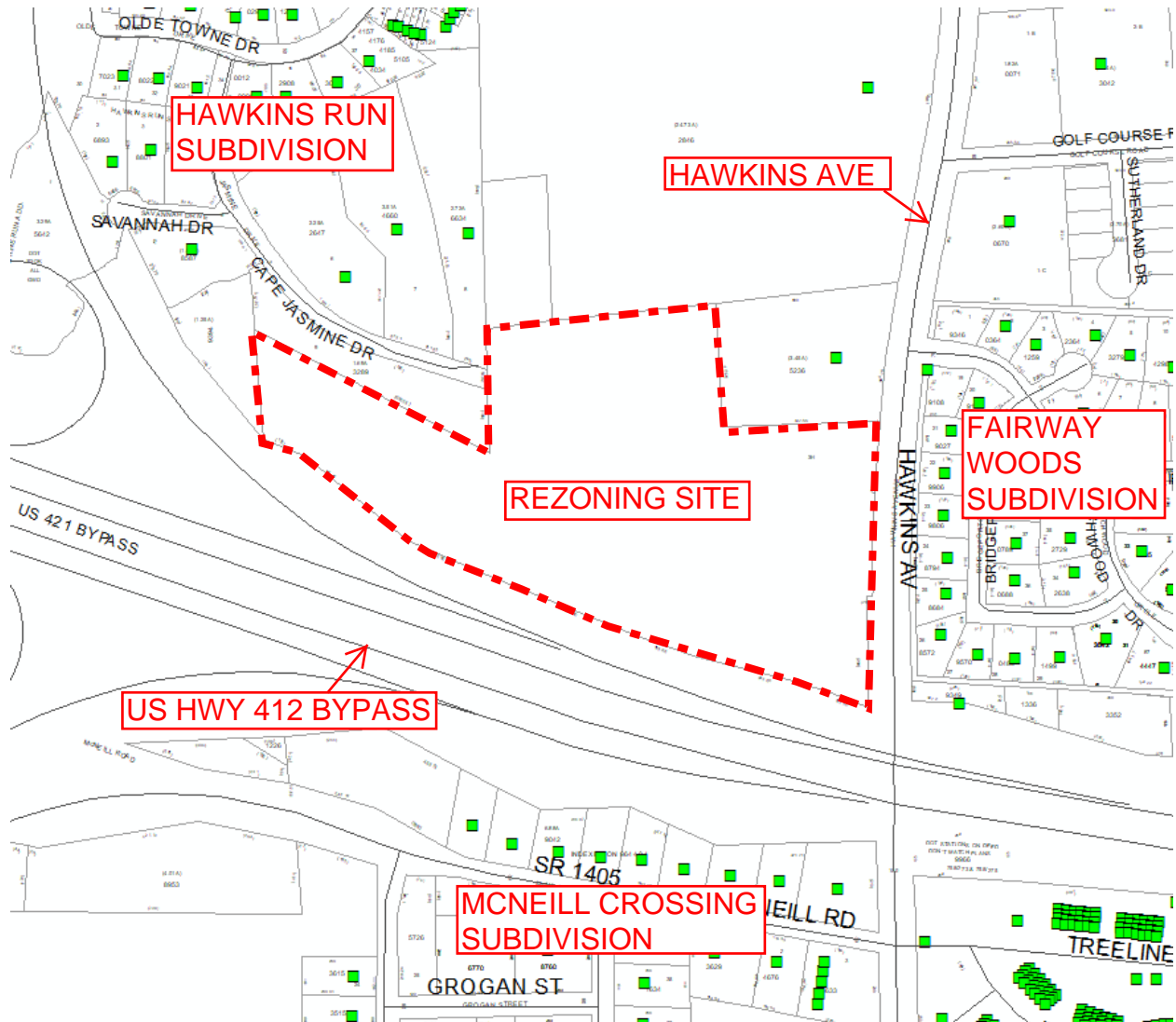
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

**VOTE #2: TO APPROVE OR DENY THE ZONING MAP AMENDMENT:**

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 desired land uses and densities.”*

Motion Option 2: *“I make a motion that Planning Board recommend the City Council **DENY** the proposed zoning map amendment because the site is not appropriate for the desired land uses and densities.”*

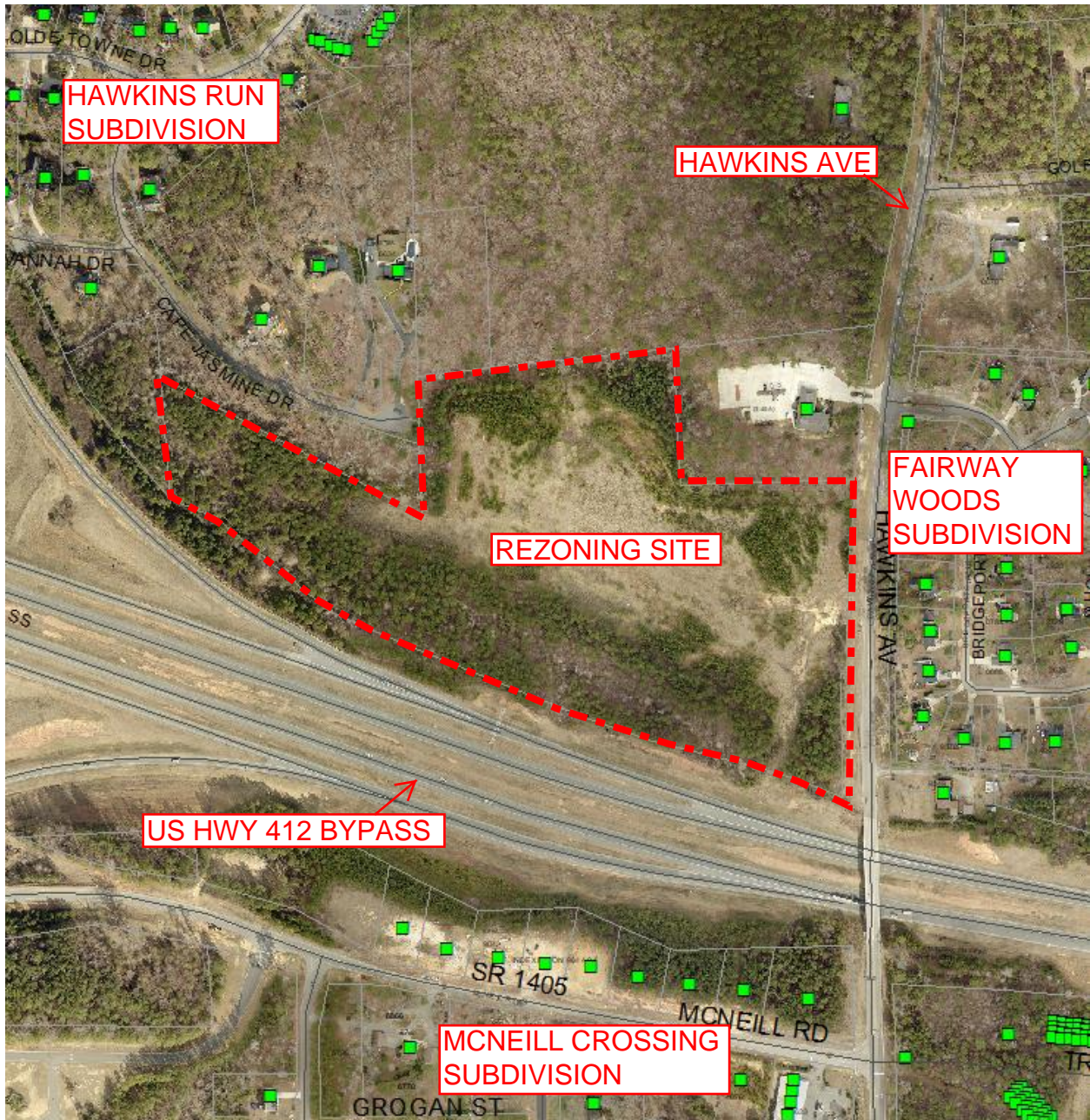
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.



## ZONING MAP AMENDMENT

Request to rezone 22.27 acres at Hawkins Ave & Cape Jasmine Dr  
from R-12 to the Hawkins Village Apartments CZ District

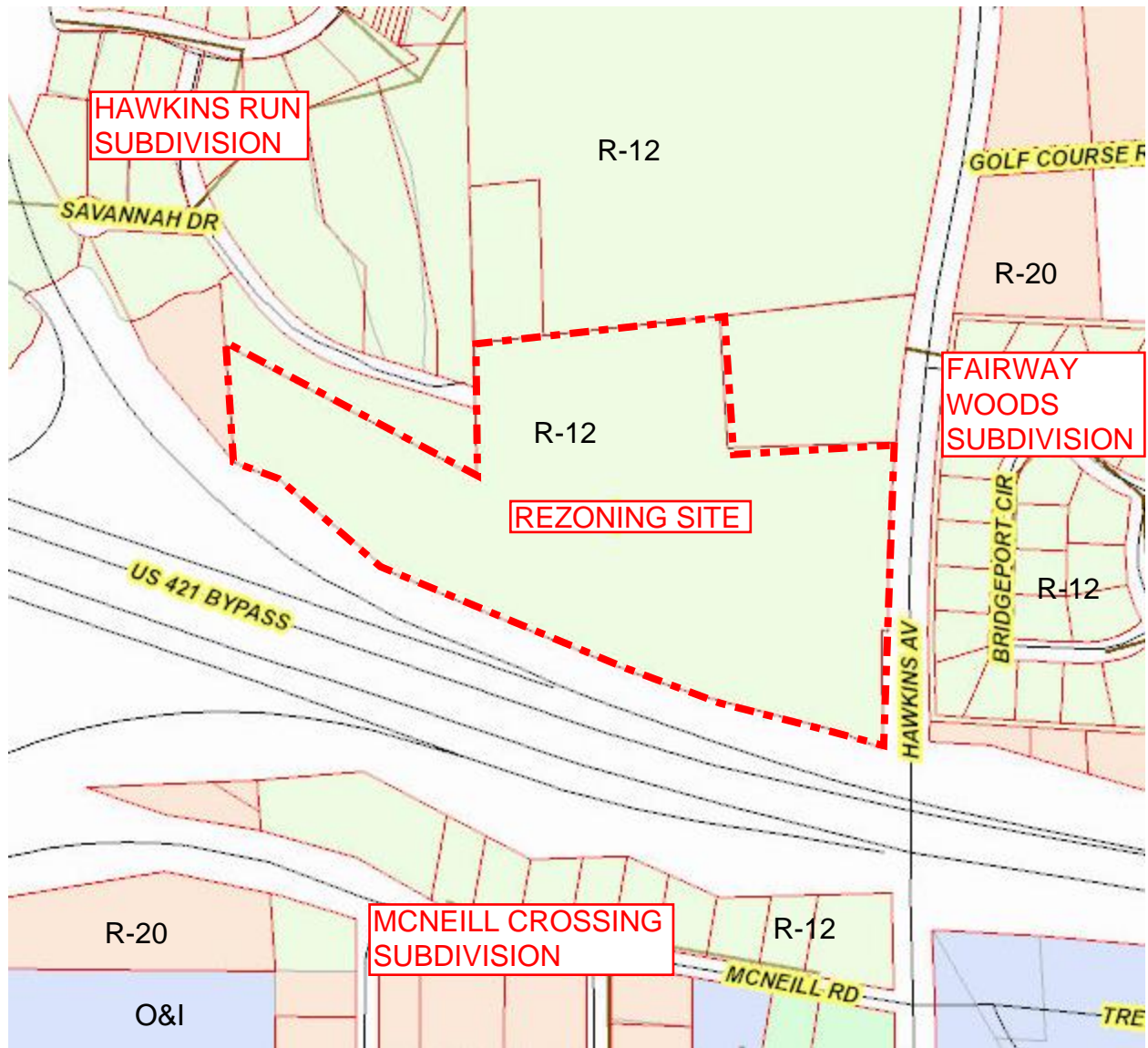
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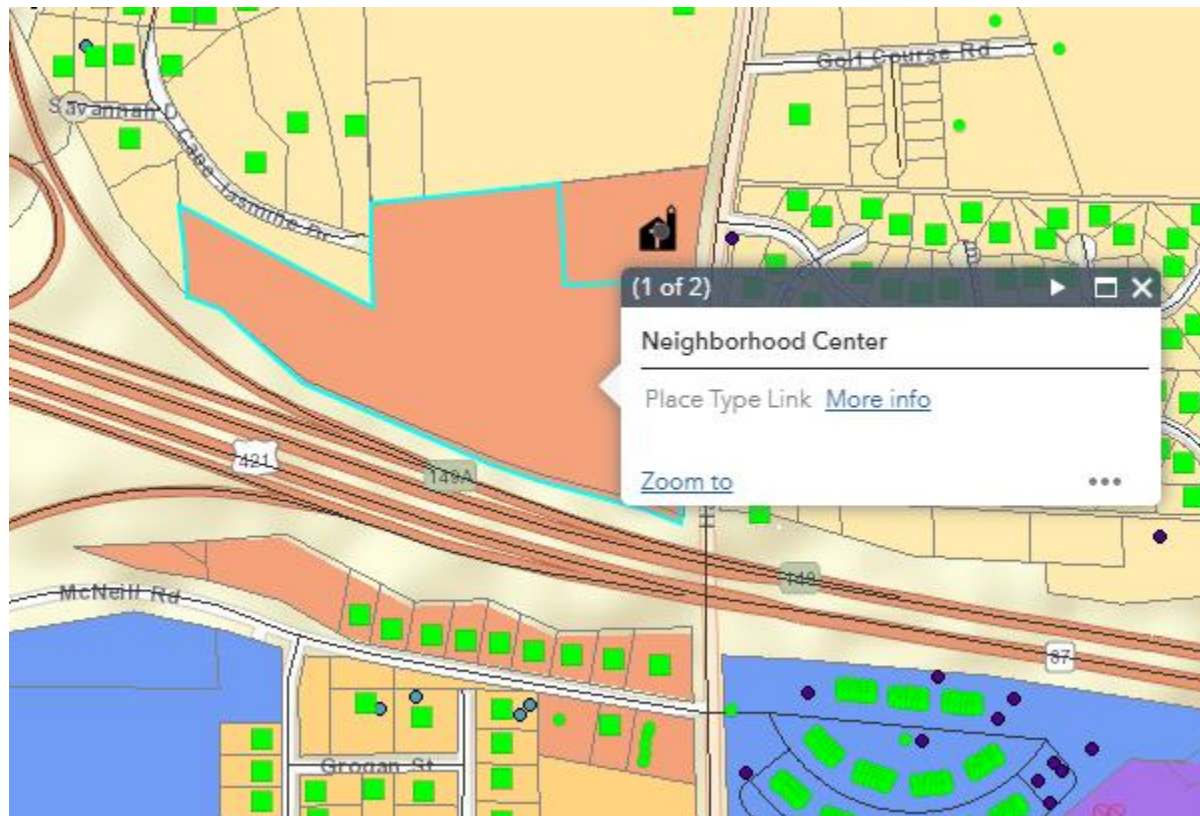


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from R-12 to the Hawkins Village Apartments CZ District

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

- 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



## NEIGHBORHOOD CENTER

- ✓ Small scale mixed-use pedestrian oriented commercial centers
- ✓ Located around major intersections within Urban Neighborhoods, transitional areas at the edge of a Commercial Corridor or Downtown, or at the edge of a Suburban Neighborhood

**Local Example - Bragg St. / Oakwood Ave. Intersection in Sanford**

URBAN AREAS



SUBURBAN AREAS



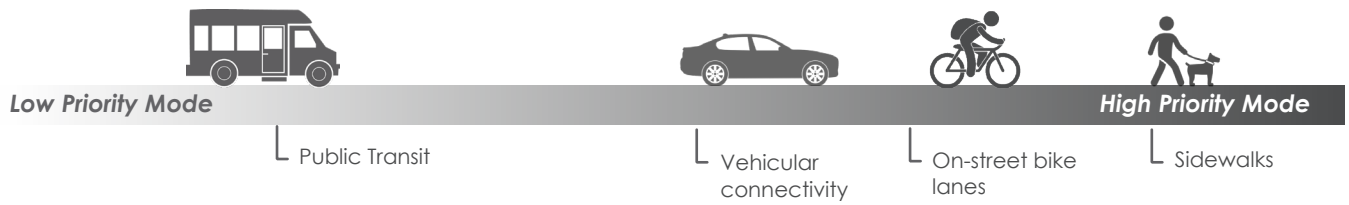
**Employment**  
Professional Offices, Business Services

**Residential**  
Attached Single Family Dwellings, Multi-Family Dwellings, Upper Story Residences in Mixed Use Buildings

**Civic**  
Churches, Schools, Civic Organizations, Government Services, Public Gathering Spaces

**Commercial**  
Retail Stores, Personal Services, Entertainment

LAND USE



Low Priority Mode

High Priority Mode

TRANSPORTATION

### Development Density

- ✓ Small Urban Commercial Lots
- ✓ Small to Medium Sized Shopping Centers
- ✓ MF 10 - 16 dwelling units / acre
- ✓ Shallow to Moderate Building Setbacks
- ✓ 45 Foot Height Limit

### Utility Infrastructure

- ✓ Public Water
- ✓ Public Wastewater

### Preferred Character

- ✓ 2-3 Lane Urban Streets
- ✓ Focused on Intersections
- ✓ Street Trees + Sidewalks
- ✓ On Street + Side + Rear Parking
- ✓ Landscaped Off-Street Parking

CONTEXT

### Current Districts

- ✓ C-1 / NC (Primary)
- ✓ OI / MF-12 (Secondary)



### Proposed Districts

- ✓ Neighborhood Commercial
- ✓ Office & Institutional
- ✓ Multi-Family Residential

ZONING

## **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).

<b><u>Accessory Uses</u></b>
Accessory uses (See Section 5.1)
<b><u>Residential Uses</u></b>
Dwelling, Duplex (two-family dwelling)
Dwelling, Modular home
Dwelling, Single-family detached
<b><u>Arts, Recreation &amp; Entertainment</u></b>
Parks, playgrounds, and athletic fields operated on a noncommercial basis
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
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
<b><u>Transportation, Communication, and Utilities</u></b>
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)
<b><u>Agriculture</u></b>
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).

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

<b><u>Accommodations and Group Living</u></b>
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
<b><u>Arts, Recreation &amp; Entertainment</u></b>
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
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
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
<b><u>Transportation, Communication, and Utilities</u></b>
Sewage treatment and Water treatment plants
<b><u>Agriculture</u></b>
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).

<b><u>Residential Uses</u></b>
Accessory Dwellings (See Section 10.4)
<b><u>Accommodations and Group Living</u></b>
Bed and breakfast inn (See Section 5.4)
<b><u>Industrial &amp; Manufacturing Uses</u></b>
Landfills, C&D or LCID (greater than 2 acres in size) (See Section 5.20)
Mining and Quarries, <b>Unincorporated Lee County and City of Sanford only</b> (See Section 5.23)
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
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)
<b><u>Transportation, Communication, and Utilities</u></b>
Solar Collectors, Commercial (See Section 5.39)
Telecommunication towers (See Section 5.33)

## ADJACENT OWNERS

PETITION BY: Mark Lyczkowski

REQUEST: Rezone from Residential Mixed (R-12) to Hawkins Village Apartments CZ District

LOCATION: Hawkins Ave & Cape Jasmine Dr

PIN: 9644-60-0952-00

DATE: 2022-08-01

<b>PIN</b>	<b>Parcel Address</b>	<b>Owner</b>	<b>Owner2</b>		<b>Mail City</b>	<b>State</b>	<b>Mail Zip</b>
<b>9644-61-9027-00</b>	2120 BRIDGEPORT CIR	CLIFTON, HENRY	CLIFTON, JENNIFER	2120 BRIDGEPORT CIR	SANFORD	NC	27330
<b>9644-60-8572-00</b>	2100 BRIDGEPORT CIR	MATAS ZDANAVICIUS		2100 BRIDGEPORT CIR	SANFORD	NC	27330
<b>9644-61-5236-00</b>	2201 HAWKINS AVE	EAST CONGREGATION OF JEHOVAHS WIT SFD NC		1749 LOWER MONCURE RD	SANFORD	NC	27330
<b>9644-60-9906-00</b>	2116 BRIDGEPORT CIR	STEAGALL, ANDREW		2116 BRIDGEPORT CIR	SANFORD	NC	27330
<b>9644-60-9806-00</b>	2112 BRIDGEPORT CIR	LLOYD, CHRISTOPHER		2112 BRIDGEPORT CIR	SANFORD	NC	27330
<b>9644-60-8794-00</b>	2108 BRIDGEPORT CIR	POPE, JUSTIN	POPE, JULIA	2108 BRIDGEPORT CIR	SANFORD	NC	27330
<b>9644-60-8684-00</b>	2104 BRIDGEPORT CIR	NICHOLSON, CAMERON ANDREW		2104 BRIDGEPORT CIR	SANFORD	NC	27330
<b>9644-80-5847-00</b>	0 HAWKINS AVE	FAIRWAY WOODS PROP OWNERS ASSN INC		PO BOX 26844	CHARLOTTE	NC	28221
<b>9644-61-9108-00</b>	0 FAIRWAY DR	FAIRWAY WOODS PROP OWNERS ASSN INC		PO BOX 26844	CHARLOTTE	NC	28221
<b>9644-60-9349-00</b>	2100 HAWKINS AVE	LEMMOND, ROBERT L JR		2100 HAWKINS AVE	SANFORD	NC	27330

<b>9643-49-8953-00</b>	0 MCNEILL RD	DARK, P L JR		1002 HAWKINS AVE	SANFORD	NC	27330
<b>9644-50-1226-00</b>	0 MCNEILL RD	DARK, P L JR		1002 HAWKINS AVE	SANFORD	NC	27330
<b>9644-41-9394-00</b>	0 SAVANNAH DR	DARK, P L JR		1002 HAWKINS AVE	SANFORD	NC	27330
<b>9644-51-7585-00</b>	0 CAPE JASMINE DR	BRITTON, SUSAN P	BRITTON, CHRISTOPHE R D	2190 CAPE JASMINE DR	SANFORD	NC	27330
<b>9644-51-6634-00</b>	2190 CAPE JASMINE DR	BRITTON, SUSAN J		2190 CAPE JASMINE DR	SANFORD	NC	27330
<b>9644-51-3289-00</b>	0 CAPE JASMINE DR	RAY, WILLIAM H JR	RAY, CHARLENE F	2200 CAPE JASMINE DR	SANFORD	NC	27330
<b>9643-69-4971-00</b>	1475 MCNEILL RD	GREEN, CURTIS	GREEN, PATRICIA ANN	1475 MCNEILL RD	SANFORD	NC	27330
<b>9644-50-8091-00</b>	1455 MCNEILL RD	SEELIG, JAMES CRAIG	SEELIG, TERRI K	1455 MCNEILL RD	SANFORD	NC	27330
<b>9644-60-0000-00</b>	1459 MCNEILL RD	KESLER, A DEAN JR		1459 MCNEILL RD	SANFORD	NC	27330
<b>9644-50-6067-00</b>	1451 MCNEILL RD	BODETTE, PAUL F	WALKER, BONNIE M	1451 MCNEILL RD	SANFORD	NC	27330
<b>9643-69-3952-00</b>	1471 MCNEILL RD	WOLFE, GARY JOHNSON	WOLFE, CAROLYN WILSON	1471 MCNEILL RD	SANFORD	NC	27330
<b>9643-69-6839-00</b>	1479 MCNEILL RD	WHITTLE, STEVEN CHARLES	WHITTLE, TIMMY JAMES	1479 MCNEILL RD	SANFORD	NC	27330
<b>9643-69-2924-00</b>	1467 MCNEILL RD	CHAMBLEE, CHARLES WAYNE II		1467 MCNEILL RD	SANFORD	NC	27330
<b>9643-69-1918-00</b>	1463 MCNEILL RD	ASHTON, EMILY NICOLE		1463 MCNEILL RD	SANFORD	NC	27330
<b>9644-50-7073-00</b>	1453 MCNEILL RD	KNIGHT, TRAVIS	GIBBS- KNIGHT, AIRRELLE	1453 MCNEILL RD	SANFORD	NC	27330
<b>9644-50-4200-00</b>	0 MCNEILL RD	SMITH RESIDENTIAL BUILDER LLC		274 CUMNOCK RD	SANFORD	NC	27330

<b>9643-79-4577-00</b>	101 TREELINE DR	HAWKINS WALK APARTMENTS LLC		P O BOX 38848	GREENSBOR O	NC	27438
<b>9644-60-0952-00</b>	0 HAWKINS AVE	RAILROAD TOWN LLC		PO BOX 434	SANFORD	NC	27331
<b>9644-61-3911-00</b>	2303 HAWKINS AVE	CALHOUN, ELIZABETH		860 LOBLOLLY DR	VASS	NC	28394
<b>N/A</b>	N/A	MARK LYCZKOWSKI		PO BOX 487	SANFORD	NC	27330



# Zoning Map Amendment (Rezoning) Application

Circle Jurisdiction That Applies:

**City of Sanford**

Lee County

Town of Broadway

- 1. Applicant Name: Brandon Harrington (Harrington Properties of NC)
- 2. Applicant Address: 2659 San Lee Drive; Sanford NC 27330
- 3. Applicant Telephone: 919-770-5969
- 4. Name and Address of Property Owner(s) if different than applicant:  
William Brooks Pomeranz, 360 Legacy Lakes Way, Aberdeen NC 28315  
Blodgett Properties LLC, 696 Reynwood Vista; Sanford NC 27330
- 5. Location of Subject Property: Goldsboro Ave / Barnes Street / Cooper Street  
Lee Co. P.I.N. 9652-28-9577; 9652-38-0432
- 6. Total Area included in Rezoning Request: 2.93 Acres
- 7. Zoning Classification: Current: R-12 Requested: Conditional
- 8. Existing Land Use(s): Undeveloped (9652-28-9577), SF Detached Home (9652-38-0432+
- 9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): For construction of 25 townhomes

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 comments are submitted in proper form to the Sanford/Lee Zoning & Design Review Department.*

William B Pomeranz  
William B Pomeranz (Jul 28, 2022 18:57 EDT)

William B Pomeranz

Jul 28, 2022

Tim Blodgett  
Tim Blodgett (Jul 28, 2022 16:29 EDT)

Tim Blodgett

Jul 28, 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.: \_\_\_\_\_

L:\Forms & Certifications\Rezoning App (Updated 2018-07-02 by AJMc)

**\$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 2
- 2. Describe in detail the use(s) requested as part of the Conditional Zoning District (use separate sheet if necessary): 25 Townhomes. Townhomes are proposed to be rear-loaded via construction of new private alleyway.

- 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.

Valley-type gutter on proposed private alleyway.

- Sidewalk will be installed along both sides of alleyway and along the frontage of all lots.
- Buffer and street yards are proposed. Each lot will be planted with at least one tree.
- City Streets are NOT proposed to be retro-fit for curb and gutter (cost prohibitive)

- 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.*

<u>William B Pomeranz</u> <small>William B Pomeranz (Jul 28, 2022 18:57 EDT)</small>	<b>William B Pomeranz</b>	<u>Jul 28, 2022</u>
<u>Tim Blodgett</u> <small>Tim Blodgett (Jul 28, 2022 16:29 EDT)</small>	<b>Tim Blodgett</b>	<u>Jul 28, 2022</u>
Signature (Sign & Print)		Date

**SITE DATA**

**PROPERTY OWNER OF RECORD:**

PARCEL 1  
WILLIAM BROOKS POMERANZ  
560 LEGACY LAKES WAY  
ABERDEEN, NC 28315

PARCEL 2  
BLODGETT PROPERTIES LLC  
696 REYNWOOD VISTA  
SANFORD, NC 27330

**DEVELOPER:**

HARRINGTON PROPERTIES OF NC  
2659 SAN LEE DRIVE  
SANFORD, NC 27330  
CONTACT: BRANDON HARRINGTON  
(919) 770-5969  
BRANDON@HARRINGTONPROPERTIESOFNC.COM

**PROPERTY ID:**

LEE COUNTY, NORTH CAROLINA  
EAST SANFORD TOWNSHIP  
  
PARCEL 1  
LEE COUNTY PIN # 9652-28-9577  
DEED REFERENCE: D.B. 1382 PG. 252  
ZONED R-12  
2.41 AC +/-  
0 GOLDSBORO AVE

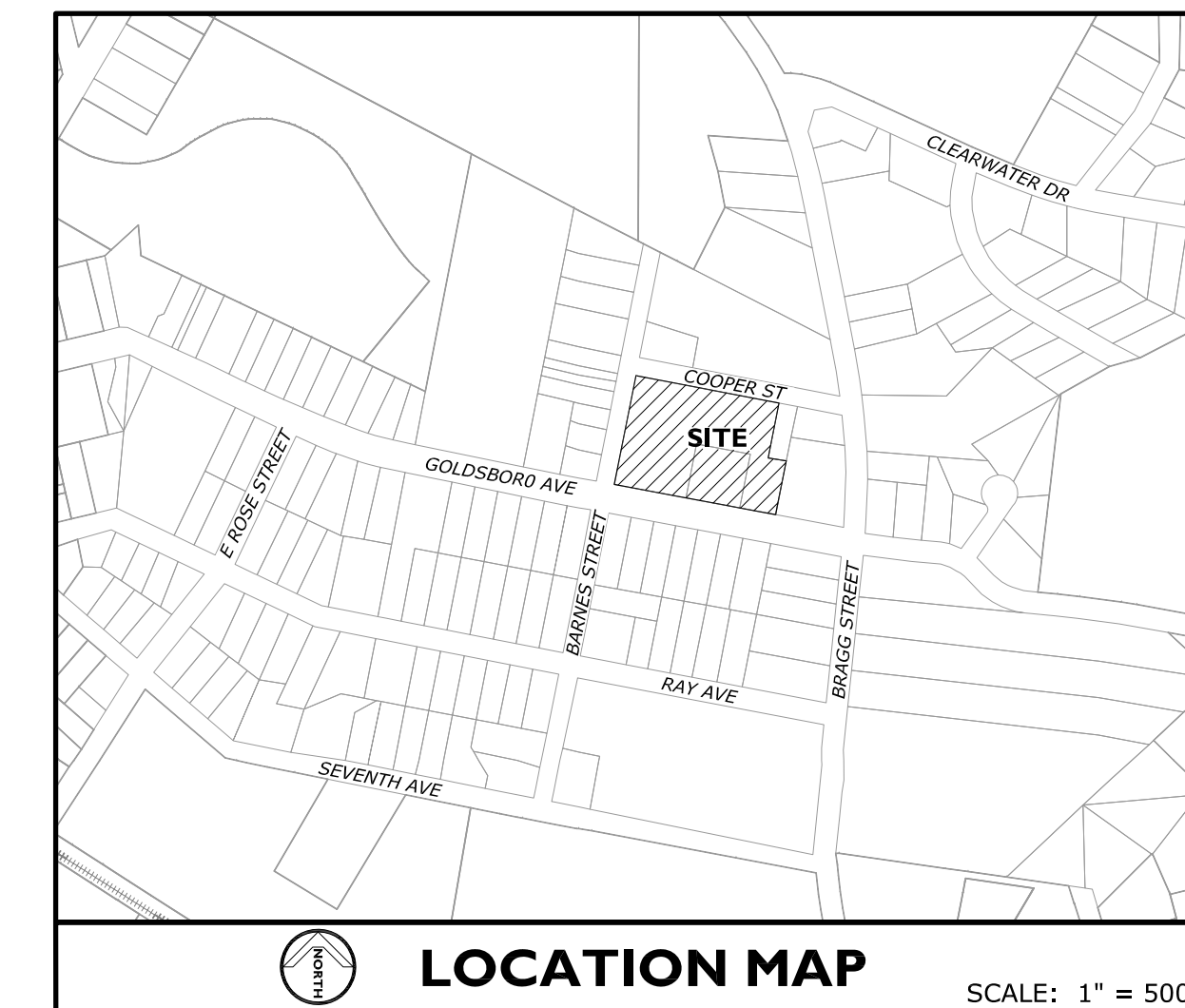
PARCEL 2  
LEE COUNTY PIN # 9652-38-0432  
DEED REFERENCE: D.B. 1336 PG. 762  
ZONED R-12  
0.52 AC +/-  
1411 GOLDSBORO AVE

**SITE INFO:**

JURISDICTION: CITY OF SANFORD  
ZONING CLASSIFICATION (EXISTING): R-12  
ZONING CLASSIFICATION (PROPOSED): CONDITIONAL  
TRACT PROPERTY ACREAGE: 2.93 AC +/- (2 PARCELS COMBINED)  
PROPOSED NUMBER OF SINGLE FAMILY LOTS: 25 LOTS (8.5 DU/AC)  
LOT SIZE, PROPOSED: 2,760 SF (24 X 115 TOWNHOME)  
LOT WIDTH, PROPOSED: 24 FT  
LOT DEPTH, PROPOSED: 115 FT  
COMMON AREA, PROPOSED: 1.34 AC +/-  
BUILDING HEIGHT, MAX. PROPOSED: 40 FT  
FRONT SETBACK, MINIMUM PROPOSED: 0 FT  
REAR SETBACK, MINIMUM PROPOSED: 0 FT  
SIDE SETBACK, MINIMUM PROPOSED: 0 FT  
ROADWAY OWNERSHIP PROPOSED: PUBLIC  
ROADWAY R/W WIDTH, PROPOSED NEW: N/A (PRIVATE ALLEYWAY)  
ROADWAY LENGTH, PROPOSED NEW: 0 LF (EXISTING)  
SIDEWALK LENGTH, PROPOSED NEW (PERIMETER): 1,310 LF +/-  
ROADWAY R/W AREA, PROPOSED NEW: 0 AC  
WATERLINE OWNERSHIP PROPOSED: PUBLIC (CITY OF SANFORD)  
NEW WATERLINE LENGTH, PROPOSED NEW: 600 LF +/-  
SANITARY SEWER OWNERSHIP PROPOSED: PUBLIC (CITY OF SANFORD)  
SANITARY SEWER LENGTH, PROPOSED NEW: 360 LF +/-

**NOTES**

- REVIEW AND APPROVAL OF THE PLANS DOES NOT RELIEVE THE OWNER, CONTRACTOR, OR DEVELOPER FROM MEETING ALL THE REQUIREMENTS OF THE CITY OF SANFORD UNIFIED DEVELOPMENT ORDINANCE, AND ANY OTHER LOCAL, STATE, AND FEDERAL REGULATIONS AND APPROVALS.
- ALL IMPROVEMENTS OR EXTENSIONS OF PUBLIC INFRASTRUCTURE UNDER THE JURISDICTION OF THE CITY OF SANFORD SHALL BE IN STRICT ACCORDANCE WITH THE ORDINANCES, REGULATIONS, POLICIES, REQUIREMENTS, AND SPECIFICATIONS OF THE CITY OF SANFORD. IF IT IS DETERMINED, THROUGH FURTHER FIELD UTILITY LOCATES, THAT ANY OF THE LOTS DO NOT HAVE ACCESS TO PUBLIC WATER AND SEWER, EXTENSIONS WILL BE MADE WITHIN THE PUBLIC R/W AND/OR PROPOSED PUBLIC EASEMENTS AS SHOWN.
- ALL AREA WITHIN THE PROPERTY AND OUTSIDE OF THE PROPOSED TOWNHOME LOTS IS DESIGNATED AS COMMON AREA TO BE MAINTAINED BY THE PROPERTY OWNER'S ASSOCIATION.
- THE PROPOSED SITE AREA IS NOT LOCATED WITHIN THE 100 YEAR FLOOD HAZARD BOUNDARY AREAS AS DELINEATED ON THE LEE COUNTY FLOOD INSURANCE MAP (FIRM) MAP NUMBER: 37109652003 DATED SEPTEMBER 6, 2006.
- THE PROPERTY BOUNDARY INFORMATION IS TAKEN FROM THE MAP PREPARED BY THE OWNER'S SURVEYOR, COLE LAND SURVEYS PA.
- THE EXISTING ROADWAY, AND UTILITY FEATURES ARE TAKEN FROM THE CITY OF SANFORD GIS.
- THE OWNER IS RESPONSIBLE FOR IDENTIFYING ANY STREAMS OR WETLANDS THAT MAY EXIST ON THE PROPERTY THAT MAY BE JURISDICTIONAL TO THE USE. BASED ON A SITE VISIT, THERE APPEARS TO BE NO JURISDICTIONAL WATERS OR WETLANDS PRESENT ON THE PROPERTY.
- THE PROPOSED SITE AREA IS NOT LOCATED IN A DESIGNATED WATER SUPPLY WATERSHED.
- THIS PROJECT, AS SHOWN, MUST RECEIVE CONDITIONAL ZONING APPROVAL FROM THE CITY COUNCIL PRIOR TO APPROVAL OF THE PRELIMINARY PLAT BY THE SANFORD PLANNING BOARD / CITY COUNCIL.
- OWNER RESPONSIBLE FOR OBTAINING PROPERTY AND A TEMPORARY CONSTRUCTION EASEMENT (IF NECESSARY) FROM ADJACENT PROPERTY OWNER(S) FOR ANY WORK THAT MAY BE REQUIRED ON PRIVATE / PUBLIC PROPERTY(S). OFF-SITE EASEMENTS WILL BE SECURED FOR THE SANITARY SEWER SYSTEM CONNECTION AND DRAINAGE IMPROVEMENTS.



**J THOMAS ENGINEERING, INC.**

CIVIL ENGINEERING & PLANNING

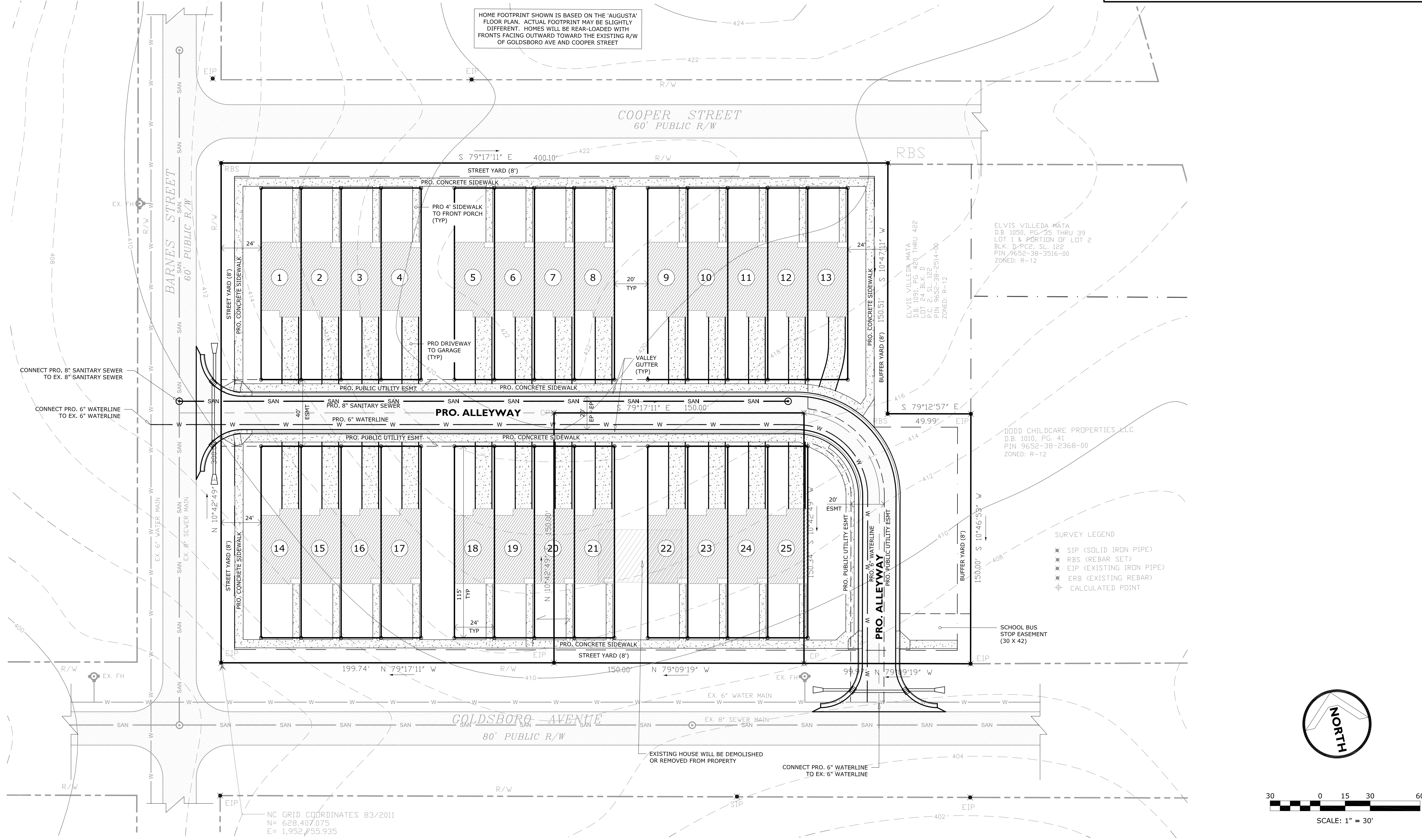
143 Charlotte Avenue, Suite 104  
Sanford, North Carolina 27330  
(919) 777-6010 phone  
www.jthomasengineering.com  
license no. C-3389



PROFESSIONAL ENGINEER'S SEAL

**HARRINGTON  
RESIDENTIAL DEVELOPMENT  
GOLDSBORO AVE / BARNES STREET  
SANFORD, NORTH CAROLINA**

PRELIMINARY PLAT



**REVISIONS**

NO.	DATE	DESCRIPTION

**PRELIMINARY PLAT  
NOT FOR RECORDATION,  
CONVEYANCES, OR SALES**

Scale: SEE SCALE BAR	Drawn by: JRT
Sheet: 1 of 1	Designed by: JRT
Project Number: 22-005	Reviewed by: JRT
	Date: 30 JUN 2022

FILE: C:\PROJECTS\22-005 HARRINGTON RESIDENTIAL AT GOLDSBORO AVE\DRAWINGS\PREL PLAT - HARRINGTON RESIDENTIAL AT GOLDSBORO AVE.dwg Print Date: 6/30/2022



ELEVATION A



ELEVATION A (V)



ELEVATION B



ELEVATION C



ELEVATION D



ELEVATION E



ELEVATION F

# AUGUSTA

3 Bedrooms  
2.5 Bathrooms  
Plan 1634



\*Disclaimer: All plans, details, square footages, dimensions, and renderings are approximate and subject to change at any time without notice. Renderings are for illustrative purposes only and may not represent finished details.  
H1-WM 07-03-20



# AUGUSTA

## First Floor

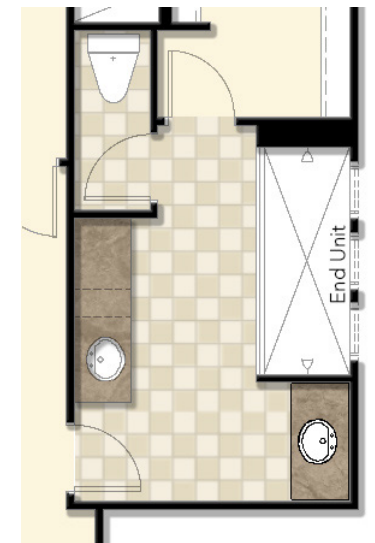
## Second Floor



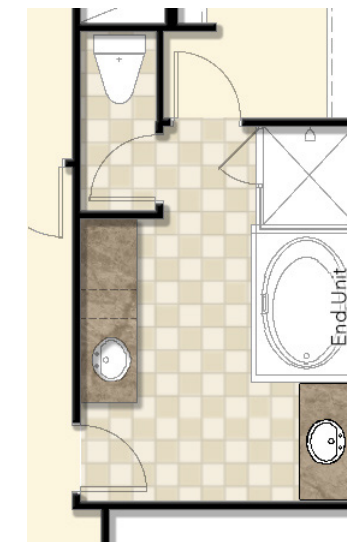
- 9' Ceiling
- A. Garage  
11'-8" x 20'-0"
- B. Covered Porch  
4'-4" x 9'-8"
- C. Kitchen  
7'-5" x 14'-7"
- D. Family Room  
14'-0" x 16'-10"
- E. Dining  
9'-0" x 11'-10"



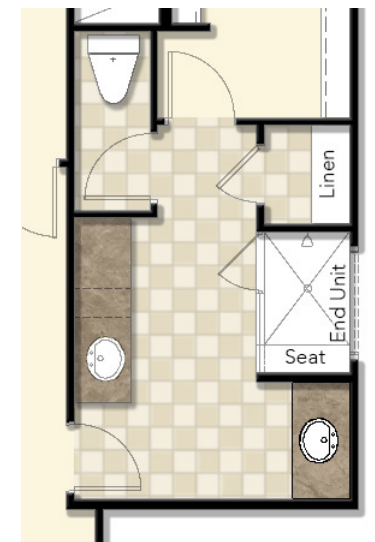
- 8' Ceiling
- A. Bedroom 2  
11'-8" x 11'-6"
- B. Bedroom 3  
11'-0" x 12'-0"
- C. Owners Suite  
13'-0" x 16'-10"



Opt 8' Ceramic Tile Shower in lieu of Fiberglass Tub/Shower and Linen Closet



Opt Soaking Tub and Ceramic Tile Shower in lieu of Fiberglass Tub/Shower and Linen Closet



Opt Ceramic Tile Shower in lieu of Fiberglass Tub/Shower



ELEVATION A



ELEVATION A (V)



ELEVATION B



ELEVATION C



ELEVATION D



ELEVATION E



ELEVATION F

# DENVILLE

3 Bedrooms  
2.5 Bathrooms  
Plan 1801



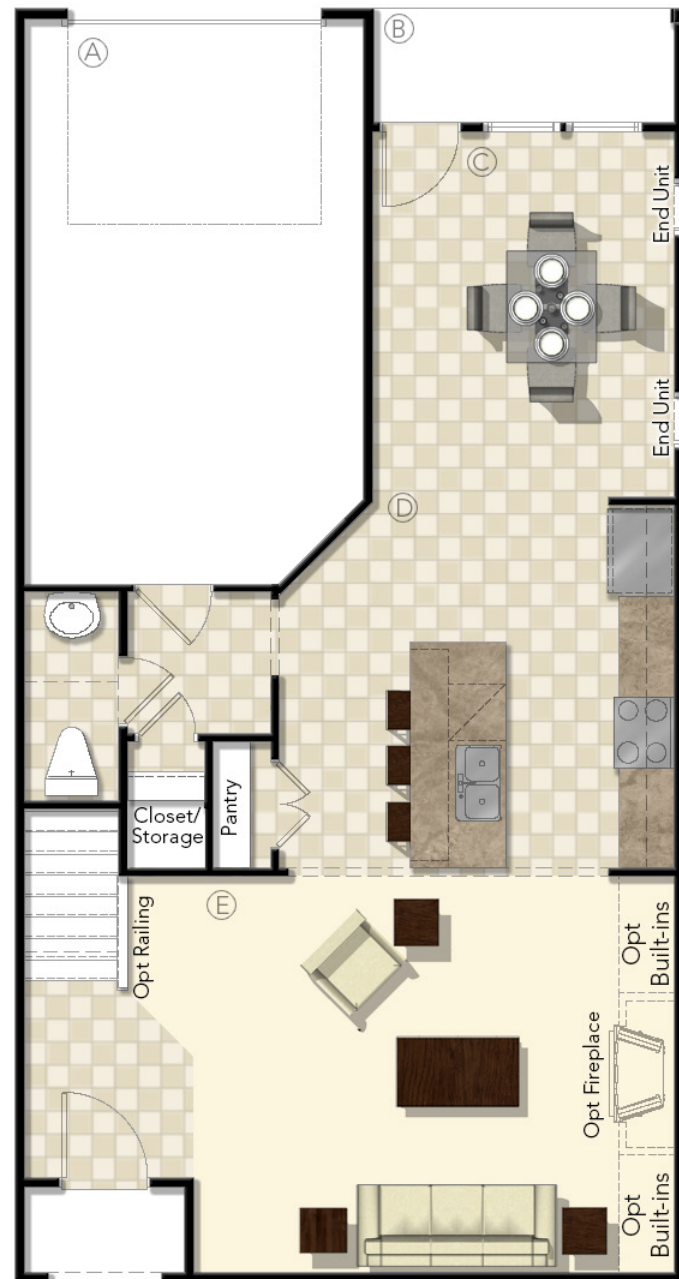
\*Disclaimer: All plans, details, square footages, dimensions, and renderings are approximate and subject to change at any time without notice. Renderings are for illustrative purposes only and may not represent finished details.  
H1-WM 08-03-20



# DENVILLE

## First Floor

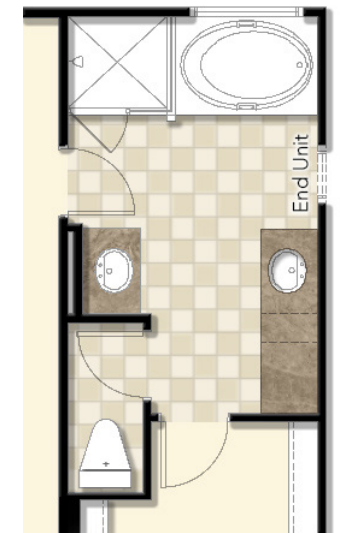
## Second Floor



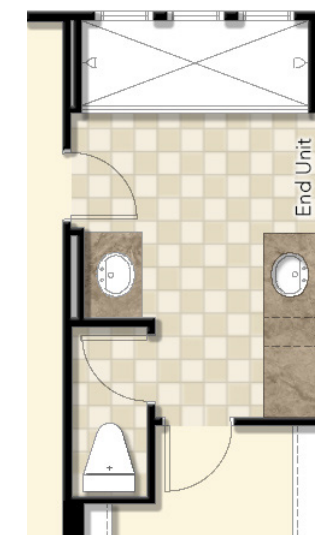
- 9' Ceiling
- A. Garage  
12'-0" x 20'-0"
  - B. Covered Porch  
11'-0" x 4'-0"
  - C. Dining  
10'-8" x 12'-11"
  - D. Kitchen  
10'-8" x 12'-10"
  - E. Family Room  
17'-0" x 14'-0"



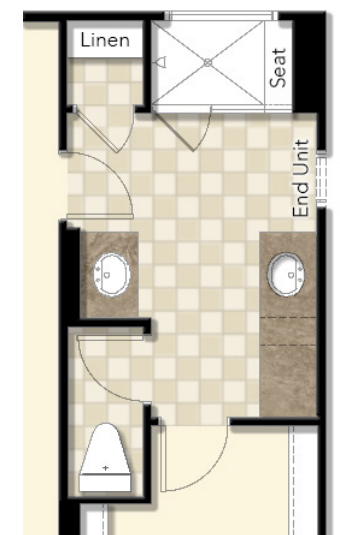
- 8' Ceiling
- A. Owners Suite  
13'-1" x 18'-8"
  - B. Bedroom 2  
12'-0" x 11'-0"
  - C. Bedroom 3  
10'-8" x 12'-1"



Opt Soaking Tub and Ceramic Tile Shower in lieu of Fiberglass Tub/Shower and Linen Closet



Opt 8' Ceramic Tile Shower in lieu of Fiberglass Tub/Shower and Linen Closet



Opt Ceramic Tile Shower in lieu of Fiberglass Tub/Shower

**CITY OF SANFORD**  
**CITY COUNCIL AND PLANNING BOARD**  
**PUBLIC HEARING INFORMATION**  
**September 20<sup>th</sup>, 2022**

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**REQUEST**

Brandon Harrington of Harrington Properties of NC is requesting to rezone two adjoining tracts of land comprising 2.93 +/- acres at Goldsboro Ave, Barnes St, and Cooper St from Residential Mixed (R-12) to the Goldsboro Avenue Conditional Zoning District to allow the development of 25 townhomes as illustrated on the “Harrington Residential Development Plan” submitted as part of the application. This is a site plan/subdivision plan specific conditional rezoning request; therefore, the conceptual development plans 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: Brandon Harrington (Harrington Properties of NC)  
Property Owners: William Brooks Pomeranz, Blodgett Properties LLC  
Request: Rezone from Residential Mixed (R-12) to Goldsboro Avenue CZ District  
Location: Frontages on Goldsboro Ave, Barnes St & Cooper St  
Acreage: 2.93  
Tax Parcels: 9652-28-9577-00, 9652-38-0432-00  
Tax Map: 9652.06  
Township: East Sanford  
Council Ward: Ward 3  
Fire District: Central Fire Station  
Schools: Deep River Elementary | East Lee Middle School | Lee Senior High School

**SITE DESCRIPTION**

The site has frontage on Goldsboro Avenue, Barnes Street, and Cooper Street off of Bragg Street.

**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.

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 right-of-way 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 single-family homes, duplexes, and churches (less than 350 seats). Uses permitted subject to supplemental development regulations unique to the use include townhomes, multi-family dwellings, family care homes, and home child care centers. Uses permitted upon issuance of a Special Use Permit by the Board of Adjustment include group care facilities, golf courses, churches (more than 350 seats), and new schools. There is a list of permitted uses for this zoning district included within the agenda for your reference.

Proposed Zoning: The Goldsboro Avenue 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/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.

The following information is applicable for the Goldsboro Avenue Conditional Zoning District:

- Townhomes are proposed to be rear-loaded via construction of a new private alleyway.
- Sidewalk will be installed along both sides of alleyway and along the frontage of all lots.
- Buffer and street yards are proposed (see plan).
- Each lot will be planted with at least one (1) tree.
- Public streets are NOT proposed to be retrofit for curb and gutter.

A preliminary subdivision plat that corresponds with the overall design, uses, conditions, design standards, and maximum densities denoted within this rezoning application and on the concept plans shall be required to be approved by the City Council prior to the issuance of final plat recordation and development permits for the parcels included within the Burns Towns Conditional Zoning District. Please reference the concept plans submitted as part of the rezoning application.

Adjacent Zoning

North: Residential Mixed (R-12) & General Commercial (C-2)  
South: Residential Mixed (R-12)  
East: Residential Mixed (R-6) & Residential Mixed (R-12)  
West: Residential Mixed (R-12)

Adjacent Land Use

North: Single-family homes in the Palmer Subdivision  
South: Single-family homes in the Palmer Subdivision  
East: Single-family homes in the Cobb Estate Subdivision  
West: Single-family homes in the Palmer Subdivision

**PLAN SANLEE**

The long-range land use plan identifies the property as Urban Neighborhood, which are higher density residential neighborhoods in the city core, walkable to adjacent urban commercial districts, and grid street networks are the typical development form. The local example is the North 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup> Streets in Sanford. Information from the land use plan is provided as attachments to this report for your reference.

**LOCAL OVERLAY DISTRICTS**

Per GIS, the subject property is not located within a local historic district, a Watershed Conservation Overlay District, or an established Flood Hazard Area (floodplain). The townhome development is subject to the multi-family design standards; however, a conditional rezoning request may alter these standards.

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**

The site appears to have access to public water and public sanitary sewer via main lines along Goldsboro Ave and Barnes St. 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 offsite improvements or upgrades.

### **TRANSPORTATION**

There is frontage on Goldsboro Ave (NS-98860), Barnes St (NS-99672), and Cooper St (NS-99956) which are non-system roads maintained by the City. The streets abutting the site are not identified in the 2011 Lee County Comprehensive Transportation Plan. 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.

NCDOT Average Annual Daily Traffic Count (AADT): There is a 2020 NCDOT AADT of 3,800 vehicles on Bragg Street per day in the area which connects to Cooper St and intersects Goldsboro Ave.

### **DEVELOPMENT STANDARDS**

If rezoned, the land uses, densities, and design associated with the Goldsboro Avenue Conditional Zoning District would apply. Any design standards not addressed within the conditional zoning district would be required to meet the current general development standards of the UDO.

Regarding future development of the subject property, a preliminary subdivision plat that corresponds with the overall design, uses, conditions, design standards, and maximum densities denoted within this application and on the concept plans (civil and architectural) will be required to be approved by the Sanford City Council in the same procedural manner as all preliminary major subdivision plats prior to the signing/recordation of the final plat and issuance of development permits for the parcels included within the Burns Towns Conditional Zoning subject property.

### **STAFF RECOMMENDATION**

The rezoning request complies with the *Plan SanLee* long-range plan designation of Urban Neighborhood, which lists attached single-family dwellings as a preferred land use with a density of less than 10 units per acre. Furthermore, the proposed conditions of the rezoning adhere to the preferred character of the Urban Neighborhood land use area by maintaining the existing urban grid street network, incorporating street/buffer yards, and installing sidewalks along the public right-of-way and the proposed alleyway. Therefore, staff is generally supportive of the rezoning; however, the boards will need to take into consideration the adjoining residential subdivision and the possible impact that the development

associated with this rezoning may have on area residents when determining if they are comfortable with this increase in land use intensity.

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

### **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 ZONING MAP AMENDMENT:**

Motion Option 1: *“I make a motion that the proposed zoning map amendment **IS** consistent with the Plan SanLee long range plan designation of Urban Neighborhood because it does allow attached single-family dwellings as a proposed land use.”*

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 Urban Neighborhood because the site is better situated for one of the other proposed land uses in the Urban Neighborhood future land use area.*

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.

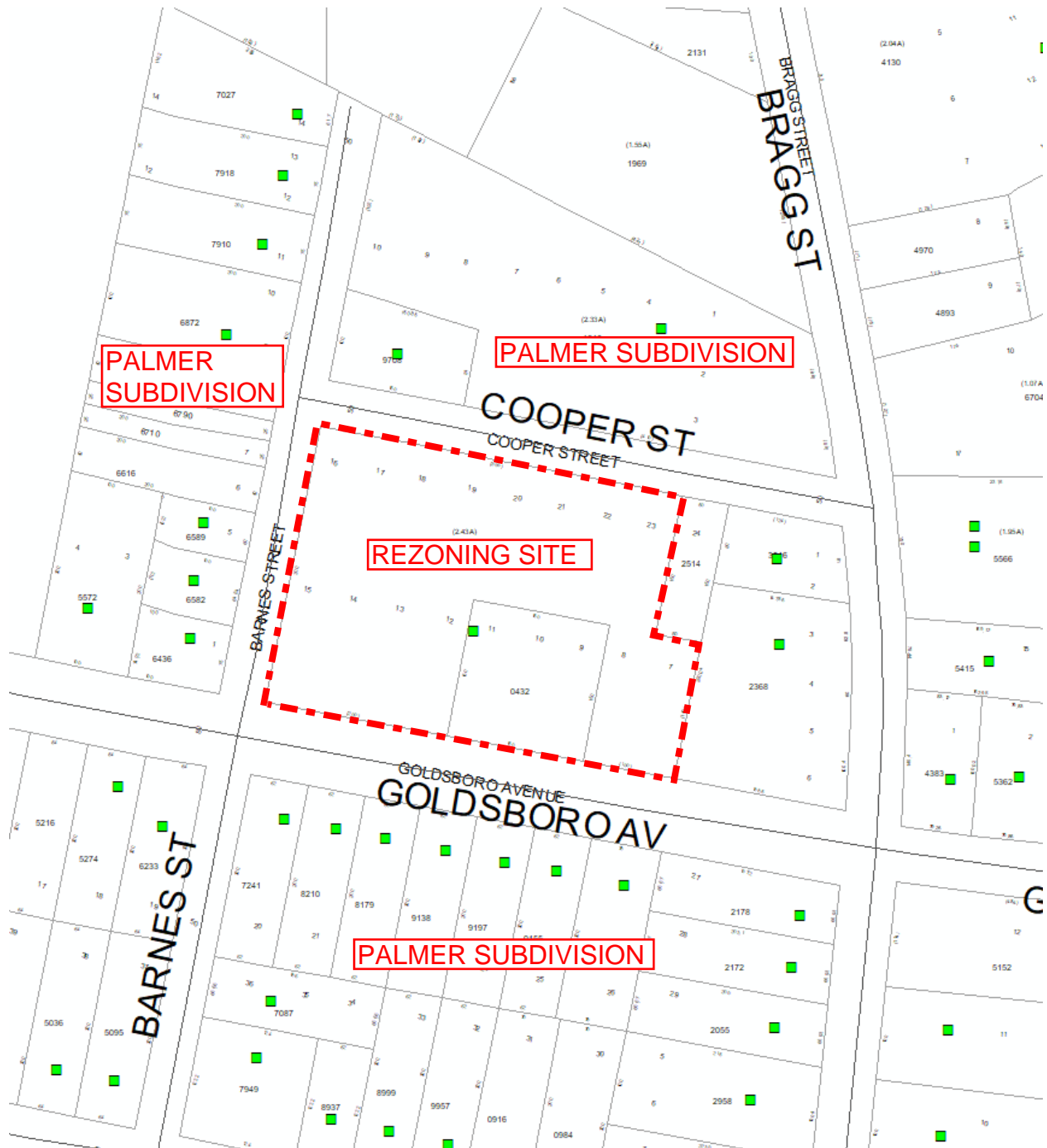
### **VOTE #2: TO APPROVE OR DENY THE ZONING MAP AMENDMENT:**

Motion Option 1: *“I make a motion that Planning Board recommend the City Council **APPROVE** the proposed zoning map amendment because it is reasonable and in the public interest since the adopted*

*long-range plan is supportive of the land uses and the design submitted as part of the conditional rezoning request utilizes public water and sewer.*

Motion Option 2: *“I make a motion that the Planning Board recommend the City Council **DENY** the rezoning request because the proposed design submitted as part of the conditional rezoning request is not appropriate for this location.”*

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 2.93 acres at Goldsboro Ave, Barnes St & Cooper St

from R-12 to Goldsboro Avenue CZ District

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.

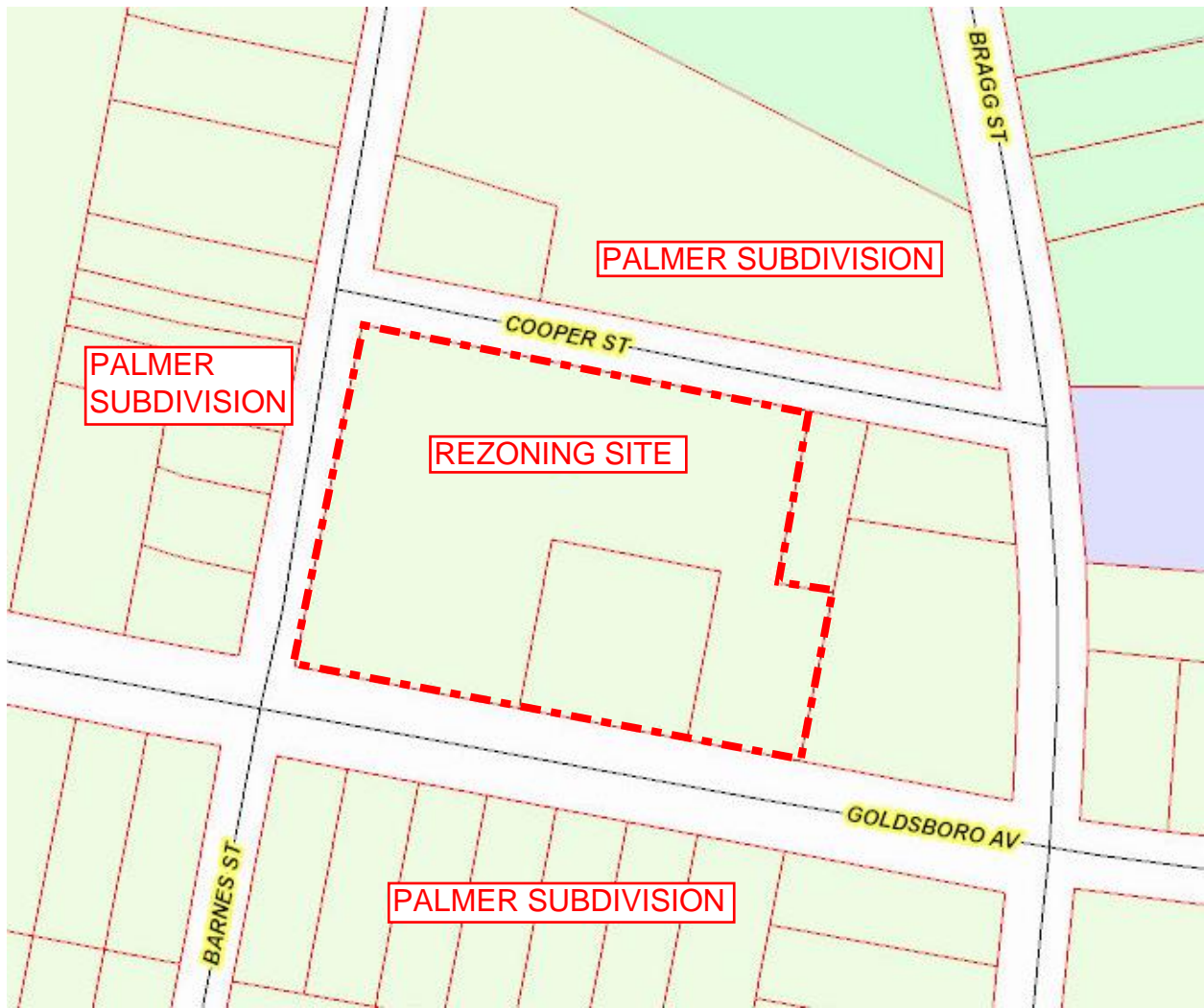


## ZONING MAP AMENDMENT

Request to rezone 2.93 acres at Goldsboro Ave, Barnes St & Cooper St

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## ZONING MAP AMENDMENT

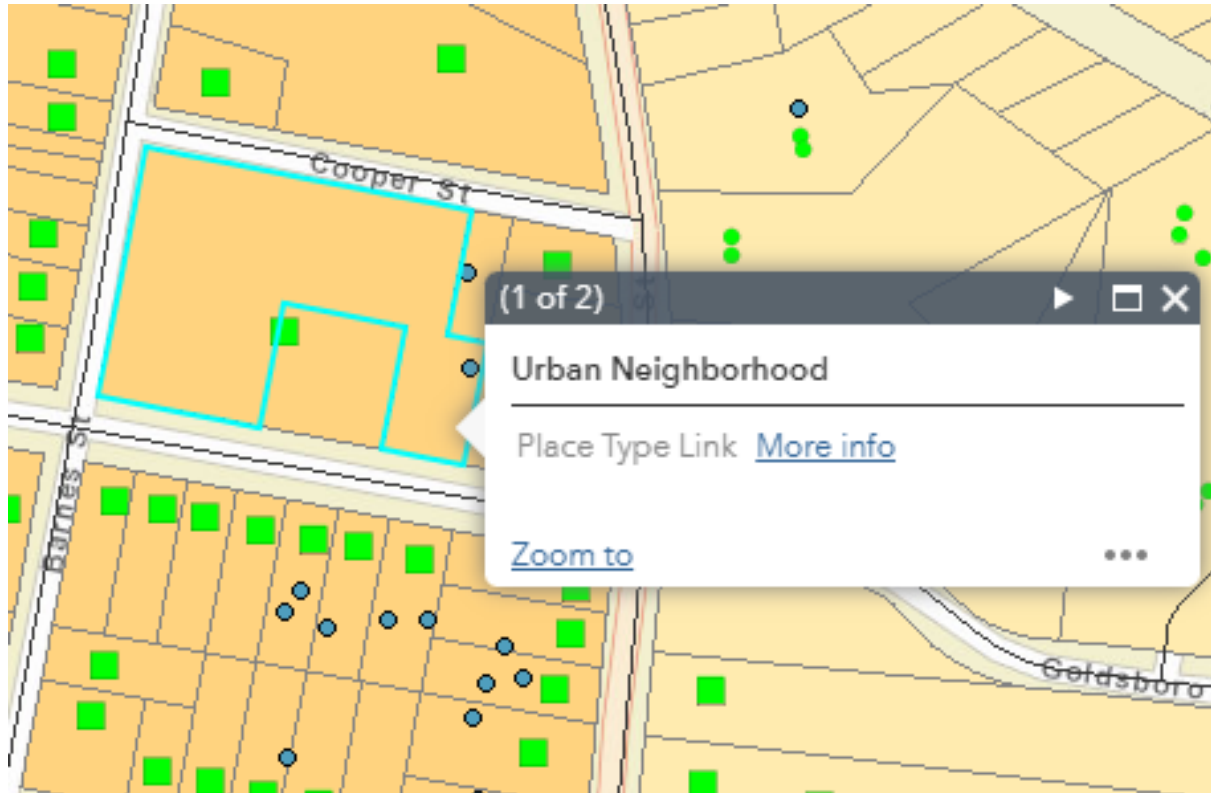
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from R-12 to Goldsboro Avenue CZ District

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



## URBAN NEIGHBORHOOD

- ✓ Higher density residential neighborhoods in the city core
- ✓ Walkable to adjacent urban commercial districts
- ✓ Grid street networks are the typical development form

**Local Example - North 4th, 5th and 6th Streets in Sanford**



Open Space  
Undeveloped Open Space,

Civic  
Churches, Schools, Civic Organizations, Government Services, Parks

Residential  
Detached and Attached Single Family Dwellings, Multi-Family Dwellings, Mother-in-law suites

LAND USE



Low Priority Mode

High Priority Mode

Public Transit

Vehicular connectivity

On-street bike lanes, off-trail system

Sidewalks, off-street trails, transit & commercial area connections

TRANSPORTATION

### Development Density

- ✓ SF up to 10 dwelling units / acre
- ✓ MF 10 - 16 dwelling units / acre
- ✓ Shallow Building Setbacks
- ✓ 45 Foot Height Limit

### Utility Infrastructure

- ✓ Public Water
- ✓ Public Wastewater

### Preferred Character

- ✓ Urban Grid Street Network
- ✓ 400 Foot Block Lengths
- ✓ Curb & Gutter + Sidewalks
- ✓ Street Trees
- ✓ On-Street Parking

CONTEXT

### Current Districts

- ✓ R-12
- ✓ R-10
- ✓ R-6
- ✓ MF-12 (Primary)
- ✓ R-12SF (Secondary)



### Proposed Districts

- ✓ Urban Residential
- ✓ Multi-Family Residential
- ✓ Medium Density Residential

ZONING

## **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).

<b><u>Accessory Uses</u></b>
Accessory uses (See Section 5.1)
<b><u>Residential Uses</u></b>
Dwelling, Duplex (two-family dwelling)
Dwelling, Modular home
Dwelling, Single-family detached
<b><u>Arts, Recreation &amp; Entertainment</u></b>
Parks, playgrounds, and athletic fields operated on a noncommercial basis
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
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
<b><u>Transportation, Communication, and Utilities</u></b>
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)
<b><u>Agriculture</u></b>
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).

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

<b><u>Accommodations and Group Living</u></b>
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
<b><u>Arts, Recreation &amp; Entertainment</u></b>
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
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
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
<b><u>Transportation, Communication, and Utilities</u></b>
Sewage treatment and Water treatment plants
<b><u>Agriculture</u></b>
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).

<b><u>Residential Uses</u></b>
Accessory Dwellings (See Section 10.4)
<b><u>Accommodations and Group Living</u></b>
Bed and breakfast inn (See Section 5.4)
<b><u>Industrial &amp; Manufacturing Uses</u></b>
Landfills, C&D or LCID (greater than 2 acres in size) (See Section 5.20)
Mining and Quarries, <b>Unincorporated Lee County and City of Sanford only</b> (See Section 5.23)
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
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)
<b><u>Transportation, Communication, and Utilities</u></b>
Solar Collectors, Commercial (See Section 5.39)
Telecommunication towers (See Section 5.33)

## ADJACENT OWNERS

PETITION BY: Brandon Harrington (Harrington Properties of NC)

REQUEST: Rezone from Residential Mixed (R-12) to Harrington Residential Conditional Zoning District

LOCATION: 1411 Goldsboro Ave

PIN: 9652-28-9577-00, 9652-38-0432-00

DATE: 2022-08-01

<b>PIN</b>	<b>Parcel Address</b>	<b>Owner</b>	<b>Owner2</b>	<b>Mail Address</b>	<b>Mail Street</b>	<b>Mail City</b>	<b>State</b>	<b>Zip</b>
9652-38-1810-00	802 BRAGG ST	CAMERON, MARSELLE MCNEILL	CAMERON, GILBERT M	208	WICKFIELD DR	SANFORD	NC	27330
9652-28-6872-00	617 BARNES ST	TAYLOR, JAMES J	TAYLOR, KATHY M	617	BARNES ST	SANFORD	NC	27330
9652-28-9708-00	618 BARNES ST	CASSIDY, DARRELL		618	BARNES ST	SANFORD	NC	27330
9652-28-6582-00	605 BARNES ST	PIERCE, DAVID EDWARD		304	SUMMER ST	SELMA	NC	27576
9652-38-2368-00	906 BRAGG ST	DODD CHILDCARE PROPERTIES LLC		8811	CYPRESS LAKE	RALEIGH	NC	27615
9652-28-6436-00	601 BARNES ST	ALEXANDER, CHARLES J	ALEXANDER, ELEANOR H	912	GARDEN ST	SANFORD	NC	27330
9652-28-6233-00	1308 GOLDSBORO AVE	TERRONES, HONORINA		1308	GOLDSBORO AVE	SANFORD	NC	27330
9652-28-7241-00	1400 GOLDSBORO AVE	ESTRADA, SANTOS HERNANDEZ		1002	GOLDSBORO AVE	SANFORD	NC	27330
9652-28-8210-00	1402 GOLDSBORO AVE	JONES, HELEN JONELLE	JONES, RICKIE	775	TROON CIR	SANFORD	NC	27332
9652-28-8179-00	1406 GOLDSBORO AVE	HERNANDEZ, EDUARDO ALVA		1406	GOLDSBORO AVE	SANFORD	NC	27330
9652-28-9138-00	1408 GOLDSBORO AVE	ELLERBY, DELORIS F		1408	GOLDSBORO AVE	SANFORD	NC	27330
9652-28-9197-00	1410 GOLDSBORO AVE	TADEO, OSVALDO ROJO	HERNANDEZ, GRISELDA TADEO	1410	GOLDSBORO AVE	SANFORD	NC	27330

9652-38-0155-00	1500 GOLDSBORO AVE	HERNANDEZ, SERGIO TADEO SR	SANCHEZ, CONSUELO HERNANDEZ	1500	GOLDSBORO	SANFORD	NC	27330
9652-38-1114-00	1502 GOLDSBORO AVE	PATTERSON, SONIA RENEE		1502	GOLDSBORO	SANFORD	NC	27330
9652-38-2178-00	1002 BRAGG ST	MORALES-RUIZ, HUGO	TERRONES, MARIA DE LOS ANGELES	1002	BRAGG	SANFORD	NC	27330
9652-38-2514-00	0 COOPER ST	MATA, ELVIS VILLEDA		902	BRAGG	SANFORD	NC	27330
9652-28-6794-00	615 BARNES ST	MUNOZ, EDGAR GEOVANY GONZALEZ		511	SEVENTH	SANFORD	NC	27330
9652-28-6589-00	609 BARNES ST	WILLIAMS, CECIL W	WILLIAMS, JANE S	2759	UNDERWOOD	CARTHAG E	NC	28327
9652-38-0432-00	1411 GOLDSBORO AVE	BLODGETT PROPERTIES LLC		696	REYNWOOD VISTA	SANFORD	NC	27330
9652-28-6790-00	0 BARNES ST	MUNOZ, EDGAR GEOVANY GONZALEZ		511	SEVENTH	SANFORD	NC	27330
9652-28-6710-00	0 BARNES ST	WILLIAMS, CECIL W	WILLIAMS, JANE S	2759	UNDERWOOD	CARTHAG E	NC	28327
9652-28-9577-00	0 GOLDSBORO AVE	POMERANZ, WILLIAM BROOKS		560	LEGACY LAKES	ABERDEEN	NC	28315
9652-28-6616-00	0 BARNES ST	WILLIAMS, CECIL W	WILLIAMS, JANE S	2759	UNDERWOOD	CARTHAG E	NC	28327
9652-38-3516-00	902 BRAGG ST	MATA, ELVIS VILLEDA		902	BRAGG	SANFORD	NC	27330
N/A	N/A	BRANDON HARRINGTON		2659	SAN LEE DR	SANFORD	NC	27330

0 property address number = vacant; no addressed structures no the parcel

**NO FEE**

*(The TRC Major Subdivision Fee Covers the Cost Associated With This Application)*

# Sanford / Lee County Zoning & Design Review

115 Chatham Street, Sanford, NC 27330

## **MAJOR SUBDIVISION PRELIMINARY PLAT APPLICATION**

Reference the Sanford/Lee County/Broadway Unified Development Ordinance (UDO), which is available for viewing on the City of Sanford website ([www.sanfordnc.net](http://www.sanfordnc.net)) in the Planning & Development Dept. section  
Staff contact: Amy J. McNeill (919) 718-4656, ext. 5397 or [amy.mcneill@sanfordnc.net](mailto:amy.mcneill@sanfordnc.net)

**GENERAL INFO.:** A preliminary plat application is required for all major subdivisions after it has been reviewed by the Sanford/Lee County TRC and prior to being placed on a Planning Board agenda. If the plat is to be submitted in two or more phases, a Master Plan shall be submitted which shows the preliminary plat for the entire subdivision. A preliminary plat shall not be placed on the local Planning Board agenda until it has been deemed complete by the Zoning & Design Review Dept. No final plat shall be approved until a preliminary plat has been approved by the appropriate Planning Board and governing board. The preliminary plat shall be valid for two years after its final approval by the boards and shall become void if the final plan is not approved & recorded within this time period.

**DEADLINE:** 2<sup>nd</sup> Friday of each month at 12:00pm (noon).

**MEETING DATE:** Sanford PB meets the 3<sup>rd</sup> Tuesday of each month at 6pm, if there are items to review  
Lee Co. PB meets the 3<sup>rd</sup> Monday of each month at 6pm, if there are items to review  
Broadway PB meets the last Monday of each month at 6pm, if there are items to review

Note: Deadline & meeting dates may change due to holidays, please verify specific date(s) with staff.

**SUBMITTAL INFORMATION:** Please submit 115 Chatham Street, Sanford, NC 27330:

- Preliminary Plat Application, completed & signed by the property owner(s)
- 12 full-size paper copies of the preliminary plat (to scale)
- One digital version (PDF or JPEG format) of the preliminary plat (email or CD)

**SUBDIVISION INFORMATION:** Information regarding the preliminary plat.

Subdivision Name: Brantley Place Phase III

Address/Location: Tyndall Drive

PIN(s): 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,

Total Acreage: 9631-77-8298-00, 9631-87-0005-00 7.2 Ac

Zoning District(s): Proposed R-10

Number of Lots: 19 Lot Size(s): Average 12,799 sf

Utilities:  Existing  Private Well  Private Septic System  
 Proposed  Public Water Supply  Public Sanitary Sewer

Street(s):  Existing  Public Street (City maintained)  
 Proposed  Public Street (NCDOT maintained)

Project Description: A residential subdivision with 19 lots served by City water and sewer.

**PROPERTY OWNER(S):** The legal property owner(s) as of the date of submittal.

Name: Lamco Custom Builders LLC At. Tony Toro, Vicepresident

Address: 7424 Chapel Hill Rd Suite 203, Raleigh, NC 27607

Phone #: 919-935-9282

Email: tony@lamcohomes.com

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_

Email: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_

Email: \_\_\_\_\_


**APPLICANT:** The person/company submitting the preliminary plat application.

Name: Tony Toro

Address: 7424 Chapel Hill Rd Suite 203, Raleigh, NC 27607

Phone #: 919-935-9282

Email: tony@lamcohomes.com

 VP, Tony Toro VP

6/29/22

Applicant's signature (sign & print name)

Date

<b>Staff Use Only</b>		
Jurisdiction:	<input type="checkbox"/> City of Sanford	<input type="checkbox"/> Lee County <input type="checkbox"/> Broadway
Date Received:	_____	SP Project #: _____
PB Meeting Date:	_____	Energov #: _____
Staff Signature & Title:	_____	
Staff Notes:	_____	
_____		
_____		
Complete / Incomplete Submittal (circle)		

# BRANTLEY PLACE SUBDIVISION PHASE 3

## SANFORD, NC 27330

PROJECT:  
BRANTLEY PLACE SUBDIVISION PHASE 3

WEST SANFORD TOWNSHIP  
LEE COUNTY NORTH CAROLINA  
SEPTEMBER 1, 2021

OWNER:  
LAMCO CUSTOM HOMES, LLC

SITE AREA: 7.2 Ac

PARCEL PIN NO.	AREA-Ac
1. 9631-78-3276-00	0.51
2. 9631-78-4126-00	0.47
3. 9631-78-4086-00	0.56
4. 9631-77-5895-00	1.57
5. 9631-77-7604-00	0.43
6. 9631-77-7545-00	0.43
7. 9631-77-7497-00	0.42
8. 9631-77-8338-00	0.42
9. 9631-77-8298-00	0.47
10. 9631-87-0005-00	1.65

DEVELOPER:  
LAMCO CUSTOM HOMES, LLC  
TONY TORO, VICE PRESIDENT OF CONSTRUCTION  
7424 Chapel Hill Rd Suite 203  
Raleigh, NC 27607  
(919) 935-9282

SITE DATA:  
SITE SIZE: 6.93 Acres  
NUMBER OF LOTS: 19  
SMALLEST LOT SIZE: 10,320 sq.ft.  
AVERAGE LOT SIZE: 12,799 sq.ft.  
LOTS PER ACRE = 2.63 PROPOSED 4 ALLOWED

OPEN SPACE 31,555 SF = 0.72 Ac ±  
% OPEN SPACE 10%  
RIGHT OF WAY: 60 FT

EXISTING ZONING: R-12

MIN. BUILDING SETBACK LINES  
EXIST R-12

FRONT = 30'  
BACK = 20'  
SIDE = 12'

MIN. LOT WIDTH: 75' AT SETBACK  
MIN. LOT WIDTH CUL DE SAC: 60' AT 25' SETBACK

SEWAGE CITY OF SANFORD  
WATER CITY OF SANFORD

DRAINAGE AND UTILITY EASEMENTS:  
- 10' TOTAL ALL INTERIOR LOT LINES  
- 10' ALONG R/W  
- 15' ALONG EXISTING DRAINAGE WAYS.

REFERENCES:  
DB. 1590, PAGE 177, PC 2020, SLIDE 114

**NOTES:**

1) CONTOURS FROM NC SPATIAL

2) BOUNDARY FROM "CITY OF SANFORD CONTIGUOUS ANNEXATION MAP FOR LAMCO CUSTOM BUILDERS, LLC", BY THOMAS J. MATTHEWS, PLS DATED 4-5-2022.

2) FLOOD ZONE: X MINIMAL FLOOD RISK AS PER MAP 3710963100J DATE 9/06/06

3) WETLANDS ON SITE AS SHOWN

**STREET LINEAR FOOTAGE**

EXISTING	1,230
PROPOSED	440
TOTAL	1,670

**WATER LINEAR FOOTAGE**

EXISTING	1,230
PROPOSED	440
TOTAL	1,670

**SEWER LINEAR FOOTAGE**

PROPOSED	1,660
----------	-------

**IMPERVIOUS AREA INSIDE SITE:**

HOUSES & DRIVEWAYS 19 x 4,000 SF = 76,000 SF = 1.74 Ac  
MAIL KIOSK AREA 4,000 SF = 0.09 Ac  
ROAD, CG & SIDEWALK INSIDE 7.2 Ac = 13,831 SF = 0.32 Ac  
TOTAL = 2.15 Ac

% IMPERVIOUS = 2.15 Ac / 7.2 Ac x 100 = 29.9 %

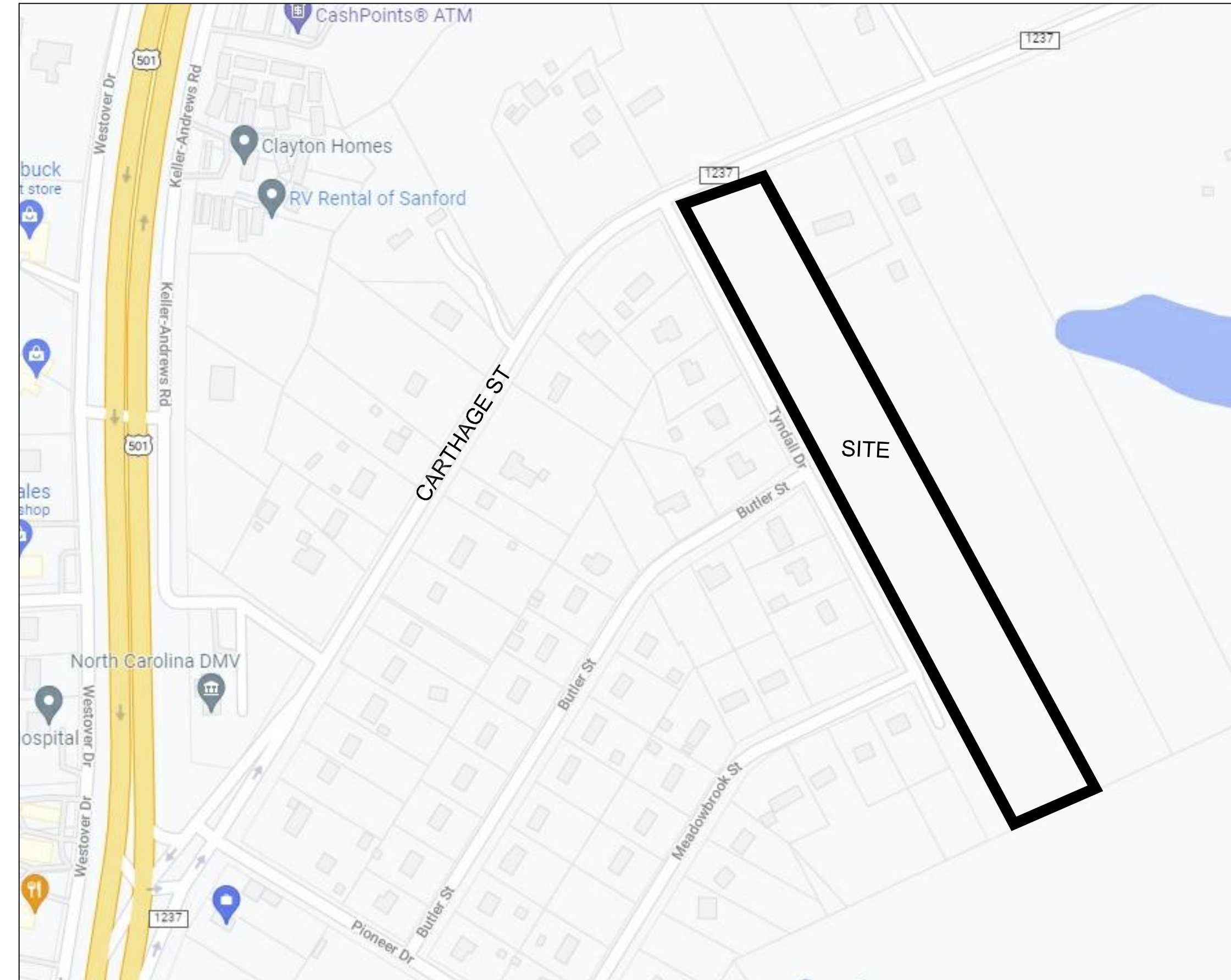
PROJECT PHASES: 1

PROPOSED ZONING: R-10

MIN. BUILDING SETBACK LINES  
R-10

FRONT = 25'  
BACK = 20'  
SIDE = 10'

MIN. LOT WIDTH: 70' AT SETBACK  
MIN. LOT WIDTH CUL DE SAC: 60' AT 25' SETBACK



VICINITY MAP - NTS



**INDEX**

- C1 COVER
- C2 EXISTING PLAN
- C3 PRELIMINARY PLAT
- C4 TYPICAL CROSS SECTIONS
- C5 UTILITY PLAN
- C6 GRADING PLAN
- C7 TYNDALL RD PLAN & PROFILE STA 14+00 - 27+00
- C8 TYNDALL RD PLAN & PROFILE STA 9+00-14+00
- C9 DRY POND PLAN AND CROSS SECTION
- D1 CIVIL DETAILS
- D2 CIVIL DETAILS
- D3 CIVIL DETAILS
- W1 WATER DETAILS
- S1 SEWER DETAILS

REVISIONS:

KEN BRIGHT ASSOCIATES PLLC  
P-0781

CONSULTING ENGINEERS  
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CONTACT:

LAMCO CUSTOM HOMES LLC  
TONY TORO, VP OF CONSTRUCTION  
7424 CHAPEL HILL RD SUITE 203  
RALEIGH, NC 27607  
(919) 935-9282

SCALE:

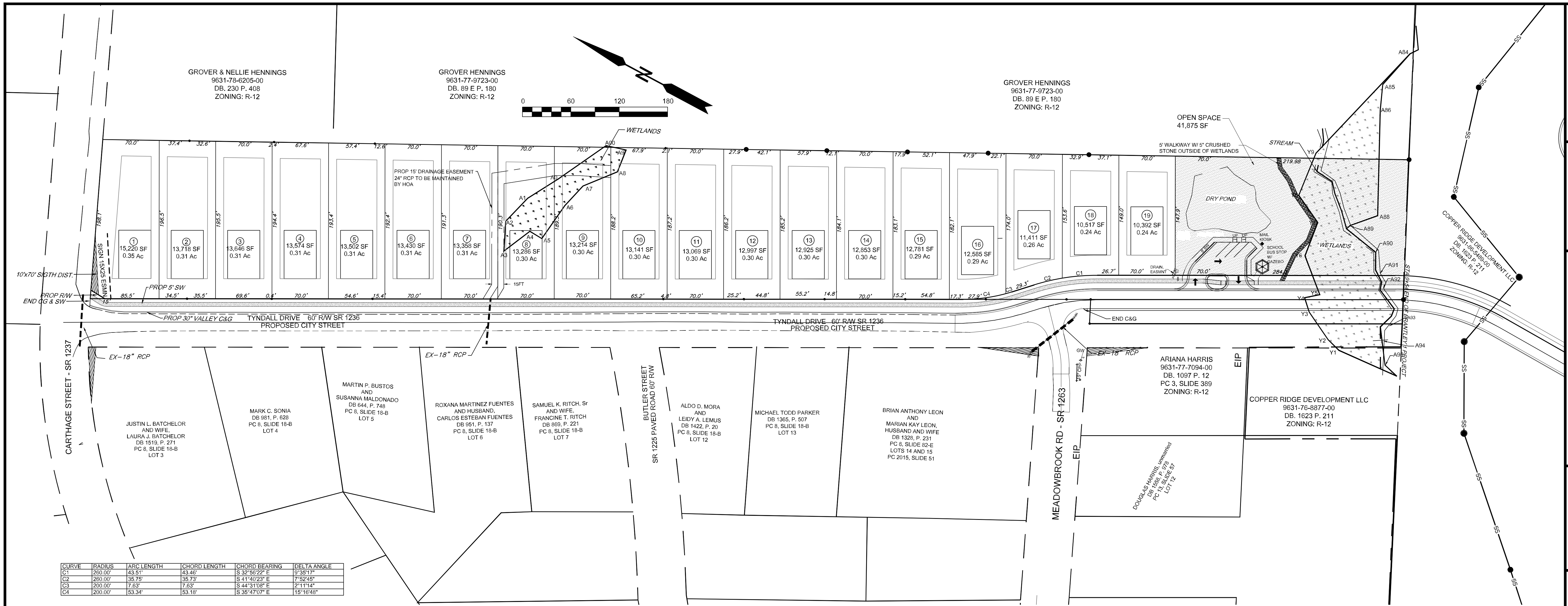
BRANTLEY PLACE SUBDIVISION PHASE 3

COVER

DATE: 5-25-2022

C1

FILE:



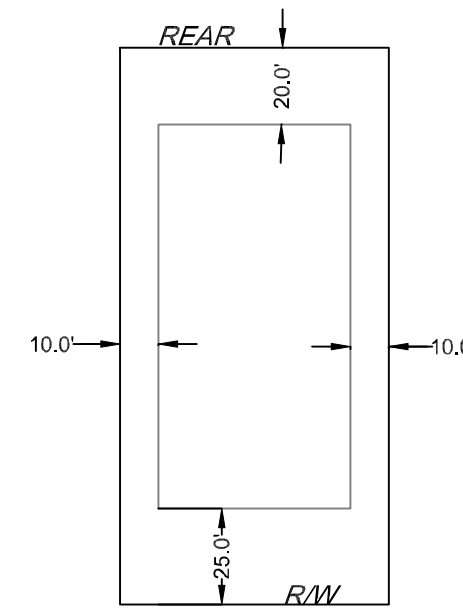
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	290.00'	43.51'	43.46'	S 32°56'22" E	9°35'17"
C2	280.00'	35.75'	35.73'	S 41°40'23" E	7°52'45"
C3	200.00'	7.63'	7.63'	S 44°31'08" E	2°11'14"
C4	200.00'	53.34'	53.19'	S 35°47'07" E	15°18'46"

**EASEMENT NOTES**

1. PROVIDE A 10' WIDE DRAINAGE & UTILITY EASEMENT ALONG THE STREET RIGHT OF WAY.
2. PROVIDE A 10' WIDE DRAINAGE & UTILITY EASEMENT BETWEEN LOTS 5' FROM EACH SIDE OF THE PROPERTY LINE.
3. NO STRUCTURES, FILL, EMBANKMENTS, TREES OR OBSTRUCTIONS PERMITTED WITHIN THE EASEMENTS.
4. ALL EASEMENTS TO BE SHOWN IN FINAL PLAT

**OPEN SPACE NOTES**

1. OPEN SPACE WILL BE MAINTAINED BY THE PROPERTY OWNER'S ASSOCIATION (POA).



R-10 LOT SETBACK

REVISIONS:

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**SCALE:**

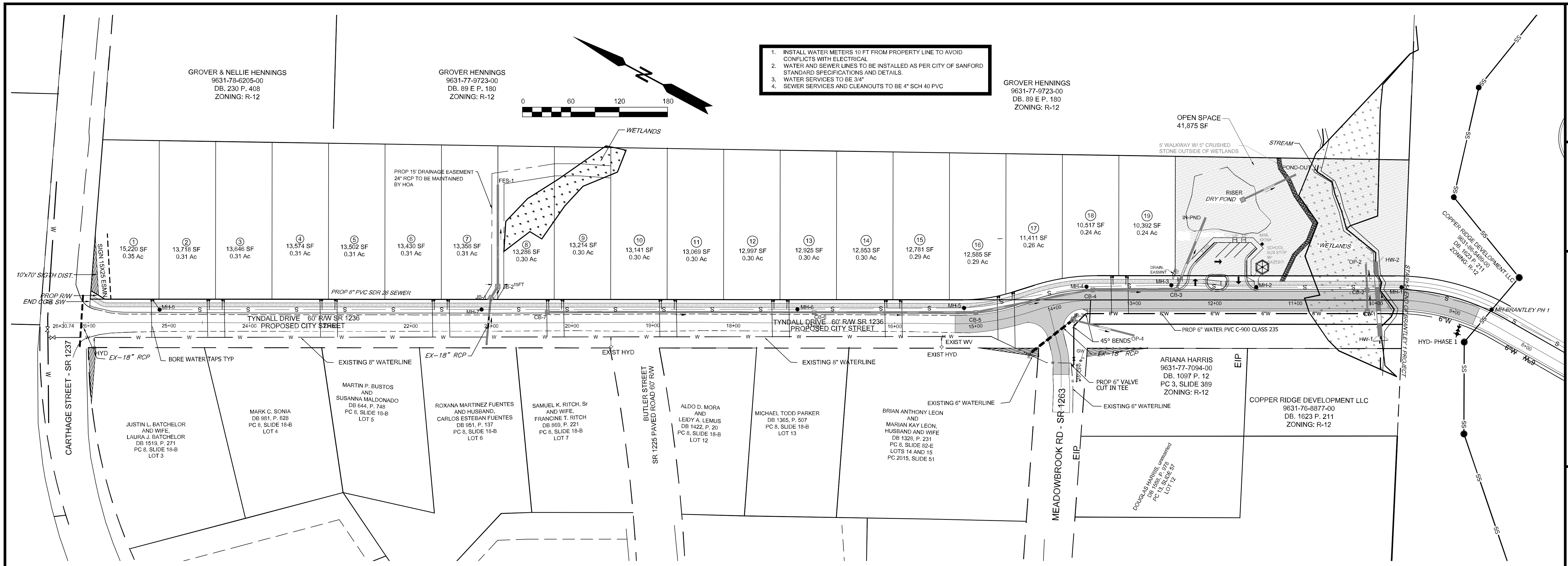
**BRANTLEY PLACE PHASE 3**  
**PRELIMINARY PLAT**

**DATE:** 5-25-2022

**C3**

**FILE:**

CP-2-2124-LAMCO



1. INSTALL WATER METERS 10 FT FROM PROPERTY LINE TO AVOID CONFLICTS WITH ELECTRICAL
2. WATER AND SEWER LINES TO BE INSTALLED AS PER CITY OF SANFORD STANDARD SPECIFICATIONS AND DETAILS.
3. WATER SERVICES TO BE 3/4"
4. SEWER SERVICES AND CLEANOUTS TO BE 4" SCH 40 PVC

**LEGEND**

- WATER METER
- EXIST HYDRANT ASSEMBLY
- PROP HYDRANT ASSEMBLY
- EXIST WATERLINE
- PROP. WATER LINE
- PROP SEWER & MH
- EXIST SEWER & MH
- EXISTING WATER VALVE
- PROPOSED WATER VALVE

**REVISIONS:**


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**CONTACT:**  
 LAMCO CUSTOM HOMES LLC  
 PROJECT MANAGER  
 7424 CHAPEL HILL RD SUITE 203  
 RALEIGH, NC 27607  
 (919) 935-9282

**SCALE:**  
**BRANTLEY PLACE PHASE 3**  
**UTILITY PLAN**

**DATE:** 5-25-2022  
**FILE:**  
**C5**

**CITY OF SANFORD**  
**PLANNING BOARD STAFF REPORT**  
**SEPTEMBER 20, 2022**  
**Brantley Place (Phase III) Major Subdivision**  
**Preliminary Plat**

---

**GENERAL INFORMATION**

**Location:** Tyndall Drive (at intersection of Tyndall and Carthage Street)  
**Property Owner:** LAMCO Custom Builders, LLC  
**Project Developer:** LAMCO Custom Builders, LLC  
**Project Engineer:** Ken Bright Associates, PLLC  
**Township:** West Sanford  
**Ward:** City Council Ward 4  
**Tax Parcel:** 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  
**Tax Maps:** 9631.02  
**Total Lots:** 19  
**Zoning:** R-10 Residential Mixed **[07.05.22 SCC meeting for final vote was cancelled]**  
**Acreage:** 7.2 acres +/-  
**Minimum Lot Size:** 10,000sf  
**Smallest Lot Size:** 10,392sf (Lot 19)  
**Largest Lot Size:** 15,220sf (Lot 1)  
**Linear Feet of Street:** 1,236 linear feet of existing public street (Tyndall Drive)  
**Street:** Public Streets, NCDOT (but proposed to be accepted for maintenance by City of Sanford)  
**Water & Sewer:** Public Water & Sewer, City of Sanford  
**Fire District:** City Station #3, per GIS  
**Schools:** J.R. Ingram Elementary SanLee Middle School | Southern Lee High School

**REQUEST**

LAMCO Custom Builders, LLC, is seeking approval of a preliminary plat for the third phase of Brantley Place, a proposed major residential development consisting of nineteen lots intended for detached single-family homes. This project originally began as Carthage Square subdivision, which was approved and platted in 2020 by Mr. Mark Lyczkowski. Since then, LAMCO Customer Builders has purchased the lots and agreed to coordinate with Groce Companies' in developing this site as an additional phase of the Brantley Place subdivision, the preliminary plat for which was approved in 2021 and is currently under construction. This proposed subdivision will allow for nine additional lots, but also the extension of public sewer along Tyndall Drive, as well as the extension of public sidewalk and curb/gutter along one side of the street. **The site was recently rezoned from R-12 Residential Mixed to R-10 Residential Mixed** in July of this year. All lots proposed

are intended to be served by public water, public sewer, and public streets, all to be maintained by the City of Sanford.

## **ZONING DISTRICT INFORMATION**

### **Current Zoning: R-10 Residential Mixed**

The proposed subdivision design complies with the standards of the R-10 Zoning District.

For your reference, the following design standards are applicable to the Marelli Conditional Zoning District:

- Minimum Building Setbacks for Principal Structures:
  - Front = 25ft
  - Rear = 20ft
  - Sides = 10ft
- Minimum Lot Size:
  - 10,000sf
- Minimum Lot Width:
  - 75ft

### **Adjoining Zoning**

North: Residential-Mixed (R-12) – Sanford ETJ  
South: Residential-Mixed (R10) – City of Sanford  
East: Residential-Mixed (R-12), opposite Carthage Street – Sanford ETJ  
West: Residential-Mixed (R-12) – Sanford ETJ

## **LOCAL OVERLAY DISTRICTS & CORRIDOR STANDARDS**

Per GIS, the subject property is not located within a local historic district or established Flood Hazard Area (floodplain), nor is the subject property located within a watershed conservation overlay district.

The following is a general note included with all preliminary subdivision: Sanford, Lee County, and Broadway do not have local grading permits 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**

All lots are proposed to be served by City maintained public water via an existing 8-inch water main line along Tyndall Drive. An 8-inch sewer main is proposed to be extended along Tyndall Drive from the adjoining property to the south, currently under development as Brantley Place, Phases I and II. This information is per our GIS mapping system and, if the preliminary plat is approved, all new development 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 - pipe sizing, off-site improvements and annexation.

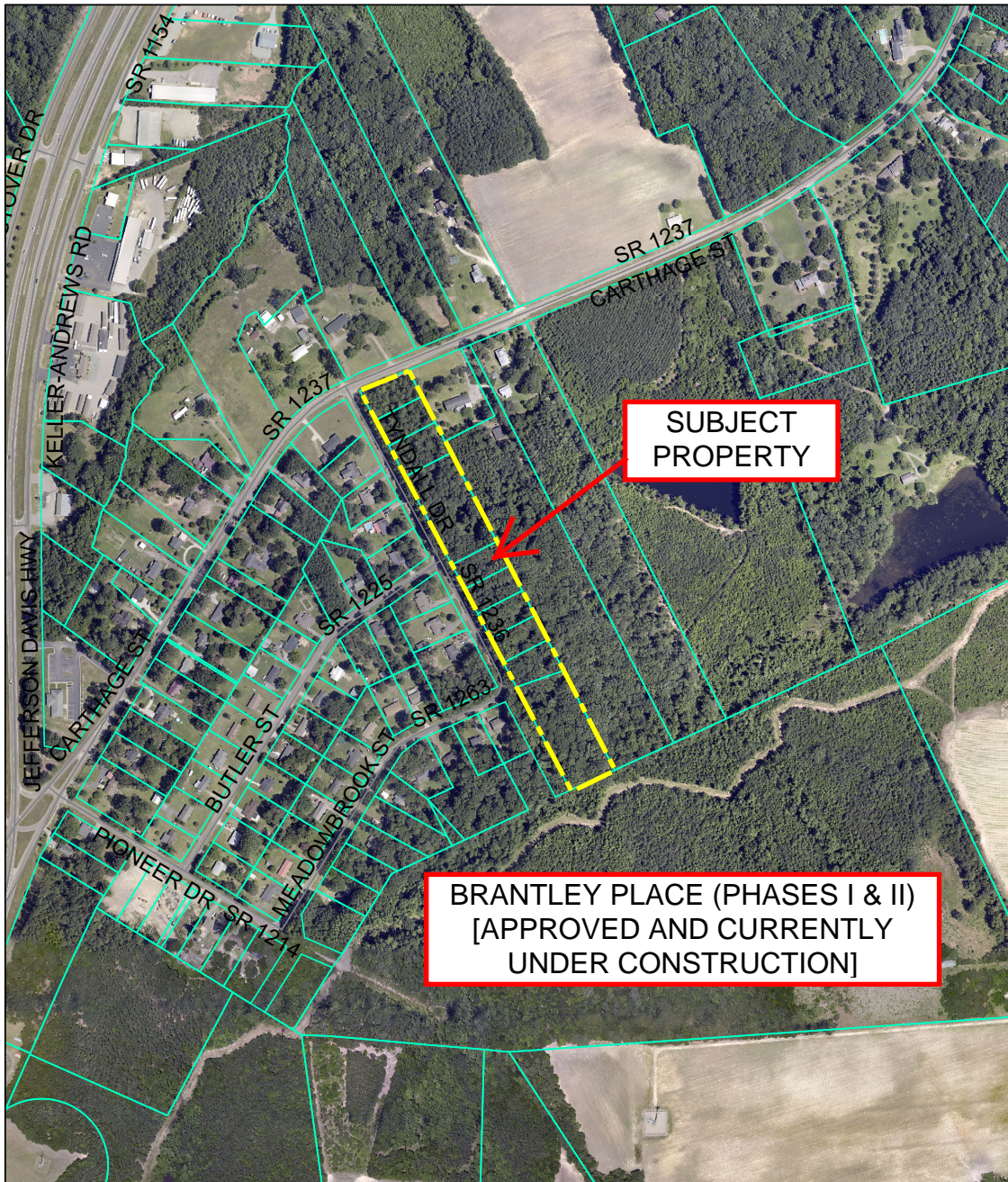
## **TRANSPORTATION**

The site has 1,631ft ± of road frontage on Tyndall Drive (SR1236), a NCDOT maintained paved public highway with a 60ft right-of-way. There is a 2011 average daily traffic count of NCDOT traffic count of 180 on Tyndall Drive in front of a house addressed as 5211 Tyndall Drive. The developer is working with the Sanford Public Works Department to improve Tyndall Drive with curb and gutter and pedestrian sidewalks along one side in order to have the street accepted for public maintenance by the City of Sanford. This information is per our GIS mapping system and, if the preliminary plat is approved, a Driveway Permit must be issued by NCDOT for all driveway connections to the NCDOT maintained roadways as part of 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.

**OTHER CONDITIONS / REQUIREMENTS / NOTES:**

- 1.) The TRC reviewed this design and was amendable with the preliminary plat moving forward for review/approval by the Planning Board and the City Council. All TRC technical revisions must be addressed prior to the final plat being recorded.
- 2.) NCDEQ approval will be required if the developer disturbs an acre or greater.
- 3.) NCDOT approval will be required for all driveway connections to NCDOT maintained public roads.
- 4.) The preliminary plat shall be valid for two years is approved by the Sanford City Council.
- 5.) All public utilities (water/sanitary sewer/streets) must be installed & accepted for maintenance or a financial guarantee posted to guarantee the installation of the required improvements prior to recording the final plat. All financial guarantees must comply with the UDO standards and be accepted by the Sanford City Council.



BRANTLEY PLACE (PHASE III) - PROPOSED MAJOR SUBDIVISION  
VICINITY / GIS AERIAL



# MEMORANDUM

---

**TO:** City of Sanford City Council  
City of Sanford Planning Board  
Hal Hegwer, City Manager

**FROM:** Marshall Downey, Planning Director

**DATE:** September 20, 2022

**REF:** Consideration of a text amendment to Table 4.6-1 Permitted Use Matrix to revise the land use categories “Religious Complex (less than 350 seats), new site” and “Religious Complex (more than 350 seats), new site” to remove the prohibition preventing this land use from being located within the central business district (CBD) zoning classification.

---

*This item was tabled by the City Council on July 19, 2022 after the joint public hearing was held. On September 9, 2022, the City Council took this item from the table and instructed staff to proceed with placing it on the next available Planning Board agenda for a recommendation.*

---

Recently, staff was directed by City Council to prepare an amendment to the Unified Development Ordinance (UDO) to allow religious institutions (churches) within the central business district (CBD) zoning classification.

Currently the UDO does not allow for religious complexes (churches) to be located within the central business district zoning classification. In April of 1999, the Sanford City Council took up this similar issue and adopted changes to the zoning ordinance that would promote relocation of the churches/religious uses into other areas of the city (the 1999 zoning changes reduced the restrictions and regulations associated with all other zoning districts). While adopting these new changes in ‘99, the Council also recognized that all existing churches would be grandfathered. In the months following, staff survey both the CBDs for Sanford and Jonesboro and created a master list of the churches then in operation. Over the years of this prohibition being in effect, Zoning staff has consistently tried to monitor and enforce this regulation. However, staff recognizes that we have a number of current sites within both the central business district of downtown Sanford and downtown Jonesboro that appear to be operating as unauthorized churches/religious operations.

Complicating this issue is the concern regarding Religious Land Use and Institutionalized Persons Act of 2000, commonly known as “RLUIPA”.

To learn more about RLUIPA, the following are excerpts taken from David Owens, Coates Cannons IOG Blog, August 2010:

*Religious uses have land use impacts, just as their secular counterparts. Large places of worship create the same traffic, noise, and congestion issues as do other places of assembly*

*of comparable size. The fact that a community center, event space, school, daycare, homeless shelter, or food pantry is sponsored by a religious rather than a secular organization usually makes no difference in its land use impacts. So, a basic proposition that religious land uses should be subject to the same land use regulations as their comparable secular counterparts makes sense and is noncontroversial, right?*

*Not entirely. There are two difficulties with applying this basic proposition without qualification. First, persons have a constitutional right to the free exercise of their religious beliefs. Second, fear and distrust, particularly of minority religions, has led to discrimination that on occasion is reflected in governmental land use regulations.*

*In addition to basic constitutional protection, Congress enacted the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA) to address this issue. It establishes a general rule that a zoning or landmarking regulation cannot impose a substantial burden on religious exercise (including religious assembly) unless it is in furtherance of a compelling governmental interest and is the least restrictive means of furthering that interest.*

*The courts have found that most general land use regulations do not “substantially burden” religious exercise. The burden imposed must be more than an “inconvenience” or something that increases the costs for the religious user. The burden must be so significant that it renders the religious exercise effectively impractical. Courts find that it is not a substantial burden to require compliance with typical zoning regulations. These include requirements to locate large places of assembly outside of residential areas, prohibitions of noncommercial or institutional uses in industrial or redevelopment areas, limits on the size and heights of buildings and signs, provision of adequate parking and buffers, and maintenance of harmony with existing nearby uses and congruence within historic districts. The cost and time taken to apply for and go through the approval process (such as a rezoning or special use permit review) have likewise been held not to be a substantial burden.*

*Conversely, however, where a city or county is shown to be using its land use regulations to deliberately frustrate a religious land use without appropriate justification, the courts will step in. Multiple denials have prompted judicial intervention, especially when modifications in the applications have been made to address concerns raised in an initial review or when each application produces new and inconsistent justifications for the denials. Denials that are unsupported by showing any legitimate land use impacts, especially where the decision-maker seems to be ignoring relevant factual information, have also been invalidated. It is important to remember that if actual religious discrimination or unequal treatment of religions is established, the action is illegal even if there is not a substantial burden.*

*When [considering zoning district use] regulations, be sure that they leave reasonable alternatives available for religious expression. If you want to limit location of all religious uses in a redevelopment area or an industrial district, be sure there are ample places elsewhere within the jurisdiction that these uses can be undertaken. This was a key factor in a recent decision upholding Coat’s prohibition of places of worship in a six-block commercial area, but allowing them elsewhere. *Dixon v. Town of Coats*, 2010 WL 2347506 (E.D. N.C. June 9, 2010). Documenting that the availability of alternative sites was thoughtfully considered prior to making a decision can defuse a substantial burden issue.*

Staff also looked into some of the case law as examples of how this law has been applied to other towns and cities.

The first example is from a 2010 case, *Dixon v. Town of Coats*, 2010 WL 2347506 (E.D.N.C. June 9, 2010), wherein the Town of Coats withstood a RLUIPA challenge. In this case, the Plaintiff owned a small building in downtown Coats that had previously been used for various retail uses, a residence, and a church. The town rezoned the entire six-block downtown areas to a “Mixed Use Village District.” Churches were not a permitted use in the district. At the time of the rezoning plaintiff’s structure had been vacant several months. Some six months later the plaintiff leased the building to a person who proposed using it for a church. The town informed the tenant that the use was not permitted and that prior church use did not have nonconforming status as that use had been discontinued more than ninety days. Nonetheless, the town allowed the tenant to open a church on site, but advised them this was a “one time” approval and once the church closed, another religious use would not be approved. The church operated briefly, closed, and the plaintiff then leased the property to another church. The town staff denied zoning approval and the denial was upheld by the Board of Adjustment.

The court first held the plaintiff had standing to bring a claim under the Religious Land Use and Institutionalized Persons Act even though he had not made nor proposed to make any personal religious use of the site. The Plaintiff’s potential financial loss as a lessor prohibited from leasing to a religious user of his property was sufficient to establish standing. The court dismissed his “equal terms” claim, however, as the plaintiff was not a religious assembly or institution. The court held the exclusion of places of worship from a relatively small area was not a “substantial burden” as it did not render religious exercise effectively impractical within the town as a whole. The town withstood the legal challenge.

The next two examples illustrate communities that lost a RLUIPA challenge.

*Lighthouse Institute for Evangelism v. City of Long Branch*, 510 F3d 253 (3rd Cir 2007), cert den 128 S Ct 2503, 171 L Ed 2d 787 (2008), the zoning ordinance for a downtown commercial district permitted a variety of uses, including an “assembly hall,” but did not permit churches. The Third Circuit construed the equal terms provision at 42 USC 2000cc-(b)(1) to require that a person asserting a claim under the equal terms provisions must show (1) it is a religious assembly or institution, (2) subject to a land use regulation, which regulation (3) treats the religious assembly on less than equal terms with (4) nonreligious assembly or institution (5) that causes no lesser harm to the interests the regulation seeks to advance. 510 F3d at 270. The Court found that “it is not apparent from the allowed uses why a church would cause greater harm to regulatory objectives than an ‘assembly hall’ that could be used for unspecified meetings[,]” and concluded that the zoning code violated the equal terms provision. *Id.* at 272. The town failed the RUILPA challenge.

*Midrash Sephardi, Inc. v. Town of Surfside*, 366 F3d 1214 11 (11th Cir 2004), the zoning scheme prohibited churches and synagogues within a business district, but permitted “private clubs,” among other similar secular uses. The Eleventh Circuit found that private clubs and other non-religious uses allowed in the zone were “assemblies” for purposes of RLUIPA, and that the prohibition on churches and synagogues violated the equal terms provision. Again, the town failed the RUILPA challenge.

Based on case law, it appears religious uses must be treated in the same manner as all similar land uses (places of assembly such as private clubs, bars, wedding venues, social/fraternal organizations, community centers, theaters, meeting halls, etc.) in a specific zoning district in order to meet the RUILPA standard. Many of these other assembly uses are allowed by right in the CBD. As such, staff has brought forward the attached text amendment for consideration. If approved, this would allow religious complexes (churches) in the central business district (CBD) in both downtown Sanford and downtown Jonesboro.

The consideration of this amendment was presented and discussed by the Joint Planning Commission (JPC) in on June 28<sup>th</sup>. The JPC recommended that the amendment moved forward to public hearings on a 4-2 vote. The draft amendment is attached for your consideration.

**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE  
OF THE CITY OF SANFORD, NORTH CAROLINA**

**BE IT ORDAINED** by the City Council of the City of Sanford, North Carolina that the Unified Development Ordinance be, and it hereby is, amended as follows:

**Section 1.** That Article 4 – Zoning District Regulations, Table 4.6-1 Permitted Use Matrix, that land use categories, “Religious Complex (less than 350 seats), new site” and “Religious Complex (more than 350 seats), new site” be revised as follows to allow this land use by right in the central business district (CBD) zoning classification:

Education, Public Administration, Health Care, and Institutional	RA	RR	R20	R14	R12SF	R12	R10	R6	MF12	NC	HC	C1	C2	O&I	CBD	LI	HI
Religious Complex (less than 350 seats), new site	6600	3500	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Religious Complex (more than 350 seats), new site	6600	3500	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

**Section 2.** This ordinance shall be in full force and effect from and after the date of its adoption.

**ADOPTED this the 4th day of October 2022.**

---

Rebecca Wyhof Salmon, Mayor  
City of Sanford

**ATTEST:**

---

Bonnie Davis, City Clerk

**APPROVED AS TO FORM:**

---

Susan Patterson, City Attorney